

Maryland Environmental Trust
Board of Trustees Open Meeting Minutes
March 2, 2020

Trustees Present:

Mary Burke, Chair
Royden Powell, Vice Chair
Julia Jitkoff, Treasurer
Thomas Lloyd
Gregory Bowen
Senator Addie Eckardt
Phil Hager
Gary Burnett
Mark Hoffman
Ken Montague

Trustees Absent:

Tom McCarthy
Sarah Taylor-Rogers, Secretary
Dr. Scott Barao
Delegate Jim Gilchrist

Others Present:

John Turgeon, Executive Director for Maryland Environmental Trust
Kelly Price, Maryland Environmental Trust
Michelle Grafton, Maryland Environmental Trust
Ann Carlson, Maryland Environmental Trust
Jon Chapman, Maryland Environmental Trust

I. Call to order

MET Board Chair Mary Burke called the meeting to order at 4:06 pm at 100 Community Place, Third Floor Conference Room, Crownsville, Maryland 21032.

II. Board Work Plan & Governance Topics

A. Adopting the Minutes

Ms. Burke moved for approval of the minutes for the February 3, 2020 Board Meeting. Mr. Hager motioned to accept the minutes. Ms. Jitkoff seconded the motion. All voted in favor.

B. Chairwoman Report

Ms. Burke introduced Heidi Dudderar to the MET Board. Ms. Dudderar was filling in for Mr. Tom McCarthy, who is the Governor's representative on the MET Board. Ms. Dudderar gave the Board a brief overview on her position as Director of Land Acquisition and Planning at the Department of Natural Resources.

Ms. Burke announced that Mr. Hager had accepted a full-time position at the Department of Natural Resources as an Assistant Secretary. Mary congratulated Mr. Hager on his new role and also informed the Board that with Mr. Hager accepting this position, he is required to resign from the MET Board. This March 3, 2020 Board meeting is the last in which Mr. Hager can vote.

Mr. Hager informed the Board of his new position as Assistant Secretary for Land Resources at the Department of Natural Resources, and gave a brief job description to the Board.

Mr. Hager announced that Mr. Bowen would be his replacement as the Land Trust Advisory Committee (LTAC) Chair. Mr. Bowen will start immediately.

Ms. Burke announced that she will be taking over Mr. Hager's position on the DNR's Rural Legacy Advisory Commission.

Ms. Burke asked Mr. Powell for an update on the proposed legislation that he is currently working on with regard to MET's Board appointment process, as was discussed at the February 2020 Board meeting. This effort is being undertaken in response to input from the Maryland House Speaker's Office that the current process, as required by legislation passed in 2016, needs to be improved. Mr. Powell noted that the House Speaker's office is interested in maintaining its

role in nominating members to the MET Board. Mr. Powell also stated that the proposed legislation would address MET's difficulty in obtaining nominations to the Board from the three Governmental Offices as required by statute, which as a consequence the Board is having problems with satisfying its meeting quorum of 10, also required by statute.

An open discussion took place amongst Board members on this year's Board appointment process.

Mr. Montague reiterated to the Board that based on his conversation with Alex Hughes, Chief of Staff for the Speaker of the House, that the Speaker's Office wants to retain its role in the MET Board appointment process, but wants the process to be made simpler.

Senator Eckardt reported to the Board that she spoke with Jake Weissmann, Chief of Staff for the President of the Senate's office, and that he confirmed receipt of the list of recommended names that MET sent over for review.

Senator Eckardt asked Mr. Turgeon to work with her and staff from the offices of the President of the Senate and the Speaker of the House on potential resolutions to this process.

Ms. Burke reminded the Board that the Board Retreat is on March 20, 2020, starting at 9 am. She asked for attendance from all members, and if they could not attend to please inform Ms. Price for catering purposes.

Mr. Turgeon announced that he previously sent to the Board a biography for John Griffin, who is being considered as one of the two MET appointments to the Forever Maryland Foundation (FMF) Board, in accordance with the 2019 grant agreement between MET and FMF. Mr. Turgeon said if the MET and FMF Boards approve Mr. Griffin, then the two MET appointments to the FMF Board will be fulfilled.

