

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
MAY 23, 2023**

This meeting was held via internet and telephone conference call.

Trustees Participating:

William Allen, Chair
Cricket Goodall, Vice Chair
Steve Connelly, representing Secretary Kevin Atticks, Maryland Department
of Agriculture
Joanna Kille, representing Treasurer Dereck E. Davis
Deborah Herr-Cornwell, representing Secretary Rebecca Flora, Maryland
Department of Planning
Alex Butler and Ben Seigel, representing Comptroller Brooke E. Lierman
Joseph Wood
Gary Dell
Elizabeth Hill
J. Bruce Yerkes

Trustees Absent:

Gilbert "Buddy" Bowling
Catherine Cosgrove

Others Participating:

Michelle Cable, MALPF Executive Director
Chana Turner, MALPF Administrator
Sarel Cousins, MALPF Administrator
Rama Dilip, MALPF Administrator
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
Amanda Massoni, MALPF Fiscal Specialist
Patrick Martyn, Assistant Attorney General, Department of General Services
Renee Dyson, Assistant Attorney General, Department of General Services
Mike Steadman, Jr., Assistant Attorney General, Maryland Department of Agriculture
Megan Benjamin, Baltimore County Program Administrator
J.P. Smith, Jr., Carroll County Program Administrator
Billy Gorski, Anne Arundel County Staff
Donna Landis Smith, Queen Anne's County Program Administrator
Kathleen Seay, Charles County Staff
Joy Levy, Howard County Program Administrator
Carla Gerber, Kent County Program Administrator
Louis McDonald, Kent County landowner (Massey Properties LLC)
Summer Roen, Calvert County Staff
Althea Ewing Dulin, Talbot County landowner
E. Fatimah Hasan, Prince Georges Staff
Bill Amoss, Harford County Program Administrator
David Button, Harford County landowner
Jeff Campbell, Bay State surveyor for Mr. Button
Will Lefort, Department of General Services Appraiser

Mr. Allen, Chair, called the meeting to order at 9:03 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.

MALPF Board Open Meeting Minutes May 23, 2023

I. APPROVAL OF MINUTES

A. Approval of Open Minutes from April 25, 2023.

Motion #1: To approve minutes from April 25, 2023.

Motion: Yerkes Second: Kille
Status: Approved

II. ADDITION / DELETION OF AGENDA ITEMS

N/A

III. ANNOUNCEMENTS

Ms. Cable thanked the Board and Baltimore County staff for the successful first Board field trip of the year to Willowdale Farm/Farmacy Brewery.

Ms. Cable asked the county staff that were on the call whether anyone had any announcements or questions.

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. CARROLL COUNTY

1. 06-20-06 Rinehart, Bryan and Jena ~168.3902 acres

Request – Carroll County:

Request approval to exclude up to 2 acres for an owner's lot.

Recommendation:

Staff recommends approval.

Ms. Dilip introduced the item. Mr. Smith was available to answer questions from the Board.

Motion #2: To approve an exclusion of up to 2 acres for an owner' lot, as presented.

Motion: Kille Second: Dell
Status: Approved

2. 06-90-21A Tracey, Michael and Kristin ~ 90.617 acres

Request – Carroll County:

Request approval to exclude up to 2 acres for a child's lot for Benjamin David Tracey.

Recommendation:

Staff recommends approval.

Ms. Dilip introduced the item. Mr. Smith was available to answer questions from the Board.

Motion #3: To approve an exclusion of up to 2 acres for a child lot for Benjamin David Tracey, as presented.

Motion: Dell Second: Connelly
Status: Approved

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Motion #5: To pre-approve an agricultural subdivision of a ~296-acre farm currently under an option contract to sell an easement to MALPF resulting in two parcels of ~224-acres and ~72-acres, and combining the ~72-acre parcel with an existing MALPF easement (#14-98-04) of ~115-acres, resulting in MALPF easement #14-98-04 increasing to a total of ~187-acres, incorporating staff recommendations, as presented.

Motion: Yerkes Second: Connelly
Status: Approved

E. ST. MARY'S COUNTY

1. 18-97-03Ax1e Russell, Glen E. & Melissa ~ 24.82 acres

Request – St. Mary's County:

Request approval for a corrective easement to create a 1-acre non-subdividable building envelope that was approved as an owner's lot while under District.

