

**Board of Trustees
Clean Water Management Trust Fund**

Minutes of Meeting

Monday, November 15, 2010

2728 Capital Boulevard

Room 1A224

Raleigh, North Carolina 27604

9:10 A.M.



Post Office Box 98475, Raleigh, North Carolina 27624-8475
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APPEARANCE OF CWMTF BOARD OF TRUSTEES

Philip A. Baddour, Jr., Chairman
Honorable Ron Beane
Dr. Yevonne Brannon
Dr. Norman Camp, III
Karen Cragolin
John Garrou
Rance Henderson
Joseph Hester, Jr.
William Hollan Jr.
Charles Johnson
Charles McGrady
John McMillan
Preston Pate
Peter Rascoe
Betty Chaffin Rash
Aaron Thomas
Stan Vaughan
Jerry Wright

APPEARANCE OF STAFF

Richard Rogers
Beth McGee
Tom Jones
Nancy Guthrie
Penny Adams
Robin Hammond
Kevin Boyer
Everette Moore
Cheryl Johnson
Larry Horton
Cherri Smith
Christopher Fipps
Tom Massie
Bern Schumak
Will Summer
Sarah King
Damon Tatem

ALSO PRESENT:

Frank Crawley, Esq.

**Board of Trustees
Clean Water Management Trust Fund
2728 Capital Blvd
Room 1A224
Raleigh, North Carolina 27604
Monday, November 15, 2010**

General Statute § 138A-15 mandates that the Chair inquire as to whether any Trustee knows of any conflict of interest or the appearance of a conflict of interest with respect to matters on the agenda. If any Trustee knows of a conflict of interest or the appearance of a conflict of interest, please so state at this time.

Philip A. Baddour, Jr., Chairman, Presiding

- 9:10 am A. Call to Order – Chairman Baddour**
1) Welcome
2) Roll Call – Penny Adams
3) Compliance with General Statute § 138A-15
4) Revisions, additions, and adoption of the Agenda (**Action Item**)
5) Please put cell phones on vibrate or off
6) Review and approval of the transcripts of the October 2010 meeting of the Board of Trustees (**Action Item**)
7) Recognize CWMTF Advisory Committee Members
- 9:15 am B. Public Comments (Three Minutes per Person) – Chairman Baddour**
- 9:25 am C. Executive Director’s Report – Richard Rogers**
- 9:50 am D. Attorney General’s Report – Frank Crawley**
- 10:00 am E. Administrative Committee Report – Committee Co-Chair Vaughan (Action Items)**
- 10:10 am F. Program Committee Report – Committee Co-Chairs Hollan and Markham (Action Item)**
- 10:20 am G. Break**
- 10:30 am H. Infrastructure/Wastewater Committee Report – Committee Co-Chairs Camp and Rascoe (Action Items)**
- 11:00 am I. Acquisition Committee Report – Committee Co-Chairs McGrady and Wright (Action Items)**

11:30 am J. Restoration/Stormwater/Greenway Committee Report – Committee Co-Chairs Brannon and Henderson (Action Items)

11:45 am K. Discussion

12:00 pm L. Adjourn

P R O C E E D I N G S

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CHAIRMAN BADDOUR: We'll come to order. I was using my cell phone to see the time. I don't know about y'all, but I'm amazed at things that happen. And one of the amazing things of life is that when Daylight Savings Time changes, somehow in the middle of the night every cell phone, you know, automatically changes the time.

MS. RASH: It's like magic.

CHAIRMAN BADDOUR: I want to welcome everyone here today, and ask Penny if she would call the roll.

MS. ADAMS: Mr. Baddour?

MR. BADDOUR: Here.

MS. ADAMS: Mr. Bass?

(No response.)

MS. ADAMS: Mr. Beane?

MR. BEANE: Here.

MS. ADAMS: Ms. Brannon?

DR. BRANNON: Here.

MS. ADAMS: Mr. Camp?

DR. CAMP: Here.

MS. ADAMS: Ms. Cagnolin?

(No response.)

MS. ADAMS: Mr. Garrou?

1 MR. GARROU: Here.

2 MS. ADAMS: Mr. Henderson?

3 MR. HENDERSON: Here.

4 MS. ADAMS: Mr. Hester?

5 MR. HESTER: Here.

6 MS. ADAMS: Mr. Hollan?

7 MR. HOLLAN: Here.

8 MS. ADAMS: Mr. Johnson?

9 MR. JOHNSON: Here.

10 MS. ADAMS: Mr. Markham?

11 (No response.)

12 MS. ADAMS: Mr. McGrady?

13 MR. McGRADY: Here.

14 MS. ADAMS: Mr. McMillan?

15 MR. McMILLAN: Here.

16 MS. ADAMS: Mr. Pate?

17 MR. PATE: Here.

18 MS. ADAMS: Mr. Rascoe?

19 MR. RASCOE: Here.

20 MS. ADAMS: Ms. Rash?

21 MS. RASH: Here.

22 MS. ADAMS: Mr. Thomas?

23 MR. THOMAS: Here.

24 MS. ADAMS: Mr. Vaughan?

25 MR. VAUGHAN: Here.

1 MS. ADAMS: Mr. Wright?

2 MR. WRIGHT: Here.

3 CHAIRMAN BADDOUR: General Statute 138A-15
4 mandates that the Chair inquires whether any Trustee
5 knows of any conflict of interest or the appearance
6 of conflict of interest with respect to matters on
7 the agenda. If any Trustee knows of conflict of
8 interest or the appearance of a conflict of interest,
9 please so state at this time.

10 (No response.)

11 CHAIRMAN BADDOUR: I'm going to ask you to
12 put your cell phones -- either turn them off or on
13 vibrate. And also, one special thing. I know that
14 sometimes you get a call during the meeting and step
15 outside. But we need to be really sensitive to the
16 fact that this building, that people are working.
17 And they have asked us not to stand in the hall and
18 talk on the cell phone. Go down to the lobby if you
19 need to do that. And generally, I think as before,
20 they ask that we not talk out in the hall.

21 You've received the transcript of the
22 October meeting of the Board. Do I hear a motion
23 that the minutes be approved?

24 MR. WRIGHT: So moved.

25 DR. CAMP: Second.

1 CHAIRMAN BADDOUR: Discussion?

2 (No response.)

3 CHAIRMAN BADDOUR: All in favor say,

4 "Aye."

5 BOARD MEMBERS: Aye.

6 CHAIRMAN BADDOUR: Opposed, "No."

7 (No response.)

8 CHAIRMAN BADDOUR: The "ayes" have it. Is
9 Lisa Riegel here? Lisa, we recognize you as always.
10 As always, glad to have Lisa with Natural Heritage,
11 the executive director of Natural Heritage Trust
12 Fund, our partner here with us today.

13 I want to do this at the beginning of the
14 meeting rather than any particular time. And to give
15 some recognition and thanks to our Representative-
16 Elect Chuck McGrady, who is leaving us to go serve in
17 the General Assembly in the North Carolina House.
18 And Jerry, you're our resident historian, but I know
19 that Charles and I were in the General Assembly, and
20 we are -- we are now serving on this Board. But I
21 don't think we've had a member, have we, in the
22 history who was on this Board and then went to the
23 General Assembly.

24 MR. WRIGHT: No, sir.

25 CHAIRMAN BADDOUR: So you're the first

1 with that. Chuck, you've been a terrific Board
2 member. You brought a lot to the table when you came
3 to this Board. You knew a lot about what we were
4 doing, and you have used that to the benefit of the
5 citizens of the mountains and all of North Carolina.
6 And we really appreciate your hard work and what
7 you've done.

8 I've told Chuck privately, just as he
9 wasn't a freshman when he came here, he didn't act
10 like a freshman. It's going to be that way in the
11 General Assembly because of all the public service
12 that he has done. I won't try to recount it. As
13 county commissioner and everything, he's at least a
14 redshirt freshman, and maybe -- maybe a lot more than
15 that.

16 But you are really about to embark on a
17 really exciting thing, and a difficult and exciting
18 time. And no matter what else you've done in public
19 service, I can tell you the service in the General
20 Assembly is something that I consider to be at the --
21 at the very top. One of the interesting things,
22 Chuck, is that on the street when you hear people say
23 they did this, and they did that, and you realize
24 that now they're really talking about you.

25 But I'll tell you, it is very, very

1 fortunate for us at this time that Chuck is in the
2 General Assembly. Because as we know, leadership is
3 going to change in the General Assembly and both
4 Houses, and it's important that people from all
5 parties, but in particular that the leadership and
6 those hear what Chuck McGrady has to say. And at
7 least we know that we will have a voice on the inside
8 there. And I think it's just tremendously important.
9 And we know it's a big job, and we know that you're
10 going to do the very best you can. And I know every
11 member of the Board joins me in congratulating you
12 and wishing you the very best. Let's give Chuck a
13 hand.

14 (Applause.)

15 MR. McGRADY: Mr. Chairman, with that I
16 will comment. Thank you. I have really enjoyed
17 serving on this Board. I've told any number of
18 people that my only regret in going to the General
19 Assembly is I'm going to have to step off working
20 here. I would reflect on the fact that that wasn't
21 my initial opinion of the Board four years ago. When
22 I arrived it was at sort of a tumultuous time, and I
23 didn't particularly enjoy, actually, my first few
24 meetings.

25 But we -- Richard and Phil have been superb

1 leaders in the way they've worked together. Working
2 with Richard and the staff, most recently these last
3 few years co-chairing Acquisitions with Jerry, I've
4 just been very impressed with the work that's done by
5 our staff. Of course, Tom Massie always keeps me in
6 line out west, and will probably continue to do that
7 from afar.

