

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES**

January 28, 2025

This meeting was held via internet and telephone conference call.

Trustees Participating:

Cricket Goodall, Vice Chair
Steve Connelly, representing Secretary Kevin Atticks, Maryland Department of Agriculture
Deborah Herr Cornwell, representing Secretary Rebecca Flora, Maryland
Department of Planning
Ben Seigel, representing Comptroller Brooke E. Lierman
Gary Dell
Sean Hough
Tanya Spandhla
Joseph Wood

Trustees Absent:

Gilbert "Buddy" Bowling
William Buckel
Jenell McHenry
J. Bruce Yerkes

Others Participating:

Michelle Cable, Executive Director
Chana Turner, MALPF Administrator
Rama Dilip, MALPF Administrator
Erin Lueders, MALPF Administrator
Beth Beales, MALPF Administrator
Amanda Massoni, MALPF Fiscal Specialist
Kim Hoxter, MALPF Monitoring and Stewardship
Mike Steadman, Jr., Assistant Attorney General, Department of Agriculture
Patrick Martyn, Assistant Attorney General, Department of General Services
Renee Dyson, Assistant Attorney General, Department of General Services
Cara Frye, Assistant Attorney General, Department of General Services
Billy Gorski, Anne Arundel County Staff
JP Smith, Carroll County Program Administrator
Megan Benjamin, Baltimore County Program Administrator
Julie Enger, Department of General Services Appraiser
Will Lefort, Department of General Services Appraiser
Jen Wilson, Harford County Program Administrator
Cal Carpenter, Charles County Staff
Jeffrey Fretwell, MDA Director of Budget and Capital Grants
Kaitlin Lee, Harford County Staff
Donna Landis-Smith, Queen Anne's County Program Administrator
Joe Pippin, Queen Anne's County Staff
Roy Cool, Allegany County Program Administrator
Joy Levy, Howard County Program Administrator
Priscilla Leitch, St. Mary's County Program Administrator
Mike Weyand, Montgomery County Program Administrator
Elisa Deflaux, Talbot County Program Administrator
John Butterfield, St. Mary's County Landowner
Leslie Grunden, Caroline County Program Administrator

Cricket Goodall, Vice Chair, called the meeting to order at 9:10 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.

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I. Approval of Open Minutes from November 26, 2024

A. Approval of Minutes of November 26, 2024

Motion #1: To approve minutes from November 26, 2024.

Motion:	Dell	Second:	Herr-Cornwell
Status:	Approved		

II. ADDITION / DELETION OF AGENDA ITEMS

N/A

III. ANNOUNCEMENTS

Ms. Cable informed the Board that the Governor's Office has made additional new appointments to the Board Sean Hough, Agricultural Commission representative, Jenell McHenry, Young Farmer representative, and William "Bill" Buckel and Tanya Spandhla, at large positions. Mr. Hough and Ms. Spandhla introduced themselves and shared their background with the Board. Ms. Cable also introduced and welcomed two new MALPF Administrators, Beth Beales and Eric Lueders.

Ms. Cable informed the Board that the Maryland legislature is in session for the next three months and reminded the Board that any interaction done with legislators are done in their personal capacity as a Maryland citizen, not an official MALPF Board of Trustees representative, unless otherwise notified.

Ms. Cable reminded the Board that their ethics and financial disclosure period is open and must be completed online by April.

Ms. Cable asked the county staff that were on the call whether anyone had any announcements to make; there were none.

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. She 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. QUEEN ANNE'S COUNTY

- | | | | |
|----|----------|--------------------------|----------------|
| 1. | 17-89-03 | Crow's Nest Farm and | ~190.925 acres |
| | 17-89-04 | Cherry Blossom Farm, LLC | ~254.497 acres |

Request – Queen Anne's County:

Request approval to place a legal Right of Way (ROW) across Cherry Blossom Farm to Crow's Nest Farm (both MALPF easement properties).

Recommendation:

Staff recommends approval subject to:

1. 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;

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2. satisfaction of all applicable requirements/conditions set forth below under the header "COMAR 15.15.16, *Guidelines for Granting Overlay Easements and Rights-of-Way*";
3. Approval of the ROW agreement by the Foundation and the Office of the Attorney General as required by COMAR 15.15.16; and
4. Approval of a survey delineating the location of the ROW by the Foundation and the Office of the Attorney General as required by COMAR 15.15.16.

