

BOARD OF TRUSTEES
CLEAN WATER MANAGEMENT TRUST FUND

MINUTES OF MEETING

MONDAY, SEPTEMBER 15, 2008

9:35 A.M.

WINSTON-SALEM MARRIOTT
425 NORTH CHERRY STREET
WINSTON-SALEM, NORTH CAROLINA



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APPEARANCE OF CWMTF BOARD OF TRUSTEES

PHILIP A. BADDOUR, JR., CHAIRMAN, GOLDSBORO

HONORABLE RONALD R. BEANE, LENOIR

DR. YEVONNE BRANNON, RALEIGH

DR. NORMAN C. CAMP, III, RALEIGH

KAREN CRAGNOLIN, ASHEVILLE

JOHN CRUMPLER, RALEIGH

JOSEPH M. HESTER, JR., ROCKY MOUNT

WILLIAM HOLLAN, WINSTON-SALEM

ROBERT D. HOWARD, SOUTHPORT

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CHARLES W. McGRADY, HENDERSONVILLE

DICKSON McLEAN, JR., LUMBERTON

JOHN McMILLAN, RALEIGH

PETER RASCOE, EDENTON

STAN VAUGHAN, CHARLOTTE

CLAUDETTE WESTON, WINSTON-SALEM

JERRY WRIGHT, JARVISBURG

APPEARANCE OF STAFF

RICHARD ROGERS, EXECUTIVE DIRECTOR

BETH McGEE, DEPUTY DIRECTOR - PROGRAM IMPLEMENTATION

TOM JONES, DEPUTY DIRECTOR - PROJECT ASSESSMENT

NANCY GUTHRIE, WATER QUALITY ADVISOR

LISA SCHELL, COMMUNICATIONS DIRECTOR

KEVIN BOYER, RESTORATION/STORMWATER PROJECT MANAGER

PENNY ADAMS, EXECUTIVE ASSISTANT

ROBIN HAMMOND, REAL PROPERTY COUNSEL

KEVIN BOYER, RESTORATION/STORMWATER PROJECT MANAGER

APPEARANCE OF FIELD REPRESENTATIVES

TOM MASSIE, MOUNTAINS FIELD REPRESENTATIVE

BERN SCHUMAK, WESTERN PIEDMONT FIELD REPRESENTATIVE

SARAH KING, SOUTHERN COASTAL PLAIN FIELD REPRESENTATIVE

WILL SUMMER, EASTERN PIEDMONT FIELD REPRESENTATIVE

DAMON TATEM, NORTHERN COASTAL PLAIN FIELD REPRESENTATIVE

ALSO PRESENT:

FRANK CRAWLEY, ESQUIRE, ATTORNEY GENERAL OFFICE

ALLEN JOINES, MAYOR OF WINSTON-SALEM, NORTH CAROLINA

LEE GERRITY, CITY MANAGER OF WINSTON-SALEM, NORTH CAROLINA

KEITH HUFF, WINSTON-SALEM STORMWATER PROGRAM DIRECTOR

GLORIA WHISENHUNT, CHAIRPERSON OF FORSYTH COUNTY
COMMISSIONERS

DUDLEY WATTS, FORSYTH COUNTY MANAGER

KEVIN REDDING, REPRESENTATIVE OF PIEDMONT LAND CONSERVANCY

A G E N D A

- 9:30 a.m. A. Call to Order - Chairman Baddour**
- 1) Welcome
 - 2) Roll Call - Penny Adams
 - 3) Compliance With General Statute § 138A-15 - Chairman Baddour
 - 4) Revisions, additions, and adoption of the Agenda - Chairman Baddour **(Action Item)**
 - 5) Please put cell phones on vibrate or off - Chairman Baddour
 - 6) Review and approval of the transcripts of the August 2008 meeting of the Board of Trustees **(Action Item)**
 - 7) Recognize CWMTF Advisory Committee Members
- 9:45 a.m. B. Public Comments - Chairman Baddour**
- 10:00 a.m. C. Consent Agenda Items - Chairman Baddour**
- 10:10 a.m. D. Executive Director's Report - Richard Rogers**
- 1) Communications Report - Lisa Schell
 - 2) Administrative Update
- 10:30 a.m. E. Attorney General's Report - Frank Crawley**
- 10:45 a.m. F. Break**
- 11:00 a.m. G. Consideration of Proposed 2009 Board Meeting Schedule and Locations - Chairmain Baddour (Action Item)**
- 11:10 a.m. H. Administrative Committee Report - Committee Co-Chair Weston (Action Items)**
- 1) Consideration of Dates and General Itinerary for 2009 Project Tour
 - 2) Consideration of Potential Topics for the February Retreat
- 11:15 a.m. I. Restoration/Stormwater Committee Report - Committee Co-Chairs Brannon and Hester (Action Items)**

- 11:50 a.m. J. Program Committee Report - Committee
Co-Chairs Hollan and Markham (Action
Items)
- 12:10 p.m. K. Acquisition Committee Report - Committee
Co-Chairs Coleman and Cragolin (Action
Items)
- 12:20 p.m. L. Discussion
- 12:30 p.m. M. Adjourn

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Attachments

"2008 CWMTF Cycle: Restoration/Stormwater Committee
Recommendations. Sept. 15, 2008" (5 pages)

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P R O C E E D I N G S

MR. BADDOUR: Okay. Now, officially and on record, I call the meeting to order, and welcome everyone -- Board members, staff, and our visitors, guests -- here today to this meeting of the Clean Water Management Trust Fund. We are absolutely delighted to be here in the wonderful County of Forsyth and City of Winston-Salem and enjoying your hospitality and especially the hospitality of our Board member Claudette Weston. So -- and more about that later.

MR. ROGERS: And Bill Hollan.

MR. BADDOUR: But -- and Bill Hollan.
Excuse me, Bill, of course.

(Comment made off the record.)

MR. BADDOUR: Roll call?

MS. ADAMS: Chairman of the Board?

MR. BADDOUR: Here.

MS. ADAMS: Ron Beane?

MR. BEANE: Here.

MS. ADAMS: Yevonne Brannon?

MR. CRUMPLER: She's here, but not in the room.

MR. ROGERS: Yeah, she's here.

MS. ADAMS: Norman Camp?

1 DR. CAMP: Here.

2 MS. ADAMS: Rick Coleman?

3 (No response.)

