

Maryland Environmental Trust
Board of Trustees Open Meeting Minutes
November 2, 2020

Trustees Present:

Mary Burke, Chair
Sarah Taylor-Rogers
Lori Lynch
Tom McCarthy
Megan Benjamin
Delegate Gilchrist
Julia Jitkoff
Mark Hoffman
Susanne Zilberfarb
Senator Eckardt
Megan D'Arcy
Diana Conway
Tom Prevas
Greg Bowen

Trustees Absent:

Toby Lloyd
Ken Montague
Gary Burnett

Others Present:

John Turgeon, Director, Maryland Environmental Trust
Kelly Price, Maryland Environmental Trust
Wendy Hershey, Maryland Environmental Trust
Ann Carlson, Maryland Environmental Trust
Jon Chapman, Maryland Environmental Trust
Michelle Grafton, Maryland Environmental Trust
Talley Kovacs, Office of Attorney General

I. Call to order

Chair Mary Burke called the meeting to order at 4:08 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 September 14, 2020, MET Board meeting. Senator Eckardt motioned to approve the minutes; Mr. Hoffman seconded the motion. All voted in favor.

B. Chair Report

Ms. Burke welcomed to the board the newly elected MET trustee, Diana Conway.

Ms. Burke announced that she is working on the proposed restructuring of the MET Board's committees and shared with the Board a revised committee organizational chart that she created. Ms. Burke discussed the proposal to create a new Outreach Committee that would absorb the functions of the current Agricultural, Legislative, and Land Trust Advisory Committees. Ms. Taylor-Rogers mentioned that the new Outreach Committee's first meeting will take place on November 20th, and that she and Ms. Zilberfarb will be reaching out to the chairs of the committees that will become part of the Outreach Committee. She provided a brief overview of the Outreach Committee and the goals intended by this committee.

An open discussion took place regarding the revisions to the MET Bylaws to reflect the new committee structure.

Ms. Taylor-Rogers made a motion to approve the revised MET committee structure as presented in the chart, with the purpose being to further explore the functions of the new Outreach Committee, revise the bylaws to reflect the new committee structure, and submit a draft of the bylaws to the Governance Committee and the Board for approval. Senator Eckardt seconded the motion. All voted in favor.

Ms. Burke made an announcement requesting all Board members to think of any people that would be interested in joining the MET Board of Trustees and to submit those names to Mr. Lloyd, who is chair of the Governance Committee.

Ms. Burke mentioned that she and Mr. Turgeon spoke previously with Orietta Astrada with the Maryland Bird Conservation Partnership regarding organizing birding trips to MET easement properties for Black and Latinx birders.

Ms. Burke reminded the Board that the Keep Maryland Beautiful grants application period is open and that there are over \$300,000 grants available. She stated that the deadline to apply is November 12, 2020.

Ms. Burke mentioned that a new liaison to the MET Board from Forever Maryland Foundation will be announced in February. Ms. Burke updated the Board on the Foundation's progress with the planning for the 2021 Land Conference and Symposium. She advised the Board that Ms. Wendy Stringfellow and her staff have been working very hard on the 2021 conference and they are hoping that it will be in person. She said that more details will be announced at the next Board meeting.

III. Director Report

Mr. Turgeon informed the Board that the hiring freeze remains in effect, therefore MET's staff recruitment efforts to fill the vacant Stewardship Planner position, the two Easement Stewardship Specialist long-term contractual positions, and the Easement Program Manager position (in which Ann Carlson is currently serving in an "Acting" role) are still on hold.

Mr. Turgeon updated the Board regarding the mandatory stay-at-home order that was issued by the Governor in mid-March of 2020. He said that this order is still in effect, however, most staff have obtained "intermittent mission critical" designations from the DNR, which permits them to do field or office work on an intermittent, time-sensitive basis.

