



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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**HOWARD COUNTY AGRICULTURAL LAND PRESERVATION BOARD  
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD**

**Meeting Minutes  
November 2, 2009**

**Attendance:**

Board Members: Sean Hough, Chairman  
John Komsa, Vice Chairman  
Ricky Bauer  
James Eacker  
Howie Feaga  
Shirley Matlock  
Lynn Moore

Staff: Joy Levy, Administrator, Agricultural Land Preservation Program  
Lisa O'Brien, Senior Assistant County Attorney, Office of Law  
Elmina Hilsenrath, Chief, Resource Conservation Division  
Mary Smith, Secretary, Agricultural Land Preservation Program

**Action Items**

**1) Minutes from October 19, 2009 Meeting** – Chairman Hough called the meeting to order at 3:10 p.m., and then asked for additions or corrections to the minutes of the October 19 meeting. There being none, Mr. Eacker motioned to accept the minutes as received. Ms. Matlock seconded the motion. The motion carried unanimously.

**2) Closing of the Record of the Batch 14 Public Hearing** – Ms. Levy acknowledged the elements of the public hearing record, including:

- i) The staff reports, including the score sheets
- ii) Minutes from each of the 3 public hearings
- iii) Two letters that were submitted subsequent to the last public hearing
  - (1) From Marshall Rea – Ms. Levy confirmed that Mr. Rea emailed the letter to her and she forwarded it to the Board members. She stated that his letter repeats oral testimony given at the 9/21 hearing.
  - (2) From the Chateau Ridge Lake community association – Ms. Levy gave the letter to Chairman Hough, who read it aloud.

The Board members discussed the impact of the letters and whether a response to either was necessary. Ms. O'Brien opined that the letters have been made part of the record and do not need a response.

Ms. Levy asked the Board if it wished to consider a motion that affirms the closure date of July 31 for all scoring system criteria. The Board members discussed the importance of consistency and fairness. Mr. Bauer made a motion that the 7/31/09 Batch 14 application closure date would be the status date for all elements of the scoring system. Mr. Komsa seconded the motion, which passed unanimously.

Chairman Hough then asked if there were any other additions to the public hearing record before he entertained a motion to close it. There being none, Ms. Matlock made a motion to close the public hearing record. Mr. Feaga seconded the motion, which passed unanimously.

**3) Closing of the Meeting** - Ms. O'Brien reviewed State Government Article 10-508(a) of the Annotated Code of Maryland which provides for the Board's statutory authority to close a public meeting to consider the acquisition of real property for a public purpose. She indicated that a roll call vote would be necessary, according to the provisions of the Code.

Chairman Hough asked for a motion to close the meeting. Mr. Komsa made the motion and Mr. Bauer seconded it. Chairman Hough conducted the roll call vote, and the motion passed unanimously. The closed meeting began at 3:35p.m.

**4) Vote to Continue Consideration** - Ms. O'Brien reviewed Section 15.507(e)(3) of the Howard County Code, which states that the Board shall vote whether or not to continue considering acquisition of an easement on each property, indicating that an affirmative vote of at least five members is required before continuing to consider acquisition of the development rights. The Board then considered each property and cast a roll call vote for each, taken in alphabetical order, as follows:

- 1) Camilla Carroll and Philip Carroll- motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 2) Genevieve Carroll – motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 3) Ian Carroll - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 4) Teige Carroll - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Mr. Feaga, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 5) Gilliece - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 6) M&H - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Mr. Feaga, passed unanimously with 7 affirmative votes.
- 7) Mannarelli - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Moore, passed unanimously with 7 affirmative votes.
- 8) James Pfefferkorn - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Mr. Feaga, passed unanimously with 7 affirmative votes.
- 9) Louis Pfefferkorn - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 10) Rea - motion to continue considering acquisition of development rights made by Mr. Komsa, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 11) Slade - motion to continue considering acquisition of development rights made by Ms. Matlock, seconded by Ms. Moore, passed with 6 affirmative votes and 1 negative vote.
- 12) Stedding - motion to continue considering acquisition of development rights made by Ms. Matlock, seconded by Mr. Feaga, passed unanimously with 7 affirmative votes.
- 13) Zepp - motion to continue considering acquisition of development rights made by Mr. Feaga, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.