4 MS. ADAMS: Karen Cragolin?

5 MS. CRAGNOLIN: Here.

6 MS. ADAMS: Joe Crumpler?

7 MR. CRUMPLER: Here.

8 MS. ADAMS: Rance Henderson?

9 (No response.)

10 MS. ADAMS: Joe Hester?

11 MR. ROGERS: He's here.

12 MS. ADAMS: Bill Hollan?

13 MR. HOLLAN: Here.

14 MS. ADAMS: Robert Howard?

15 MR. HOWARD: Here.

16 MS. ADAMS: Charles Johnson?

17 MR. JOHNSON: Here.

18 MS. ADAMS: Kevin Markham?

19 MR. MARKHAM: Here.

20 MS. ADAMS: Chuck McGrady?

21 MR. McGRADY: Here.

22 MS. ADAMS: Dickson McLean?

23 MR. McLEAN: Here.

24 MS. ADAMS: John McMillan?

25 MR. McMILLAN: Here.

1 MS. ADAMS: Peter Rascoe?

2 MR. RASCOE: Here.

3 MS. ADAMS: Stan Vaughan?

4 MR. VAUGHAN: Here.

5 MS. ADAMS: Claudette Weston?

6 MS. WESTON: Here.

7 MS. ADAMS: Jerry Wright?

8 MR. WRIGHT: Here.

9 MR. BADDOUR: Okay. General Statute

10 § 138A-15 mandates that the Chair inquire as to

11 whether any Trustee knows of any conflict of interest

12 or the appearance of a conflict of interest with

13 respect to matters on the agenda. If any Trustee

14 knows of a conflict of interest or appearance of a

15 conflict of interest, please so state at this time.

16 MR. MARKHAM: Mr. Chairman?

17 MR. BADDOUR: Kevin.

18 MR. MARKHAM: Thank you, Phil. I will be

19 recusing myself from five projects that are coming

20 before the Restoration/Stormwater Committee. I also

21 recused myself during committee discussions and voting

22 yesterday. They are 2008-402, Durham Soil and Water

23 Conservation District, Stirrup Iron Creek Tributary;

24 2008-710, NC State University/Peace College Rain

25 Harvest System; 2008-816, Emerald Isle BMP Study;

1 2008-818, North Carolina Coastal Federation LID
2 Planning; 2008-819, Newport Stormwater Planning; and,
3 in addition, there's an action item through the
4 Acquisition's Committee regarding the North Carolina
5 Land -- or Coastal Land Trust, Henry Tract; it's
6 2006-A-023; and I will also be recusing myself from
7 voting on that.

8 MR. BADDOUR: Thank you very much, Kevin.
9 Karen?

10 MS. CRAGNOLIN: Thank you, Mr. Chairman. I
11 would like to recuse myself from 2008-701, Number 32
12 on your sheet. It's Asheville Stormwater/Wetland on
13 Dingle Creek, and 2008-422, Number 39 on your sheet.
14 It's River Link Restoration on Dingle Creek.

15 MR. BADDOUR: Okay. Thank you.

16 MS. CRAGNOLIN: Thank you, Mr. Chairman.

17 MR. BADDOUR: And thank you, Karen.

18 Anybody else?

19 BOARD MEMBERS: (No response.)

20 MR. BADDOUR: Okay. Are there any
21 revisions, additions to the agenda? Mr. Beane?

22 MR. BEANE: Mr. Chairman, I'd like to
23 call for another closed session of the Board --

24 MR. BADDOUR: Okay.

25 MR. BEANE: -- at the appropriate -- at

1 the time that you so choose --

2 MR. BADDOUR: All right. We'll --

3 MR. BEANE: -- to have it.

4 MR. BADDOUR: We'll ask them that -- the
5 motion is that the Board go into closed session to
6 discuss a personnel matter, which are the
7 qualifications of an employee, and we will add that
8 after "L" -- between "L" and "M" at the end of the
9 agenda. Is there any discussion about that?

10 BOARD MEMBERS: (No response.)

11 MR. BADDOUR: Okay. Do I have -- hear a
12 motion that the agenda be adopted with the addition as
13 proposed by Mr. Beane?

14 DR. CAMP: So moved.

15 MR. BEANE: Second.

16 MR. BADDOUR: Okay. Moved and seconded.
17 So as many as favor the motion, signify by saying,
18 "Aye."

19 BOARD MEMBERS: Aye.

20 MR. BADDOUR: Opposed, no?

21 BOARD MEMBERS: (No response.)

22 MR. BADDOUR: The ayes have it. I ask --
23 remind you to put your cell phones -- turn your cell
24 phones off, please.

25 And we have for an action item, the review

1 and approval of the transcripts of the August 2008
2 meeting of the Board.

3 MR. McGRADY: Move their approval.

4 MS. WESTON: Second.

5 MR. BADDOUR: Moved by Mr. McGrady,
6 seconded by Ms. Weston that the minutes of August 2008
7 be approved. Any discussion?

8 BOARD MEMBERS: (No response.)

9 MR. BADDOUR: Hearing none, so as many as
10 favor the motion, signify by saying "Aye."

11 BOARD MEMBERS: Aye.

12 MR. BADDOUR: Opposed, no?

13 BOARD MEMBERS: (No response.)

14 MR. BADDOUR: The ayes have it. Next on
15 our agenda -- we're looking forward to this, the
16 public comments, which we ask be limited to three
17 minutes. We have a number of people who have asked to
18 be recognized and I will call on, first, the Mayor of
19 Winston-Salem, Allen Joines. Mayor? We'd be glad to
20 hear from you.

21 MR. JOINES: Good morning. Where would
22 you like that --

23 MR. BADDOUR: Just come up to the front
24 there (indicating) and, if you'd like to speak --

25 MR. JOINES: Good morning. I just wanted

1 to come by this morning to extend my official welcome
2 to you. We're so honored to have you in Winston-Salem
3 for several reasons, but, primarily, because we
4 respect so much the work that you do around the State
5 of North Carolina. As you know, Winston-Salem is one
6 of those old manufacturing cities that are having to
7 transition ourselves into an economy based on
8 knowledge industries. In doing so, we want to make
9 sure that our quality of life continues to rise.

10 We've done a number of projects using grants
11 from your organization that have been just exemplary
12 ways of cleaning up water and then creating a
13 wonderful amenity for our citizens. Just about three
14 blocks from here we are building what, we think, is
15 the largest urban research park in the country --
16 about 220-plus acres. I know you all are very
17 familiar with it, because we got a very significant
18 stormwater control system in there that will do a lot
19 of great things -- not only for controlling stormwater
20 but, again, creating amenities within this research
21 park.

