

**Maryland Environmental Trust  
Board of Trustees Open Meeting Minutes  
February 1, 2021**

Trustees Present:

Mary Burke, Chair  
Gary Burnett, Vice Chair  
Julia Jitkoff, Treasurer  
Sarah Taylor-Rogers, Secretary  
Delegate Jim Gilchrist  
Tom McCarthy  
Lori Lynch  
Thomas Lloyd  
Megan D'Arcy  
Susanne Zilberfarb  
Gregory Bowen  
Mark Hoffman  
Megan Benjamin  
Diana Conway

Trustees Absent:

Senator Addie Eckardt  
Ken Montague  
Tom Prevas

Others Present:

John Turgeon, Director, Maryland Environmental Trust  
Wendy Hershey, staff, Maryland Environmental Trust  
Kelly Price, staff, Maryland Environmental Trust  
Ann Carlson, staff, Maryland Environmental Trust  
Michelle Grafton, staff, Maryland Environmental Trust  
Jon Chapman, staff, Maryland Environmental Trust  
Talley Kovacs, Asst. Attorney General, Office of the Attorney General  
Roger Medoff, Asst. Attorney General, Office of the Attorney General

**I. Call to order**

Chair Mary Burke called the meeting to order at 4:04 pm via conference call due to the COVID-19 Pandemic.

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

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

Ms. Burke asked for a motion to approve the minutes of the November 2, 2020, MET Board meeting. Ms. Taylor-Rogers motioned to approve the minutes; Ms. Lynch seconded the motion. All voted in favor.

### **B. Chair Report**

Ms. Burke discussed the following topics with the Board:

- Ms. Burke has been attending the Forever Maryland Foundation Board meetings and reported that the Foundation is doing very well. She referenced the recent status report to MET submitted by the Foundation in accordance with the two-year grant agreement, which has been shared with the MET Board. Ms. Burke advised the Board that the Foundation has ten active Board members, and they are hoping to appoint their liaison to the MET Board by May. Ms. Burke updated the Board on the new employees at the Foundation and their roles. Ms. Burke sent out an email to the MET Board members prior to the meeting with information pertaining to the Foundation's financial records.
- Ms. Burke requested that MET Board members submit names to the Governance Committee for potential new board members.
- Ms. Burke informed the Board that MET's five-year strategic plan (2017-2022) is coming to an end and she would like the Board to have a new five-year plan (2023-2027) prepared so that when the new Board chair starts the strategic plan is already done and voted on. Ms. Burke discussed creating a new ad hoc committee to help with developing a new strategic plan. Ms. Burke asked the Board if anyone is interested in participating in the strategic planning committee. The following people have volunteered: Sarah-Taylor Rogers, Diana Conway, Susanne Zilberfarb, Gary Burnett, and Michelle Grafton.
- Ms. Burke reminded the Board that they need to file their 2020 financial disclosures with the State Ethics Commission by the end of April 2021.
- Ms. Burke informed the Board it needs to vote to delegate authority to MET's Director to sign new MET easement documents. Mr. Burnett motioned to approve; Ms. Taylor-Rogers seconded the motion; all voted in favor.

## **III. Director Report**

Mr. Turgeon requested approval of the disbursement from MET to Forever Maryland Foundation that is supposed to take place on March 1, 2021 in accordance with the two-year grant agreement that was executed between the two organizations in 2019. He said that this will be the last disbursement to the Foundation under that agreement. Mr. Bowen motioned to accept the disbursement. Mr. Lloyd seconded the motion. All voted in favor. Ms. Burke gave a brief overview of the Forever Maryland Foundation and why the organization was created and why MET agreed to provide seed funding.

Mr. Turgeon asked Delegate Gilchrist to update the Board on the following two new bills he is sponsoring in the current General Assembly session:

- Delegate Gilchrist said the first bill pertains to the Board selection process and would change the process so that each year the Governor would submit two names for appointment to the Board, and both the President of the Senate and the Speaker of the House would each submit one name for appointment to the Board. There was also discussion of adding to the bill a provision to eliminate the Board meeting quorum requirement that is in existing statute,
- Delegate Gilchrist discussed the second bill (HB 860) that would add Maryland Environmental Trust's conservation easement acres toward meeting the state's protected agricultural acre's goal that was established by the General Assembly in 2002. The bill also extends the date to achieve the goal from 2022 to 2030.

Mr. Turgeon then reported on the following items:

- MET obtained hiring freeze exceptions from DNR to proceed with filling the vacant Stewardship Planner and Records/Technology positions. He stated that we are also anticipating approval to fill the Easement Program Manager position, in which Ann Carlson has been serving in an "Acting" role since May of 2019.
- MET has completed three new conservation easements in FY 2021 that protect a total of 1,185 acres on privately owned land. All three of the easements are co-held with non-profit land trusts. MET staff completed two amendments of existing MET easements that extinguished residential development rights on 213 acres of conserved land. In calendar year 2020 MET completed seven new easement projects protecting a total of 1,379 acres and that all of this work has been accomplished with Ann Carlson as the sole staff person in the easement program.
- Mr. Turgeon and MET's Land Trust Assistance Program (LTAP) Manager, Michelle Grafton, along with MET trustee Greg Bowen (also Executive Director of the American Chestnut Land Trust in Calvert County) have continued to coordinate efforts toward forming a collaborative conservation initiative for the five-county southern Maryland region.
- Stewardship Program Manager Jon Chapman, working with the firm Upstream Tech, initiated the LENS image comparison and reporting ("online easement monitoring") pilot project, which has resulted in monitoring via desk-top computer of 121 of MET's solely held easement properties on the Eastern Shore using 2020 high resolution satellite imagery. The second part of the pilot will be implemented beginning this month for MET's solely held easements on the Western Shore.

