

**Maryland Environmental Trust**  
**Board of Trustees Meeting Minutes**  
**June 17, 2019**

Maryland Environmental Trust (MET) Board of Trustees in attendance were: Mary Burke, Toby Lloyd, Royden Powell, Goodloe Byron, Jr., Martha Ann Clark, Julia Jitkoff, Gary Burnett, Senator Addie Eckardt, Delegate Jim Gilchrist, Sarah Taylor-Rogers, and Paulette Greene. MET staff in attendance were: John Turgeon, Wendy Hershey, Michelle Grafton, Ann Carlson, Jon Chapman, and Kelly Price. Ted Sudol, MET's consultant with Carter, participated in the meeting to give an update regarding progress on start-up of the Forever Maryland Foundation (FMF). FMF Board member Nick Dilks was also present at the meeting to have a discussion regarding the launch of FMF and to review the edits made to the business plan. Roger Medoff and Talley Kovacs, from the Office of the Attorney General, joined the Board meeting with information pertaining to the Chase Farm Easement.

**I. Call to order**

MET Board Chairwoman Mary Burke called the meeting to order at 4:26 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 May 6, 2019 Board Meeting. Senator Eckardt motioned to accept the minutes. Ms. Jitkoff seconded the motion. All voted in favor.

B. Chairwoman Report

Ms. Burke presented a Governor's Citation to Mr. Byron. Ms. Burke thanked Mr. Byron for his commitment and time with the MET Board and appreciated his dedication and efforts put forth.

Ms. Burke introduced new Trustee Paulette Greene to the Board, and she also announced that Scott Barao and Ken Montague are not present, but they are also new to the MET Board.

Ms. Burke mentioned that a change in the agenda would be taking place with the LTA Committee reporting first, and the Forever Maryland Foundation (FMF) reporting at the end of the open session.

**III. LTA Advisory Committee Report**

Ms. Grafton addressed the Board regarding language being revised and incorporated into MET's Cooperative Agreement with the Trust for Public Land. The Cooperative Agreement has been submitted to the Office of the Attorney General for review and approval.

Mr. Hager motioned for approval of this new Cooperative Agreement with Trust for Public Land.

Ms. Taylor-Rogers seconded the motion.

All voted in favor.

Ms. Grafton updated the Board on the 2019 MET Annual Land Conservation Conference. She reported that there were 173 registrants with over \$37,000 raised in sponsorship money. Ms. Grafton suggested to the Board that a long-term goal for the conference in the future could be to have a percentage of the profit roll back into the Land Trust Assistance grants to local land trusts in Maryland.

A memo was handed out at the Board meeting with additional information pertaining to conference details and to let the Board know of an upcoming roundtables that will be taking place at MET.

Mr. Hager mentioned that he would like Ms. Grafton to be noted for her hard work and the success of the conference.

Ms. Taylor-Rogers moved to add a letter to Michelle Grafton's personnel file that memorializes the Board's recognition of her efforts.

Senator Eckardt seconded the motion.

All voted in favor.

#### **IV. Director's Report**

Mr. Turgeon reported to the Board on MET's Annual Work Plan for 2020. He advised the Board that the plan included in the Board packet is a draft, and is contingent on the launch of FMF. Mr. Turgeon is asking the Board members to please review the work plan and suggest revisions that may be necessary. A revised Annual Work Plan will be sent in the next Board packet for their consideration at the September meeting.

Mr. Turgeon advised the Board that there are 5-6 easements that should be completed by the end of June, and that the easement program will have successfully reached their protected acreage goal for this fiscal year. He also announced the stewardship program's success with monitoring approximately 700 easements in FY 19, which is more than 60% of MET's easement estate. This is MET's most significant easement monitoring achievement in recent memory and perhaps ever.

Ms. Hershey informed the Board that MET will have an AmeriCorps member joining MET in the fall to help with volunteers. She also reported that MET had a new intern start on 6/17 who will be working with Erin McNally in the stewardship program.

Ms. Hershey announced that the Volunteer Appreciation Event would be taking place at the first floor conference room at 100 Community Place. No date has been scheduled, but the location is confirmed.

Mr. Turgeon informed the Board that the Executive Committee met with DNR Secretary Riccio on 6/13 to discuss matters involving MET as well as the launch of FMF. The discussion included MET's request for DNR support in converting existing Long-Term Contractual (LTC) stewardship employees to permanent employee positions. Another area discussed was the cost for legal defense of easements, beyond OAG staff costs, which the MET Board has to bear. Mr. Turgeon mentioned that the Secretary had suggestions for the next batch of names for Board nominations. The Secretary is very supportive of MET's work.

Mr. Turgeon also advised the Board that Secretary Riccio is interested in tours of different easements with MET. He asked if the Board had any suggestions or wanted to be present to let him know.

Mr. Turgeon advised the Board that they are renewing the MOU with the Department of Housing and Community Development for the KMB Grant. The MOU will be for an additional three years.

## V. Committee Reports

### A. Governance Committee

Mr. Lloyd announced that President of the Maryland Senate Mike Miller recommended Greg Bowen for the MET Board. Information on Mr. Bowen's nomination was sent out to the Board via email to review. The governance committee recommends that the Board vote in favor of the nomination.

The Board had a brief discussion regarding Greg Bowen and his accomplishments. He is currently the Executive Director of the American Chestnut Land Trust in Calvert County.

Mr. Hager motioned to approve Greg Bowen as a new MET Board member.

Senator Eckhardt seconded the motion.

All voted in favor.

B. Finance Committee

Ms. Jitkoff informed the Board of a set of policy objectives and guidelines that was last revised in 2014 regarding an agreement with Brown Advisory, which firm manages MET's private-side accounts. Ms. Jitkoff revisited and made edits to the document with new changes that make for a more aggressive investment strategy. She would like all Board members to review the edits and let her know if there are any additional changes needed.