22 We believe this park will be one of our key
23 economic drivers going forward. It creates between
24 25,000 and 30,000 net new jobs in our community over
25 the next 20 to 25 years. But more importantly, it's

1 creating a buzz, if you will -- an energy, a vibrancy
2 in our city in building the state because of the
3 research that's going on there. Dr. Tony Atala, with
4 his regenerative division, has demonstrated that he
5 can take DNA from a person and stretch it on a
6 platform, get it growing -- grow that person a new
7 bladder, eventually a new kidney. We've been selected
8 as one of two soldier institutions in the country --
9 us and Rutgers University just got a 42-and-half-
10 million dollar grant where Dr. Atala is looking at
11 growing hands and feet, fingers to work with soldiers
12 and Marines who are injured. So the work that you
13 would do with us, in partnership to help make that
14 park happen will do a lot, not only for our area, but
15 the state and really for the country.

16 So, again, thank you for being here. We are
17 honored by your presence. We hope your stay is very
18 enjoyable. Mr. Chairman, if you get some parking
19 tickets, just give them to Claudette.

20 (Applause.)

21 MR. BADDOUR: Thank you. Thank you,
22 Mayor. And the mayor has with him the City Manager,
23 Lee Gerrity. Lee?

24 MR. GERRITY: Good morning.

25 BOARD MEMBERS: Good morning.

1 MR. GERRITY: I enjoyed the soiree last
2 night. Claudette, thank you. It was a good time. I
3 just want to say a couple of words about how
4 appreciative we are for everything that you do for
5 this community.

6 We've done several projects with you.
7 Probably the biggest one is Central [sic] Park and --
8 I mean, Civitan Park. And Civitan Park and Salem
9 Creek is just south of the research park that Mayor
10 Joines talked about. By restoring that creek, we
11 spent 1.4 million of your dollars, and we appreciate
12 that. But we were not only to stabilize that creek,
13 but we took five-and-a-half acres of wetlands and we
14 also protected 460 urban acres around it and we
15 reduced the sediment building in the creek by 120 tons
16 annually.

17 You know, it's interesting, when I took this
18 job a couple of years ago, I had no idea how much time
19 the council was going to spend on water things. You
20 know, we spend -- in the last two years, almost half
21 of my time has been involved in water. Between the
22 stormwater and utilities, they're such major issues
23 for our communities to go forward, that's why we spend
24 an incredible amount of time working on stormwater,
25 and water and sewer treatment issues.

1 Keith, stand up and be recognized.

2 (Mr. Huff stands.)

3 (Applause.)

4 MR. BADDOUR: And you're going to hear
5 from some of the good folks from Forsyth County, first
6 of all, the Chairman, or Chairperson, of the County
7 Commissioners, Gloria Whisenhunt. Madam Chair?

8 MS. WHISENHUNT: It's good to see you again.
9 Wasn't last night fun? This is just an example of
10 what Claudia [sic] does all the time for our wonderful
11 county. Thank you, Claudia [sic]. It was fun; I
12 enjoyed it.

13 I'm going to be very brief, because I know
14 you all have a heavy agenda today. I did speak to you
15 briefly last night. Chuck, it's good to see you.
16 It's good to know we have a county commissioner on the
17 Board taking care of us.

18 MR. McGRADY: And Ron Beane, also.

19 MR. ROGERS: Yes.

20 MS. WHISENHUNT: Ron, good to see you, too.

21 MR. McGRADY: Tom --

22 MR. ROGERS: Tom Massie.

23 MR. McGRADY: And then it would be Jerry
24 Wright and Tom Massie.

25 MS. WHISENHUNT: Wow.

1 MR. McGRADY: Well, this is probably the
2 best -- more county commissioners represented here
3 than any other board or agency in or across the state,
4 I suspect.

5 MR. ROGERS: Yes.

6 MS. WHISENHUNT: That's great.

7 MR. McGRADY: Yeah.

8 MS. WHISENHUNT: Well, you know,
9 occasionally, and I do say "occasionally," the General
10 Assembly will do something right, and, I think, they
11 may have had a great day's work when they created this
12 board and this trust fund, and we're so grateful. And
13 to echo what Lee and Alan have said, Forsyth County is
14 very appreciative of your help with our projects.

15 Forsyth County Commissioners welcome you all
16 here today. We're delighted that you're here and we'd
17 like for you to stay longer, if you can -- if you can,
18 work on your agenda, make it a little bit longer.
19 We'd love to have you, especially, in our town.

20 But I want to say thank you to you all.
21 Being a county commissioner, there are other boards
22 and commissions that I serve on and I know how time
23 consuming it is, and I know how very little the public
24 realizes your time commitment and what you do. And I
25 thank you so much from the citizens here in Forsyth

1 County for serving on this board and all the time that
2 it takes from your own professions and your family.
3 And I thank you for protecting our water and our
4 quality of life and please know there are people who
5 realize how hard you work and appreciate it, and
6 Forsyth County appreciates it. Thank you. Enjoy your
7 stay.

8 (Applause.)

9 MR. BADDOUR: Thank you. Thank you, Madam
10 Chair, and for your service. And we also have with us
11 the County Manager of Forsyth County, Dudley Watts.
12 Mr. Watts?

13 MR. WATTS: Thank you. I'll be brief.
14 Those folks did a magnificent job welcoming you so I
15 won't do much more of that. Let me just say, we're
16 glad to have you.

17 I wanted to say two things. One, is I
18 really appreciate the fact that you all meet around
19 the state. I think it sends a great, great message to
20 the folks, like me and my contemporaries, in the
21 region that we live in and the folks on the city-side.
22 We really do appreciate it. Sometimes we feel
23 summoned to Raleigh to do different things and to have
24 you guys come out and be in our communities is
25 fantastic.

1 MR. REDDING: I'm glad to have you here in
2 our region, most definitely. We are -- my orientation
3 is a bit off, but we're about five or six miles from
4 the headwaters of the Haw River, which drains down to
5 the Cape Fear. Additionally, if you go 600 yards
6 behind where the Haw River starts, that's where the
7 Deep River starts. So, in addition to that, we're in
8 the Yadkin River Watershed, and, as we sit right here,
9 the Dan River flows through our region as well. So, a
10 lot of really important water decisions are made
11 within our nine county region and we've been very
12 fortunate to have a lot of support from the trust fund
13 that have made some very important projects possible.