8 And all I can say to you is I've learned a
9 lot. I'm going to miss my friends around the table.
10 But you can be assured that I will be an advocate.
11 I've never had a problem being an advocate for the
12 things I believed in. And I really -- I now
13 understand sort of the Trust Fund better than I did
14 four years ago, and I intend to be an advocate on our
15 behalf.

16 And I would ask all of my friends here when
17 you see me trip, which is inevitable for a freshman,
18 give me a call and say, "You know, Chuck, you could
19 have handled that better." I'd take it -- I'd take
20 it much better from the folks here than perhaps
21 others. But thank you for your kind words, Phil.
22 And I'm going to miss serving on this Board.

23 CHAIRMAN BADDOUR: Thank you, Chuck.
24 Okay. It's now the public comment time on the
25 agenda. I believe you have something that you need

1 to do with that; is that right?

2 MR. ROGERS: Yes, sir. I did -- We had a
3 communication, an advocate from the Northwest, the
4 wastewater project we talked about briefly, and asked
5 that we read her memo into the -- into the record in
6 the public comments. So I will -- I will read that
7 here. The memo is to Richard Rogers from Lorrie
8 Rutledge, cc'ing Clean Water Management Trust Fund
9 members. You do have a copy of this in your folders.

10 "Public Comment for Board meeting Nov. 14-
11 15, 2010. Public Comment from Lorrie Rutledge on
12 Behalf of the City of Northwest, Brunswick County,
13 North Carolina. I would like to recap Northwest's
14 immense need for the current funding by way of our
15 Clean Water Management Trust Fund grant application.
16 By receiving this funding along with the North
17 Carolina Department of Environmental and Natural
18 Resources Emergency Loan Funding, the City of
19 Northwest will immediately begin the process to
20 expand the current sanitation collection system;
21 thereby decommissioning malfunctioning septic systems
22 which currently pose a health and environmental
23 hazard. With Northwest being a part of a regional
24 wastewater system, it is imperative we continue to
25 pursue the most up-to-date and highest standards of

1 sanitation collection for all residents and
2 commercial businesses within our area.

3 The Northwest Sanitation Collection
4 Improvement Project falls well within the General
5 Assembly and Clean Water Management Trust Fund
6 mandate to protect state waters through cleaning up
7 of contaminated discharge and particularly in
8 Northwest's case the surface water runoff that's
9 designated toward the Hood Creek Floodplain, which is
10 a Significant Natural Heritage area. This project
11 will also help Northwest and the surrounding
12 Brunswick County area economically, as infrastructure
13 is vital to economic strategies on a local, county,
14 and state level.

15 Please keep these facts in mind during your
16 selection process. By providing Northwest with the
17 necessary funding the city would reach actualization
18 of a greater sustainability for its residents and
19 area businesses as well as the surrounding Brunswick
20 County areas. Thank you, Lorrie Rutledge, Northwest
21 Economic Support Administrator."

22 Just a note. You did talk about this,
23 and I think we'll continue to work with Northwest.
24 It was not -- The project was not approved, but we'll
25 continue to work with them to have a better

1 application in the coming cycle.

2 CHAIRMAN BADDOUR: Is there anyone else
3 who would like to be recognized to make a public
4 comment?

5 (No response.)

6 CHAIRMAN BADDOUR: If not, we'll move to
7 our executive director's report. Richard?

8 MR. ROGERS: Thank you, Mr. Chairman.
9 All right. There's a few things. I don't know.
10 I've got three or four pages of notes here that we'll
11 quickly go through this just to kind of give you some
12 of the numbers for Clean Water. First, I want to
13 recognize Christopher, and let him review the
14 financial statement. It's in your Board packet
15 under -- under Section E. And it's -- I'm sorry,
16 Section C. And it's just the basic summary of the
17 status of our -- it's our financial status currently.
18 So Christopher, if you'll run through that quickly.
19 Thank you.

20 MR. FIPPS: Thank you, Richard. Yes.
21 As seen in Agenda Item C, the current fund statement,
22 the total fund is at a 124.4 million. Then
23 accounting for the funds that are allocated to the
24 Stewardship Endowment brings the total cash balance
25 to a 122.5 million. Then adding in the projected

1 revenue for the remainder of the fiscal year, the
2 remainder of the appropriation and the projected
3 interest to the fund, then removing out the projected
4 expenditures and obligations through the rest of the
5 fiscal year including the potential reversions back
6 to the state to help with the budget shortfall, the
7 rest of the administrative budget as well as the
8 encumbered grant contracts. Adding back the funds
9 that are up for consideration to be unencumbered and
10 brought back to the Board for re-awarding, and then
11 removing out, at the very bottom, the funds that were
12 already allocated to the funding committees at the
13 beginning of this meeting leaves the available
14 balance of the roughly 3.5 million, which is equal to
15 the amount that the Board is considering to
16 unencumber at this meeting. Thanks, Richard.

17 MR. ROGERS: Also a note at the very
18 bottom there, our remaining 2008 projects that we
19 have to fund as well. Also, just a little update. I
20 tried to provide y'all an update on our contract
21 status as we're moving through. And with regard --
22 We have kind of two sets of contracts that are moving
23 through our process, the 2008 contracts which we
24 began again funding in August. And that we have all
25 of our contracts that we funded in '09 and '10 -- I'm

1 sorry -- on 9/10 with the exception of two contracts.
2 So we're doing very well there. And we've got 98
3 percent of the projects that we funded this past
4 August out the door and to our prospective clients.
5 So the staff has worked extremely hard to get these
6 out the door.

7 With regards to the 2010 projects that you
8 have funded, 85 percent of those are out the door.
9 That's 47 out of 55 contracts that they are in the
10 hands of our clients under review. Some of them have
11 been finalized, and we're sending them on over to
12 DENR to get encumbered. I think the staff is going
13 to focus to get these things out the door, get the
14 money encumbered so we can get these projects moving
15 forward. And I just want to say thank you to staff
16 for keeping their eyes on the ball here and staying
17 diligent in getting these contracts out the door and
18 getting them signed.

19 Another statistic that we like to look at,
20 and I know that the Trustees are interested in is
21 kind of a distribution of funds on projects that we
22 have across the state and how our process has worked
23 on an annual basis. Traditionally, our funding --
24 And we look at just the three areas -- the east, the
25 central, and the western part of the state.

1 Traditionally, about 48 percent of our projects have
2 been going to the east, 21 to the central part of the
3 state, 26 percent going to the western part of the
4 state.

5 This cycle we've had a bit of a change.
6 We've got about 41 -- And that's including the
7 committee recommendations to the Board. We've got
8 about 41 percent of our application --- our projects
9 are in the western, in the mountains, 42 percent in
10 the Piedmont, and then 17 percent going to the
11 eastern part of the state. So there has been
12 somewhat of a flip with regards to where our projects
13 are being distributed on y'all's approval.

14 Also in your Board packet there's a couple
15 letters that I wanted to bring to your attention. We
16 made mention of this yesterday. One is from the Land
17 Trust for Central North Carolina, and the other is
18 from the Town of Benson. We don't normally put
19 unencumbrances or withdrawn projects in the Board
20 packet. We do unencumber the funds.

21 These are two special -- special releases
22 of funds you might say. The fact is that neither one
23 of the contracts on these projects were becoming
24 close to ending. But for the goodness of the people
25 that are -- that are our clients, they decided that

1 the projects were not viable. And they wanted to
2 make available funds so that we could apply them to
3 new projects. And I just wanted to make note of that
4 in the public record. And I'd also like for
5 direction from y'all that we respond to them thanking
6 them for their stewardship with state funds, I think
7 is what it is, allowing us and allowing you the
8 opportunity to put these projects that will move
9 forward.

10 With regards to Land Trust for Central
11 North Carolina, they were at a piece of property that
12 was connected to the Alcoa FERC Relicensing, and it
13 is tied up in litigation. It is not going to be
14 cleared up soon. Jason Walser and their Land Trust
15 decided that it would be best to -- And this was a
16 \$1.4 million grant. They decided it would be in the
17 best interest of them and us to return those funds.

18 The Town of Benson was an \$800,000 award
19 from the Board on a reuse project specifically
20 because some lack of development of active business
21 that was going to use the reuse work, and their
22 uncertainty of economic situation, they made a tough
23 decision to return the funds as well.

24 Again, these contracts are not coming to an
25 end. They were recent awards. And one thing, I

1 think -- And we heard this from both of them, I
2 thought it was very interesting. They were concerned
3 that returning the money would hurt their chances of
4 getting money in the future. As staff, we assured
5 them that that was not the case, that we appreciated
6 their efforts. And I think it'd be appropriate for a
7 letter to go back to them in thanking them for their
8 stewardship. And we'll have a signature for myself
9 and put Phil's name on it, too, if y'all see that as
10 appropriate. But I did want to make mention of that,
11 and thank them for their effort and their stewardship
12 with state dollars.

13 One other issue that has come up, and I've
14 spoke with Phil about it, and he didn't have a real
15 great reaction to this. But there's a program, the
16 Vendor Attachment Program that has been put in place
17 by the Department of Revenue. Basically what this
18 does is it garnishes funds to vendors that have not
19 paid up on their taxes.

20 And it was interesting to note that we sent
21 a check to one of our clients, a reimbursement check,
22 and it got garnished. And the process for doing this
23 is interesting. I mean, we approve the invoice and
24 make -- submit the request for funds to be provided
25 for a check cut. It goes to DENR. They process it,

1 and it goes on. And then after it gets out of DENR's
2 hand, the controller will stop at revenue review, and
3 they'll garnish the check, and then they'll reissue
4 it out to our client. So I wanted to bring notice.