**5) Vote to Assign ALPB Points** - Ms. O'Brien next reviewed Section 15.507(e)(4) of the Howard County Code, which states that after voting to continue considering acquisition of the development rights on each parcel the Board shall determine the price to be offered according to the pricing formula and shall add optional points, if any, according to the pricing formula. The Board then considered the optional points for each property and cast a roll call vote for each, taken in alphabetical order, as follows:

- 1) Camilla Carroll and Philip Carroll- motion to subtract 14 points made by Mr. Bauer, seconded by Mr. Eacker, passed with 5 affirmative votes and 2 negative votes.

- 2) Genevieve Carroll – motion to add 26 points made by Ms. Matlock, seconded by Mr. Eacker, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 3) Ian Carroll - motion to add 19 points made by Ms. Matlock, seconded by Mr. Eacker, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 4) Teige Carroll - motion to add 24 points made by Ms. Matlock, seconded by Mr. Eacker, passed with 6 affirmative votes and 1 abstention by Mr. Bauer.
- 5) Gilliece - motion to add 2 points made by Ms. Matlock, seconded by Ms. Moore, passed unanimously with 7 affirmative votes.
- 6) M&H - motion to add 1 point made by Ms. Moore, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 7) Mannarelli - motion to add 14 points made by Ms. Moore, seconded by Ms. Matlock, passed unanimously with 7 affirmative votes.
- 8) James Pfefferkorn - motion to subtract 6 points made by Ms. Matlock, seconded by Mr. Eacker, passed with 6 affirmative votes and 1 negative vote.
- 9) Louis Pfefferkorn - motion to subtract 4 points made by Ms. Moore, seconded by Ms. Matlock, passed with 6 affirmative votes and 1 negative vote.
- 10) Rea - motion to subtract 36 points made by Mr. Feaga, seconded by Mr. Bauer, passed with 6 affirmative votes and 1 negative vote.
- 11) Slade - motion to subtract 6 points made by Mr. Feaga, seconded by Mr. Eacker, passed with 5 affirmative votes and 2 negative votes.
- 12) Stedding - motion to add 16 points made by Mr. Komsa, seconded by Mr. Feaga, passed unanimously with 7 affirmative votes.
- 13) Zepp - motion to add 14 points made by Ms. Matlock, seconded by Mr. Feaga, passed unanimously with 7 affirmative votes.

**6) Vote to Accept Ranking Based on Final Points** - Ms. O'Brien then reviewed Section 15.507(f) of the Howard County Code, which states that after completing all of the steps listed in subsection (e) for all parcels in the batch, the Board shall rank the applications under consideration in order of their total point scores, from highest to lowest. The Board then considered the final score and ranked the properties in order, as follows:

- 1) Camilla Carroll and Philip Carroll – 945 points
- 2) Genevieve Carroll – 871 points
- 3) Teige Carroll – 793 points
- 4) Ian Carroll – 791 points
- 5) Stedding – 782 points
- 6) Rea – 742 points
- 7) Mannarelli – 711 points
- 8) M&H – 700 points
- 9) Zepp – 614 points
- 10) James Pfefferkorn – 540 points
- 11) Gilliece – 536 points
- 12) Louis Pfefferkorn – 534 points
- 13) Slade – 402 points

Ms. Matlock made the motion to accept the above final scores and ranking order. The motion was seconded by Mr. Komsa and passed unanimously with 7 affirmative votes.

Chairman Hough stated that the Board's consideration of acquisition of real property on the Batch 14 parcels was complete and asked for a motion to close the closed meeting. Ms. Matlock made the motion and Mr. Eacker seconded it. The motion passed unanimously with 7 affirmative votes. The closed meeting ended at 7:50 p.m.

Chairman Hough asked if there was any further business. There being none, he asked for a motion to adjourn. Mr. Feaga made a motion to adjourn the meeting, which was seconded by Mr. Bauer. The motion passed unanimously at 7:51 p.m.

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Joy Levy, Executive Secretary  
Agricultural Land Preservation Board