14 Two things about that I would like to say is
15 just, on behalf of the Land Trust community, in
16 general, we couldn't do what we do without the support
17 that this Board brings to our organization. So, thank
18 you. And, secondly, we work probably more hours with
19 your staff than you would ever dream. So each of
20 these projects that you approve, it's not just signed
21 off on. There is a lot of heart breaking -- Robin
22 spends up to midnight working with us on different
23 projects. They do a fantastic job and I hope you all
24 do realize that and appreciate it, but thank you, and
25 welcome to Winston-Salem. If you have any questions,

1 I'll be around for a few minutes and then I'm going to
2 go get to work. Thank you.

3 MR. BADDOUR: Thank you. Well, I have a
4 couple of things I wanted to say and I noticed that
5 some of the folks had to leave, but I'm going to say
6 it anyhow, 'cause I want it in the record, and, Bill,
7 I hope you and Claudette will pass it on to them.

8 I think -- I wanted to thank the people in
9 the city and the county, the Piedmont Land Conservancy
10 and Pilot View, who we met some of those folks last
11 night, for the great work that they do in this area.
12 I think Winston-Salem is really an example of a
13 community that does it right, that tries to do it
14 right, and gets it right, and something a lot of
15 others look up to. And we're also grateful for
16 Winston-Salem for sending us Claudia [sic] and Bill
17 who contribute so very much to this Board. So the
18 warm hospitality is appreciated, the facilities have
19 been great and we look forward to coming back
20 frequently. So, please, pass that along --

21 MS. WESTON: We will.

22 MR. BADDOUR: -- if you would. Okay. Next
23 on the agenda is the Consent Agenda and I don't know
24 if we should -- I probably should have had a motion --
25 it was done at the committee. But without objection,

1 Number 2 from the Consent Agenda is removed. Okay?
2 And that will come up as part of the Acquisition
3 Committee's report. So, the Consent Agenda now
4 consists of only Item 1, as you see on it, and, as is
5 our process, anyone can ask that any item be removed
6 from the Consent Agenda. Does anyone want to move
7 anything else from the Consent Agenda?

8 MR. McGRADY: Move it's adopted.

9 MR. BADDOUR: Okay. We have a motion by
10 Mr. McGrady.

11 MR. BADDOUR: Second by Mr. --

12 MR. ROGERS: Beane.

13 DR. CAMP: Second.

14 MR. BADDOUR: -- Beane -- Mr. Camp -- Dr.
15 Camp that the Consent Agenda be adopted. Any
16 discussion?

17 MR. VAUGHN: Mr. Chairman?

18 MR. BADDOUR: Stan.

19 MR. VAUGHN: Could we just have the
20 amounts or the dollars that are coming back from the
21 result of these withdrawals?

22 MR. BADDOUR: Okay. Beth?

23 MS. MCGEE: On the -- excuse me. On the
24 land -- Buncombe County, I think that's a -- I'm just
25 looking it up real quick. The mini-grant -- it's a

1 donated mini-grant and, I think, it's 25,000. And
2 then for the Kitty Hawk, that is one that is still in
3 process. We have -- I'm just looking for the payment
4 sheet real quick. I'm sorry. It was a 543,000
5 contract and we paid 154, but we're expecting another
6 invoice and we don't know how much that's going to be
7 from the consultant.

8 MR. BOYER: Our best estimate, right
9 now, is that of 383,000 will be returned or not spent.

10 MR. VAUGHN: Thank you.

11 MR. BADDOUR: Okay. Any further
12 discussion on the motion to adopt the Consent Agenda?

13 BOARD MEMBERS: (No response.)

14 MR. BADDOUR: Hearing none, so as many as
15 favor the adoption of the Consent Agenda, signify by
16 saying "Aye."

17 BOARD MEMBERS: Aye.

18 MR. BADDOUR: Opposed, no?

19 BOARD MEMBERS: (No response.)

20 MR. BADDOUR: The ayes have it. And now
21 we go to Item D, our "Executive Director's Report."

22 MR. ROGERS: Thank you, Mr. Chairman.
23 First off, we'll have Lisa give us our Communication
24 Report. Lisa?

25 MS. SCHELL: Good morning, everybody.

1 All right. So just a brief summary of the media
2 attention, clips that we've had since our last Board
3 meeting. We had several good stories in the Asheville
4 area media about the Blue Ridge Forever Conservation
5 Vision announcement, which I'll mention in just a few
6 moments. On our media contacts since the Board
7 meeting, again, the usual subjects or suspects, if you
8 will -- mostly just follow-ups on decisions,
9 acquisitions, committee decisions that were made at
10 your previous meeting.

11 Public request for information continued to
12 come in. I know that you'll be hearing a little bit
13 later about some of the changes that we're doing, that
14 Nancy's doing, in some of the application process. We
15 do get, beginning this time of year, believe it or
16 not, folks actually starting to send in email requests
17 about the next cycle application process, so a good
18 fielding of a fair amount of those requests for
19 information.

20 We did have a few events in the last couple
21 of months. The Blue Ridge Forever Conservation Vision
22 for western North Carolina was announced on September
23 4th. Richard made some comments that were picked up in
24 those articles in the Asheville area media quite
25 prominently, which, of course, is always good. That's

1 more or less a coalition of the conservation/land
2 trust organizations in the western part of the state
3 pulling together to put priority on conservation --
4 specific areas of conservation in the western part of
5 the state and there are going to be many opportunities
6 as that continues to develop and unfold for us to be
7 involved and get the clean water message out there to
8 the public, not just in that part of North Carolina,
9 but, certainly, that's something that will get a lot
10 of statewide media attention as well.

11 The dedication and annual event of the North
12 Carolina Coastal Land Trust was last Saturday and
13 Richard was down there participating in that as well.

14 MR. ROGERS: Right.

15 MS. SCHELL: Upcoming, we'll be working
16 with the Nature Conservancy on a couple of media
17 events, one surrounding the IP Tracts on Chowan River
18 that is scheduled for October 7, and then the King
19 Tracts closing in the Hickory Nut Gorge area. We'll
20 be doing an event up there.

21 Next week, I'll be going up with some of the
22 Nature Conservancy communications folks to, sort of,
23 scout out the location for that event, and when we get
24 more details, we'll certainly make you all aware of
25 them and you'll be receiving a formal invitation in

1 the fall.

