

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
AUGUST 23, 2022**

This meeting was held via internet and telephone conference call.

Trustees Participating:

William Allen, Chair
Cricket Goodall, Vice Chair
Steve Connelly, representing Secretary Joseph Bartenfelder, Maryland Department
of Agriculture
Alex Butler, representing Comptroller Peter Franchot
Joanna Kille, representing Treasurer Dereck E. Davis
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland
Department of Planning
Catherine Cosgrove
Elizabeth Hill
J. Bruce Yerkes

Trustees Absent:

Gilbert "Buddy" Bowling
Gary Dell
Joseph Wood

Others Participating:

Michelle Cable, MALPF Executive Director
Chana Turner, MALPF Administrator
Sarel Cousins, MALPF Administrator
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
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
Cherelle Miles, MALPF Fiscal Temp
Megan Benjamin, Baltimore County Program Administrator
Donna Landis-Smith, Queen Anne's County Program Administrator
Ben Zito, Wicomico County Program Administrator
Bill Amoss, Harford County Program Administrator
Billy Gorksi, Anne Arundel County Staff
Kathleen Seay, Charles County Staff
Fatima Hasan, Prince George's County MNCPPC
Ms. Wilhelm, Baltimore County landowner
Will LeFort, DGS Appraiser
Jennifer David, Calvert County Staff

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.

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B. WORCESTER COUNTY

1. 23-23-08 Holland, Mark & Ricky ~90.77 acres
(excludes withheld acres)

Request to approve the application withholding 2.44 acres for an existing homesite. The 2.44 acres will require a Declaration of Restrictions that documents one development right with the acreage.

Motion # 5: To approve the Worcester County request as presented

Motion: Herr-Cornwell Second: Goodall
Status: Approved

C. ST. MARY'S COUNTY

1. 18-23-01 Bradbury, Casper & Norma ~38.892 acres
(excludes withheld and unpaid acres)

Request to approve the application withholding ~8.01 acres (5 acres in St. Mary's County with 2 development rights, 3.1 acres in Charles County with 2 development rights); and including 6.33 acres in Charles County as unpaid acres to be included as part of the St. Mary's County easement configuration. The withheld areas in both counties will each require a Declaration of Restrictions that documents two development rights on each portion (total of 4).

In addition because the property does not meet MALPF's minimum acreage requirement, an offer may only be extended if the adjacent property in Charles County (also owned by Bradbury) receives and accepts an offer. Settlement of the adjacent Charles County property MALPF easement must occur prior to settlement of this subject application property.

Motion # 6: To approve the St. Mary's County request, incorporating the contingent requirement with the Charles County application property, as presented

Motion: Goodall Second: Connelly
Status: Approved

D. WASHINGTON COUNTY

1. 21-23-06 Gehr, Daniel & Pamela ~100.26 acres
(excludes withheld acres)

Request to approve the application withholding 1.5 acres from the easement with no development rights associated with it for a cellular communications tower lease, with access. The 1.5 acres will require a Declaration of Restrictions that documents zero development rights with the acreage.

2. 21-23-12 Miller, Dwight & Kristen ~241.77 acres
(includes unpaid acres)

Request to approve the application designating ~3.75 acres as a permitted uses envelope for a sawmill, with other possible future uses compatible with the area. If the area is no longer used for a sawmill, the area could be used for other non-residential commercial operations that are consistent with the rural landscape and permitted by the county.

3. 21-23-15 Rinehart, Ronald ~145.39 acres
(included unpaid acres)

Request to approve 0.18 acres as an unpaid envelope for an existing cemetery.

Motion #7: To approve the Washington County requests as presented

Motion: Goodall Second: Hill
Status: Approved

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VI. PROGRAM POLICY

A. Queen Anne's County Rankin System Update.

Request:

Queen Anne's County requests approval to revise its Easement Ranking System.

Recommendation:

Staff recommends approval.

Ms. Cable presented the item. Ms. Landis-Smith explained the changes to the ranking system to the Board and was available for any questions.

Motion #8: To approve the updated Queen Anne's County ranking system, as presented

Motion: Goodall Second: Kille
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): (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and(7) to consult with counsel to obtain legal advice.

Motion #9: To adjourn the regular session at 9:49 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; and to consult with counsel to obtain legal advice.

Motion: Connelly Second: Yerkes
Status: Approved

The Closed Meeting of the Board was held from 9:58 a.m. to 11:02 a.m. on August 23, 2022, 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; and

(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, Alex Butler, representing Comptroller Peter Franchot, Joanna Kille, representing Treasurer Dereck E. Davis, Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning, Steve Connelly, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Cathy Cosgrove, Cricket Goodall, Elizabeth Hill, and J. Bruce Yerkes.

The following Board members were absent: Gilbert "Buddy" Bowling, Gary Dell, and Joe Wood.

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The following MALPF staff and legal representatives were also present during the closed session meeting: Michelle Cable, Chana Turner, Sarel Cousins, Kim Hoxter, Cherelle Miles, 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 July 26, 2022 Closed Session Minutes
- B. Status Report of Pending Legal Issues
- C. Amending FY22 Option Contract
- D. Legal advice and consideration of enforcement options for easement violation in Harford County.
- E. Legal advise regarding issues presented in potential inclusion of MALPF eased properties in County "Historic Preservation Districts."

Respectfully Submitted:



Michelle Cable, MALPF Executive Director