5 We were kind of confused about why they
6 would garnish grant funds checks. I have talked with
7 the head of collections over at the Department of
8 Revenue. And his simple answer was unless you were
9 explicitly -- explicitly excused in statute from this
10 garnishment, and you're identified in statute that it
11 does not apply to you, then you are subject to it.
12 So we are not -- we are not in statute to be exempt
13 from this.

14 The other interesting thing is that you --
15 I was baffled about what in the world would a local
16 government have with regards to collection of taxes,
17 and what would they (unintelligible). But there
18 are -- there are instances of snack bars, things like
19 that, where they can (unintelligible) sales tax, and
20 owe it back to the state, and also someone holding
21 taxes as well. The garnishment was not an immense
22 amount, but I did want to make you aware of that.
23 Phil asked me to follow up on that. I don't know
24 whether he has any comment to it or not. But I
25 thought that was kind of interesting. But the

1 Department of Revenue is working hard at collecting
2 taxes, that's for sure. So I don't know if y'all
3 have any questions on that.

4 MR. RASCOE: Bafflement.

5 MR. ROGERS: Bafflement, yes. It's
6 rather -- rather interesting.

7 MR. RASCOE: It looks like a shell game
8 to me with the money. The state did not gain
9 anything from the garnishing of funds coming from the
10 state.

11 CHAIRMAN BADDOUR: Well, to remind you of
12 the Old Testament, "The Lord giveth, and the Lord
13 taketh away. Blessed be the name of the Lord."
14 Right?

15 DR. BRANNON: No comment.

16 MR. ROGERS: Well, we can -- we all -- we
17 do get notice on this, but it's totally after the
18 fact. So we can track this, but that's about all
19 we'll be able to do. My sense is that it will -- it
20 will happen very infrequently. It was a minimal
21 amount that was deducted, I think. So it's not a
22 major issue for us at this point, but I did want to
23 make y'all aware of this new and inspired program the
24 Revenue is participating in.

25 Next, I just want to begin, I guess, the

1 discussion with regards to -- And this is the normal
2 time that we begin our discussion with regards to our
3 legislative strategies, the upcoming legislature.
4 We're all aware there's a whole lot of change that's
5 going on in the legislature. Both the House and the
6 Senate will be controlled by the Republican Party.
7 And we need, I think, in our efforts to step back and
8 start back from the basics, and start communicating
9 our program as much as we can to the new leadership
10 as well as the new majority in the House and Senate.

11 And I am looking to y'all and hoping y'all
12 would have some ideas about how we can begin this
13 process. This process needs to begin immediately,
14 and we need to really engage ourselves on educating
15 folks to what our program is about. I think the
16 philosophies of our program and the work that we do
17 mesh in with some of the priorities that the new
18 majority will have, a couple of those being jobs.

19 When I've talked with some of the new
20 majority, their answer is our number one interest is
21 jobs. This program provides jobs. I think another
22 interest of theirs is the addition of government, and
23 I feel like we provide a program that performed great
24 work in a very efficient and effective way.

25 So I think we have some things to tout, and

1 I think programs is a great benefit to the state.
2 Again, we'll have to redouble the efforts and get our
3 clients out across the state, not only our local
4 government, but our Land Trust. And I think the Land
5 Trust are probably already talking and thinking about
6 this as well to begin kind of a groundswell and a
7 very grassroots effort on communicating the program
8 to the public and the newly elected officials that
9 are in a leadership role.

10 We have -- Again, we'll continue working on
11 facts sheets and our postcards. Our number one
12 wastewater project at this time was in the City of
13 Eden, and I believe the president pro tem is from
14 Eden. So I believe he'll probably receive a postcard
15 no later than this afternoon. We do need to start
16 looking and reaching out for these folks.

17 And I -- If we've got a minute or two, I'd
18 like to get some feedback from you about some
19 strategies and thoughts you have with regards to
20 doing this. One thing I have done and we've been
21 working on, we had a fact sheet for 2009. We
22 reformulated it a bit, and it's at your desk. It's
23 color copy. It's got draft all over it. The quality
24 is not that great.

25 But the idea here is to integrate our

1 postcard into the fact sheet and bringing the
2 connection we have of the general public and people
3 across the state, and then the projects that we have
4 with regards to those key elements that we see as
5 where clean water is important from economic -- it's
6 important from an economical perspective.

7 Economically a vital resource for local government,
8 and also a healthier North Carolina by providing
9 clean water.

10 So take a look at this. Again, we're in
11 the process of redeveloping this as kind of a piece
12 that we'll get out and use in our communication to
13 the legislature.

14 One other factor, and again I think this is
15 something that we really need to discuss, is -- and
16 I've heard this some from current legislators, is
17 wondering about the allocation of funds and how much
18 funds we put towards infrastructure as opposed to
19 acquisition. And the fact that infrastructure from
20 their perspective means jobs, and it might be
21 important that we looked on focusing on some
22 infrastructure needs that we have across the state as
23 well.

24 So I think that's something else that we as
25 a Board need to discuss and get out in front of that

1 issue a little bit. Because I have a feeling it will
2 be an issue discussed in the legislature. And I
3 think the notion of the Board in the past is y'all
4 need to be making these decisions and not the
5 legislature. So that's just one little note that
6 I've been hearing when I've talked to some of the
7 fellow legislatures.

8 I have already gotten notes out to the
9 leadership, and proposed leadership at the
10 legislature, and then some others. So we're starting
11 a personal communication. And then from there, you
12 know, we're looking to meet new members, introduce
13 ourselves to them. And looking through a letter, a
14 fact sheet and those types of things, but also
15 interested in hearing y'all's thoughts.

16 Mr. Chairman, if y'all --

17 CHAIRMAN BADDOUR: I think it's
18 appropriate. You've set the stage. And so we'd like
19 to hear from any of the Trustees who would like to
20 weigh in on this.

21 DR. CAMP: Mr. Chair?

22 CHAIRMAN BADDOUR: Okay. Dr. Camp?

23 DR. CAMP: Looking at the bulleted
24 items, Richard --

25 MR. ROGERS: Yes, sir.

1 DR. CAMP: -- if we could capture the
2 number of construction projects that are a result of
3 our grants.

4 MR. ROGERS: Okay.

5 DR. CAMP: That initially would give an
6 indication of putting people to work in a physical
7 way.

8 MR. ROGERS: All right.

9 CHAIRMAN BADDOUR: Karen?

10 MS. CRAGNOLIN: I think we have to try
11 to look at this as an opportunity to really get out
12 and talk to everybody on every street corner and
13 every school and every place across the state, and
14 engage people like the Council of Governments, all
15 the cogs, the sanitary sewer folks, not just the Land
16 Trust. I think that's an important component, but I
17 think we need to reach beyond that. And
18 municipalities, local governments, that's probably
19 the best way to get to those is through the cogs.
20 And have programs all across the state.

21 I've already talked to Richard about coming
22 up to western North Carolina. We'd love to have him
23 there. And I think that's something we can help our
24 staff go, you know, just all across the state and --
25 one-on-one meetings. And make sure when we're

1 having -- we invite people to introduce our staff and
2 the program that we're cognizant of the fact that
3 water is not a partisan issue. Water is a bipartisan
4 issue. We all drink it; we all shower with it; we
5 all -- It's an important, important issue.

6 CHAIRMAN BADDOUR: Anyone else? Chuck?

7 MR. McGRADY: One strategy, I think, in
8 terms of reaching out to new legislators, I think it
9 would be important is really to work through local
10 government officials who have been impacted by the
11 grants that we made. I think they have, you know,
12 credibility. They can speak. They're not on this
13 Board, but they know of the good work that has been
14 done by this Board. And I just would say I think
15 there's a lot of credibility there.

16 Just again to touch on what -- I mean,
17 regardless -- putting aside the partisan sets of
18 issues -- Republican, Democrat -- there's just a
19 large number of new people in both the Senate and the
20 House. There are 23 freshman Republicans in there.
21 Add a group of freshman Democrats to it, and you're
22 looking at one-quarter of that chamber being new
23 people. And regardless of what their politics are,
24 they've got a lot to learn very quickly.

25 And again, I just think trying to make our

1 projects things that are in their districts and local
2 officials they know and already have relationships
3 with, is a really good way to make what this Trust
4 Fund does real for a new legislature that is, you
5 know, suddenly confronted with budgets and
6 departments and a wide range of things he or she may
7 not know much about.

8 CHAIRMAN BADDOUR: Okay. John?

9 MR. GARROU: It's my experience with
10 other organizations that it's difficult to ask the
11 staff, who's already overburdened, to travel all
12 across the state to speak to folks. They intend to
13 do it, and they want to do it, but it's just tough to
14 make the time to do it. It might be appropriate to
15 have a presentation developed that could be given by
16 Trustees without staff involvement. They would have
17 to be vetted and prepared and rehearsed, but that
18 might be a possibility that could spread the
19 resources a little bit.

20 CHAIRMAN BADDOUR: Well, I happen to agree
21 with you. And a couple years ago we did that. And
22 we have a presentation. It would certainly have to
23 be updated. To be honest with you, Mr. Garrou, we
24 didn't get a lot of Trustee participation in it. So
25 I would just -- I agree with John. I think this is

1 the time to do it. So I'm sure our staff can get
2 that together for you. If we're ever going to do it,
3 folks, this is the time to do it.

4 Anybody else? Karen?

5 MS. CRAGNOLIN: We also did some
6 editorials before, and that might be another -- guest
7 editorials for papers from Trustees around the state.
8 I think that's another good strategy.