2 And that concludes my report for today,
3 unless you have any questions.

4 MR. ROGERS: Thank you, Lisa. Just to
5 follow-up a little bit on Lisa's comments with regards
6 to a couple of the events that we had. The Blue Ridge
7 Forever event is an exciting opportunity. It's a
8 coalition of land trusts that have gotten together to
9 pick priorities in the western part of the state.
10 They've identified 28 different priorities, and it
11 really helps us, I think, out with regards to focusing
12 our efforts on those priorities that they've
13 established themselves, and it will allow us to look
14 at that when they submit applications.

15 One thing we did note with regards to those
16 priorities, Clean Water has already put over 34
17 million dollars into those priorities. We are
18 invested. I think that it's good that they're
19 focusing these areas so that we can continue that
20 investment and make sure that we do the best job we
21 can in these priority areas. So, I think, it's
22 exciting. We will continue to monitor them and,
23 hopefully, the land trust applications that come in
24 will reflect these priorities as they move forward and
25 start making application for the 2009 cycle.

1 The Coastal Land Trust event, the annual
2 conference -- annual meeting, again, was a good
3 opportunity. The Foy Tract is an excellent example of
4 private citizens developing a nature preserve with our
5 help, but the fact they're opening it up to the public
6 and providing some cultural heritage along with
7 protection of the environment is an exciting thing.
8 They're a great family and are doing the right thing,
9 I think, by their land.

10 At the annual meeting, Clean Water also
11 received an award and, also, I'd like to note that
12 Dickson McLean and his wife, Janet, were there. It
13 was a pleasure to get with them and have dinner with
14 them. And the North Carolina Coastal Land Trust
15 provided Clean Water Management Trust Fund the "State
16 Government Agency Award" for the year. One note that
17 Camilla gave is that we could probably receive this
18 award every year from them because of our support of
19 their quality projects, as well. So, I just wanted to
20 make a couple of notes on those.

21 You saw the events that Lisa and I are
22 lining up. In coming, we will get information with
23 regards to those events to you and some details. We'd
24 love for your participation in those ceremonies.
25 Also, if there are other things that you have of

1 interest of looking at for some type of ceremony or
2 ribbon cutting or something of that nature, just let
3 us know. We'll be glad to get on the ball and set
4 that up. I know I've had some inquiries, as well, on
5 some other things. So we'll be getting and
6 communicating that out to you as we go.

7 We are -- staff, Raleigh staff has moved
8 into our new location. We are extremely excited about
9 it. The transition went, for the most part, seamless.
10 Thanks to Penny Adams, I think, and Terri Murray on
11 our staff, the transition was great. I actually got
12 on my computer and could make a phone call the day we
13 were moving so that's pretty incredible. And before
14 my desk was even in the office, I was in the corner
15 looking at email. So, I think, that is excellent.

16 We're still working. We invite you all to
17 come by. We'll look at trying to have some kind of
18 event to get you all over there just to see the
19 location and the office in the near future, perhaps in
20 November, right after our Board meeting or have
21 something of that nature just to do that. But the
22 facilities are going well. We've got a few kinks to
23 work out. It was 65 degrees in some of our offices,
24 so a little frigid. But other than that, I think the
25 transition has gone well. We appreciate the Board's

1 support in allowing us to make that transition.

2 A few other items from -- action from our
3 last meeting. You approved new positions for us.
4 Just to update there -- those positions have all been
5 approved in DENR and the state personnel. We hope to
6 have those posted in the next week or so, so that we
7 can move forward with getting those positions hired,
8 on-line and helping us out.

9 With regards to our budget report and
10 contracts, as I mentioned at our last meeting, 95
11 percent of our contracts were out the door and we are
12 still at that number. We had a few more contracts
13 added at the end of June and we're working on those
14 contracts. We have already begun in developing
15 contracts on our acquisition projects for 2008 and
16 we're moving forward with that and we'll have more
17 updated information for you in October.

18 Just as well as our encumbered funds, as of
19 the 2008 -- as of the 9th of this month, we had 95
20 million dollars out the door, 95-and-a-half million
21 dollars out the door that had been encumbered, and
22 then 20 million -- a little over 20 million left to be
23 encumbered for our 2008 cycle. I think that is good
24 news. I think we're moving forward and getting the
25 funds out the door, getting contracts in and getting

1 going on those projects that we had in 2008.

2 With regards to our cash balance, at the end
3 of June, we had 234.5 million dollars in cash balance
4 and then through the months we had two allocations to
5 us from our 100 million dollars to the point of 16.6
6 million dollars and we spent or sent out in invoices
7 13 million dollars, and our ending balance for August
8 was 239 million dollars.

9 Another thing that we're moving forward with
10 is the release of the stewardship funds that we got
11 approved on from the Board in August. We hope, by the
12 next time we meet, we will be cutting checks and
13 getting those back out to our land trust as well.

14 One other administrative item I would like
15 to get some feedback from y'all is with regards to
16 hotel reservations that we make. We're looking and I
17 know that you all make your own reservations now, but
18 we have, in recent time, gotten what we call a
19 "P-card" with regards to our agency. It has, kind of,
20 a credit card that we can use for reservations of
21 rooms. In thinking that it might be easier if we just
22 poll members to see if you are coming to a Board
23 meeting or not and then we can make the reservations
24 for you or to take it off of your list and we would
25 have a better idea of who's made reservations, who's

1 not, and we won't be driving you all crazy with phone
2 calls as we get close to the Board meeting.

3 And what we'll do is we'll look at October
4 and we'll get a -- Penny will get a sign up sheet and
5 get that around to you as we proceed in the meeting.
6 If that's the wish of the Trustees, we'll try that.
7 And, I think, it might just -- it might be better and
8 work out better and take a little burden off of you.
9 So, I don't know whether y'all have any discussion or
10 comment on that. And what we would do is just try to
11 poll members at the previous Board meeting to the next
12 meeting and just get an idea -- thinking that a month
13 out, then you should have a pretty good idea whether
14 you're going to be attending or not. So, is there any
15 questions or consent on that? Just --

16 MR. BADDOUR: Any questions of Richard on
17 that? I assume what you do is that the room would
18 just be billed to your credit card --

19 MR. ROGERS: Yes, sir.

20 MR. BADDOUR: -- and then the members could
21 put theirs forth for incidentals and --

22 MR. ROGERS: That's correct. And what we
23 will do, we'll be able to collect the charge. Rather
24 than having to get reimbursed on it, it won't go on
25 your credit card at all, and we'll just pay it

1 straight up.

