

Maryland Environmental Trust
Board of Trustees Meeting Minutes
November 7, 2016

Maryland Environmental Trust ("MET") Board of Trustees ("Board") Chair James W. Constable called the meeting to order at 6:38 p.m. at 100 Community Place, Crownsville, Maryland 21032. Trustees in attendance were James Constable, David Greene, Steve Quarles, Judge Jay Plager, Toby Lloyd, Connie Lieder, Tom McCarthy, Doris Blazek-White, Sen. Adelaide Eckardt, Geb Byron, Phil Hager, Gary Burnett, Roydon Powell, and Sarah Taylor-Rogers. Assistant Attorney General Kristen Maneval attended. MET staff Bill Leahy, Jon Chapman, John Turgeon, Megan Benjamin and Tanya Mekeal attended. MD DNR Assistant Secretary Daryl Anthony attended.

Mr. Constable welcomed Mr. Powell, Ms. Taylor-Rogers and Mr. Burnett who were attending their first meeting as trustees. C. Richard D'Amato has also been elected as a trustee but was unable to attend this evening.

I. Board Work Plan and Governance Topics

A. October 3, 2016 Board Meeting Minutes: *Mr. Quarles moved approval of the minutes and Mr. Greene seconded. MET Board unanimously approved and adopted October 3, 2016 Board Meeting Minutes.*

B. Chairman's Report:

Mr. Constable updated the Board about DNR leadership's proposal to Department of Budget and Management. This is coming at the intersection of both the perennial push by DBM to fold all DNR conservation programs under one roof and the newly-created Office of Transformation and Renewal's push for more efficiency in State government.

DNR proposed that (1) over three to five years, functions and staff associated with MET's land trust assistance and training would spin off to a nonprofit corporation with new board. Over time, MET's director might transition to employment by the nonprofit corporation; and (2) it would create a contractual position (three to five years) to act as a liaison among all of the DNR land units, to include between Land Acquisition and Planning and MET. MET would otherwise remain unchanged. Initial signals from DBM are that the plan is acceptable. Mr. Anthony said that he is open to suggestions about how the role of the liaison would work and that he is comfortable with his current working relationship with MET and prospects for a continued strong partnership. The plan is more fully explained in a November 1, 2016 memorandum prepared by DNR. The memorandum was a handout at the meeting.

II. Committee Reports

A. Easement & Stewardship Committee:

Mr. Quarles presented the Consent Calendar:

New Easements:

- Proposed Donated Conservation Easement from Celeste Inez Maiorana and Matthew Charles Leefer, 37.3 acres, Washington County
- Proposed Donated Conservation Easement from Linda Jean Jaehnigen, 11.1346 acres, Washington County
- Proposed Donated Conservation Easement from Michael Anthony Maiorana and Intawon Angela Maiorana, 8.4167 acres, Washington County
- Proposal to add MET as co-holder of Conservation Easement from Potomac Valley Turf Farm, Inc. (now owned by Bethesda-Chevy Chase Chapter Izaak Walton League of America, Inc.)(currently solely held by Sugarloaf Countryside Conservancy, Inc.), 30 acres, Montgomery County

Mr. Quarles explained that Maiorana/Leefer, Jaehnigan and Maiorana/Maiorana are members of an extended family. The properties will protect a significant amount of woodlands and no unusual stewardship issues are predicted. Mr. Hager inquired whether the uninhabitable homestead on Maiorana/Leefer could be converted to a dwelling unit, and Ms. Benjamin responded that only one dwelling unit is permitted. One parcel, also owned by the Maiorana family, separates two of the parcels of the Maiorana/Leefer property from each other; the property in between is to be protected by Rural Legacy easement and Board of Public Works has already approved. Regarding the proposed co-holding of 30 acres with Sugarloaf, Mr. Quarles said that the property is fully wooded with no structures.

Mr. Greene moved approval of the Consent Calendar, Mr. Lloyd seconded and the Board approved the motion.

- Proposed Donated Conservation Easement from Susan M. Glick, 97.758 acres, Baltimore County

The Board approved the proposed easement at its September 2015 meeting, but Ms. Glick now proposes to reserve the right to operate a Class 4 limited winery and/or Class 8 farm brewery on the property. This would require revising MET's model easement to allow sale of products made from ingredients not all of which are produced on the property. Ms. Benjamin recommends approval but limiting the area that could be used for the winery and/or brewery to three acres, centered on the existing developed area, and including the ability for the landowner to subdivide such area, though it would need to be held in common ownership with the remainder of the property. Mr. Hager applauded staff creativity in trying to find a solution but expressed concern about future stewardship issues arising from the commercial use and asked why the three acres should not be excluded from the easement. He also suggested that three acres may not be large enough. Mr. Quarles thought that MET should want to demonstrate that commercial uses are not incompatible with conservation easements and Ms. Blazek-White asked about a need for a cap on impervious parking.