Ms. Jitkoff reported on the private side budget. She mentioned MET would not be over budget by the end of the fiscal year. The expenses are under budget, and the income received is over budget. Ms. Jitkoff does not project any budget problems before the end of FY19.

C. Easement and Stewardship Committee

Mr. Powell informed the Board that an Easement/Stewardship Committee meeting took place on 6/5 where seven items were reviewed and approved by the Committee and added to the consent calendar. Mr. Powell requested to have the consent calendar approved by the Board.

1. Consent Calendar -- New Easements/Amendments
  - a) American Battlefield Trust, 17.86 acres, Frederick County w/Frederick County
  - b) Lauren Greenberger, 20 acres, Montgomery County w/ Sugarloaf Countryside Conservancy
  - c) Fry Cooper Farm LLC, 191± acres, Kent County w/ Eastern Shore Land Conservancy (previously approved with different grantor)
  - d) Neal Reynold and Carol Reynolds, 65.9± acres, Cecil County w/ Cecil Land Trust
  - e) The Aspen Institute, 310 ±acres (Angus Fields), Queen Anne's County w/ Eastern Shore Land Conservancy
  - f) The Aspen Institute, 252± acres (Point Fields), Queen Anne's County w/ Eastern Shore Land Conservancy

g) Amended and Restated Deed of Conservation Easement by Mary-Dulany James w/Harford Land Trust, Inc., 127.75 ac, (MET#0022JAM77.HARF) Harford County

Mr. Powell motioned for the approval.

Ms. Taylor-Rogers seconded the motion.

All voted in favor.

D. Agricultural Committee

No report

E. Grants Committee

Mr. Burnett mentioned that the KMB grant cycle process would be starting again in the fall of 2019. Nothing else to report.

**VI. Forever Maryland Foundation**

Ms. Burke introduced the FMF update on the agenda to the Board. She discussed the memorandum that was sent via email by Ted Sudol, a consultant with Carter.

It was agreed upon that the first payment to Forever Maryland Foundation will be sent by 8/1/2019 in order for the Foundation to launch. The second payment will be contingent on the Merryman Estate funding. Both parties involved are aware that no state funding can be used for the Foundation.

An open discussion took place regarding grant reporting and funding that could be compromised due to the reporting.

The MET Board and FMF came to an agreement on the reporting of the grants process. FMF must provide to Maryland Environmental Trust formal reports that detail and demonstrate the manner in which Forever Maryland is advancing the priorities, goals, and objectives included in the Foundation's Business Plan.

An open discussion took place regarding the fundraising that FMF will be doing for MET.

An agreement was reached that FMF will fundraiser \$70,000.00 in funding for MET for the first two years for operating funds, and they would continue to fundraise every year after for MET.

It was agreed upon that the MET newsletter would be created and drafted by FMF, but it would be owned by MET. FMF and MET will meet on a regular basis to discuss the making of the newsletter.

MET does have the authority to recommend two Board members for the FMF Board. The two members that are recommended will have a two consecutive three year terms.

Mr. Sudol requested to have a final resolution drafted by MET and sent to FMF for edits and approval from the OAG's office and the Secretary.

Mr. Hager motioned to approve FMF and moved to approve the proposal with conditions outlining the June 17, 2019 MET Board discussion.

Ms. Eckhardt seconded the motion.

Mr. Powell amended the motion for the Board to delegate the Executive Committee the authority to review and approve all documents and changes for the MET Board that may take place for the final draft is released.

Mr. Hager seconded the amendment to the motion.

All voted in favor of the launch of FMF.

See the resolution attached.

#### F. Other Business

Ms. Burke motioned to close the session.

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

The open session closed at 6:43 pm.

The closed session began at 6:43 pm.

#### VII. Closed Meeting

The open session of the public meeting was closed pursuant to Md. Code Ann. Gen. Prov. §3-305(b)(7) to obtain legal advice from the Office of the Attorney General and pursuant to §3-

307(b)(8) to consult with staff and legal counsel about pending or potential litigation related to the dispute over easement interpretation with landowners under the Chase Farm Easement MET File No. 024CHA78.HOW

Mr. Hager motioned to close the closed session at 6:47

Mr. Powell seconded the motion. All in favor.

Ms. Jitkoff motioned to open the open session.

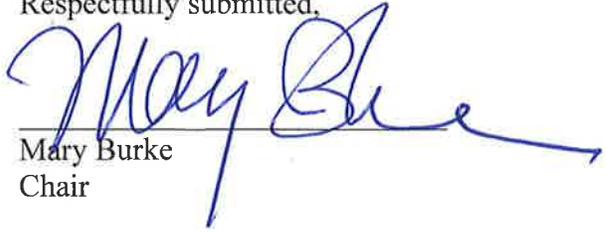
Mr. Powell seconded the motion. All in favor.

Nothing further to discuss.

Session closed at 6:49 pm.



Respectfully submitted,



Mary Burke  
Chair

These minutes were approved/revised by the Board of Trustees on September 9, 2019.

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.*



**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:

1. **Recorded vote to close the meeting:** Date: 6/17/2019; Time: \_\_\_\_\_;  
Location: Maryland Environmental Trust, 100 Community Place, Crownsville, Maryland;

Motion to close meeting made by: P. Hager

Seconded by Powell;

Members in favor: all;

Opposed: 0;

Abstaining: 0;

Absent: \_\_\_\_\_

Motion Carries (carries/rejected).

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)  "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.”

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)	Chase Farm Easements	Legal counsel on Chase Farm easement defense.
3-305(b)(8)	Chase Farm Easements	See.

4. This statement is made by May She, Presiding Officer.