2 MR. McGRADY: So this is going to start
3 with the next meeting then?

4 MR. ROGERS: Yes. Yes, sir. We'll send a
5 sign-up sheet as we move along. It's not the end all
6 to be all. You're welcome to give us a call or we'll
7 touch base with you, if you're not sure, and, if
8 you'll just indicate whether yes, no, or undecided,
9 that will give us a way to facilitate that.

10 MR. BADDOUR: Is that okay with everybody?

11 BOARD MEMBERS: (No response.)

12 MR. BADDOUR: Sounds good to me.

13 MS. WESTON: It's great.

14 MR. BADDOUR: Yeah.

15 MR. ROGERS: Good. Finally, just the
16 legislature, they've gone home. We're all excited
17 about that. There is a continuing wastewater study
18 that I mentioned last time that we're involved with.
19 The report that they are pulling together is due in
20 December. They have -- the staff -- we've been
21 working closely with them on developing a program
22 analysis and they'll be submitting that and I'm
23 thinking their committee meeting will be in December
24 at some point. So, we'll see where the committee is
25 planning to go. This is a program evaluation group

1 out of the General Assembly that was set up, I think,
2 in just 2007. And again, they're looking at
3 wastewater issues and the legislation -- their study
4 wants them to look at funding as well. We ain't got a
5 sense that they're looking at funding too much, but
6 more looking at efficiencies and opportunities to have
7 the programs that work with public funding of
8 wastewater systems and how they can work together more
9 efficiently.

10 DR. CAMP: Who's the chair of that?

11 MR. ROGERS: The committee chair is
12 Representative Crawford on the House side and the
13 Senate Chairman has left me right here, but we'll -- I
14 can get that information out to you.

15 DR. CAMP: Okay.

16 MR. ROGERS: It's election time, folks.
17 Things are pretty quiet; not a whole lot of
18 legislative contacts. We've had some -- I think,
19 Senator Snow has called about a ceremony that he wants
20 to have on a project, but other than that, things have
21 been pretty quiet.

22 So, Mr. Chairman, that's my report. If
23 there's any questions, I'll be glad to answer them.

24 MR. BADDOUR: Any questions? Stan.

25 MR. VAUGHN: On the previous item relating

1 to reservations, I would suggest that, maybe, Penny
2 send out an email about a week before the meeting just
3 highlighting who had -- who she's made reservations
4 for so we don't end up either someone not having a
5 reservation --

6 MR. ROGERS: Right.

7 MR. VAUGHN: -- or, more importantly, we
8 have a reservation made that's not -- we have to pay
9 for that's not used.

10 MR. ROGERS: Yeah. We'll be glad to do
11 that. I think that's appropriate. And what we
12 normally do is we block rooms. There's a time where
13 the block goes out. So, that usually puts the
14 pressure on us to make sure that we confirm things.
15 And, I think, it is important to confirm with the
16 Trustees to make sure that the plans are the same.
17 They do change. In case that they're not going to be
18 able to make it, we'll be able to take that room off.
19 Thank you for that suggestion.

20 DR. CAMP: Most definitely agree with
21 him. I have made reservations already.

22 MR. ROGERS: Good.

23 MR. BADDOUR: I think I have, too.

24 MR. ROGERS: Okay. And if you have, just
25 make that -- put that note on the -- and we'll just --

1 we'll try to transition into this and see how it
2 works. Thank you.

3 MR. BADDOUR: Okay. Any other questions
4 or comments?

5 BOARD MEMBERS: (No response.)

6 MR. BADDOUR: All right. We move to
7 Item E, our "Attorney General's Report." Frank, we're
8 glad to have you back with us.

9 MR. CRAWLEY: Thank you, Mr. Chairman.
10 It's a pleasure to report that I have nothing to
11 report on.

12 DR. CAMP: Good report.

13 MR. BADDOUR: Great report.

14 MR. McGRADY: Mr. Chairman, I hate to screw
15 that up, but, at our last meeting, we had a reference
16 to that matter in western North Carolina going to
17 trial --

18 MR. ROGERS: That's true.

19 MR. McGRADY: -- in August. Did that get
20 taken care of? I'm sorry.

21 MR. CRAWLEY: Oh, well, thank you. The
22 matter concerning the intrusion into the --

23 MR. ROGERS: Crawford Creek.

24 MR. CRAWLEY: -- conservation easement.

25 The trial that was set for August was postponed --

1 continued, and they're trying to decide whether to
2 consolidate it with -- another complaint had been
3 filed, so to consolidate the two complaints into a
4 single trial either later in November or December.
5 So, at this point, the matter has yet to be tried and
6 resolved and is still on the pending docket.

7 MR. BADDOUR: Okay. We'll postpone our
8 break to closer to the time rather than the place on
9 the agenda. Next item is "Consideration of the
10 Proposed 2009 Board Meeting Schedule and Locations,"
11 and that is -- I think, was in the packet.

12 MR. ROGERS: It's Item G.

13 MR. BADDOUR: Item G. It was in your
14 packet as Item G. Richard, I'll call on you for that.

15 MR. ROGERS: This just gives you the slate
16 of meetings that we've tentatively put together. As
17 we have done with keeping the same schedule that we
18 did last year with regards to the number of meetings
19 in Raleigh, the time those meetings are in Raleigh,
20 and then trying to do a couple of meetings across the
21 state. The idea this year is to do an eastern meeting
22 in the east, for one, and a meeting in the west. The
23 suggestions that you see before you are simply
24 suggestions. We have not had anything confirmed or
25 moving forward. So, we definitely will take more

1 input. I know that Trustee Beane is interested in
2 moving and switching October and September. I don't
3 think that's a problem with coming out west in
4 September rather than October, and we'll make note of
5 that.

6 MR. BEANE: Coming out west in October --

7 MR. ROGERS: Oh, okay.

8 MR. BEANE: -- rather than September.

9 MR. ROGERS: I'm sorry. I got it
10 backwards.

11 MR. BEANE: Right.

12 MR. ROGERS: Coming out in October rather
13 than September.

14 MR. BEANE: Right.

15 MR. ROGERS: And we'll make that
16 adjustment. Again, these locations are ones that we
17 have identified as potential locations. If we get
18 feedback otherwise, we'll be glad to work with the
19 Trustees on making changes and, otherwise, we'll keep
20 to this schedule that we presented here.

