

**Maryland Environmental Trust**  
**Board of Trustees Meeting Minutes**  
**May 6, 2019**

Maryland Environmental Trust (MET) Board of Trustees in attendance were: Mary Burke, Toby Lloyd, Royden Powell, David Greene, Martha Ann Clark, Julia Jitkoff, Gary Burnett and Senator Addie Eckardt. Proxies were received to give Ms. Burke the ability to vote on behalf of Sarah Taylor-Rogers and Mark Hoffman who could not be present for this meeting. MET staff in attendance were: John Turgeon, Wendy Hershey 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 members Nick Dilks and Steve Quarles also were present at the meeting to introduce themselves to the MET Board. Roger Medoff and Talley Kovacs, from the Office of the Attorney General, joined the Board meeting to provide legal counsel to the Board.

**I. Call to order**

MET Board Chairwoman Mary Burke called the meeting to order at 4:13 pm at 100 Community Place, Third Floor Conference Room, Crownsville, Maryland 21032.

**II. Forever Maryland Update & Board Discussion**

Mr. Sudol advised the Board, he is expecting a two-month timeline to get the Forever Maryland Foundation (FMF) fully operational. He will be meeting with the State Ethics Commission in June, and he hopes to have a firm answer on the future of FMF following that meeting. FMF Board members Nick Dilks and Steve Quarles were present and they gave the MET Board a brief introduction of themselves and discussed their intentions with FMF and how FMF will help MET.

Ms. Jitkoff requested a draft contract from the FMF Board and a work plan showing what FMF intends to do, and what finances they will be needing from MET and how that money will be used. Mr. Quarles advised the MET Board that they will draft a contract between FMF and MET, although the deliverables may be vague until they know 100 percent what finances they have to work with. Mr. Quarles said he needs a financial commitment from the MET Board in order begin hiring staff.

Mr. Sudol informed the MET Board that he will have the FMF Bylaws to the Board by May 15, 2019.

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

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

Ms. Burke moved for approval of the minutes for the April 8, 2019 Board Meeting. Ms. Jitkoff motioned to accept the minutes. Mr. Greene seconded the motion. All voted in favor.

#### **B. Chairwoman Report**

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

Ms. Burke addressed the issue of an opening for a MET Board member to join the Rural Legacy Advisory Committee. Mr. Turgeon informed the Board about what the Advisory Committee does, the date they need to apply by, and that it is required for one MET Board member to serve on the Committee. Ms. Burke asked if any Board members would be interested in serving on the Committee. Mr. Hager volunteered to do so.

Mr. Lloyd informed the MET Board that he spoke with Ms. Burke and requested that he step down from his role as Vice Chair of the MET Board but that he will remain as a regular Board member. He indicated that Mr. Powell has offered to serve as Vice Chair, and that Mr. Hager has offered to be the at-large member on the Executive Committee.

Senator Eckardt motioned to accept all changes. Ms. Jitkoff seconded the motion. All voted in favor.

Ms. Burke discussed a proposed date change for the next Board meeting, due to the timing of the State Ethics Commission meeting previously mentioned by Mr. Sudol. It was proposed that the next Board meeting be changed from June 3 to June 17, 2019, so Mr. Sudol can report back to the Board after the State Ethics Commission meeting.

Mr. Hager motioned for the change. Mr. Powell seconded the motion. All voted in favor.

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

Mr. Turgeon reported to the Board that the Easement Program FY 2019 protected acreage goal is nearly attained. He also advised the Board that our private-side funded contractor, Don Owen, is working with MET's Land and Water Initiative grant-funded project called, "Bridging Gapland," and the Heart of Maryland Conservation Alliance effort.

Mr. Turgeon updated the Board that the Stewardship program has exceeded the goal of 500 easements monitored for the FY. MET has a total of 579 monitored at this fiscal year, with over a month still left, speculating around 60% of MET easements will be monitored FY19.

Mr. Turgeon will be meeting with Secretary Riccio to discuss the need to convert MET's Long Term Contractual Stewardship employee to a full-time PIN. The fear is if we do not get the LTC position converted we may lose another good employee. Achieving goals of 100% monitoring and LTA accreditation would be at stake.

