

Maryland Environmental Trust
Board of Trustees Meeting Minutes
October 2, 2017

Maryland Environmental Trust (“MET”) Board of Trustees (“Board”) Chair James W. Constable called the meeting to order at 6:47 p.m. at 100 Community Place, Crownsville, Maryland 21032. Trustees in attendance were James Constable, Jay Plager, Tom McCarthy, Doris Blazek-White, Royden Powell, III, Julia Jitkoff, Toby Lloyd, Sarah Taylor-Rogers, Phil Hager, Addie Eckardt, Gary Burnett, Geb Byron, Tom McCarthy, Mary Burke, and David Greene. MET staff Bill Leahy, John Turgeon, Tanya Mekeal, Wendy Hershey, Ted Sudol (consultant)

Absent: Richard D’Amato, Dana Stein, Mike Pretl

Guests: Ben Wechsler, Esq. and Hamilton Chaney- manager to the property

I. Board Work Plan & Governance Topics

A. September 11, 2017 Board Meeting Minutes: *Mr. Hager moved approval of the minutes, Mr. Green seconded and MET Board unanimously approved and adopted June 5, 2017 Board Meeting Minutes*

B. Chairman’s Report: Mr. Constable deferred to Mr. Leahy to give his Director’s report.

C. Director’s Report: Mr. Leahy reported on work in progress on several staff priorities: the fall newsletter, the upcoming Governor’s Reception, preparing for the year-end fundraising appeal, and preparation for the fall Keep Maryland Beautiful grants application round. Michelle Grafton and Wendy Stringfellow have been working hard to secure agreements with our partners at DOT and DHCD and have developed a more streamlined and simplified application for both Hollmann and the KMB grant programs. This round of grant applications is currently open and will close November 14, 2017. John Turgeon and Dave Minges have completed our first pilot tree planting in partnership with SHA. This project will test the feasibility of providing direct stewardship and restoration programs to MET easement landowners.

D. Forever Maryland update: Mr. Leahy introduced Mr. Ted Sudol, Managing Partner of CARTER, MET’s consultant on the Forever Maryland Foundation, Mr. Sudol provided an update on the Forever Maryland Foundation initiative. He reported on the formation of the plan implementation committee over the summer, as called for in the feasibility study, described the charge for the committee, and the series of meetings that have been set up through December. The committee will be working on developing clarity around FMF’s unique role and mission as well as conceptual strategic, business, fundraising, and staffing plans. The committee will also be helping to identify and enlist potential Board prospects for the Foundation. These will serve as the basis for a set of recommendations to the MET Board in early 2018.

Mr. Constable spoke to the Trustees about the need for seed monies for FMF in the future. He discussed the need to have a clear understanding of the workings of FMF before

committing seed funding. He advised that MET will likely need a special Board retreat to discuss the future of FMF and make sure that all Trustee's questions are answered.

Julia Jitkoff discussed the need for strong annual giving and a fundraising plan for FMF. She also wanted to make sure that all persons on the committee remain invested in the new Foundation after it was up and running.

Mr. McCarthy left the meeting.

Mr. Green asked if there has been any thought to how the Foundation might pull funding away from local land trusts and whether this might be an issue to consider going forward.

Mr. Leahy advised that the Plan Implementation Committee included local land trust leadership to ensure these questions are dealt with.

Mr. McCarthy returned.

Mr. Hager spoke out that he believes this venture will help to strengthen MET and this doesn't appear that MET will be constrained by the vision and direction that it is taking.

II. Easements & Stewardship Committee

A. Committee Report: Mr. Turgeon reported that the meeting on August 30th was very productive. The committee reviewed the list of active easement projects and is looking to do 15-16 new easements before the end of the 2017 calendar year. Mr. Turgeon reported that the easement staff has closed on and recorded 680 acres this calendar year so far, and the program is expecting to increase the total acres by an additional 1600 acres.

B. Approval of Consent Agenda:

- a) Lewis M. Hale, 44.856 ac, Carroll County, Easement Donation;
- b) Nob Hill, Inc., 100.4952 ac, Baltimore County, Easement Donation;
- c) Charles C. Fenwick, Sr., Trustee of the Revocable Trust Agreement of Charles C. Fenwick, Sr., 97.99 ac, Baltimore County.

Mr. McCarthy moved approval of the easement consent agenda, Ms. Taylor-Rogers seconded and the Board approved the easement consent agenda.