Ms. Dilip introduced the item. Ms. Landis-Smith and Mr. Pippin were available to answer questions from the Board.

Motion #2: To approve the request to place a legal ROW across both MALPF properties incorporating staff recommendations, as presented.

Motion: Dell Second: Connelly
Status: Approved

2. 17-25-16 David & Clara Bramble ~8.49 acres

Request – Queen Anne's County:

To accept donated MALPF easement, waived lot rights

Recommendation:

Per the terms of COMAR 15.15.01.19, Staff recommend approval of the request contingent upon a satisfactory legal review.

Ms. Dilip introduced the item. Ms. Landis-Smith and Mr. Pippin were available to answer questions from the Board.

Motion #3: To approve the acceptance of the donated MALPF easement, as presented.

Motion: Seigel Second: Herr-Cornwell
Status: Approved

3. 17-87-04 Mark Sultenfuss ~179.95 acres

Request – Queen Anne's County:

To request approval for a land exchange to revise a fully released child's lot.

Recommendation:

Staff recommends approval subject to the following conditions:

1. satisfaction of all applicable requirements/conditions set forth in COMAR 15.15.11.03.A and COMAR 15.15.11.03.C, which require, among other things, a determination that the value of the easement will not be diminished as a result of the land exchange.
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. approval by the Board of Public Works; and
4. the landowner entering into (a) An Amended Easement to add the acres back into the easement, (b) completing a Partial Release to release the areas from the easement, then (c) completing an Amended Final Release Agreement for the child's lot to show the new configuration of the lot (showing the access now as a ROW)

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Ms. Dilip introduced the item. Ms. Landis-Smith and Mr. Pippin were available to answer questions from the Board. Ms. Landis-Smith noted that the Queen Anne's Ag Advisory Board recommended that all legal expenses, including MALPF expenses, should be the responsibility of the owner in this transaction. MALPF staff informed the Board that the MALPF legal expenses are not the responsibility of the landowner, but all other expenses will be.

Motion #4: To approve the request of a land exchange to revise a fully released child's lot, incorporating staff recommendations, as presented.

Motion: Dell Second: Seigel
Status: Approved

B. HOWARD COUNTY

1. 13-79-04 Never Sell the Land, LLC (Clark Family) ~114 acres

Request – Howard County:

Request for retroactive approval of an accessory solar panel system that serves the above property and adjacent parcels which are farmed together.

Recommendation:

Staff recommends approval.

Ms. Beales introduced the item. Ms. Levy was available to answer questions from the Board.

Motion #5: To approve the request of a retroactive approval of an accessory solar panel system that serves the above property and adjacent parcels which are farmed together, as presented.

Motion: Hough Second: Dell
Status: Approved

C. ST. MARY'S COUNTY

1. 18-00-19 Butterfield Family Revocable Trust ~79.592 acres

Request –St. Mary's County:

Request approval for up to 2.0 acres for a child's lot for John Gregory Butterfield.

Recommendation:

Staff recommends approval subject to the following conditions:

1. Documentation from St. Mary's County confirming approval of this request by the St. Mary's County Department of Land Use and Growth Management.
2. As the property was partially federally funded, documentation of approval by NRCS is required.

Ms. Beales introduced the item. Ms. Leitch and Mr. Butterfield were available to answer questions from the Board.

Motion #6: To approve the exclusion up to 2.0 acres from the easement for a child's lot for John Gregory Butterfield, incorporating staff recommendations, as presented.

Motion: Herr-Cornwell Second: Dell
Status: Approved

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V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

A. KENT COUNTY

1. 14-25-05 David A. Hill ~268.3 acres
(does include unpaid acres)

Request to approve the application designating ~1.0 acre as an unpaid non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling as located on the map.

2. 14-25-06 Patricia K. & Henry Jay Hill ~303.49 acres
(does not include withheld acres)

Request to approve the application withholding 0.589 acres to add to adjacent residential parcel with no development right associated with the withheld acreage. The 0.589 acre will require a Declaration of Restrictions that documents no development rights with the acreage.