Ms. Hershey updated the Board on the monitoring program and the need for volunteers and Maryland Conservation Corps members. She advised the Board that we applied for an AmeriCorps member to help with the volunteers and the projected possibilities for the monitoring program next year.

An open discussion took place regarding the accreditation process with MET and other land trusts.

Ms. Kovacs introduced two staff from the Office of the Attorney General that were present at the Board meeting.

#### **V. Committee Reports**

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

Mr. Lloyd informed the Board that the Governor's office sent over a list of four names for consideration to be chosen as new MET Board members. The OAG's office advised Mr. Lloyd that since the Governor did not send over names the previous year that they could pick four names instead of two this year. Unfortunately, the Speaker of the House's office has requested that one of the names on the list presented be removed. Therefore, the Committee recommended to approve three of the names that the Governor's office provided, which are as follows: Mr. Scott Barao, Ph.D., Ms. Paulette Greene, and Mr. Kenneth Montague.

Mr. Lloyd motioned for approval of the three names.

Mr. Hager seconded the motion. All voted in favor.

Ms. Burke advised that the President of the Senate's office should have names sent over in the next week for the committee to review. Once a decision has been made the Committee will present the recommended names to the Board in June.

Senator Eckardt advised the Board that in FY20 they will need to consider the timing of sending the proposed Board member names to the Governor and Legislative offices. When session starts, they have too much to focus on, and providing the MET Board with names is not going to take precedence.

Ms. Burke announced to the Board that Julia Jitkoff and Gary Burnett were up for reappointment to the Board.

Mr. Hager moved to reappoint Ms. Jitkoff and Mr. Burnett.

Senator Eckardt seconded the motion. All voted in favor.

B. Finance Committee

Ms. Jitkoff provided an update to the Board on the private-side budget that has been drafted and reviewed by the committee. Ms. Jitkoff advised that MET will be about \$50,000 under budget due to some program funding not being used. Therefore those funds will be eliminated from the FY20 budget. The final private budget will be presented to the Board for review and approval at the June Board meeting.

Ms. Jitkoff motioned for approval.

Senator Eckardt seconded the motion. All voted in favor.

C. Easement and Stewardship Committee

Mr. Powell announced that there are two items, both new easements, on the consent calendar that need approval. Memos for the items were in the Board packet and also handed out at the beginning of the meeting for review, which are as follows:

- Easement donation to MET and Land Preservation Trust, Inc., from John C.G. Boyce, Jr., and Ann Fleming Hagerty on 30 acres in Baltimore County;

- Easement donation to MET from Douglas Hutzell and Anna Hutzell on 2.21 acres in Washington County.

Mr. Powell motioned for approval of the consent calendar.

Senator Eckardt seconded the motion. All voted in favor.

D. Agricultural Committee

Nothing to report.

E. Land Trust Advisory Committee

Mr. Hager reported on the Annual Conference that is taking place at the Maritime Conference Center on May 16 & 17, 2019. He advised the Board that MET has not reached the conference sponsorship funding that they were hoping for, but the sponsorship challenge was doubled from last year. Mr. Hager said that Michelle Grafton has been the lead on the conference, and he would like everyone to thank her for her hard work and continuous efforts. Mr. Hager presented the Board with a brief run through of what the two-day conference will entail.

F. Grants Committee

Nothing to report.

G. Other Business

Mr. Powell motioned to close the session.

Mr. Greene seconded the motion. All voted in favor.

The open session closed at 5:14 pm.

The closed session began at 5:15pm.

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.

INFORMATION AND COMMUNICATIONS IN THE CLOSED SESSION REDACTED AND SEALED PURSUANT TO MD. CODE ANN., GEN. PROV. §3-306.

Mr. Powell moved to authorize the OAG to pursue the stated litigation strategy. Senator Eckardt seconded Mr. Powell's motion and requested that the DNR Secretary and the Assistant Secretary be made aware of this issue.

All voted in favor unanimously.

The closed meeting ended at 6:08 pm.

The open meeting resumed at 6:08pm.

Moved by Ms. Jitkoff.

Seconded by Senator Eckardt.

Open meeting closed at 6:09pm.