21 Again, the dates that you note, please, get
22 those on your calendar for next year. And, again, in
23 February we're looking to do our retreat at the
24 Washington-Duke. We thought that was a good facility
25 and we'll do it again this year. I'll be glad to take

1 any questions about this and we would ask for your
2 approval for us to move forward with this schedule.

3 MR. BADDOUR: Okay. Ron.

4 MR. BEANE: I just suggested switching
5 those dates, September and October dates, to Richard.
6 I don't know how the other Board members feel about
7 it. Hoping we would have some leaves in October in
8 the west.

9 MR. BADDOUR: Okay. Well, do you want to
10 make a motion that we adopt the proposed meeting
11 locations for 2009 and switch that? Ron, do you want
12 to make that in the form of a motion?

13 MR. BEANE: I would, sir.

14 MR. BADDOUR: Okay.

15 MR. BEANE: I make that a formal motion
16 that we adopt the proposed Board meeting locations for
17 2009 with those amendments.

18 MR. BADDOUR: Okay. Is there a second?

19 DR. CAMP: Second.

20 MR. BADDOUR: The motion is seconded and
21 so Wilmington would be the September 13 and 14 and
22 Morganton, October 11 and 12.

23 MR. ROGERS: And, again, just to note,
24 those locations may change, but we'll be in the
25 western portion of the state and in the eastern

1 portion of the state. So --

2 MR. BADDOUR: Okay. All right. Any

3 discussion?

4 BOARD MEMBERS: (No response.)

5 MR. BADDOUR: Hearing none, so as many as

6 favor the motion, signify by saying "Aye."

7 BOARD MEMBERS: Aye.

8 MR. BADDOUR: Opposed, no?

9 BOARD MEMBERS: (No response.)

10 MR. BADDOUR: The ayes have it. Okay.

11 We'll now go to the "Administrative Committee Report"

12 and call on Committee Co-Chair Weston.

13 MS. WESTON: Yesterday we talked to the

14 committee, basically, about the retreat, and we

15 handed out a schedule for feedback for the western

16 tour, and, boy, did we get a lot of feedback. So, we

17 have -- I think, basically, we'll re-group and, kind

18 of, decide do we want to go west and east in the west

19 or do we want to do, sort of, put it into one general

20 area. The general consensus is they don't want to go

21 on the parkway; it takes too long. Stay on 40 and

22 26. Even last night, when I was trying to have a

23 good time, I got some feedback.

24 MR. ROGERS: Exactly.

25 MS. WESTON: So we opened the door and

1 all the herd came in.

2 You have the retreat dates and I don't know
3 that we have a pass out for the itinerary for western
4 tour, do we?

5 MR. ROGERS: I do.

6 MS. CRAGNOLIN: Question.

7 MR. ROGERS: There's some copies here
8 that we can --

9 MS. WESTON: So if you weren't at the
10 meeting --

11 MR. ROGERS: Did anybody not get it at
12 the meeting yesterday? We'll get those out. Again,
13 it might be void.

14 MS. WESTON: True. Would you read those
15 dates out? I think I left mine. April --

16 MR. ROGERS: April --

17 MR. BADDOUR: April 17 and 18.

18 MS. WESTON: Right.

19 MR. BADDOUR: So please put those on your
20 calendar. That the important --

21 MS. WESTON: Yes, April 17th, 18th and,
22 actually, the 19th, also.

23 MR. BADDOUR: And 19th. Seventeenth (17th),
24 18th and 19th.

25 MS. WESTON: If you'll put those on your

1 calendar -- and once again, Richard and I are
2 certainly open. We are not sensitive to anybody who
3 wants to talk about the western tour. I told him
4 last night, I think, Richard, we plan it, we execute
5 it, we send it out, and two only go on it. You know,
6 that's not democratic. But we might do that anyway.
7 Are there more questions?

8 MR. ROGERS: And just -- Madam Chairman,
9 one thing, I think, we may look back at is I think
10 there's specific sites that people do want to see.
11 And we will put a star on those, I think, as
12 critical, and then we can plan the tour making sure
13 that we hit those important sites that we've heard
14 feedback on. So that might be one approach, if we
15 get any feedback, and let you all tell us what you do
16 want to see in the region. Then we can see if we can
17 do it in a weekend or whether we're going to have to
18 take a couple of weekends -- you know, another ride
19 out west at some other point and it will help us,
20 kind of, determine the route as well. So that might
21 be an approach where we can -- we'll be able to
22 attack it, address the concerns and issues and needs
23 and desire of the Trustees to the best of our benefit
24 and do it that way.

25 MS. WESTSON: As I understood, most of it

1 was, like, Dupont Forest, Chimney Rock, places that
2 really show how that -- some of us have seen but some
3 of us have not seen. And then, I know, the Burn and
4 the Mingo Tract, which is --

5 MR. ROGERS: Yeah.

6 MS. WESTON: -- but most of them are
7 things that show lots of what we've done.

8 Are there any questions?

9 BOARD MEMBERS: (No response.)

10 MS. WESTON: Well, that's my report.

11 MR. BADDOUR: Okay. Now, did you want --
12 also, you have the consideration of potential topics
13 for the February retreat.

14 MS. WESTON: I do. Thank you, Mr.
15 Chairman. What we would like for you to do -- I'll
16 turn part of this over to Richard -- is to talk --
17 send in to Richard or to me topics that you'd like us
18 to discuss at the retreat. I think, last year we had
19 some really good discussions and we've implemented
20 some of the things that the Trustees wanted to have
21 happen. And this year, I think, we've got -- I know
22 Richard has a couple down, but anything that you
23 think would be worthwhile for the whole Board to be,
24 kind of, chewing on at the retreat, please, let us
25 know.

1 MR. BADDOUR: Okay. I don't believe there
2 are any action items, but any questions of the
3 committee or Claudette?

4 BOARD MEMBERS: (No response.)

5 MR. BADDOUR: Hearing none, maybe this is
6 a good time to go ahead and take a break before we
7 get into our "Restoration/Stormwater Committee
8 Report." So, let's take a 10-minute break. Is that
9 okay? Is 10 minutes enough?

10 DR. BRANNON: Sure.

11 MR. BADDOUR: Okay. We'll be at ease for
12 10 minutes.

13 (A break was taken from
14 10:19 a.m. to 10:34 a.m.)