Motion #7: To approve the Kent County requests, as presented.

Motion: Herr-Cornwell Second: Dell
Status: Approved

B. ST. MARY'S COUNTY

1. 18-25-03 Michael Raley- Hollywood Shuffle, LLC ~105.93 acres
(does not include withheld acres)

Request to approve the application withholding ~5.21 acres in two separate areas. Approximately 5.0 acres are withheld for a future dwelling and will require a Declaration of Restrictions that documents one development right with the acreage. The additional ~0.21 acres are associated with acreage lying across the road from the rest of the farm and will not be included in the MALPF easement perimeter. No Declaration of Restrictions are required for the ~0.21 acre area.

2. 18-25-04 Katherine S. & Brian M. Nutter ~100 acres
(does not include withheld acres)

Request to approve the application withholding ~2.9 acres associated with an existing house and will require a Declaration of Restrictions that documents one development right with the acreage.

3. 18-25-07 Loretta A. & Joseph W. Vallandingham ~82.22 acres
(does not include withheld acres)

Request to approve the application withholding ~22.5 acres in two separate areas. Approximately 20.0 acres are withheld for two future dwellings and will require a Declaration of Restrictions that documents two development rights with the acreage. The additional ~2.5 acres are associated with recreational ballpark use will not be included in the MALPF easement perimeter. A Declaration of Restriction that documents no development rights will be required for the ~2.5 acre area.

Motion #8: To approve the St. Mary's County requests, as presented.

Motion: Hough Second: Seigel
Status: Approved

C. WASHINGTON COUNTY

1. 21-25-07 Jeremy C. & Jana E. Palmer ~145.87 acres
(includes unpaid acres)

Request to approve the application designating ~1.0 acres as a permitted use envelope around an existing commercial electrician operation that will not be included in the payment calculation for the MALPF easement.

Motion #9: To approve the Washington County request, as presented.

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Motion: Dell
Status: Approved
Second: Herr-Cornwell

D. DELETED

E. ANNE ARUNDEL COUNTY

1. 02-25-03 Land Preserve, LLC (Chaney family) ~76.2 acres
(does not include withheld acres, does include unpaid acres)
Request to approve the application withholding ~3.35 acres and designating ~5 acres as a permitted use envelope around existing dwelling for future commercial events. The ~3.35 acres are being withheld at the request of MALPF staff to create a shape of the easement that is more conducive for future monitoring purposes. Since this withheld acreage is at the request of staff, no Declaration of Restrictions are required for the ~3.35 acre area.

Motion #10: To approve the Anne Arundel County request, as presented.

Motion: Herr-Cornwell
Status: Approved
Second: Dell

F. CHARLES COUNTY

1. 08-25-04 Lena T. Demas Living Trust: ~66.64 acres
Nicholas, Jon, Drew, and Chrstopher Demas, Trustees (includes unpaid acres)
Request to approve the application designating ~1.0 acre as an unpaid, floating, non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling, location to be approved by MALPF in the future.

2. 08-25-05 Reuben F. Lilly, Jr. and Mary Agnes Lilly ~277.45 acres
(includes unpaid acres)
Request to approve the application designating ~8.0 acres as a permitted use envelope around an existing structures for future commercial events that will not be included in the payment calculation for the MALPF easement.

3. 08-25-06 Mausen Homes, LLC, (Brad & Christy Mausen) ~101.65 acres
(includes unpaid acres)
Request to approve the application designating ~2.0 acres as an unpaid non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling as located on the map.

Motion #11: To approve the Charles County requests, as presented.

Motion: Hough
Status: Approved
Second: Herr-Cornwell

G. CECIL COUNTY

1. 07-25-02 Singerly Ridge, LLC (Theodore & Angela Mercer) ~82.02 acres
(does not include withheld acres)
Request to approve the application withholding ~5 acres for a future residential lot, which will require a Declaration of Restrictions that documents one development right with the acreage.

Motion #12: To approve the Cecil County request, as presented.

