MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION OPEN MEETING MINUTES March 24, 2020

This meeting was held via internet conferencing.

Trustees Participating:

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

Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department

of Agriculture

Catherine Cosgrove

Cricket Goodall

Robin Kable

James Weddle

Joseph Wood

Trustees Absent:

J. Bruce Yerkes Elizabeth Hill

Others Participating:

Michelle Cable, MALPF Executive Director

Diane Chasse, MALPF Administrator

Chana Turner, 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

Renee Dyson, Assistant Attorney General, Department of General Services

Michael Steadman, Assistant Attorney General, Maryland Department of Agriculture

Billy Gorski, Anne Arundel County Planner

Megan Benjamin, Baltimore County Program Staff

Beth Groth, Charles County Program Staff

Kathleen Freeman, Director Caroline County Department of Planning and Codes

Devyn King, Cecil County Program Administrator

Adam Gibson, Somerset County Program Administrator

Donna K. Landis-Smith, Queen Anne's County Program Administrator

Jenn Wilson, Harford County Program Staff

Shannon O'Neil, Frederick County Program Staff

Martin Sokolich, Talbot County Program Administrator

Mike Scheffel, Montgomery County Program Administrator

Anne Bradley, Frederick County Program Administrator

Donna Sasscer, St. Mary's County Program Administrator

Jeanine Nutter, Prince George's County Program Administrator

Mr. Calkins, Chair, called the meeting to order at 9:06 a.m. via internet conferencing. 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 February 25, 2020.

Motion #1:

To approve minutes from February 25, 2020.

Motion:

Wood

Second:

Oberg

Status:

Approved

II. ADDITION / DELETION OF AGENDA ITEMS

N/A

III. ANNOUNCEMENTS

Ms. Cable thanked all the attendees for participating in the first ever 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. Ms. Cable and Mr. Calkins confirmed with Mr. Hayes that when motions are made, Board members only need to state their name if they object, they do not need to verbally say "aye" for each motion.

Ms. Cable provided an update on the FY 2021 budget. MALPF will not be receiving any of the ~\$6.5 million payback that was included in the Governor's original budget submission. The approved budget at the end of the session (state and county funds included) is ~\$42.1 million (which includes \$8.5 of County matching, resulting in \$33.6 million state share). That gives a maximum of \$730K for general allotment per county.

Ms. Cable also reminded the Board that their compliance forms are due in April.

EASEMENT AMENDMENTS

A. CALVERT COUNTY

1. File #04-86-05

Gott, Donald & Kim

~ 85.71 acres

Request:

Request approval for a 5-year extension to the validity of the preliminary release for the previously approved child's lot for their son, Galen. If approved, this will be the second extension for this release, which expires on June 30, 2020.

Recommendation:

Under COMAR 15.15.06.05.B.2. Staff recommends approval of the extension.

Ms. Turner introduced the item.

Motion #2:

To approve a 5-year extension to the validity of the preliminary

release for the child's lot.

Motion:

Cosgrove

Second:

Wood

Status:

Approved

2. File #04-84-02ex2

Hutchins, William Mark, et al.

~ 53.94 acres

Request:

Request for a 5-year extension to the validity of the preliminary release for the previously approved child's lot for William Mark Hutchins. If approved, this will be the second extension for this release, which expires on June 30, 2020.

Recommendation:

Under COMAR 15.15.06.05.B.2., Staff recommends approval of the extension.

Ms. Turner introduced the item.

Motion #3:

To approve a 5-year extension to the validity of the preliminary

release for the child's lot.

Motion:

Cosgrove

Second:

Wood

Status:

Approved

B. ST. MARY'S COUNTY

File #18-19-09

Norris, Barbara Jean, Abell, Charles Vincent, Abell ~107 acres

William Anthony and Abell, Beverly Ann

Request:

Request approval for an unrestricted lot – Lot 5 (up to 2-acres).

Recommendation:

Staff recommends approval.

Ms. Cousins introduced the item. Ms. Sasscer was available to address any questions.

Motion #4:

To approve an unrestricted lot up to 2acres, as presented.

