

Maryland Environmental Trust
Board of Trustees Open Meeting Minutes
February 3, 2020

Trustees Present:

Mary Burke, Chair
Royden Powell, Vice Chair
Julia Jitkoff, Treasurer
Sarah Taylor-Rogers, Secretary
Dr. Scott Barao
Thomas Lloyd
Gregory Bowen
Delegate Jim Gilchrist
Senator Addie Eckardt
Phil Hager
Mark Hoffman
Ken Montague
Tom McCarthy

Trustees Absent:

Paulette Greene
Gary Burnett

Others Present:

John Turgeon, Acting 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
Wendy Hershey, Maryland Environmental Trust

I. Call to order

MET Board Chair, Mary Burke called the meeting to order at 4:07 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 December 2, 2019 Board Meeting. Mr. Hager motioned to accept the minutes. Mr. Powell seconded the motion. All voted in favor.

B. Chairwoman Report

Ms. Burke advised the Board that the Executive Committee had a discussion regarding a new Board appointment process, and it was decided in the meeting that it needs to be presented to the Board for further review.

Ms. Burke turned the meeting over to Mr. Powell for further clarification.

Mr. Powell stated that the Board of Trustees for MET were a self-appointed Board prior to 2016. In 2016 Senate Bill 4 modified the appointment process to have the nominees come from the Governor, the President of the Senate, and the Speaker of the House. Mr. Powell said that since the passing of Senate Bill 4, it has become a problem for appointments to take place and to have Board members uphold their end of being an active MET Board member.

Delegate Gilchrist advised the Board that he contacted the Speaker of the House's office regarding the appointment process for MET's Board. He said the Speaker's office has acknowledged that the process is frustrating. Delegate Gilchrist did not have specifics on why the process is frustrating for them, but he said he would reach back out to inquire.

Senator Eckardt advised that she is working with the President of the Senate's office on how to make the process easier.

Mr. Powell said the Board needs guidance on how to make the process easier because meeting a quorum has become an issue, and the membership is dynamic, which also can be challenging to do business. He said that MET is a public body that was created in statute. MET is a governmental entity, and there could be a concern from the public about having political

appointees on the Board. He acknowledged that at this time MET Board currently has three political appointees.

Senator Eckardt announced that she has been working on drafting a Bill for the new appointment process. She said that she had not dropped the bill yet, because she wanted to consult with the Board first before doing so. Senator Eckardt is requesting that the process change and return to the original text that states the Executive Office and Legislative Offices would not need to vet or approve the new Board members.

Delegate Gilchrist gave the MET Board a brief overview of how the bill process works.

Mr. Powell explained to the Board the process prior to Senate Bill 4.

Mr. Powell said that he would like the Board to propose a model that other Boards are using that they could present.

Mr. McCarthy requested that the Secretary of the Department of Natural Resources be included in the request and see if she has any concerns before a bill is presented.

Mr. Powell said that he would like the quorum requirement to change to the number of active members instead of a minimum of ten.

Mr. Powell would like a participation requirement to be vital as well. If the threshold is not met, then the individual would be recommended for removal of the Board. This is an example of something that could be considered, but he is hoping that this would help MET maintain attendance in having a full Board. Mr. Powell is also requesting that the member serve until their replacement is appointed to the Board. He is hoping this would help to keep the Board fully functional.

An open discussion took place regarding the MET Board appointment process.

Mr. Hager motioned to have the Adhoc Committee further review the process.

Ms. Taylor-Rogers seconded the motion. All in favor.

Ms. Burke announced that Mr. John Turgeon is the new Executive Director for MET.

Ms. Burke thanked Ms. Jitkoff for hosting our holiday party in December 2019 at her residence with MET and FMF.

Ms. Burke advised the Board that the Board retreat will be March 20, 2020 at the Chesapeake Bay Foundation. Rick Leader will be the facilitator. She said that agendas would be forthcoming.

Ms. Burke said that the Board retreat would take the place of the April Board meeting.

Ms. Burke stated that the FMF December report was sent out from Mr. Turgeon, and it states that they currently have three staff on board with the Foundation and two additional Board members. The new Board members are Will Cook and Jim Owen. She said that FMF has an advisory council that is continuously growing, and the 2020 spring conference is underway. Ms. Burke stated that FMF set up an online map to locate local land trusts using a zip code from the easement.

Ms. Burke recommended Jim Morris's appointment to the FMF Board as one of MET's two appointments.

Mr. Hager motioned to approve the appointment.