Motion: Connelly
Status: Approved
Second: Hough

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H. CARROLL COUNTY

1. 06-25-02 Baker, Michael R. and Linda F. ~19.41 acres
(includes unpaid acres)

Request to approve the application designating ~1.0 acre as an unpaid, floating, non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling, location to be approved by MALPF in the future.

2. 06-25-06 John J. Fisher and Elizabeth F. Fisher ~118.70 acres
(includes unpaid acres)

Request to approve the application designating ~1.0 acre as an unpaid, floating, non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling, location to be approved by MALPF in the future.

3. 06-25-09 Lehigh Riding Club, Inc. ~26.106 acres
(includes unpaid acres)

Request to approve the application designating ~1.0 acre as an unpaid, floating, non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling, location to be approved by MALPF in the future.

4. 06-25-10 Shirley J. Lewis, Thomas D. Ellison, Kevin E. Lewis ~11.52 acres
(includes unpaid acres)

Request to approve the application designating ~1.0 acre as an unpaid, floating, non-subdividable building envelope from the easement with 1 development right associated with it for a future dwelling, location to be approved by MALPF in the future.

Motion #13: To approve the Carroll County requests, as presented.

Motion: Herr-Cornwell Second: Dell
Status: Approved

I. HARFORD COUNTY

1. 12-25-01 John W. Cairnes Trust ~149.18 acres
(does not include withheld acres)

Request to approve the application withholding ~37 acres for a future solar energy project. A Declaration of Restrictions that documents zero development rights with the acreage will be required.

2. 12-25-06 T.E.R. Limited Liability Company ~67.1 acres
(James Reeves, Jr., Thomas Reeves) (does not include withheld acres)

Request to approve the application withholding ~5 acres in two separate areas consisting of ~2-acres and ~3-acres. Each area is being withheld for a future dwelling, requiring a Declaration of Restrictions that documents each area retaining one development right with the acreage.

Motion #14: To approve the Harford County requests, as presented.

Motion: Dell Second: Herr-Cornwell
Status: Approved

J. CAROLINE COUNTY

1. 05-25-07 Anthony L. Monath and Charlotte Ann Monath ~77.39 acres
(does not include withheld acres)

Request to approve the application withholding ~2 acres associated with an existing house and will require a Declaration of Restrictions that documents one development right with the acreage.

Motion #15: To approve the Caroline County request, as presented.

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Motion: Seigel Second: Housh
Status: Approved

K. WICOMICO COUNTY

1. 22-25-02 G & J Homes; Gregory W. Johnson & Joanne K. Johnson ~53.81 acres
(does not include withheld acres, does include unpaid acres)
Request to approve the application withholding ~4.08 acres and designating ~0.8 acres as an unpaid area around a cemetery. The ~4.08 acres are being withheld for a future residential develop and will require Declaration of Restrictions to document one development right associated with the withheld acres.

2. 22-25-06 Charles Wright IV, Charles Wright V, Lynn M. Wright ~67.5 acres
(does not include withheld acres)
Request to approve the application withholding ~21 acres associated with existing structures on the farmstead, including a dwelling and will require a Declaration of Restrictions that documents one development right with the acreage. Owners will be required to grant an access easement over adjacent parcel and withheld area to access the MALPF easement area if offer is extended.

Motion #16: To approve the Wicomico County requests, as presented.

Motion: Dell Second: Herr-Cornwell
Status: Approved

L. GARRETT COUNTY

1. 11-25-10 Brian Sisler, Donald F. Calhoun ~129.26 acres
(does not include withheld acres)
Request to approve the application withholding ~4.78 acres for two future residential lots, requiring a Declaration of Restrictions that documents two development rights are being retained with the acreage.

2. 11-25-13 Gregan Crawford ~141.88 acres
(does include unpaid acres)
Request to approve the application designating ~37.64 acres to be unpaid to meet the minimum soil qualification criteria.

Motion #17: To approve the Garrett County requests, as presented.

Motion: Herr-Cornwell Second: Hough
Status: Approved

M. TALBOT COUNTY

1. 20-25-02 Robert F. & Althea Dulin ~165.2 acres
(does not include withheld acres)
Request to approve the application withholding ~8 acres in two separate areas consisting of ~5-acres surrounding the existing farmstead (with dwelling) and ~3-acres for a future residential lot. Each area requires a Declaration of Restrictions that documents each area retaining one development right with the acreage.

