

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
March 26, 2019**

Trustees Present:

Michael Calkins, Chair
William Allen, Vice-Chair
Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture
Jerome Klasmeier, representing Comptroller Peter Franchot
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning
Nancy Kopp, Treasurer (participating via phone conferencing)
Catherine Cosgrove
Taylor Huffman
Bernard L. Jones, Sr.
Joseph Wood

Trustees Absent:

J. Bruce Yerkes

Others Present:

Michelle Cable, MALPF Executive Director
Chana Kikoen Turner, MALPF Administrator
Amanda Wilson, MALPF Fiscal Specialist
Jonathan Gott, MALPF Office Secretary III
Sarel Cousins, MALPF Administrator
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
Justin Hayes, Assistant Attorney General, Department of Agriculture
Nancy Russell - Forrester, Assistant Attorney General, Department of General Services
Joanna Kille, representing Treasurer Nancy Kopp
Christopher Mudd, Baltimore, Attorney
Bob Van Wingerden, Carroll County, Landowner
Bill Van Wingerden, Carroll County, Landowner
Allen Schaffer, Jr., Carroll County, Landowner
Deborah Bowers, Carroll County Administrator
Joe Wiley, Baltimore County Program Assistant
Billy Gorksi, Anne Arundel County Planner
Tom Irwin, Carroll County, Landowner
April Inskip, Carroll County, Attorney for Landowner
Michelle M. Martz, Carroll County, Attorney for Landowner
Jeanine Nutter, Prince George's County Administrator
Kaylee Justice, Baltimore County Staff

Others Present By Phone Conferencing:

Martin Sokolich, Talbot County Administrator
Kristen Tremblay, Somerset County Program Assistant
Beth Beales, Caroline County Program Administrator
Carla Gerber, Kent County Program Assistant
Beth Groth, Charles County Program Assistant
Wally Lippincott, Jr., Baltimore County Administrator
Chris Boggs, Washington County Program Assistant
Mike Scheffel, Montgomery County Program Administrator

Mr. Calkins, Chair, called the meeting to order at 9:00 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 February 26, 2019.

Motion #1: To approve minutes from February 26, 2019.

Motion: Wood Second: Klasmeier
Status: Approved

II. ADDITION / DELETION OF AGENDA ITEMS

N/A

III. ANNOUNCEMENTS

Ms. Cable introduced and welcomed the newest MALPF Administrator, Sarel Cousins, to the Board. Ms. Cable also informed the Board that the Departmental bills that are passed by the Legislature might be signed by the Governor April 9th or 16th. Ms. Cable will let the Board know, in case anyone interested in attending the bill signing. Finally, Ms. Cable reminded the Board to complete their financial disclosure forms by the end of April for calendar year 2018.

IV. EASEMENT AMENDMENTS

A. DELETED

B. BALTIMORE COUNTY

1. 03-08-24 ERK Constantine Trust (Knoche Family) ~ 60 acres
Request approval to amend the deed of easement to include a ~1.29-acre parcel of land.

Mrs. Turner introduced the item. Kaylee Justice was available to address the Board.

Motion #2 : To approve the request to amend the deed of easement to include a 1.29-acre parcel of land.

Motion: Wood Second: Allen
Status: Approved

2. 03-84-06 Immelt, Susan ~ 33 acres
Request approval to consolidate MALPF-eased property with two MET easement properties

Mrs. Turner introduced the item. Christopher Mudd, attorney for Ms. Immelt, and Kaylee Justice were available to address the Board. Mr. Mudd confirmed the landowners consent to the staff recommended conditions.

Motion #3 : To approve the request to consolidate MALPF-eased property with two MET easement properties

Motion: Klasmeier Second: Allen
Status: Approved

C. CARROLL COUNTY

1. 06-02-03 Lapp, Joseph and Mary ~65 acres
Request for Board's acknowledgement of a second, undocumented pre-existing

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dwelling on the property as a 1.0 acre, non-subdividable building envelope

Mrs. Turner introduced the item. Ms. Bowers was available to address the Board.