Mr. Turgeon announced that in October, Richard Allen of the DNR's Office of Fair Practices was invited to an MET staff meeting at which he gave a presentation on diversity, equity, inclusion, and social justice (DEIJ) matters. He said that Mr. Allen's talk focused mainly on the history of systemic racism in America, as well as recent efforts by DNR and conservation organizations to develop policies for how they will address DEIJ issues. A similar presentation/discussion will be held for the MET board in the next year. The Forever Maryland board has expressed interest in participating jointly with this effort as well.

Mr. Turgeon announced that MET's Records and Technology Manager, Michelle Funches, is leaving MET for a new job. Her last day with MET is 11/3/2020. Mr. Turgeon informed the Board that Michelle, who recently became certified as an administrator of the Salesforce customer service management software, has been invaluable in managing MET's LOCATE easement database, which uses the Salesforce platform. He stated that she was an incredible asset to MET and will be sorely missed.

Mr. Turgeon was pleased to inform the Board of the progress the easement program has made, despite having only one staff member present. He stated that thus far in FY 2021, MET staff completed two new conservation easements that protect a total of 1,115 acres on privately owned land. Mr. Turgeon advised the Board that with these projects, MET has already exceeded its annual work plan goal to protect an additional 1,000 acres. Mr. Turgeon stated that both easements are co-held with non-profit land trusts. Mr. Turgeon announced that staff also completed two amendments of existing MET easements that extinguished residential development rights on 213 acres of conserved land. He said that the significant highlight for the easement program thus far was the completion in July of the new easement on the 1,067-acre Leese property in Somerset County. Mr. Turgeon also wanted to bring to the Boards attention that MET partnered with the Lower Shore Land Trust on this easement, which was purchased using North American Wetland Conservation Act grant funds secured by Ducks Unlimited to protect habitat for the American black duck.

Mr. Turgeon informed the Board that the stewardship program staff and volunteers have resumed easement monitoring activities this fall. He said that they are following new guidelines and requirements, which have been reviewed by DNR, to perform safe and socially distant visits that do not involve in-person contact with landowners. Mr. Turgeon announced our newest member to the MET team, Jacob Honn. Mr. Turgeon explained that in October, Jacob began working at MET as the new Americorps-funded Volunteer Coordinator. He stated that Jacob is a recent graduate of Earlham College in Indiana, with a degree in Biology and he will be working with volunteers to ensure MET's solely held easements are monitored this fiscal year.

Mr. Turgeon informed the Board that thus far in FY 2021, MET stewardship program staff have dealt with 91 tasks related to requests for information, notifications of land transfers, and formal landowner requests for regulated activities (e.g., demolition, home sites, amendments). Mr. Turgeon stated that the stewardship program manager and the director are continuing work with the Office of Attorney General (OAG) toward resolving on-going litigation and compliance matters.

Mr. Turgeon announced that MET will be hosting a virtual Land Trust Roundtable event this month to discuss easement stewardship and monitoring challenges facing Maryland land trusts during the COVID-19 pandemic. He said that the event will take place on November 10th from noon to 2 pm.

Mr. Turgeon informed the Board that the Land Trust Assistance program (LTAP) manager and MET Director worked with OAG to complete revisions to MET's cooperative agreement model document. He said more information regarding the cooperative agreements will be discussed later in the meeting.

Mr. Turgeon reminded the Board that the Forever Maryland Foundation has begun administering on behalf of MET the Keep Maryland Beautiful (KMB) grants application process for FY 2021. He stated that the KMB grants application period opened on October 1, 2020 and runs through November 12, 2020 with four different grants being offered to help volunteer and nonprofit groups, communities, and land trusts support environmental projects, litter removal, and citizen stewardship in urban and rural areas. Mr. Turgeon said that a total of \$312,500 will be available in this round and the awards will be announced in March of 2021.

IV. Committee Reports

A. Governance Committee

Nothing to report as Mr. Lloyd is not in attendance.

