

**Maryland Environmental Trust**  
**Board of Trustees Open Meeting Minutes**  
**June 1, 2020**

Trustees Present:

Mary Burke, Chair  
Gary Burnett, Vice Chair  
Julia Jitkoff, Treasurer  
Sarah Taylor-Rogers, Secretary  
Thomas Lloyd  
Gregory Bowen  
Senator Addie Eckardt  
Delegate Gilchrist  
Scott Barao  
Mark Hoffman  
Tom McCarthy  
Megan Benjamin  
Megan D'Arcy  
Susanne Zilberfarb

Trustees Absent:

Ken Montague

Others Present:

John Turgeon, Director for Maryland Environmental Trust  
Kelly Price, Maryland Environmental Trust  
Wendy Hershey, Maryland Environmental Trust  
Ann Carlson, Maryland Environmental Trust  
Jon Chapman, Maryland Environmental Trust  
Talley Kovacs, Office of Attorney General  
Phil Hager, Assistant Secretary for Department of Natural Resources

## **I. Call to order**

MET Board Chair Mary Burke called the meeting to order at 4:05 pm via conference call due to the Covid-19 Pandemic.

## **II. Board Work Plan & Governance Topics**

### **A. Adopting the Minutes**

Ms. Burke moved for approval of the minutes for the May 4, 2020 Board Meeting. Senator Eckardt motioned to accept the minutes. Ms. Taylor-Rogers seconded the motion. All voted in favor.

### **B. Chairwoman Report**

Ms. Kovacs informed the Board that the minutes should reflect the summary for the closed session from the Easement and Stewardship committee that were attached to the Board packet.

Ms. Burke welcomed new Board members and advised the Board that she has been discussing with the Chair of the Governance Committee about restructuring of MET's committees and she will present proposals at the next board meeting. She said the new committee format will have all Board members participating in committees. Ms. Burke stated that if someone has an interest in a particular committee please let her know.

Ms. Burke advised the Board that Mr. Powell stepped off the Board as of May 31, 2020, and Mr. Burnett has offered to take his position as Chair of the Easement and Stewardship Committee.

Ms. Burke said the Board orientation meeting for new Board members will take place virtually and she will allow the new members to pick what committee they would like to be a part of.

An open discussion took place regarding the restructuring of the committees.

Ms. Burke informed the Board that the Forever Maryland Foundation (FMF) has received a grant for \$30,000 to fund the Heart of Maryland Conservation Alliance regional conservation partnership. She said that she will be attending the FMF Board meeting on Tuesday June 2, 2020, and she will have an update for the next MET Board meeting on the progress of the Foundation as well as the Annual Land Conservation Conference webinar series that was held in May.

Ms. Burke proposed that the MET Board approve issuing a statement affirming that our public lands are open to all and should be enjoyed by everyone without fear or restrictions. This is due to the Central Park incident that took place recently. Ms. Burke said that the statement will align with MET's founding statute.

An open discussion took place regarding the necessity for the statement, which would be sent out via MET's e-newsletter.

A motion was made by Mr. Burnett for Mr. Turgeon, Ms. Burke and Senator Eckardt to draft a statement reiterating MET's commitment to its founding statute that public lands be accessible to all. Senator Eckardt seconded the motion. All voted in favor.

### **III. Director Report**

Mr. Turgeon informed the Board that a hiring freeze remains in place for all State agencies due to the adverse impact to the State's budget caused by the COVID-19 pandemic and the resulting stay-at-home order issued by the Governor to combat the spread of the virus. He stated at this time MET's staff recruitment efforts to fill the vacant Stewardship Planner position, the Easement Stewardship Specialist long-term contractual position, and the Easement Program Manager position remain on hold until further notice.

Mr. Turgeon informed the Board that the State Budget will be affected due to the pandemic and he is not clear yet on what this will entail. He stated that the Department of Budget and Management (DBM) has asked all State Agencies to make cuts to all units. He informed the Board that MET's funds consist mainly of staff salaries. Our proposal was that we would not hire any long-term contractals this year, which would forfeit the funding for those positions.

Mr. Hager addressed the Board on the State Budget. Mr. Hager commended Mr. Turgeon and Mrs. Price for their hard work on the MET budget and he advised the Board that DNR was able to convince DBM that MET would not permanently relinquish its long-term contractual positions to meet agency budget shortfalls. Therefore MET was able to retain these long-term contractual positions. Mr. Hager advised that DNR will have a much clearer picture of what the budget will entail in the next couple of weeks. Mr. Hager also informed the Board that as the State moves to a gradual opening it will allow MET staff to prepare for field activities and have a presence in the office.