C. Update to Request by Old Colony Cove, LLC for second amendment, Anne Arundel County (MET #0797QUI04.ANNE; 312.83 ac): Mr. Chapman introduced the agenda item. Mr. Constable asked several questions about the proposed new residence, the existing forest that would be impacted, and the viewshed impacts. Mr. Wechsler presented about a viewshed study contracted by the applicant to assess the visual impact of a potential new residence in the location of the building envelope proposed in the amendment request. He stated that trees in the proposed building envelope were mapped to determine which specimen trees must remain per Article 17 of Anne Arundel County Code and the degree to which they would reduce the visibility of a potential future residence. Mr. Wechsler described a "worst-case"/most

visible scenario in which a 2 1/2 story residence were built and finished with brightly colored materials. He presented renderings demonstrating the limited visibility of a residence under this scenario of minimal tree retention and highly visible finishes, as seen from two locations on Herring Bay 500 feet from the shoreline.

Mr. Hager asked Mr. Chapman whether the proposed demolition of two accessory residences would facilitate stewardship of the easement property, and if conservation values would be increased. Mr. Chapman answered affirmatively, listing the ways in which the proposal increased conservation values. Mr. Hager further asked if the property was located in the Chesapeake Bay Critical Area and if so, whether Critical Area regulations would further restrict the location of a new residence. Mr. Wechsler responded that the proposed home site location was 700 foot back from the shoreline, which is much farther than the Critical Area requirement of a 200 feet buffer and setback.

Ms. Burke asked whether any neighbors had been polled on the proposal and if any opposed, and if the easement would be updated to the current standards. Mr. Chapman responded that MET policy doesn't require solicitation of neighbor comment and that the easement would be only amended for the requested issues, as the easement language was relatively current.

Mr. Hager moved approval of the proposed second *amendment to the Old Colony Cove easement*, Mr. McCarthy seconded, and the Board approved the amendment with one Nay vote from Ms. Blazek-White.

Mr. Chapman, Mr. Weschler and Mr. Chaney left.

III. Committee Reports

A. Governance Committee & Nominating Subcommittee

Mr. Plager reported that the governance committee will be meeting in the near future to review its plans and priorities for the year. He reminded the Board of Senate Bill 4 and the number of trustees that the board must select from the three bodies: House, Senate and the Governor. Mr. Plager also advised the board that we want to present the names of potential board members to the three bodies as soon as possible to avoid delays caused by the upcoming legislative session. A priority for the Governance Committee will be working on developing succession plans and identifying new officers for May 2018 elections.

Mr. Plager discussed some of the specific priorities. In addition to the submitting names for three governing bodies for consideration, two Trustee officers Chair and Treasurer will expire in May 31, 2018. There will be a Joint Meeting of the Nominating and Governance Committees in October to discuss these and other matters. Mr. Greene stated that we have received a number of suggestions for names and we are continuing to seek out names that may be recommended in time for discussion at the November MET Board.

Mr. Chapman returned to the meeting.

Because neither the Chair nor Vice Chair will be able to attend the originally scheduled date for the next board meeting (November 6), it was discussed and agreed to move

the meeting to the following Monday, November 13th. Ms. Burke reminded staff that the date change needs to be posted online to comply with the Open Meetings regulations.

B. Finance Committee:

Ms. Blazek-White provided a brief report. Reports for year to date Statement of Activities and Budget Actual vs. Budget are available for the Board to review. She is recommending that the Board of Trustees receive an in person report from Brown Advisors in February on our end-of-year finances. Our efforts to dispose of the two Charles County properties have been slowed by the state Department of General Services. We are keeping the buyer informed while we wait for these two contracts to be readied for the Board of Public Works. Representatives for the Merriman estate have been proceeding with the sale of the land, and investments were liquidated this summer. We expect it will be a few months before we see the final distribution of proceeds.

E. Land Trust Assistance Committee:

The committee met to discuss its future role in light of the launch of Forever Maryland Foundation. The committee has also begun preparing for next season's conference and events.

F. Legislative Committee:

Mr. Hager had nothing to report this time.

G. Agricultural Committee:

The committee invited NRCS State Conservationist Teron Hillsman to speak to the November Board meeting. Mr. Greene spoke about MET's most recent Round Table meeting regarding renewable energy and working with the Soil Conservation Districts.

Ms. Burke stated Land Trust Alliance will be holding a webinar on NRCS internal controls.

Mr. Chapman described a good meeting and conversation with a MET land owners and a \$5,000 contribution received for the Stewardship Fund.

Mr. Plager remarked on the Director's Dashboard, and all of the activities that the staff were engaged in. He offered his thanks to the MET Director and the entire staff for all the hard work it has been doing.

III. Adjourn: The Board voted to adjourn the meeting at 8:06 p.m.

Respectfully submitted,



James W. Constable
Chair

These minutes were approved/revised by the Board of Trustees on November 13, 2017.

Attachment(s):

Please note that for most attachments listed and that are considered regular meeting handouts (like Stateside Budget/Finance, MET Administered (non-State) Funds Budget/Finance and Director's reports), a copy is stored with Handouts and MET Board Packets for the meeting at which that information was distributed to the Board. In that case, a duplicate copy will not be attached here.