Mr. Quarles moved approval, Sen. Eckardt seconded and the Board approved the motion (Hager voted nay).

Ms. Benjamin departed.

B. Land Trust Advisory Committee: Mr. Hager announced that the 2017 land trust conference will be in June and that the Committee will meet again next month.

Mr. Leahy presented Southern Maryland Resource Conservation and Development Board, Inc.'s request to enter into a Cooperative Agreement with MET. Staff met with SMRCD's staff. Mr. McCarthy reported that SMRCD has been helping Patuxent Tidewater Land Trust, Inc. manage two Rural Legacy areas in southern Maryland and seeks a Cooperative Agreement with MET so that it can be a Rural Legacy sponsor; he added that St. Mary's County would like both PTLT and SMRCD to be sponsors.

Mr. McCarthy moved approval of entering into a Cooperative Agreement with Southern Maryland Resource Conservation and Development Board, Inc., Mr. Hager seconded and the Board approved the motion.

III. Director's Report

Mr. Leahy reported that MET staff held a retreat and reviewed the annual workplan and progress against it. He referred to his Director's report and dashboard, available as handouts. The Director's report contains a synopsis of the role MET may play in western Maryland to incubate a new regional land trust, as four land trusts (Sugarloaf Countryside Conservancy, Inc.; Catoctin Land Trust, Inc.; Central Maryland Heritage League, Inc.; and Mid-Maryland Land Trust, Inc.) are contemplating their futures. Next, MET is seeing interest from donors as it focuses on better aligning its efforts to contribute to Chesapeake Bay health. Third, MET is focusing on activating more people to monitor its easements. Fourth, MET continues to work on broadening the constituency for land conservation; it is working on a new agreement with Department of Housing and Community Development which would increase MET's grantmaking. Finally, he reported on broad themes from last week's Land Trust Alliance Rally: community conservation and a larger role for leader land trust organizations.

The goal of the annual campaign is to raise private funds to supplement state funds. Mr. Leahy encouraged all trustees to give to MET so that the Board can say it has participation from all members.

IV. Committee Reports, continued

A. Governance Committee & Nominating Subcommittee:

Judge Plager said he was delighted by the strength of the relationship between Mr. Leahy and Mr. Anthony. He will be working with Mr. Powell, Ms. Taylor-Rogers, Mr. Burnett and Mr. D'Amato and the Governance Committee will develop an orientation manual for them. In the near future, the Governance Committee will be asked to convene to approve its charter. Mr. Leahy envisions an interactive process to train new trustees.

Ratification of Election of New Trustees

Mr. Hager moved to affirm the election (conducted by email ballot) of Dr. Sarah J. Taylor-Rogers for a term of November 7, 2016-May 31, 2017, C. Richard D'Amato for a term of November 7, 2016-May 31, 2018, Maj. Gary Burnett for a term of November 7, 2016-May 31, 2019, Royden N. Powell III for a term of November 7, 2016-May 31, 2020, Sen. Eckardt seconded and the Board approved the motion.

Mr. Leahy presented the Master Memorandum of Understanding with State Highway Administration for the Chesapeake Bay Total Maximum Daily Load Restoration Project. Pursuant to the MOU, MET would be paid to help SHA identify MET-held easements on which SHA could plant trees or perform stream remediation. The full Board approved it in December 2014 but there were delays in getting it executed; the Easement & Stewardship Committee reviewed it in August 2016 and Mr. Leahy executed it last month. *Mr. Quarles moved, Sen. Eckardt seconded and the Board approved a motion to ratify the execution of this MOU.*

Mr. Leahy reported that the ad hoc Strategic Planning Committee met on November 1. Based on input from the Committee, a second draft will be written that will reflect the new thinking that has emerged from our discussions with DNR. Most significantly, the plan will now emphasize the expanded role of the non-profit side of MET and the establishment of a robust, collaborative public-private partnership. Mr. Leahy hopes to have the plan adopted soon so that it can be tested with possible donors.

B. Finance Committee:

Ms. Blazek-White presented the Statement of Activities, Actual vs. Budget through September 30, 2016. MET is under budget on expenses. Mr. Leahy informed new trustees that he will provide a training for them on how MET's budget (State and non-State) works.

C. Agriculture Committee: Mr. Greene noted that the Committee is looking for someone to attend the Maryland Farm Bureau convention in December and observed that the Committee has not met with Farm Bureau leadership lately.

V. Adjourn: The Board voted to adjourn the meeting at 8:16 p.m.

Respectfully submitted,



James W. Constable
Chair

These minutes were approved/revised by the Board of Trustees on December 5, 2016.

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.