Motion: Status:

Cosgrove Approved Second:

Wood

C. HARFORD COUNTY

> File #12-17-05 1.

Stephen T. Cooper 2012 Trust and

~319.855 acres

Stephen T. Cooper, Individual

Request to approve a one acre non-subdividable lot/area from the easement for an owner's dwelling.

Recommendation:

Staff recommends approval.

Ms. Chasse introduced the item. Ms. Wilson was available to address any questions.

Motion #5:

To approve a one acre non-subdividable lot/area from the easement for an owner's dwelling, as presented.

Motion: Status:

Cosgrove Approved Second:

Wood

CARROLL COUNTY D.

> File #06-83-13 1.

Kegel, Robert & Jacqueline

~153 acres

Request:

Request for a 5-year extension to the validity of the preliminary release for the approved family (owner's) 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 of the extension.

Ms. Chasse introduced the item.

Motion #6:

To approve the request for a 5-year extension to the validity of the

preliminary release for the owner's lot.

Motion:

Cosgrove

Second:

Klasmeier

Status:

Approved

E. BALTIMORE COUNTY

1. File #03-82-07A,B Sub #1

Stockton Farms, LLC (Price)

196 acres

Request:

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

Recommendation:

Under COMAR 15.15.06.05.B.2., Staff recommends approval of the extension.

Ms. Turner introduced the item. Ms. Benjamin was available for questions.

Motion #7:

To approve the request for a 5-year extension to the validity of the

preliminary release for the child's lot.

Motion:

Wood Second:

Allen

Status:

Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

N/A

VI. PROGRAM POLICY

A. FY 2020 Easement Inspection Deadline

Request:

MALPF staff recommends waiving the requirement to inspect state funded easements for FY 2020, with the deficit of easements to be accounted for by conducting 15% of all State easement properties to be inspected in FY 2021 and FY 2022. MALPF staff also requests that inspections on any federally funded easement properties not yet inspected be waived through the end of FY 2020, to resume in FY 2021.

Ms. Hoxter presented the item. Ms. Jenn Wilson, Harford County, asked if county staff would have the option to complete some inspections this year, which was provided an affirmative response. Ms. Kathleen Freeman, Caroline County, said they support the proposals; they are not allowed to conduct inspections at this time. Ms. Cable added that is the current policy for the State as well. Mr. Mike Scheffel said since Montgomery County has been hit the hardest with COVID-19, they support the proposal to ease inspections for this year and make up the difference in the following years.

Motion #8: To approve waiving the remainder of both state and federally funded easement inspections that were required for FY 2020, to resume in FY 2021, as presented.

Motion:

Wood

Second:

Allen

Status:

Approve

VII. INFORMATION AND DISCUSSION

A. Legislative Update

Ms. Turner provided the Board with the status of 2020 legislation affecting MALPF. The 2020 legislative session ended early due to the coronavirus.

- B. News Articles (via e-mail only)
- C. FY 2021 Application Cycle Deadline

Ms. Cable introduced the topic of the application submission deadline for the FY 2021 cycle in light of the current health pandemic. Ms. Cable presented three possible options for how MALPF could proceed with the FY 2021 easement cycle. Ms. Cable did not ask for any discussion or decisions at this meeting, but instead will email the options to both the Board, and County staff for their consideration and input on how to proceed. MALPF

staff will provide the Board with a summary of the Counties' recommendations, and ask for the Board to make a decision at the April meeting.

N/A

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 #9:

To adjourn the regular session at 9:40 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:

Wood

Second: Cosgrove

Status:

Approved

The Closed Meeting of the Board was held from 9:54 a.m. to11:00 a.m. on March 24, 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: 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, Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Catherine Cosgrove, Cricket Goodall, Robin Kable, and Jim Weddle.

The following Board members were absent:

J. Bruce Yerkes, Joe Wood, and Elizabeth Hill.

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 Wilson, Robert Day, 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 February 25 2020, Closed Session Minutes
- B. Status Report of Pending Legal Issues

- C. FY 2020 Round One Offers
- D. Pending request under COMAR 15.15.16.
- E. Pending FY 2020 Easement Offer request

Respectfully Submitted:

Michelle Cable, MALPF Executive Directo