Ms. Jitkoff motioned for approval of John Griffin to the FMF Board.

Mr. Powell seconded the motion. All in favor.

Mr. Turgeon said that the FMF Board did previously approve Mr. Jim Morris as the other MET appointment to their Board.

Ms. Burke updated the Board that she attended the MET staff meeting on 2/26/20.

III. Director Report

Mr. Turgeon reported that the Conservation Easement Program is actively managing 30 new easement projects that would protect over 3,600 acres. He mentioned that MET has already surpassed its annual work plan goal to conserve an additional 1,000 acres for the fiscal year. Acting Program Manager Ann Carlson anticipates completing a number of the active projects by the end of June 2020, which will further increase MET's protected acreage total for the fiscal year.

Mr. Turgeon said he attended a meeting of the core team of the Heart of Maryland Conservation Alliance in Middletown, Frederick County. Mr. Turgeon informed the Board that the meeting was facilitated by David Lillard, who is the new executive director for Catoctin Land Trust, and David will also serve as the coordinator of the Alliance. He said the core team members agreed to participate in workgroups that would be focused on developing communications strategies for promoting the "heart of Maryland" region, informing landowners of conservation options, fostering collaborative approaches to land conservation in the region among the participating groups, and exploring philanthropic resources for supporting the Alliance.

Mr. Turgeon advised the Board that for FY20, the Stewardship Program has overseen the completion of 261 easement monitoring assignments, which accounts for almost half of MET's annual work plan goal of 550 assignments completed.

Mr. Turgeon stated that he and Mr. Chapman will be continuing to work with the Office of Attorney General to deal with several on-going compliance and litigation issues.

Mr. Turgeon informed the Board that Michelle Grafton has also been working with the Stewardship Program on outreach to local land trusts to obtain their easement monitoring reports for co-held easements. Ms. Grafton made inquiries to 34 co-holding land trusts representing 675 easement interests. Mr. Turgeon said that he and Ms. Grafton have been working with OAG to complete revisions to MET's cooperative agreement model document.

Mr. Turgeon updated the Board on MET consultant Don Owen's work with the firm Ecosystem Investment Partners (EIP) on implementing the project funded by a grant to MET from the Chesapeake Bay Land and Water Initiative. Mr. Turgeon gave a brief overview of Don's work and what projects he is currently working on.

Mr. Turgeon reminded the Board about the Forever Maryland Annual Conservation Conference. He said the dates were May 19 & 20, 2020, at the Mount Washington Conference Center in Baltimore, MD.

Ms. Burke requested from the Board that MET be a sponsor of the conference. She asked if the Board members can individually contribute funds for the conference sponsorship and that the MET private-side funds will cover the balance of the sponsorship as needed.

Mr. Turgeon updated the Board regarding the Keep Maryland Beautiful Grant. He said that this year has been the most successful with applications and also with the amount of funding that will be awarded. Mr. Turgeon said that the Foundation reported that a record of 120 grant applications were submitted requesting close to \$550,000. Of these, the grants selection committee is recommending 80 grant awards totaling \$307,500.

Mr. Turgeon informed the Board that he has been working with Toby Lloyd, Chair of the MET Board's Governance Committee, to submit MET's list of recommended Board nominees to the respective offices of the Governor, President of the Maryland Senate, and Speaker of the Maryland House of Delegates.

Mr. Turgeon reminded the Board that the MET's Board retreat would take place on Friday, March 20, 2020, from 9 am to 3 pm at the Chesapeake Bay Foundation's Phillip Merrill Environmental Center located at 6 Herndon Avenue in Annapolis. The retreat will be facilitated by Rick Leader, former Executive Director of the Scenic Rivers Land Trust. Topics of discussion will revolve around the trustees getting to know one another better, increasing our trustees' ability to serve MET, and maximizing the value of the experience for each board member. Throughout the day, a set of deliverables will be developed that can be tracked over the ensuing six months. A finalized agenda for the retreat will be sent to the Board shortly.