Mr. Turgeon said he recently spoke with Wendy Stringfellow from the Forever Maryland Foundation and she informed him that 137 people registered for the Annual Land Conservation Conference webinar sessions held in May, with 57 of those registering for all six sessions as a

bundle. He stated that the attendance ranged from 47-68 people per webinar. Mr. Turgeon informed the Board that over the summer the Forever Maryland Foundation will be posting the recordings and slide presentations from the webinars on its website.

Mr. Turgeon informed the Board about a conference call in May that he and Mr. Bowen hosted with stakeholders in southern Maryland regarding the formation of a regional conservation partnership similar to what MET has done with the Heart of Maryland Conservation Alliance in Frederick and Washington Counties. Mr. Bowen provided more details about the conference call that took place. He stated that due to the rapid growth of southern Maryland there is concern that a lot of its natural and historic areas will be lost. He stated that developing a vision and watching FMF webinars was very helpful and generated ideas for discussion with the call participants. Mr. Bowen advised the Board that the conference call had approximately twenty participants which involved local land trusts, LTA, and other organizations. The rich resources still in southern Maryland were discussed. Mr. Bowen said that the region has some of the highest percentages of forest, fish and other species in Maryland worth preserving.

Mr. Hoffman asked Mr. Turgeon if the annual conference was normally a fundraiser for MET and was the conference profitable for FMF given that it was virtual this year. Mr. Hager, former Chair of MET's Land Trust Advisory Committee, explained that the conference was profitable for MET in the past due to contributions and participation costs. Mr. Turgeon stated that he had not been informed yet whether FMF's virtual conference was profitable, but he assumed that without the overhead costs of the conference this year and the contributions that they still received FMF may have profited.

Mr. Turgeon informed the Board that the Board packet for this meeting included the FY21 MET Annual Work Plan. Mr. Turgeon advised the Board that if they had any questions regarding the Annual Work Plan that they may contact him.

Senator Eckardt motioned to adopt the Annual Work Plan. Mr. Lloyd seconded the motion. All voted in favor.

#### **IV. Committee Reports**

##### **A. Governance and Nominating Committee**

Committee Chair Mr. Lloyd welcomed the new Board members, Megan D'Arcy, Megan Benjamin and Susanne Zilberfarb.

Mr. Lloyd informed the Board that there are two votes that need to take place at this meeting to consider electing Tom Prevas and Lori Lynch to the MET Board, both of whom were recommended by the Governance Committee.

Ms. Taylor-Rogers motioned to approve electing the new members. Ms. Jitkoff seconded the motion. All voted in favor.

Mr. Lloyd stated that Ms. Kristen Maneval has been recommended by the Committee for addition to the Board's list of recommended nominees for MET Board service, which list will be sent to the offices of the Governor, Speaker of the House, and Senate President for consideration.

Ms. Taylor-Rogers motioned to approve Kristen Maneval be added to the list. Ms. Jitkoff seconded the motion. All voted in favor.

Mr. Lloyd reminded the Board that he has been working with Ms. Kovacs and Mr. Roger Medoff with the Office of the Attorney General regarding revisions to MET's bylaws. Mr. Lloyd will have an update on progress at the September Board meeting.

#### B. Finance Committee

Ms. Jitkoff requested that the Board vote on electing Mr. Hoffman as the Assistant Treasurer for the Finance Committee.

Ms. Taylor-Rogers motioned to approve electing Mr. Hoffman. Mr. Lloyd seconded the motion. All voted in favor.

Ms. Jitkoff gave a brief overview of the FY21 budget (MET Board administered funding) that was sent out to all Board members to review.

An open discussion took place amongst the Board members regarding the FY21 budget.

Mr. Bowen motioned to approve the budget. Senator Eckardt seconded the motion. All voted in favor.

Ms. Jitkoff reviewed with the Board the balances of the restricted and unrestricted accounts that make up MET's Board administered funds. She stated that these accounts are held with two banking firms, Brown Advisory and Wells Fargo. Ms. Jitkoff stated that she is requesting approval for Ms. Burke, Mr. Hoffman, Mr. Burnett and herself as signers for these accounts.

Ms. Taylor- Rogers motioned to approve. Senator Eckardt seconded the motion. All voted in favor.

#### C. Easement and Stewardship Committee

Ms. Carlson informed the Board that the Easement and Stewardship Committee met on May 20th and they had a very productive meeting regarding an item that will be discussed in the closed session. Ms. Carlson stated that thus far in fiscal year 2020 MET has completed 15 conservation easement projects and one existing easement amendment that together protect a total of 1,196 acres. Ms. Carlson is hoping to complete one more easement amendment and one more new conservation easement as well by the end of FY 2020. She stated they are hoping to complete a total of 18 conservation projects in FY20.

Mr. Chapman made a request to close the meeting at 5:17 pm to discuss Stewardship Program matters involving the Office of Attorney General.

Senator Eckardt motioned to approve closing the open meeting. Ms. Taylor- Rogers seconded the motion. All voted in favor.