- Wendy Hershey and Volunteer Coordinator Jacob Honn conducted a very successful virtual training session in January for volunteer monitors, which was attended by 59 people. Another virtual training session is scheduled for February 17<sup>th</sup>.
- Mr. Turgeon and Ms. Grafton are working with the Forever Maryland Foundation's conference planning committee on organizing the 2021 Annual Land Conservation Conference, which is scheduled to take place in July of this year, with the hope that it can be an in-person event.
- In this FY 2021 grant cycle the Keep Maryland Beautiful (KMB) grants program received 121 applications requesting \$506,106. He said that the KMB Committee approved awarding 90 grants totaling \$312,500. The awards will be announced in March.

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

##### **A. Governance Committee**

Committee chair Mr. Lloyd reported on the following items:

- There are still two vacant seats on the Board and MET has submitted names of recommended Trustees to the Executive and Legislative Branches.
- The Committee will be meeting with Ms. Kovacs and Mr. Medoff in February to discuss revisions to the MET Board's bylaws. After all revisions are made to the bylaws, the Board will be provided with the new draft and will vote on the changes.

The Governance Committee met two weeks ago and voted in favor of a recommendation to have the Governance Committee nominate the Board's chair and vice chair. The bylaws will be revised to show this change and will be voted on by the Board.

##### **B. Finance Committee**

Committee chair Mr. Hoffman reviewed the profit and loss budget vs actual statement, and the balance sheet statement, both of which were submitted to the Board via email. Mr. Burnett motioned to approve the finance committee report. Mr. Lloyd seconded the motion All voted in favor.

##### **C. Lands Committee**

Mr. Burnett asked Ms. Carlson to report on the three items on the consent calendar that were included in the Board Packet and listed below:

1. Consent Agenda:
  - a. 44.3 +/- ac, Patterson Mill LLC, Harford County with Harford Land Trust
  - b. UPDATE: 247.63± ac, Watson, Dorchester County with Eastern Shore Land Conservancy, Inc., and US Navy

c. 29.32 +/- ac, Mount Vernon Ladies' Association, Charles County with Charles County Conservancy

Mr. McCarthy motioned to approve the consent agenda. Mr. Bowen seconded the motion. All voted in favor.

Ms. Carlson reported on the following items:

- In calendar year 2020 the easement program completed seven new easements protecting over 1,300 acres, and two amendments of existing easements. The easement program is currently managing 30 active projects, and Ms. Carlson is currently the only person in the program working very hard to get as many projects completed as possible.
- Ms. Carlson will be representing MET at the Cecil County Agricultural Symposium. Ms. Carlson said that she will have a speaking role as well.
- Ms. Carlson provided an overview of the revisions to MET's model Deed of Conservation Easement and why the changes were needed. Ms. Kovacs informed the Board that they tried to make the model easement more understandable for all landowners and land trust staff. Ms. Kovacs commended Ms. Carlson for all her tireless work and effort on the model easement revisions. Ms. Carlson said that she is hoping to present the model easement at the next MET roundtable. Ms. Benjamin motioned to approve the model Deed of Conservation Easement. Ms. D'Arcy seconded the motion. All voted in favor.

Mr. Chapman reported that he is hoping to have a new hire in the stewardship program by May. He said that the program has experienced great challenges due to Covid and this has reduced travel and in-person contact with landowners, but they have been able to conduct easement monitoring using aerial imagery on over 120 properties. Mr. Chapman is anticipating that they will have approximately sixty percent of the annual monitoring completed for FY21.

Ms. Kovacs updated the Board regarding the Chase Farm easement litigation matter in Howard County. She said any board member that would like more information to please call her. Ms. Kovacs stated that all motions have been made regarding the disputed residential development rights on the property subject to the MET easement. Ms. Kovacs informed the Board that Quincy Coleman is the new judge assigned to the case and that the parties will have a virtual conference call with the judge next Tuesday. Ms. Kovacs also made the Board aware that as of right now the court case is scheduled for August and that it will be a week-long court case. Ms. Kovacs stated that this has been a long and tiring process, and that they have had 15 depositions within a 30-day period.

D. Agricultural Committee

Nothing to report.

E. Land Trust Advisory Committee

Mr. Bowen turned the meeting over to Ms. Grafton for LTAC updates and she reported on the following:

- There are no new cooperative agreements with land trusts to present this month.
- Ms. Grafton updated the Board on the Hollman and Hughes grants that are part of the Keep Maryland Beautiful grants program.
- She has participated in the Southern Maryland Conservation Alliance meetings.
- She is participating with Forever Maryland Foundation's conference planning.

She announced that the Land Trust Toolbox is now live on MET's website.

Mr. Bowen advised the Board that the Land trust Advisory committee met on 1/26 and they discussed the new toolbox and the restructuring of the MET committees and how it will affect LTAC.

#### F. Grants Committee

Mr. Burnett advised the Board that the Keep Maryland Beautiful (KMB) grant awardees have been picked (listed in a memo to MET Board dated 1/27/21 that was e-mailed to the Board on 1/28/21), and that they are planning to notify all the applicants in March. He mentioned that they had a lot of strong candidates this year. Ms. Lynch moved to approve the list of grant recipients. Mr. Lloyd seconded the motion. All voted in favor with one person abstaining.

#### G. Outreach Committee

Ms. Zilberfarb advised the Board that the committee met a couple of weeks ago and discussed the plans for the outreach committee. Audiences identified included: farmers, land trusts, environmental groups, DNR and state legislature, Forever Maryland Foundation. Ms. Zilberfarb provided a brief overview of what the committee will be doing and its purpose.

Meeting Adjourned at 6:02pm