Motion #4 : To approve the request for Board's acknowledgement of a second, undocumented pre-existing dwelling on the property as a 1.0 acre, non-subdividable building envelope

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

2. 06-90-08 Schaeffer, Allen "David," Jr. ~108 acres
Request retroactive approval to continue non-confirming use of a salvage yard currently in violation of the terms of the easement.

Mrs. Turner introduced the item. Ms. Bowers, Mr. Schaffer, the landowner, Ms. Martz, and Ms. Inskeep, attorneys for the landowner were available to address the Board. The landowner confirmed his agreement to reduce the size of the yard to 2.0 acres over the next three (3) years, subject staff recommended conditions.

Motion #5 : To approve the request for retroactive approval, subject to the terms and conditions provided in Staff's memo, to continue non-confirming use of a salvage yard currently in violation of the terms of the easement.

Motion: Cosgrove Second: Jones, Sr.
Status: Approved

3. 06-97-07 Van Wingerden, Robert and Denise ~79 acres
06-90-42 ~230 acres
Request Board consideration of greenhouse operations on MALPF-eased properties.

Mrs. Turner introduced the item. Bill Van Wingerden, Carroll County Landowner, Tom Irwin a member of the Carroll County Agricultural Land Preservation Advisory Board, Deborah Bowers, Carroll County Administrator, and J.P. Smith, Assistant Carroll County Administrator were available to address the Board.

Ms. Bowers addressed the Board, reading her letter dated March 1, 2019, that was provided to the Board in their agenda packet. Ms. Bowers reiterated and expounded upon the County's concerns addressed in the letter. Mr. Smith and Mr. Irwin addressed the Board to clarify certain points from the March 1st letter as well as provide input from the Carroll County Advisory Board's perspective.

Mr. Van Wingerden addressed the Board, providing additional history of his ownership of the farm, the growth of his operation through the years, and his interaction with Bill Powel, the Carroll County Program Administrator, at the time the MALPF easement was established.

The Board took the information provided by the County and the landowner into consideration. There was an acknowledgement that while greenhouse operations can impact the land where they are constructed, the consensus of the Board affirmed that greenhouse operations are a normal agricultural use, with no size limitations per the MALPF Program or easement terms.

The Board instructed MALPF staff to consult with the Secretary of Agriculture regarding the County's concerns.

Motion #6 : To acknowledge that the greenhouse operations on the subject property comply with the restrictions of the Foundation's preservation easement.

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Motion: Cosgrove Second: Huffman
Status: Approved

D. PRINCE GEORGE'S COUNTY

1. 16-04-02 Denison, Donna ~132 acres
Retroactive request for two Forest Conservation Easements, totaling 10.41 acres.

Ms. Michelle Cable introduced the item. Ms. Nutter was available for questions by the Board.

Motion #7 : To approve the retroactive request for two Forest Conservation Easements, totaling 10.41 acres.

Motion: Herr Cornwell Second: Jones, Sr.
Status: Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS: None.

VI. PROGRAM POLICY:

A. Frederick County Ranking System

1. Frederick County requests approval of its Ranking System.

Ms. Cable introduced the item and was available for any questions from the Board.

Motion #8 : To approve the request for Frederick County's Ranking System.

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

B. Water Resource Overlay Policy – revised draft

1. MALPF Staff requests review and approval from the Board of the Water Resources Easement Overlay Policy (version 6).

Ms. Cable introduced the item and described the changes made from the version the Board reviewed at the February meeting.

Motion #9 : To approve the Water Resources Easement Overlay Policy (version 6).

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

C. Legislative Update

Mrs. Turner introduced the item and advised the Board of the status of the bills affecting the Foundation, including any bill amendments.

VII. INFORMATION AND DISCUSSION:

A. News Articles (via e-mail only)

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