9 CHAIRMAN BADDOUR: Okay. We've got our
10 work cut out for us. And, Chuck, we know that you
11 have your -- Well, I didn't mean it that way. But I
12 hope you'll have -- He will have his ear to the
13 ground. And I am sure that you will alert us in
14 particular to things that you do. And, of course,
15 we -- you know, John McMillan is the highest rated
16 lobbyist over there, and he's on our Board, and he is
17 chair of our Legislative Committee. And anyhow, he's
18 our eyes and ears over there, too. So I'm sure that
19 you'll be getting good advice from him. John, please
20 weigh in.

21 MR. McMILLAN: Mr. Chairman, let's not
22 forget that the first step in this process is the
23 governor has got to propose a budget, and she's
24 working on that. And we are in the -- in the
25 statutes to have a continuing appropriation of \$100

1 million a year. So if we were to offer up our 15
2 percent cut, our appropriation would be 85 million.
3 We've been somewhat less than that. But we need to
4 remind the budget office and those folks that we have
5 done this. We've met with them. We have been part
6 of the team and have been a team player the last few
7 years when we've had all these budget issues.

8 To Chuck's point, there are 44 new
9 legislators in the 170 that make up the General
10 Assembly. There will be all new appropriations
11 chairs in both the House and the Senate. And so
12 there is ample opportunity for us to make our case to
13 these folks, and remind them of the projects in their
14 districts, to bring it home to them because that's
15 important to a lot of folks.

16 And we as Trustees just have to -- just
17 have to talk to all of the people that -- in that
18 process that we can. And we do have to rely on our
19 grantees. They're good advocates for us, and that
20 includes the League and the county commissioners and
21 the Land Trust. We need to work with them, continue
22 to work with them through this process. It's going
23 to be very, very difficult.

24 MR. VAUGHAN: Mr. Chairman?

25 CHAIRMAN BADDOUR: Thank you, John. Stan?

1 MR. VAUGHAN: I think everything Mr.
2 McMillan said is very important, but I think timing
3 is also important. And one of the concerns I have is
4 particularly with freshmen legislators. Their hands
5 are going to be full for the next 30 to 45 days
6 getting ready to report. And they're going to hear
7 so many people that I'm questioning whether -- I
8 mean, you don't want to miss any opportunity to talk
9 to them if you have that. But from an organized
10 point of view, when is it -- let them get in and be
11 there, and then try to see them, or before when
12 they're trying to -- You know, they're learning every
13 day, and are they going to get an oversaturation
14 early, and we may miss our point if we try to get in
15 too early. I don't know. I'm asking Chuck or other
16 people who served in the legislature, what is the
17 right timing?

18 CHAIRMAN BADDOUR: John?

19 MR. McMILLAN: One of the things that's
20 happening right now is that the House and the Senate
21 are -- the Republicans are going to be selecting
22 their leadership. Members are going to be
23 approaching those folks. And we already know who
24 most of them are, about what particular part they
25 would like to play in the General Assembly for the

1 coming two years. And so committee chairs are being
2 considered.

3 It would be helpful for us to identify
4 those people who we think are understanding of our
5 mission and supportive of that, and suggest to them
6 that they ask the new leadership to put them in
7 positions where they can be of help to us. I don't
8 know whether these decisions are going to be made
9 this year. In the past they've been made at the
10 chair level and at the corner-office level.

11 But it's certainly helpful to have people
12 in the appropriations (unintelligible) committee, and
13 the leadership positions on that committee and the
14 House and the Senate who understand our program and
15 support our mission. So if we identify people like
16 Chuck who are supportive and understand us, and say
17 to them, "Go to your newly-designated speaker and
18 majority leader and ask that you be put on that
19 committee," that's one thing that we can do now that
20 will be helpful in the future.

21 CHAIRMAN BADDOUR: Okay. Dr. Camp? Thank
22 you, John.

23 DR. CAMP: One short point here, with
24 new people coming in, it's an opportunity for us to
25 seize upon that moment when they are absorbing

1 information, you know, like a new kid. And we need
2 to get them that information. This will be a good
3 idea to put on the desk of every one of these new
4 people coming in with whatever revisions we make.
5 They're going to need information. They're going to
6 listen to a lot of people, and you don't want them to
7 get the wrong information on us. We have an
8 opportunity.

9 MR. ROGERS: My sense, Stan, on freshmen, I
10 think it would be important for us to get an
11 introductory letter out from me to get them
12 accustomed, or just understanding the program,
13 probably identify the money that we put into their
14 districts. And then look to follow up with him once
15 they get in session and get an office assigned, which
16 is always a precarious process, and we find
17 everybody. Then we can stop in and start with
18 personal communication, and getting some feedback. I
19 think Dr. Camp makes a good point as well.

20 MR. HESTER: Do we have our latest
21 report?

22 MR. ROGERS: Yeah. The -- Our annual
23 report is due December 1. And I do think that that
24 will be a priority, and it will be in on time.
25 There's been some discussion, and Will came up with

1 an idea that we might want to translate in the annual
2 report along with the facts sheet information, which
3 is about a four-page, you know, almost kind of
4 overviews the program, but also gives some examples
5 of our projects and connect the folks with what we've
6 been doing across the state. I think that's another
7 thing that we'll be looking at as well.

8 CHAIRMAN BADDOUR: Karen?

9 MS. CRAGNOLIN: You know, one of the things
10 that we might think about is identifying some key
11 people across this great state, and getting
12 testimonies from them about what the long-term
13 implications are for the state of North Carolina, the
14 (unintelligible) to be one of the best places to do
15 business, to be one of the best places to retire, et
16 cetera, et cetera. And most, you know, key
17 testimonials from key people that are highly
18 respected across the Board. Like a Bill Friday. And
19 I don't know, I think we can probably come up with a
20 list. And I bet they would do that.

21 CHAIRMAN BADDOUR: Aaron?

22 MR. THOMAS: Do we track with our
23 projects jobs created or jobs saved? Because I know
24 that's going to be something similar to the stimulus
25 because that's going to be -- You know, down in our

1 area, every representative, every senator that's been
2 calling in the last two months, that's all they talk
3 about is jobs. That's going to continue for sure.

4 MR. ROGERS: Yeah. I think we can -- we
5 have applied a formula to our infrastructure jobs.
6 And I know that there's been a lot of work been done
7 with regards to accounting for jobs and acquisition
8 as well. And we can actually put numbers to that. I
9 think it's the backup and justification on those
10 numbers that some folks question. But I think we can
11 look at it and look at that and see if that's an
12 opportunity for us to show the jobs we created. We
13 can definitely get numbers out of there.

14 CHAIRMAN BADDOUR: Stan?

15 MR. VAUGHAN: Just one follow-up comment
16 for Dr. Camp. I really agree brevity is very
17 important. They're going to be getting so much
18 materials, so a series of these put out at different
19 times is better than a five-page document.

20 CHAIRMAN BADDOUR: Anyone else? All great
21 comments and suggestions, and I can assure you that
22 our staff and that we will try to do the best we can
23 in implementing all of the good suggestions. Is that
24 it, Richard?

25 MR. ROGERS: One last thing, and I

1 appreciate your indulgence. At your table we have a
2 schedule for next year. We discussed this a bit at
3 our last meeting, and we were looking at this meeting
4 to adopt a schedule. At this moment, not that things
5 won't change, but I think it's important that we do
6 get our schedule together.

7 And I don't know whether there's specific
8 comments. I know that this is not the perfect
9 schedule that provides everybody an opportunity where
10 they don't have some conflict with a meeting or some
11 time on the schedule. But it would be good for us to
12 get this adopted so we can start our planning efforts
13 as far as next year, especially the next three
14 meetings and what happens before the end of the
15 fiscal year.

16 CHAIRMAN BADDOUR: Okay. Get it on the
17 table. Do I have a motion to adopt the --

18 DR. CAMP: So moved.

19 MR. BEANE: Second.

20 CHAIRMAN BADDOUR: Moved and seconded that
21 we adopt the calendar for 2011. Is there discussion?
22 Karen?

23 MS. CRAGNOLIN: Is it -- Would there be
24 any -- Is there any problem with us traveling at all?
25 I notice that we're in the Piedmont and Boone.

1 Should we -- I mean, I don't know what the perception
2 of that is.

3 CHAIRMAN BADDOUR: Yeah. We don't have
4 any travel restrictions. We have really restricted
5 our traveling --

6 MS. CRAGNOLIN: Oh, I know.

7 CHAIRMAN BADDOUR: -- in the last couple
8 years. So the Piedmont meeting, we're talking
9 maybe Chapel Hill, so not much different. We can --
10 You know, we can rethink the Boone trip as we see how
11 things go. It's been a long time since we have gone
12 out and looked at projects. And I just think it's a
13 very important part of our mission. But I certainly
14 don't want to do anything that is giving the wrong
15 impression. So whatever the Board thinks.

16 MR. ROGERS: One of the justifications is
17 that we were scheduled six meetings a year. We did
18 have an October meeting. The Boone meeting was
19 supposed to kind of take the place of that meeting.
20 We skipped -- I'm sorry, September. And it will be
21 more of a meeting time frame in -- I think that just
22 from an administrative budget perspective, it just
23 will -- these funds that were allocated earlier for
24 an earlier meeting for the most part. It will be
25 somewhat more expensive. You know, to date, where we

1 are right now, Phil is going to be getting out and
2 seeing these projects is critically important to the
3 Trustees, and it's a great opportunity for us.
4 Again, we're always flexible. And as time goes,
5 we'll see what the field is outside.