2. 20-25-12 Mark & Victoria Sump ~141.75 acres
(does not include withheld acres)
Request to approve the application withholding ~2 acres for a future residential lot, which will require a Declaration of Restrictions that documents one development right with the acreage.

Motion #18: To approve the Talbot County requests, as presented.

Motion: Dell Second: Hough
Status: Approved

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N. QUEEN ANNE'S COUNTY

1. 17-25-10 Gina L. & James D. Schillinger ~229.437 acres
(does not include withheld acres)

Request to approve the application withholding ~5.388 acres of barns and structures associated with a grain operation to add to adjacent residential parcel owned by same owners to merge grain operation with same parcel as dwelling. There is no development right associated with the withheld acreage. The ~5.388 acres will require a Declaration of Restrictions that documents no development rights with the acreage.

Motion #19: To approve the Queen Anne's County request, as presented.

Motion: Seigel Second: Dell
Status: Approved

O. SOMERSET COUNTY

1. 19-25-18 Michael D. & William J. Zacierka ~108.82 acres
(does include unpaid acres)

Request to approve the application designating ~25 acres to be unpaid to meet the minimum soil qualification criteria.

Motion #20: To approve the Somerset County request, as presented.

Motion: Hough Second: Herr-Cornwell
Status: Approved

VI. PROGRAM POLICY

A. Closing FY24 Easement Application Cycle

Motion #21: To close the FY24 Easement Application Cycle

Motion: Connelly Second: Dell
Status: Approved

VII. INFORMATION AND DISCUSSION

A. FY 2025 Quarterly Inspection Report

Ms. Hoxter provided the Board with the quarterly inspection report.

B. Legislative Update

Ms. Cable provided the Board with the status of the 2025 legislation which may affect MALPF. In addition, Ms. Cable informed the Board of what the Governor included for MALPF funding in his budget submission. The original budget included for MALPF is considered full funding based on the distribution of the formula of the transfer tax revenue collected (also referred to as the Program Open Space Funds). MALPF received 17.05% of the formula distribution, after any over or under attainment is applied from the actual revenue collected two fiscal years ago. For FY26, this results in a decrease "off the top" of the Program Open Space Funds of ~\$85 million based on the lower than estimated revenue for FY24.

The total original budget submitted for MALPF in FY26:

State share:	\$21,649,766
County share:	\$12,000,000
Total:	\$33,649,766

VIII. CLOSED SESSION

Ms. Goodall asked for a motion to adjourn 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

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thereto; and (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 #22: To adjourn the regular session at 10:53 am 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: Herr-Cornwell Second: Seigel
Status: Approved

The Closed Meeting of the Board was held from 11:03 a.m. to 11:35 a.m. on January 28, 2025, 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: Cricket Goodall, Vice Chair, Deborah Herr Cornwell, representing Secretary Rebecca Flora, Steve Connelly, representing Secretary Kevin Atticks, Ben Seigel, representing Comptroller Brooke E. Lierman, Gary Dell, Joe Wood, Tanya Spandhla and Sean Hough.

The following Board members were absent: Gilbert "Buddy" Bowling, William Buckel, Jenell McHenry, and J. Bruce Yerkes.

The following MALPF staff and legal representatives were also present during the closed session meeting: Michelle Cable, Chana Turner, Rama Dilip, Beth Beales, Erin Lueders, Kim Hoxter, Amanda Massoni, Michael Steadman, Jr., Assistant Attorney General, Maryland Department of Agriculture, Patrick Martyn, Assistant Attorney General, Maryland Department of General Services, Renee Dyson Assistant Attorney General, Maryland Department of General Services, and Cara Frye Assistant Attorney General, Maryland Department of General Services.

TOPICS DISCUSSED:

- A. Approval of minutes- 11/26/2024
- B. Status Report of Pending Legal Issues
- C. FY25 Easement donated easement due diligence funding request.
- D. FY24 Easement Option Contract review
- E. FY22 Easement Option Contract review
- F. FY22 Easement Option Contract review

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Respectfully Submitted:



Michelle Cable, Executive Director

