

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION  
OPEN MEETING MINUTES  
OCTOBER 22, 2019**

**Trustees Present:**

Michael Calkins, Chair  
William Allen, Vice-Chair  
Jerome Klasmeier, representing Comptroller Peter Franchot  
Joanna Kille, representing Treasurer Nancy Kopp  
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland  
Department of Planning  
Rich Colburn, representing Secretary Joseph Bartenfelder, Maryland Department  
of Agriculture  
Taylor Huffman  
Bernard L. Jones, Sr.

**Trustees Absent:**

Catherine Cosgrove  
Joe Wood  
J. Bruce Yerkes

**Others Present:**

Michelle Cable, MALPF Executive Director  
Diane Chasse, MALPF Administrator  
Sarel Cousins, MALPF Administrator  
Amanda Wilson, MALPF Fiscal Specialist  
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator  
Robert Day, MALPF Office Secretary  
Justin Hayes, Assistant Attorney General, Department of Agriculture  
Patrick Martyn, Assistant Attorney General, Department of General Services  
Megan Benjamin, Baltimore County Staff  
Kevin Lauer, Somerset County, consultant  
Billy Gorski, Anne Arundel Program Asst.  
Adam Gibson, Somerset County, Program Administrator

**Others Present By Phone Conferencing:**

Devyn King, Cecil County, Program Administrator  
Beth Beales, Caroline County, Program Administrator  
Anne Bradley, Frederick County, Program Administrator  
Shannon O'Neil, Frederick County, Program Assistant  
Tony Brusco, South Mountain Creamery

Mr. Calkins, Chair, called the meeting to order at 9:06 a.m. at the Maryland Department of Agriculture building, Annapolis, Maryland. The guests and then the Board and staff introduced themselves.

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**I. APPROVAL OF MINUTES**

A. Approval of Open Minutes from September 24, 2019.

Motion #1: To approve minutes from September 24, 2019.  
Motion: Jones Second: Herr-Cornwell  
Status: Approved

**II. ADDITION / DELETION OF AGENDA ITEMS**

N/A

**III. ANNOUNCEMENTS**

Ms. Cable informed the Board that there would be no closed session this month, but asked that they review the September Closed session minutes while it was recent in their memories. In addition, she reminded the Board that after the November meeting we would be having a retirement party for Nancy Forrester.

**IV. EASEMENT AMENDMENTS**

A. FREDERICK COUNTY

1. File # 10-84-11E SMC Real Estate Holding, LLC ~445 acres

Request – Frederick County:  
Request approval of agricultural subdivision.

The Landowner is requesting approval to agriculturally divide the easement property to create a ~345-acre parcel (Parcel 1), and a ~100-acre parcel (Parcel 2).

Recommendation:  
Staff recommends approval, subject to completing the Corrective Easements including

- 1) Providing a survey plat or plats depicting the divided parcels, along with separate metes and bounds perimeter descriptions of the divided parcels;
- 2) A provision in the Corrective Easements that the existing dwelling on each parcel shall be a non-subdividable dwelling (per agreement with landowner, see application) and
- 3) A provision waiving all rights to request termination of the easement (per COMAR 15.15.12.04 B).

Ms. Chasse introduced the item. Ms. Bradley, Ms. O’Neil, and Mr. Brusco were available by phone to address the Board.

Motion #2: To approve the agricultural subdivision to create a 345 acre parcel and a 100 acre parcel, including conditions.  
Motion: Huffman Second: Jones  
Status: Approved

2. File #10-17-01 Beall, Harold and Bobbye ~124 acres

Request – Frederick County:  
Request approval for an owner’s lot.

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Recommendation:

Staff recommends approval.

Ms. Chasse introduced the item. Ms. Bradley and Ms. O'Neil were available by phone to address the Board.

Motion #3: To approve the request for an owner's lot, as presented.

Motion: Huffman Second: Jones  
Status: Approved

3. File #10-17-01 Beall, Harold and Bobbye ~124 acres

Request – Frederick County:

Request approval for a child's lot for Travis Beall.

Recommendation:

Staff recommends approval.

Ms. Chasse introduced the item. Ms. Bradley and Ms. O'Neil were available by phone to address the Board.

Motion #4: To approve the request for a child's lot for Travis, as presented.

Motion: Jones Second: Huffman  
Status: Approved

B. BALTIMORE COUNTY

1. File #03-96-17 Willowdale Farm (Harrison) ~175-972 acres

Request –Baltimore County:

Request approval of a restrictive covenant to be held by Valleys Planning Council as required under the Baltimore County Special Exception and Variance approval.

Recommendation:

Staff recommends approval, which will complete the conditions included in the March 2016 MALPF Board approval for the on-farm brewery.

Ms. Cable introduced the item. Ms. Benjamin was available to address the Board.

Motion #5: To approve the request for restrictive covenant to be held by Valleys Planning Council as required under the Baltimore County Special Exception and Variance approval.

Motion: Jones Second: Kille  
Status: Approved

C. SOMERSET COUNTY

1. File #19-20-04 Johnson, Brian ~119.59 acres

Request – Somerset County:

Request an approval to build an Anaerobic Digester on a proposed easement property to offset approximately 50% of the present electric utility consumption of this poultry farm.

Recommendation:

Staff recommends approval.

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Ms. Chasse introduced the item, highlighting that this request is for an application in the FY 2020 cycle, currently in the appraisal process. Mr. Gibson and Mr. Lauer were available to address the Board.

Ms. Chasse highlighted the energy savings for the project and Mr. Lauer highlighted the benefits of nutrient reduction and creation of fertilizer.

Motion #6: To approve the request to build an Anaerobic Digester on a proposed easement property to offset approximately 50% of the present electric utility consumption of this poultry farm.

Motion: Jones Second: Allen  
Status: Approved

**V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:**

N/A

**VI. PROGRAM POLICY**

- A. Draft Revised Regulations for Certification of County Land Agricultural Land Preservation Programs (COMAR 34.03.03)

Ms. Cable introduced the item, with Mr. Hayes and Ms. Herr-Cornwell available for any questions put forth by the Board. Ms. Cable outlined the history of the past two years of bills passed by the Legislature and why the regulations needed to be updated. As MALPF handles all proposed changes to regulations, MALPF will request the Counties to provide any comments/concerns over the next month and bring the item back to the Board in November for discussion, with a possible vote if no significant changes have been recommended.

**VII. INFORMATION AND DISCUSSION**

- A. Fiscal Year 2019 Inspection Update

On July 23, 2019 the Board granted Dorchester Co. an extension to September 1, 2019 to submit FY 2019 inspection reports. As of October 8, 2019, Dorchester Co. has submitted 100% of the federal reports and 38% (3 of 8) of the state reports. That county is short four people in the office. Program administrator Rodney Banks hopes to have the remaining reports submitted soon. Ms. Hoxter has offered assistance.

Mr. Colburn asked how many people make up the Dorchester staff? Ms. Hoxter said she did not know but would find out.

- B. Fiscal Year 2020 Quarterly Inspection Report

Please refer to the list of counties for the inspection results as of October 7, 2019. In summary, one county has started inspections, Washington County. This minimal activity is typical for the fall; not many inspections are conducted due to tall crops and hunting seasons which begin in the fall and continue into winter. It is during the spring months when most of the inspection activity begins.