6 CHAIRMAN BADDOUR: Karen, I'd like to
7 mention the -- I said Chapel Hill is not far. The
8 staff basically will be able to -- This is our
9 retreat. And I think it's real important that we be
10 there, and that we stay there, and that we be
11 together and have the kind of conversation that we
12 need to have. And it may be that this is one of the
13 most important retreats that we -- that we will have.

14 MS. CRAGNOLIN: I agree 100 percent. I
15 just -- The perception --

16 CHAIRMAN BADDOUR: My point is the staff
17 will not have to travel.

18 MS. CRAGNOLIN: Okay.

19 CHAIRMAN BADDOUR: They'll be able to stay
20 at home. So the cost there will be actually minimum,
21 maybe not any significant difference. So -- And you
22 get to stay in Chapel Hill. My God.

23 MR. ROGERS: Better for some than others.

24 CHAIRMAN BADDOUR: Okay. Any other
25 comments?

1 MS. CRAGNOLIN: Just one more thing. We
2 really need to engage the tourism industry. And I'm
3 not sure that they've really stepped up to the plate
4 and acknowledged what the impact of some of the
5 things that this Board has done to tourism in North
6 Carolina. There's a huge industry, and I think we
7 really need to put them on our target list and do
8 some CBB convention and bureau presentations that
9 are, you know, pretty factual about what is the
10 impact of a Chimney Rock and a Grandfather Mountain
11 and a DuPont State Forest, et cetera, et cetera.

12 CHAIRMAN BADDOUR: Okay. The motion's on
13 the floor. Is there further discussion?

14 (No response.)

15 CHAIRMAN BADDOUR: So many as favor the
16 adoption of the motion to adopt the schedule for next
17 year signify by saying "Aye."

18 BOARD MEMBERS: Aye.

19 CHAIRMAN BADDOUR: Opposed, "No."

20 (No response.)

21 CHAIRMAN BADDOUR: The "ayes" have it.
22 Okay.

23 MR. ROGERS: Mr. Chairman, that concludes
24 my report.

25 MR. HOLLAN: Richard, were you looking

1 for any action by the Board on this Land Trust for
2 Central North Carolina and Benson, or are you just
3 simply --

4 MR. ROGERS: My intention is to draft a
5 letter from Phil with a signature that we'll get out
6 to people.

7 CHAIRMAN BADDOUR: Our attorney has
8 advised me that he does not have a report today. He
9 will make a report as part of a committee meeting,
10 one of the committee meetings. So we'll now move to
11 the report from our Administrative Committee.
12 Chairman Vaughan?

13 MR. VAUGHAN: Thank you, Phil. We had a
14 brief meeting yesterday afternoon, and had the great
15 pleasure of recommending to the Board that we
16 unencumber -- I think it's \$3,551,400.83 which was in
17 your handout, Item E-5. It's the recommendation of
18 our committee that these be unencumbered and go back
19 to their original committee.

20 CHAIRMAN BADDOUR: Okay. You've heard the
21 motion of the committee. It does not require a
22 second. Is there any discussion?

23 (No response.)

24 CHAIRMAN BADDOUR: So many as favor the
25 adoption of the committee recommendation signify by

1 saying "Aye."

2 BOARD MEMBERS: Aye.

3 CHAIRMAN BADDOUR: Opposed, "No."

4 (No response.)

5 CHAIRMAN BADDOUR: The "ayes" have it.

6 MR. VAUGHAN: That's our report, Mr.

7 Chairman.

8 CHARIMAN BADDOUR: Thank you very much.

9 And now we go to the Program Committee for its
10 report. Chairman Hollan, I think, is going to make
11 that report.

12 MR. HOLLAN: Thank you, Mr. Chairman.

13 The Program Committee met yesterday afternoon.

14 MR. McGRADY: Chairman, am I mistaken,
15 aside from the unencumbering, didn't we pass some
16 motion in the Administrative Committee related to the
17 unencumbered funds, that -- how they would be used
18 between this meeting and the next meeting? I believe
19 I offered that motion, and it was passed by the
20 Administrative Committee.

21 MR. VAUGHAN: Mr. Chairman, he is
22 absolutely right. That's my oversight.

23 CHAIRMAN BADDOUR: Bill, will you hold off
24 just for a minute? We're going to go back to the
25 report from the Administrative Committee.

1 MR. VAUGHAN: Do you want to restate that
2 for the Board?

3 MR. ROGERS: We also note there's a pink
4 sheet that you have at your desk that identifies the
5 remaining 2008 projects.

6 MR. VAUGHAN: I guess the recommendation
7 that we approved was that (unintelligible) has the
8 ability on any unencumbered funds prior to our next
9 meeting, to use those funds toward the 2008 projects.
10 They're all, I think, acquisition projects.

11 CHAIRMAN BADDOUR: You've heard the report
12 of the committee. Is there any discussion?

13 MR. HOLLAN: Mr. Chairman, on the pink
14 sheet we have a certain order. Is that the order in
15 which the staff would propose to fund these as funds
16 come in?

17 MR. ROGERS: Currently, this is the order
18 that was publicized, and it was approved by the
19 Board. I think that it's incumbent upon staff to get
20 back with these grantees to make sure that the status
21 of the projects are the same. And after this meeting
22 we will get on that to make sure that the status
23 remains the same. And we plan to report back to you
24 in February the status of the projects.

25 CHAIRMAN BADDOUR: But the point, I think,

1 Bill is making is you're going to follow this order
2 if it makes sense to do so --

3 MR. ROGERS: Yes, sir.

4 CHAIRMAN BADDOUR: -- in terms of if the
5 projects being ready to go?

6 MR. ROGERS: That's correct.

7 MR. HOLLAN: Does that mean that the
8 small -- the three last projects 24,000, 24,000 and
9 34,000 at the end of the line would not be likely
10 funded?

11 MR. ROGERS: Yeah. Well, and -- Yes.
12 And I think that those are some of the ones that we
13 really need to check in. A lot of those planning
14 projects have been done across the state, and we need
15 to look into those and make sure that they're in a
16 place where we can still fund those.

17 MR. McGRADY: Mr. Chairman?

18 CHAIRMAN BADDOUR: Chuck?

19 MR. McGRADY: The motion -- Originally my
20 intent was to allow discretion with staff. The
21 expectation would be we would move through in this
22 order, everything else being equal. But everything
23 else is never equal as best I can tell. And my hope
24 would be that, you know, again as we've done with the
25 acquisition projects up to this point, that we would

1 be opportunistic and pick up projects that are
2 capable of being closed, that are ready to go. And
3 that may mean that they would take something out of
4 order because we're capable of getting it done.
5 We've approved -- In my view, we've approved all
6 these projects. They're all approved projects. And
7 so I just want to -- my -- The intention of the
8 motion was to clear through whatever number of these
9 we can clear through with the available monies that
10 we have.

11 MR. HOLLAN: I guess my thought was that
12 we could do more -- if we had \$400,000, we could do
13 four projects. We might do four rather than applying
14 \$400,000 to the first one on your list here, or wait
15 until we got 600.

16 MR. McGRADY: And that's what my thought
17 was, too, that depending on the amount of money --
18 Staff has been really good in the time that I've
19 worked with them as co-chair of Acquisitions of
20 really helping Jerry and I to -- And they've signed
21 off with us in terms of we're recommending going here
22 and moving these projects. And I'm just very happy
23 with the same -- using the same process with respect
24 to these projects.

25 CHAIRMAN BADDOUR: And I hope I didn't say

1 anything --

2 MR. McGRADY: No.

3 CHAIRMAN BADDOUR: -- that made you think
4 I disagreed with you. I absolutely agree. So I
5 think the staff has listened to this discussion, and
6 has a sense of what the Board's wish is. And also,
7 part of that motion was that they would check with
8 the chairs of the Acquisition Committee in making
9 these expenditures. So --

10 MR. GARROU: One quick question. Does
11 that discussion imply therefore that once these
12 projects have been approved, the scores in the next
13 to the last column become essentially irrelevant?

14 MR. ROGERS: Yeah.

15 CHAIRMAN BADDOUR: Richard?

16 MR. ROGERS: Yeah. We just put the
17 scores there as a note. And I think Chuck made the
18 point, they've all been approved, and it's just a
19 matter of getting them out the door. And money
20 doesn't normally come back to us in \$600,000 chunks.
21 So we'll make every effort to -- As soon as we've
22 gathered enough money, we'll get ones we can out the
23 door, we'll start marking them off the list. I think
24 that's the most important thing.

25 CHAIRMAN BADDOUR: Further discussion? So

1 many as favor the adoption of the recommendation of
2 the committee signify by saying "Aye."

3 BOARD MEMBERS: Aye.

4 CHAIRMAN BADDOUR: Opposed, "No."

5 (No response.)

6 CHAIRMAN BADDOUR: The "ayes" have it.

7 Okay. I think that's it now with the Administrative
8 Committee report. We'll go, Bill, again to the
9 Program Committee.

10 MR. HOLLAN: Thank you, Mr. Chairman.
11 The Program Committee met yesterday afternoon. At
12 our October committee meeting and the October Board
13 meeting, we talked about the efforts by the staff to
14 amend our Common Criteria to reflect certain
15 conditions that were mandated by actions of the 2010
16 legislative session. And we have pretty much agreed
17 on where the changes needed to be.

18 You have a handout, F-B, that came to you
19 in the mail, and that was what was reviewed in
20 October. It was decided that we ought to get a
21 review of our proposed action by the Attorney
22 General's Office by our legal advisor to let us know
23 that it was consistent with the (unintelligible)
24 legislature's actions.