Mr. Turgeon updated the Board on filling the vacant Stewardship Planner position (formerly Megan Benjamin's Easement Planner position), as well as the vacant Easement Stewardship Specialist long-term contractual position previously held by Erin McNally. Interviews for the Stewardship Planner position will be scheduled for this month, and there are 13 qualified candidates. A hiring freeze exception (HFE) for the contractual position has been obtained from the Dept. of Budget and Management (DBM), and DNR HR will begin advertising for the position. MET has also submitted an HFE application to DBM for the now vacant Easement Program Manager position.

IV. Committee Reports

A. Governance and Nominating Committee

Mr. Lloyd announced to the Board that all three letters had been submitted to the Government offices for Board nominee recommendations.

Mr. Lloyd stated that he is currently working with the Office of the Attorney General on updating the MET bylaws. He said the hope is to have them completed by FY21.

Mr. Lloyd reminded all Board members that financial disclosure statements with the State Ethics Commission are due by April 30, 2020.

B. Finance Committee

Ms. Jitkoff advised the Board that the Merryman monies have been deposited into the bank account. Ms. Jitkoff said that she would request that they conservatively invest the money until the next grant payment in the amount of \$425k is sent to FMF.

C. Easement and Stewardship Committee

Ms. Carlson advised the Board that the easement team is currently working on 33 projects. She informed the Board that one particular project with the Aspen Institute is approximately 600 acres. Ms. Carlson said MET has a full commitment from the Institute on completing this project, and they are hoping to close this project by the end of FY20, but it may float into FY21.

Mr. Chapman said that Mr. Turgeon and he met recently with Asst. Attorneys General Mr. Medoff and Ms. Kovacs concerning some hard to solve easement problems. He noted that some of the issues involve complicated property subdivisions and new landowners that don't fully understand the easement provisions on the properties they just purchased. Mr. Chapman advised that they have decided on having quarterly meetings with the OAG to discuss problems that arise and solutions.

Mr. Powell reminded the Board that a consent calendar was sent to everyone in the Board packet that needed to be voted on.

1. Consent Calendar

- a. New easement on 48.44 +/- ac in Harford County co-held with Harford Land Trust
- b. New easement on 70 +/- ac in Somerset County co-held with Lower Shore Land Trust

Mr. Powell motioned to approve the consent calendar.

Mr. Bowen seconded the approval. All voted in favor.

D. Agricultural Committee

Nothing to report.

E. Land Trust Advisory Committee

Mr. Hager mentioned the LTAC met on 2/25/20. He also noted that they are working with Howard County Conservancy on their new cooperative agreement. Mr. Turgeon and Ms. Grafton are working together on revised language for MET's cooperative agreement template. Mr. Hager said it was last updated in 2012.

Mr. Hager said that Ms. Grafton is working on the planning committee for the FMF conference. He mentioned that her role has shifted a little. Mr. Hager advised the Board that Ms. Grafton is working with Mr. Chapman and the stewardship program, helping to achieve annual work plan goals for easement monitoring. Her task is working with the local land trusts to collect all their monitoring reports for easements co-held with MET.

F. Grants Committee

Mr. Burnett announced the Keep Maryland Beautiful Grants program was able to provide \$307,500 in funding this year to 80 applicants. He said this is the most that have ever been awarded over the years. Mr. Burnett mentioned that FMF has been working very hard to administer this grant.

Ms. Burke mentioned that the Committee has also been thinking about adding a new recognition award from MET. She is thinking MET should recognize people that are doing excellent work in supporting conservation in Maryland. Ms. Burke mentioned that she needs to recuse herself from voting on the Keep Maryland Beautiful Grants due to her son's involvement with a project that is a recipient of a KMB grant. Mr. Montague needs to recuse himself as well due to his relationship with an organization that is a recipient of a KMB grant.

Ms. Jitkoff motioned to approve the Keep Maryland Beautiful Grant funding.

Mr. Powell seconded. All voted in favor.

V. **Adjourned Meeting**

Meeting adjourned at 4:57 pm.