Mr. Lloyd seconded the motion. All in favor.

Ms. Burke requested more information from Mr. Turgeon regarding the appointment of John Griffin to the FMF Board as the other MET appointment.

III. Acting Director Report

Mr. Turgeon reported that MET is in the process of hiring a new Easement Stewardship Planner, and long-term contractual Easement Monitoring Specialist, which are in process. Mr. Turgeon stated that they are in the beginning process of hiring a new Easement Program Manager.

Mr. Turgeon stated that the easement program is actively working on 26 new projects that would protect 3,200 acres and anticipates several of these will be completed by the end of FY 2020.

Mr. Turgeon announced that MET is in the process of submitting an application to renew the Americorps funded Volunteer Coordinator position.

Mr. Turgeon updated the Board that the Land Trust Assistance Manager has begun collaborations with the Stewardship Program to coordinate outreach to local land trusts to obtain co-held easement monitoring reports. He said that the staff anticipates a strong rate of response

from land trusts to requests for monitoring reports, which will significantly help towards meeting MET's annual monitoring goal.

Mr. Turgeon advised the Board that the MET staff is currently working with Forever Maryland Foundation to produce the spring edition of the *LandMarks* newsletter. We anticipate mailing newsletter this April, and the staff is working with the Foundation on planning for the Annual Land Conservation Conference in May 2020.

Mr. Turgeon mentioned to the Board that the retreat for MET's Board is scheduled for March 20, 2020, at the Chesapeake Bay Foundation. The retreat will be facilitated by Rick Leader, former Executive Director of the Scenic Rivers Land Trust.

Mr. Turgeon requested that the Board look at the dashboard that was sent out with the Director's report to see MET's progress through the second quarter.

IV. Committee Reports

A. Governance and Nominating Committee

Mr. Lloyd advised the Board that he sent out a prospective Board member list for review earlier in the week. He said that the Governance Committee had a vote to recommend to the full Board for the list of candidates.

Mr. McCarthy motioned for approval of the names.

Ms. Taylor-Rogers seconded the motion. All in favor.

Mr. Lloyd stated that every chair of all MET committees needs to take the Open Meetings Act online training. He is requesting that committee chairs have this completed by 3/1/20. Mr. Lloyd said that he would send the link to all committee chairs.

Mr. Lloyd mentioned to the Board that he is working closely with the OAG's office for a list of bylaws. He said that they are hoping to have this completed by the end of February.

B. Finance Committee

Ms. Jitkoff stated that the income statement report is showing low. Ms. Jitkoff gave a brief explanation of the report.

Mr. Hager moved to approve the report.

Mr. McCarthy seconded. All in favor.

Ms. Jitkoff reminded the Board that the Merryman money would be coming into MET soon. She said that it is roughly a little under \$600K, and another \$425K will be going to FMF by July 1, 2020.

C. Easement and Stewardship Committee

Ms. Carlson gave a presentation to the Board regarding MET projects that were completed in 2019.

Ms. Burke had a question about one of the easements that had an amendment to it in the Board packet. She asked if the Board was approving the amendment or if they were a conditional approval.

Mr. Chapman advised that it would have to be a landscaped plan that was approved by the committee. SRLT needed to approve the amendment by reducing the number of accessory residences, and the height of any structure is limited within 36 ft. He said that there was a minimum of 700 feet set back from the shore line. In 2017 MET approved the conditional amendment. Mr. Chapman said this still allows a third primary, but it has stipulations to it.

Mr. Chapman stated that this needs to have the Board's approval to switch out the conditions, and once the MET Board approved, it would then go to SRLT for them to approve or amend. In any case, there would be no impermissible private benefit/inurement as a result of the amendment, and the amendment would enhance the conservation values on the property.

1. Consent Calendar -- New Easements/Amendments
 - a. Request to Amend Conditions for Approval of Second Amendment to Deed of Conservation Easement granted by Virginia C. Quigley and Harry Burton Leary, Jr. Trust (0797QUI04.ANNE)

Mr. McCarthy motioned for approval.

Ms. Taylor-Rogers seconded the motion. All in favor.

D. Agricultural Committee

No report.

E. Land Trust Advisory Committee

Mr. Hager mentioned that there was a handout at the beginning of the meeting, and he strongly encouraged the Board to review the materials.

F. Grants Committee

Ms. Burke announced that the Keep Maryland Beautiful Grant Committee met; the awards will be announced at the Board retreat on 3/20/20.

V. Adjourned Meeting

Meeting adjourned at 6:04 pm.