25 Yesterday, Frank Crawley gave a very

1 detailed report analyzing the statutory language and
2 the terms on which it is to be interpreted, and came
3 up with a conclusion. And I was just going to ask
4 that he summarize that conclusion for the record
5 today.

6 MR. CRAWLEY: Thank you, Mr. Hollan. As
7 requested by the Chairman, I did look at the statute
8 concerning the Common Criteria in addition to the
9 Clean Water statutes, and found several rules of
10 statutory construction, in addition to the principle
11 that deference is given to the Agency in its
12 interpretation of a statute that it applies. But it
13 is my opinion that the point systems that this Board
14 has developed in its own criteria and the Common
15 Criteria and their application are consistent and in
16 accordance with the General Assembly. And the
17 overall purpose is -- of the (unintelligible) of the
18 legislature, to award those projects that incorporate
19 the Common Criteria with a better chance of being
20 funded than those that do not address it.

21 MR. HOLLAN: Mr. Chairman, based on that
22 recommendation, the committee would recommend to the
23 Board that we approve the revised Common Criteria and
24 new Common Criteria as detailed on Exhibit F-B.

25 CHAIRMAN BADDOUR: You've heard the

1 recommendations of the committee. Is there
2 discussion?

3 (No response.)

4 CHAIRMAN BADDOUR: So many as favor the
5 adoption of the committee recommendation signify by
6 saying "Aye."

7 BOARD MEMBERS: Aye.

8 CHAIRMAN BADDOUR: Opposed, "No."

9 (No response.)

10 CHAIRMAN BADDOUR: The "ayes" have it.

11 MR. HOLLAN: Mr. Chairman, that concludes
12 the Program Committee.

13 CHAIRMAN BADDOUR: Thank you very much.
14 We'll move right along now to the report of the
15 Infrastructure Wastewater Committee. And I think co-
16 chairman Rascoe is going to make that report.

17 MR. RASCOE: Thank you, Mr. Chairman. We
18 did have our Wastewater -- Infrastructure Wastewater
19 Committee meeting yesterday. The first order of
20 business was Item H-B on the agenda. It was a
21 request by Tyrell County for additional funds on
22 Project 2002-B608 due to cost overrun. And they also
23 requested a time extension. After discussion, staff
24 recommended that the Board provide Tyrell County the
25 additional \$500,000 for the project, and to extend

1 the contract until June 30th, 2011, and require
2 Tyrell County to be under construction no later than
3 June 1st, 2011. If the county is not under
4 construction by that June 1st, 2011, the funds for
5 this project would be considered unencumbered and
6 returned to Clean Water Management Trust Fund. And
7 this was the recommendation of the committee to the
8 Board.

9 CHAIRMAN BADDOUR: You've heard the
10 committee recommendation. Is there any discussion?

11 (No response.)

12 CHAIRMAN BADDOUR: So many as favor the
13 adoption of the committee recommendation signify by
14 saying "Aye."

15 BOARD MEMBERS: Aye.

16 CHAIRMAN BADDOUR: Those opposed, "No."

17 (No response.)

18 CHAIRMAN BADDOUR: The "ayes" have it.

19 MR. RASCOE: The next item that was
20 considered by the committee was a discussion of
21 construction projects not under construction contract
22 within one year. There was one application for an
23 extension for good cause by the Maple Hill District,
24 Project No. 2008-602. They requested a construction
25 contract deadline of March the 1st, 2011. Staff

1 concurring with that, and approved that that
2 proposal -- recommended that that proposal date be
3 established. And that was also the recommendation of
4 the committee.

5 CHAIRMAN BADDOUR: You've heard the
6 recommendations of the committee. Is there any
7 discussion?

8 (No response.)

9 CHAIRMAN BADDOUR: Hearing none, so many
10 as favor the adoption of the committee recommendation
11 signify by saying "Aye."

12 BOARD MEMBERS: Aye.

13 CHAIRMAN BADDOUR: Opposed, "No."

14 (No response.)

15 CHAIRMAN BADDOUR: The "ayes" have it.
16 Mr. Chairman?

17 MR. RASCOE: Thank you, Mr. Chairman.
18 The committee next considered the wastewater
19 allocation and committee -- excuse me -- applications
20 for grants for the 2010 cycle. I believe after the
21 obligation of funds and reallocation, and after the
22 granting of the 500,000 to Tyrell County, the
23 committee had \$8,761,147 to allocate out the project.

24 The committee did consider the staff
25 recommendations of projects that scored 100 or higher

1 in the first category. And the staff, with the
2 exception of two other changes and recommendation in
3 the amounts, the committee did adopt that
4 recommendation -- staff recommendation as its own
5 recommendation.

6 And, Mr. Chairman, I would like to go ahead
7 and read the individual projects into the record as
8 recommended by staff. And I believe there is one
9 project, if I could recommend -- the committee
10 recommended, and I believe there is discussion about
11 one of them being amended after I give the full
12 recommendation.

13 CHAIRMAN BADDOUR: All right.

14 MR. HESTER: May I ask -- Mr. Chairman,
15 could I ask that we consider separately 2010-616, the
16 WaDE Program, and 2010-533, the City of Newton
17 application, and ask that those be -- I'd like to
18 make a motion as to those two --

19 CHAIRMAN BADDOUR: All right.

20 MR. HESTER: -- at the appropriate time,
21 and ask if you'd consider those separately?

22 CHAIRMAN BADDOUR: Was that your intent,
23 Peter?

24 MR. RASCOE: We can do it any way. I
25 don't want to lose the order, but that's fine if you

1 want to throw them out as long as they're reinserted
2 in the same order. They're funded and reestablished
3 already. That's fine.

4 MR. HESTER: I have no problem with the
5 order. It's just a matter of --

6 CHAIRMAN BADDOUR: Then let's go ahead
7 with your presentation, and leave those two out.
8 When we come back, we'll be sure that the order is
9 maintained.

10 MR. RASCOE: Thank you. The first
11 project on the recommended list was 2010-515, City of
12 Eden. The committee recommended \$742,183. The
13 second project was the Town of Troy, Project 2010-
14 548. The committee did not recommend any funding for
15 this project due to its using reuse or apply reuse in
16 a non-failing system. I want to say if I misspeak on
17 any reasoning behind, if the staff could correct me,
18 I would appreciate it. The third project was 2010-
19 554, City of Wilson. Staff recommended 500,000, and
20 committee concurred with that recommendation as well.
21 The fourth project, 2010-519, Gaston County. The
22 committee recommends \$1,750,000. We'll skip the next
23 project, 2010-616, which is Division of Environmental
24 Health, and bring that back in. The next project is
25 2010-532, Morehead City. The committee recommended

1 no funding for that project due to its applicability
2 for reuse in a non-failing system. The next project,
3 2010-609, was Mitchell County. The committee
4 recommends \$1 million award on that project. The
5 next project, 2010-524, the City of Kannapolis, the
6 committee does not recommend funding that project due
7 to its use of -- reuse in a non-failing system. Next
8 project, 2010-527, was Town of Lake Lure. The
9 committee recommends no funding due to that project
10 not being construction-ready. The next project
11 was -- the application was 2010-512A, Town of
12 Cramerton. The committee recommends an award of
13 710,000.

14 The next project, 2010-539, Town of
15 Rhodhiss. I hope I got that right this time. The
16 committee recommends an award of \$700,000. The next
17 project was Project No. 2010-522, Hoke County. The
18 committee does not recommend funding that project due
19 to its use and reuse in a non-failing system. The
20 next project, 2010-536, City of Oxford. The
21 committee recommends a \$210,000 award. Next project,
22 2010-541, Town of Rutherfordton. The committee
23 recommends no funding of that project due to it not
24 being construction-ready. The next project, 2010-
25 613, South Camden Water & Sewer District. The

1 committee recommends an award of 860 -- \$864,100.
2 The next project, 2010-523, is Hyde County. And the
3 committee recommends an award of \$609,590. The next
4 project, 2010-612, is the Village of Simpson. The
5 committee recommends no funding due to that project
6 not being construction-ready. We will skip 2010-533
7 and go to 2010-537, which is Town of Parkton. And
8 the committee recommends no award in that project due
9 to lack of funds. We'll match.

10 Mr. Chairman, those are the recommended
11 projects from the Wastewater Committee absent the two
12 that Trustee Hester will address in that order.

13 CHAIRMAN BADDOUR: You've heard the
14 recommendations of the committee with regard to the
15 projects that have been read by Chairman Rascoe. Is
16 there any discussion?

17 (No response.)

18 CHAIRMAN BADDOUR: Hearing none, so many
19 as favor the adoption of the committee recommendation
20 signify by saying "Aye."

21 BOARD MEMBERS: Aye.

22 CHAIRMAN BADDOUR: Opposed, "No."

23 (No response.)

24 CHAIRMAN BADDOUR: All right. The "ayes"
25 have it. Now, I think the way to do it, Peter, will

1 you present those other two projects, and then if
2 there's an amendment, we'll take it.

3 MR. RASCOE: Okay. The committee
4 recommended originally Project No. 2010-616, North
5 Carolina Division of Environmental Health, an
6 adjusted amount of 650,000. And also, for the City
7 of Newton, Project No. 2010-533, the committee
8 recommendation -- recommended amount as an adjusted
9 amount was \$1,025,274.

10 CHAIRMAN BADDOUR: Okay. You've heard the
11 committee recommendation. I'll recognize Mr. Joe
12 Hester.

13 MR. HESTER: Mr. Chairman, it's my
14 understanding on Project 2010-616, the WaDE Program,
15 that that is assigned a \$750,000 request. It was for
16 three years at \$250,000 a year. Already \$100,000 of
17 that has been used. The award recommended was
18 \$650,000. I'd like to make a motion to further
19 reduce that by \$150,000 to, in effect, make that a
20 two-year award to that program, and apply that
21 \$150,000 to Project 2010-533, Newton. That will be
22 my motion.