Recommendation:

Per the terms of COMAR 15.15.11.03, staff recommends approval of the request subject to required regulatory conditions.

Ms. Cousins introduced the item.

Motion #6: To approve a corrective easement to create a 1-acre non-subdividable building envelope that was approved as an owner's lot while under District, incorporating staff recommendations, as presented.

Motion: Wood Second: Herr-Cornwell
Status: Approved

2. 18-99-13e Beaven, Agnes & Beaven Farm, LLC ~ 121.966 acres

Request – St. Mary's County:

Request to approve three child's lots, each up to 2-acres in size, for sons, Justin, Colby, and Brandon.

Recommendation:

Staff recommends approval for up to 2 acres if more than once acre is required per health department requirements subject to the conditions that the lot shown as letter A on the aerial photograph is first lot to be built, no matter whether it is an owner or child lot, letter B is the second lot to be built, and so forth.

Ms. Cousins introduced the item.

Motion #7: To approve three child's lots for sons Justin, Colby, and Brandon, incorporating staff recommendations, as presented.

Motion: Dell Second: Wood
Status: Approved

F. QUEEN ANNE'S COUNTY

1. 17-90-13 Bostic, Richard and Barbara ~ 312.87 acres

Request – Queen Anne's County:

Request approval to exclude up to 2 acres for a child's lot for Eric Keith Bostic.

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Recommendation:

Staff recommends approval.

Ms. Dilip introduced the item. Ms. Smith was available to answer questions from the Board.

Motion #8: To approve an up to 2 acre exclusion for a child's lot for Eric Keith Bostic, as presented.

Motion: Kille Second: Wood
Status: Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

N/A

VI. PROGRAM POLICY

A. Kent County Recertification Request

Recommendation:

Kent County's land preservation program complies with the requirements under COMAR 34.03.03; therefore, MDP and MALPF staff recommend, and MDP has approved, recertification for Fiscal Years 2024, 2025, 2026, 2027, 2028 (July 1, 2023 – June 30, 2028).

Ms. Turner presented the item. Ms. Herr-Cornwell provided the Department of Planning's agreement and recommended approval.

Motion #9: To approve recertification request from Kent County land preservation program under COMAR 34.03.03.

Motion: Goodall Second: Dell
Status: Approved

B. Cecil County Recertification Request.

Recommendation:

Cecil County's land preservation program complies with the requirements under COMAR 34.03.03; therefore, MDP and MALPF staff recommend, and MDP has approved, recertification for Fiscal Years 2024, 2025, 2026, 2027, 2028 (July 1, 2023 – June 30, 2028).

Ms. Cousins presented the item. Ms. Herr-Cornwell provided the Department of Planning's agreement and recommended approval.

Motion #10: To approve recertification request from Cecil County land preservation program under COMAR 34.03.03.

Motion: Yerkes Second: Goodall
Status: Approved

VII. INFORMATION AND DISCUSSION

N/A

VIII. CLOSED SESSION

Mr. Allen 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): (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 #11: To adjourn the regular session at 9:56 a.m. to move into a closed session to consult with counsel to obtain legal advice.

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Motion: Goodall Second: Herr-Cornwell
Status: Approved

The Closed Meeting of the Board was held from 10:03 a.m. to 10:21 a.m. on May 23, 2023, 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):

(7) to consult with counsel to obtain legal advice.

During the Closed Meeting, the following Board members were present: William Allen, Chair, Cricket Goodall, Vice Chair, Joanna Kille, representing Treasurer Dereck E. Davis, Deborah Herr-Cornwell, representing Secretary Rebecca Flora, Maryland Department of Planning, Steve Connelly, representing Secretary Kevin Atticks, Maryland Department of Agriculture, Gary Dell, Joe Wood, Alex Butler and Ben Seigel, representing Comptroller Brooke E. Lierman, J. Bruce Yerkes. and Elizabeth Hill.

The following Board members were absent: Gilbert "Buddy" Bowling and Catherine Cosgrove

The following MALPF staff and legal representatives were also present during the closed session meeting: Michelle Cable, Chana Turner, Sarel Cousins, Rama Dilip, Kim Hoxter, Amanda Massoni, Michael Steadman, Jr., 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 April 25, 2023, Closed Session Minutes
- B. Status Report of Pending Legal Issues
- C. Queen Anne's County- Final Lot Release Eligibility

Respectfully Submitted:



Michelle Cable, MALPF Executive Director