Ms. Taylor-Rogers motioned to close the closed session and reopen the meeting. Mr. Bowen seconded the motion. All voted in favor.

Open session resumed at 6:01pm

D. Agricultural Committee

Committee Chair Mr. Barao said there was nothing to report.

E. Land Trust Advisory Committee

Committee Chair Mr. Bowen thanked the committee for their support with FMF's Conference.

Mr. Bowen had nothing further to report.

F. Grants Committee

Committee Chair Ms. Burke advised the Board that they need to vote on a Keep Maryland Beautiful Grant award that had previously been approved through the committee. The approved grant was one of the Department of Housing and Community Development's Clean Up Green Up grants. However the grant was not paid by the Department of Natural Resources (which administers the payouts for Clean Up Green Up grants and is then reimbursed by DHCD) due to the grantee, Eastside Community Gardens in Baltimore, not having a Federal ID number. Mr. Turgeon updated the Board on the grant and stated that the reason Eastside Community Gardens does not have a Federal ID number is because they are not a non-profit organization or an entity. He stated they are a group that has come together in Baltimore to help the community. Mr.

Turgeon said the group has a fiscal sponsor known as Parks and People, which is a 501 c 3 non-profit also in Baltimore, and they have agreed to accept the money on behalf of the grant awardee. Mr. Turgeon is asking the Board to approve sending a check from the MET Board administered funds in the amount of \$1,755, which was the approved grant award, to Parks and People on behalf of Eastside Community Gardens.

Senator Eckardt motioned to approve funding. Ms. Taylor-Rogers seconded the motion. All in voted favor.

V. **Adjourned Meeting**

Meeting adjourned at 6:07 pm.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")  
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

**This form has two sides. Complete items 1 – 4 before closing the meeting.**

**1. Recorded vote to close the meeting:** Date: 5/20/20; Time: 1:32 pm; Location: *via internet and telephone conference call*;

Motion to close meeting made by: J. Jitkoff Seconded by R. Powell;

Members in favor: J. Jitkoff, R. Powell; Opposed: none; Abstaining: none; Absent: S. Taylor Rogers.

**2. Statutory authority to close session (check all provisions that apply).**

**This meeting will be closed under General Provisions Art. § 3-305(b) only:**

(1)\_\_\_ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)\_\_\_ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)\_\_\_ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)\_\_\_ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)\_\_\_ "To consider the investment of public funds"; (6)\_\_\_ "To consider the marketing of public securities"; (7) X "To consult with counsel to obtain legal advice"; (8)\_\_\_ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)\_\_\_ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)\_\_\_ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)\_\_\_ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12)\_\_\_ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13)\_\_\_ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)\_\_\_ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15)\_\_\_ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

**Continued →**



3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (7)	0325STI95.WASH – request to demolish structure	To consult with counsel to obtain legal advice regarding landowner's request for approval dated April 16, 2020
§3-305(b) ( )		
§3-305(b) ( )		
§3-305(b) ( )		
§3-305(b) ( )		

4. This statement is made by \_\_\_\_\_, Presiding Officer. Signed by *Ann Carlson* with permission of R. Powell, Committee Chair due to state of emergency declaration. *Ann J Carlson*

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**WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)**

➤ **For a meeting closed under the statutory authority cited above:**  
 Time of closed session: 1:32 pm – 2:39 pm on 5/20/2020  
 Place: via internet and telephone conference call  
 Purpose(s): To consult with counsel to obtain legal advice in order to make a recommendation for action to the Board of Trustees  
 Members who voted to meet in closed session: J. Jitkoff moved; R. Powell second  
 Persons attending closed session: Committee Members: J. Jitkoff and R. Powell. MET Staff: A. Carlson, J Chapman, J. Turgeon. Legal Counsel: Assistant Attorney General T. Kovacs  
 Authority under § 3-305 for the closed session: (b)(7) To consult with counsel to obtain legal advice  
 Topics actually discussed: 0325STI95.WASH – request to demolish structure  
 Actions taken: R. Powell moved to recommend that the Board of Trustees approve the request to demolish the structure with the condition that the replacement structure be in the same location, have a similar footprint, and be in keeping architectural style of the overall historic character of the property;

*and that the Board delegate full authority to the Director to negotiate further in the best interest of MET. J. Jitkoff second.*

Each recorded vote: *J. Jitkoff and R. Powell voted in favor of the motion.*

Action Taken: *JJ moved the end the closed session. R. Powell Second.*

Each recorded vote: *J. Jitkoff and R. Powell voted in favor of the motion.*

*Closed Session ended at 2:39 pm*

➤ **For a meeting recessed to perform an administrative function (§ 3-104):** Time: \_\_\_\_\_

Place: \_\_\_\_\_

Persons present: \_\_\_\_\_

Subjects discussed: \_\_\_\_\_