B. Finance Committee

Ms. Jitkoff stated that Brown Advisory is helping MET with monitoring the private-side (MET Board managed) funds. She said that she is happy with the results and feels as though the reporting is more clear and easier to understand. Ms. Jitkoff asked if all Board members received a FY 2020 year-end report and a summary of the accounts that were mailed out by Brown Advisory. She said that she would like the Board to be more involved with knowing how the private-side budget is being handled.

Ms. Jitkoff reviewed the Brown Advisory reports with the Board.

Mr. McCarthy motioned to approve last year's MET report. Senator Eckardt seconded the motion. All voted in favor.

Ms. Jitkoff reviewed the quarterly report that was sent out for the months of July-September 2020 with the Board.

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

C. Lands Committee

Ms. Carlson stated that another conservation easement which protects 48 acres of land named Fox Ridge was approved by the Board of Public Works. Ms. Carlson informed the Board that a total of four conservation easements are in line to close by the end of the calendar year. She also stated that MET has a total of thirty-six new easement projects in progress.

Ms. Carlson informed the Board that the Easement and Stewardship programs have been working with the Office of the Attorney General on revising MET's model conservation easement template. She said that they are hoping to have this completed in the near future.

Ms. Carlson discussed the consent calendar that was sent out in the Board packet. She advised the Board members that there are two new easements and two amendments of existing MET easements.

Consent Calendar:

- a. Update to Conservation Easement donation by Loose Cow, LLC,
 - 26.785 +/- ac in Harford County with Harford Land Trust
- b. Conservation easement grant from Boehm, Louis & Joseph,
 - 37.45 acres in Anne Arundel County, with Scenic Rivers Land Trust
- c. Update to Conditional Approval of Second Amendment, Quigley Easement, Anne Arundel County (0797QUI04.ANNE)
- d. Request for approval of Amendments, Deford Easements, Baltimore County, (0557DEF00.BACO)

Senator Eckardt moved to adopt the consent calendar. Ms. Taylor-Rogers seconded the motion. All voted in favor.

D. Agricultural Committee

Nothing to Report.

E. Land Trust Advisory Committee

Mr. Bowen updated the Board on the strong support that LTAC is seeing from the public and the involvement of different land trusts. He said that while the LTA Rally was virtual this year, it did still receive lots of support in all areas.

Ms. Grafton directed the Board to the revised model cooperative agreement template contained in the board meeting packet, which was developed by the Office of Attorney General and MET

staff. Ms. Grafton advised the Board that cooperative agreements are entered into between MET and local non-profit land trusts and are required for local land trusts to co-hold easements with MET. The new agreement requires local land trusts to submit easement monitoring reports to MET for co-held easements on a yearly basis. She informed the Board that MET does provide monetary incentives to the local land trusts for submitting their monitoring reports but that is not a provision of the cooperative agreement. Ms. Grafton stated that the Assistance Program continues to develop and distribute MET's e-communications, including MET's monthly organizational e-newsletter, the monthly Land Trust Assistance Program e-newsletter as well as other Assistance Program communications.

Ms. Grafton informed the Board that she and Mr. Turgeon participated in the September meeting regarding the Southern Maryland Regional Conservation Partnership, as well as the September meeting for the 2021 Maryland Land Conservation Conference planning committee.

An open discussion took place regarding the new cooperative agreement.

Mr. Hoffman motioned to approve the new cooperative agreement. Ms. Jitkoff seconded the motion. All voted in favor.

F. Grants Committee

Mr. Burnett indicated that there is nothing further to report. The information from this committee was reported by the Board Chair and the Director of MET.

G. Other Business

Ms. Taylor-Rogers motioned to close the meeting to discuss matters with legal counsel. Mr. Bowen seconded the motion. All voted in favor.

The meeting was closed pursuant to Md. Code Ann., Gen. Prov. Section 3-305(b)(7), (8) in order to discuss and receive advice regarding litigation with counsel and MET staff in the case of McCauley et al v. Roxbury View, LLC et al.

Ms. Burke opened the closed meeting at 5:50 pm. Senator Eckardt seconded the motion. All voted in favor.

Meeting adjourned at 5:51 pm.