23 CHAIRMAN BADDOUR: You've heard first of
24 all the committee recommendation, and you've heard
25 the amendment. Is there a second to the amendment?

1 MR. HENDERSON: Second.

2 CHAIRMAN BADDOUR: Rance Henderson. Is
3 there any discussion on the amendment?

4 MR. WRIGHT: Mr. Chairman, I would just
5 like to make a statement. Kevin Markham was here
6 yesterday, and unfortunately is not here today. And
7 I would like to put in the record that his comments
8 yesterday reflected that he would be in favor of this
9 funding.

10 CHAIRMAN BADDOUR: Further discussion?

11 (No response.)

12 CHAIRMAN BADDOUR: Hearing none, so many
13 as favor the adoption of the amendment put forth by
14 Mr. Hester signify by saying "Aye."

15 BOARD MEMBERS: Aye.

16 CHAIRMAN BADDOUR: Opposed, "No."

17 (No response.)

18 CHAIRMAN BADDOUR: The "ayes" have it.

19 And now you have before you the committee
20 recommendation as amended. Is there further
21 discussion?

22 (No response.)

23 CHAIRMAN BADDOUR: Hearing none, so many
24 as favor the committee recommendation as amended,
25 signify by saying "Aye."

1 BOARD MEMBERS: Aye.

2 CHAIRMAN BADDOUR: Opposed, "No."

3 (No response.)

4 CHAIRMAN BADDOUR: The "ayes" have it.

5 Mr. Chairman?

6 MR. RASCOE: Thank you, Mr. Chairman.

7 The committee also considered withdrawal requests
8 from three grant applicants, and approved the
9 following withdrawal requests. 2010-506, Town of
10 Beulaville; 2010-517, Town of Farmville; and 2010-
11 610, Town of Peachland. And that is the committee
12 recommendation.

13 CHAIRMAN BADDOUR: You've heard the
14 committee recommendation. Is there any discussion?

15 (No response.)

16 CHAIRMAN BADDOUR: Hearing none, so many
17 as favor the adoption of the committee recommendation
18 signify by saying "Aye."

19 BOARD MEMBERS: Aye.

20 CHAIRMAN BADDOUR: Opposed, "No."

21 (No response.)

22 CHAIRMAN BADDOUR: The "ayes" have it.

23 MR. RASCOE: Thank you, Mr. Chairman.

24 The committee also recommended that all remaining
25 2010 grant applications be considered as disapproved,

1 and that is the committee's recommendation.

2 CHAIRMAN BADDOUR: You've heard the
3 committee recommendation. Is there any discussion?

4 (No response.)

5 CHAIRMAN BADDOUR: So many as favor the
6 adoption of the committee recommendation signify by
7 saying "Aye."

8 BOARD MEMBERS: Aye.

9 CHAIRMAN BADDOUR: Opposed, "No."

10 (No response.)

11 CHAIRMAN BADDOUR: The "ayes" have it.

12 MR. RASCOE: And finally, Mr. Chairman, I
13 do want to recognize for the record that there was
14 discussion by staff with the committee on two other
15 grant applications, one from the Town of Northwest in
16 Brunswick County, and the other from the Town of St.
17 Pauls in Robeson County. And staff elaborated on its
18 efforts to keep those two applicants in the loop and
19 interested in the program. And that's the committee
20 report.

21 CHAIRMAN BADDOUR: Thank you for the fine
22 report. We appreciate your work, and the committee's
23 work on that. We will now move to the report of the
24 Acquisition Committee. Chairman McGrady?

25 MR. McGRADY: Mr. Chairman, the primary

1 work of the Acquisition Committee was to allocate
2 monies that have been unencumbered that relate to
3 acquisition projects. And on the yellow sheet that's
4 at your place, on the back side of that all of the
5 various projects that are listed, there were a number
6 of motions made with respect to these. And I'm going
7 to try and, Mr. Chairman, to just combine them all in
8 one and take them in a block.

9 The committee recommended that the 017
10 project, Humpback Mountain, be funded in the amount
11 of \$780,000. The committee recommended that the 024
12 project, Wildcat Mountain, be funded in the amount of
13 \$941,000. The committee recommended that Project
14 109, Olivia West Tract, Marks Creek be funded in the
15 amount of \$377,675. The committee recommended that
16 Project 094, Southview Park, Lick Creek, be funded in
17 the amount of \$500,000. And finally, the committee
18 recommended that the Backbone Ridge Tract project,
19 Project 054, be funded in the amount of \$380,000.

20 The committee provides -- is recommending
21 no additional funds to Project 096, East Fork of the
22 French Broad Headwaters, and that there -- The
23 committee is also recommending no funding for Wilson
24 Creek, Project 023; the Johnson Tract, Project 086;
25 and the Thompson River Headwaters project, Project

1 097. Finally, the remaining monies that we have
2 after assuming these projects are approved as
3 recommended. The amount of \$80,000 would then be
4 allocated to the donated mini-grant program.

5 CHAIRMAN BADDOUR: You've heard the
6 committee recommendation. Is there any discussion?

7 (No response.)

8 CHAIRMAN BADDOUR: Hearing none, so many
9 as favor the adoption of the committee recommendation
10 signify by saying "Aye."

11 BOARD MEMBERS: Aye.

12 CHAIRMAN BADDOUR: Opposed, "No."

13 (No response.)

14 CHAIRMAN BADDOUR: The "ayes" have it.

15 MR. McGRADY: Mr. Chairman, we still have
16 one other matter, rather a housekeeping matter. It
17 related to an earlier acquisition done in connection
18 with the Land Trust of Central Carolina, Project
19 2008-025. And because of miscommunication regarding
20 certain transactional costs to complete the project,
21 we underfunded that project by \$75,000. The
22 committee is recommending that we now allocate
23 \$75,000 to cover the transactional costs which were
24 accidentally left out of the monies that we approved
25 for that project.

1 CHAIRMAN BADDOUR: Okay. You've heard the
2 committee recommendation. Is there any discussion?

3 (No response.)

4 CHAIRMAN BADDOUR: Where will those funds
5 come from?

6 MR. ROGERS: Mr. Chairman, we knew --
7 we're working on a contract closely with a Durham
8 project. It appears to have money coming back out of
9 it, so our intention is to use those to fulfill our
10 obligation to the Land Trust for Central North
11 Carolina.

12 MR. McGRADY: That was the understanding
13 of the committee when it was discussed.

14 CHAIRMAN BADDOUR: I just wanted to be
15 sure the Board understands that. Is there any
16 discussion?

17 (No response.)

18 CHAIRMAN BADDOUR: So many as favor the
19 adoption of the committee recommendation signify by
20 saying "Aye."

21 BOARD MEMBERS: Aye.

22 CHAIRMAN BADDOUR: Opposed, "No."

23 (No response.)

24 CHAIRMAN BADDOUR: The "ayes" have it.

25 MR. McGRADY: Mr. Chairman, that completes

1 our report.

2 CHAIRMAN BADDOUR: Thank you very much for
3 that report and the committee's work. We move now to
4 the report of the Restoration/Stormwater/Greenway
5 Committee. Dr. Brannon?

6 DR. BRANNON: Thank you very much. We
7 have a few actions that we want to record in the
8 committee today. The first is High Country Council
9 prevalence, which is Project 2008-817. They have
10 written to ask us to withdraw their planning grant.
11 They have been given a planning grant for up to
12 \$50,000 in September. They were able in the meantime
13 to get alternative funding, and they wrote to us to
14 withdraw this project. And the committee that met
15 yesterday recommends that the grant be withdrawn.
16 And that's the recommendation of the committee.

17 CHAIRMAN BADDOUR: You've heard the
18 committee recommendation. Is there any discussion?

19 (No response.)

20 CHAIRMAN BADDOUR: So many as favor the
21 adoption of the committee recommendation signify by
22 saying "Aye."

23 BOARD MEMBERS: Aye.

24 CHAIRMAN BADDOUR: Opposed, "No."

25 (No response.)

1 CHAIRMAN BADDOUR: The "ayes" have it.

2 DR. BRANNON: The next item we had
3 discussed was Craven County, which was Project No.
4 2008-1004. There's a request to transfer this grant
5 and revise the project's scope of work. Kevin, I
6 think it would be great if you maybe just take a few
7 seconds to explain that transfer since it's a little
8 different scope of work.

9 MR. BOYER: I'd be happy to. This is an
10 award that was made under our Innovative Stormwater
11 Initiative in February 2009 to Craven County. The
12 county has had to reduce staff, is no longer able to
13 take on the project. They're still very interested
14 in it. They would have contracted with North
15 Carolina State's Bio-Ag Department through Dr. Bill
16 Hunt to implement the project. They're asking that
17 we transfer the grant to North Carolina State, and
18 basically cut out the middle man as the grant
19 recipient.

20 N.C. State has identified some -- a
21 replacement site for one of the three sites that
22 originally was included in the scope of work. It's a
23 good site. They've also identified some ways of
24 improving the project in terms of testing some
25 innovative approaches for stormwater management. The

1 grant amount and the matching fund amount remains the
2 same.

3 DR. BRANNON: Mr. Chairman, the committee
4 recommends this request to transfer the project to
5 N.C. State.

6 CHAIRMAN BADDOUR: You've heard the
7 committee recommendation. Is there any discussion?

8 (No response.)

9 CHAIRMAN BADDOUR: So many as favor the
10 adoption of the committee recommendation signify by
11 saying "Aye."

12 BOARD MEMBERS: Aye.

13 CHAIRMAN BADDOUR: Opposed, "No."

14 (No response.)

15 CHAIRMAN BADDOUR: The "ayes" have it.

16 DR. BRANNON: The next item for discussion
17 is that -- as you know, subject to statute in --
18 North Carolina General Statute 113A-254, if grant
19 recipients are not able to get their contract in
20 order in the appropriate time, they have to come to
21 the Board and ask permission to extend the contract
22 date. There are two projects that the committee does
23 recommend that extend the contract date.

24 One is for the City of Goldsboro. This is
25 Project 2006A-403. Their current contract deadline

1 was October the 29th. They're proposing to move the
2 construction contract deadline to 12/31/2010. Along
3 with the Town of Kure Beach, 2008-704, which is a
4 stormwater project. Their current contract date was
5 for 10/27, and they're asking to move it to February
6 the 27th, 2011. We do believe that there was good
7 cause based on the examination and discussion of
8 these two requests by the staff. So the committee
9 does recommend that we delay their end to the
10 construction contract to these dates.

11 CHAIRMAN BADDOUR: You've heard the
12 committee recommendation. Is there any discussion?

13 (No response.)

14 CHAIRMAN BADDOUR: So many as favor the
15 adoption of the committee recommendation signify by
16 saying "Aye."

17 BOARD MEMBERS: Aye.

18 CHAIRMAN BADDOUR: Opposed, "No."

19 (No response.)

20 CHAIRMAN BADDOUR: The "ayes" have it.

21 DR. BRANNON: The last item on -- for the
22 committee is if you'll look at the yellow sheet of
23 paper here, at the very top on page 1, and that's the
24 Restoration/Stormwater/Greenway Committee
25 recommendation. At the end of our meeting in October

1 we had \$117,866 that was left that we did not
2 allocate. Through the actions of the funds that have
3 been unencumbered as well as the 50,000 that was
4 returned today in our vote, the committee for
5 Stormwater/Restoration/Greenway now has a total of
6 \$409,366 to reallocate.

7 As you recall at our last meeting in
8 October, we did leave some projects eligible for
9 consideration that had already been reviewed by the
10 staff and by the committee and voted on. And these
11 projects are listed before you. I would like to
12 enter all these at the same time as Chuck did. I
13 think that was really efficient.

14 We looked at the Restoration/Stormwater
15 projects, the two that were remaining eligible.
16 They're 2010-431, Surry. And if you look at this
17 project, we were recommending -- they requested
18 \$125,000, and we're recommending \$125,000 out of our
19 remaining balance. Also 2010-709, Town of Colerain.
20 They had requested \$204,400. We're also recommending
21 that they be awarded that amount. That would bring
22 the two new projects for a total of \$329,400.

23 In addition, we had two Greenway projects
24 that were partially funded. So we would like to
25 recommend to the Board taking some of our remaining

1 balance and putting it towards enhancing these two
2 projects, and making the work a little bit more
3 effective. One would be 2010-207, Jackson County,
4 giving them an additional \$22,000, which allows them
5 to move forward one more parcel down the way. And
6 the other would be to 2010-210, City of Raleigh, the
7 Walnut and Crabtree Creek project, and giving them an
8 additional 57,966. These two (unintelligible)
9 projects are more additional enhancements. We'd
10 spend our total amount of \$409,366. This is the
11 recommendation of the committee.

12 CHAIRMAN BADDOUR: You've heard the
13 committee recommendation. Is there any discussion?

14 (No response.)

15 CHAIRMAN BADDOUR: Hearing none, so many
16 as favor the adoption of the committee recommendation
17 signify by saying "Aye."

18 BOARD MEMBERS: Aye.

19 CHAIRMAN BADDOUR: Opposed, "No."

20 (No response.)

21 CHAIRMAN BADDOUR: The "ayes" have it.

22 DR. BRANNON: That concludes our report,
23 Mr. Chairman.

24 CHAIRMAN BADDOUR: Okay. The next item on
25 the agenda is a discussion by any Board members or

1 staff. And I want to tell y'all about something that
2 happened with me and Karen Cragolin. I was in --

3 MS. CRAGOLIN: Phil, I didn't think you
4 were going to tell anybody.

5 CHAIRMAN BADDOUR: I was in Asheville for
6 a meeting with NCHA, a CLE meeting. And I told Karen
7 that I wanted to see her projects there, and go down
8 and see the work at (unintelligible). And the only
9 time you could go was 6 o'clock in the morning. And
10 y'all know Karen, right? I mean, you know Karen.
11 And she said, "If that's when you can go, I'll be
12 there."

13 Well, she was there with coffee at quarter
14 to 6:00, and I was actually early. So it was dark
15 when we started out. But let me tell you, it was
16 light when finished. And let me tell you that that
17 is absolutely an amazing piece of work that they have
18 done over the past 25 -- how many years? I mean, it
19 was a wonderful, wonderful thing. And you would be
20 proud of some of the funds that we've done to help
21 the French Broad River, and the confluence of the
22 French Broad and the --

23 DR. BRANNON: Swannanoa.

24 CHAIRMAN BADDOUR: -- the Swannanoa River
25 right there. We walked to that very spot and looked

1 over that as the sun was rising. And it was -- it
2 was a really special morning. Karen, I really
3 appreciate you taking the time to do that for me.

4 And I went back to several hundred people
5 and told them what we had done, and had a number of
6 people come up and want to go down and see the river.
7 It's amazing. I think the people who are visitors to
8 Asheville probably don't get down to the river as
9 much as they should. So we're glad to be able to
10 spread that word a little bit.

11 MS. CRAGNOLIN: Well, I really, really
12 appreciate you doing that. And that was a wonderful
13 morning because the steam was rising out of the
14 river, and the sun was coming up. It was --

15 CHAIRMAN BADDOUR: Right.

16 MS. CRAGNOLIN: -- frost, that first frost.
17 It was a wonderful day, and thank you so much.

18 CHAIRMAN BADDOUR: Well, it just -- it
19 does show that, you know, when you get out -- And I
20 heard last night Betty talking. She went to see one
21 of our projects. And it just shows you how much --
22 how enthusiastic you can get when we get out there
23 and see some of the great things that have taken
24 place in this state as a result of our funds and
25 funds from other sources. Chuck?

1 MR. McGRADY: I just wanted to report, in
2 our last -- at our last meeting on an acquisition
3 project we had put a significant amount of money into
4 post-acquisition of the so-called East Fork of the
5 French Broad River. With Richard's help and others,
6 we went to -- since the money was allocated, we went
7 to the Wildlife Resources Commission, and they have
8 passed a resolution which basically puts them as the
9 land manager for this tract.

10 It's a very large project, and I suspect it
11 will be coming back to this Board in the future. But
12 that was a very positive development. And I'm hoping
13 by the end of the year we'll be announcing that, you
14 know, incrementally lands including the significant
15 trail corridor passage at the south end of the tract
16 will come into state ownership. And again, I
17 appreciate the help and lift that Richard gave me in
18 making a push before the Wildlife Resources
19 Commission.

20 CHAIRMAN BADDOUR: Richard, do you want to
21 tell us about Harold Bass?

22 MR. ROGERS: Yes, sir. We've got a card
23 circulating that we want to have the Trustees sign,
24 and staff, and give to Mr. Bass. Trustee Bass this
25 past Tuesday went for his second knee replacement

1 surgery. I talked to him on Thursday morning. He is
2 in good spirits, or was until his physical therapist
3 walked in the room. He said that he was getting
4 ready to be tortured. But he's in good spirits, and
5 he passed along his regards to everybody.

6 This is just a little note to him to help
7 him keep moving on in his rehabilitation of his knee.
8 So thank you. It should be coming around, and
9 it's -- I think Dr. Camp -- Just make sure you sign
10 that before you leave, we would appreciate it. Thank
11 you.

12 CHAIRMAN BADDOUR: Does any other Trustee
13 have anything they want to bring to the Board's
14 attention?

15 MS. CRAGNOLIN: Can we apply for a grant?

16 CHAIRMAN BADDOUR: Probably so.

17 MS. CRAGNOLIN: You know, I wonder if we
18 shouldn't try to go talk to the Z. Smith Reynolds
19 Foundation and ask for some money to do some, you
20 know, promotional materials and give us a little leg
21 up with some money, and show that we're, you know,
22 that we're really creative.

23 CHAIRMAN BADDOUR: Well, you can look into
24 that. I do think they have a grant cycle. But they
25 may have some -- Anything else any Trustee would like

1 to bring to the Board's attention?

2 (No response.)

3 CHAIRMAN BADDOUR: If not, do I hear a
4 motion to adjourn?

5 MR. BEANE: So moved.

6 DR. CAMP: So moved.

7 CHAIRMAN BADDOUR: All in favor, signify
8 by saying "Aye."

9 BOARD MEMBERS: Aye.

10 CHAIRMAN BADDOUR: The "ayes" clearly have
11 it. We stand adjourned.

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(Meeting adjourned at 10:36 a.m.)

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CERTIFICATE OF NOTARY - COURT REPORTER

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

I, Jennifer D. Critcher, Court Reporter, Notary Public in and for the above county and state, do hereby certify that the foregoing is a true and accurate transcription, to the best of my skill and ability, of the meeting of the Board of Trustees of the Clean Water Management Trust Fund held in Raleigh, North Carolina on Monday, November 15, 2010.

Jennifer D. Critcher, Court Reporter
Notary Public, Wake County,
North Carolina
Notary Number: 200625800155