15 MR. BADDOUR: Okay. We now come to the
16 very important part of our agenda, perhaps the most
17 important part of our agenda, is the
18 "Restoration/Stormwater Committee Report," and I
19 believe Co-Chairman Hester, is that right --

20 MR. HESTER: (Nods affirmatively.)

21 MR. BADDOUR: -- is going to make that
22 report?

23 MR. HESTER: Yes, sir. I think that's
24 correct. We met yesterday, as most of you -- and most
25 of you were here. I want to thank Kevin Boyer, who

1 really worked hard on this, and I -- and the staff,
2 they were all ready to go and we had an interesting
3 discussion. What I'd like to do is, first of all,
4 provide to the -- for the record, the recusals. Kevin
5 Markham has one, two, three, four, five and they are
6 2008-710, 2000 -- all of these are 2008 -- 710, 402,
7 816, 818 and 819. Karen Cragolin had two, 2008-422
8 and 701.

9 If any of you have any that I'm not aware
10 of, now would be the time to let me know, if you -- if
11 any of you have any matters about which you need to
12 recuse yourself.

13 BOARD MEMBERS: (No response.)

14 MR. HESTER: Okay. You all have, in
15 front of you, a handout where we approved projects
16 from one to thirty-nine. That total -- as you see,
17 it's a running total there is 12,272,000. What I
18 would like to do -- and then you have a group that we
19 recommended not funding from 40 to 44, and then the
20 last group we deferred until November, and that's from
21 45 to 52. So what I would like to do -- oh, let me
22 also say this. We had one, two, three, four votes
23 that were not unanimous by the committee. In each
24 case, Kevin Markham was the dissenting vote. I've
25 asked him if he wants us to consider any of those

1 separately today so that he can express to the full
2 Board his reservations and he said, "No," that he was
3 satisfied with the committee discussion yesterday and
4 the committee vote yesterday. If Kevin disagrees with
5 that statement, he can tell me now, but --

6 MR. MARKHAM: (Negatively nods.)

7 MR. HESTER: -- so we will not discuss
8 those individually. I am not aware -- with those four
9 resolved, I'm not aware of any particular application
10 that needs to be discussed individually and the
11 slideshow shown to the Board. If there are any
12 Trustees who would like to see a project particularly,
13 now would be the time to let me know, and I'll have
14 the staff give the PowerPoint presentation.

15 BOARD MEMBERS: (No response.)

16 MR. HESTER: Hearing none -- what I'd
17 like to do is read into the record all of those that
18 were approved, 1 through 39, except --

19 MR. BADDOUR: Well, I tell you what, if
20 you'll do this -- if you'll read them all into the
21 record, I'll take care of how we vote on them, when we
22 take a vote. So you just go through all of them.

23 MR. HESTER: That would be great.

24 MR. BADDOUR: Okay.

25 MR. HESTER: Any other help is always

1 nice.

2 MR. BADDOUR: Just go through all of them
3 and we'll take --

4 MR. HESTER: Okay.

5 MR. BADDOUR: -- I think, I'll get it right
6 this time as opposed to the last meeting. I believe I
7 can do it.

8 MR. HESTER: Right on.

9 MR. BADDOUR: Okay.

10 MR. HESTER: I'm happy to allow the Chair
11 to do that.

12 MR. BADDOUR: All right.

13 MR. HESTER: Yeah. Would it be
14 satisfactory, Mr. Chairman, just to read the number?

15 MR. ROGERS: And the amount.

16 MR. BADDOUR: I think you can read the
17 number and the amount and attach the committee report
18 to the minutes and we'll be fine.

19 MR. HESTER: Okay. Let's start with
20 Number 1. It's 2008-406. Let me get the columns --
21 just a minute. Where is it? Here we are. Thank you.
22 Staff recommended to -- okay, right here (indicating).
23 Okay. So here -- here's -- here they are: Number 1,
24 2008-406, committee recommended 740,000;
25 2008-410, 80,000; 2008-704, 204,000;

1 2008-808, 90,000; 2008-810, 25,000;
2 2008-818, 76,000; 2008-702, 219,000;
3 2008-814, 244,000; 2008-708, 2,328,000;
4 2008-813, 103,000; 2008-404, 325,000;
5 2008-412, 303,000; 2008-811, 25,000;
6 2008-409, 152,000; 2008-812, 24,000;
7 2008-820, 168,000; 2008-415, 224,000;
8 2008-709, 545,000; 2008-819, 56,000;
9 2008-403, 253,000; 2008-703, 97,000;
10 2008-413, 476,000; 2008-707, 70,000;
11 2008-710, 750,000; 2008-401, 500,000;
12 2008-815, 162,000; 2008-408, 55,000;
13 2008-417, 1,708,000; 2008-418, 93,000;
14 2008-711, 310,000; 2008-405,420,000;
15 2008-701, 335,000; 2008-809, 50,000;
16 2008-419, 205,000; 2008-420, 374,000;
17 2008-816, 75,000; 2008-402, 136,000;
18 2008-715, 157,000; 2008-422, 115,000. Mr. Chairman,
19 that's the total that we are voting to fund.

20 MR. BADDOUR: You've heard the
21 recommendation of the committee. Now, here's what
22 we'll do. We will now vote on all of the projects
23 that have been recommended by the committee with the
24 exception of those where Kevin and Karen have recused
25 themselves. So, we will vote on everything except

1 2008-710, 402, 816, 818, 819, 422, and 701.

2 Okay. You've heard the -- it's the
3 recommendation of the committee; it does not need a
4 second. Is there any discussion on that motion?

5 BOARD MEMBERS: (No response.)

6 MR. BADDOUR: Hearing none, so as many as
7 favor the motion, signify by saying "Aye."

8 BOARD MEMBERS: Aye.

9 MR. BADDOUR: Opposed, no?

10 BOARD MEMBERS: (No response.)

11 MR. BADDOUR: The ayes have it. Okay.

12 Now, we will go back and vote on the following

13 projects: 2008-710, 2008-402, 2008-816, 2008-818,
14 2008-819, and 2008-710, if I didn't say it before.

15 And the record should show that Trustee Kevin Markham
16 has recused himself and will not be voting on this
17 motion. So you've heard the committee report, it
18 needs no second. Is there any discussion?

19 BOARD MEMBERS: (No response.)

20 MR. BADDOUR: So as many as favor the
21 motion, signify by saying "Aye."

22 BOARD MEMBERS: Aye.

23 MR. BADDOUR: Opposed, no?

24 BOARD MEMBERS: (No response.)

25 MR. BADDOUR: The ayes have it. And now

1 we will vote on the following projects: 2008-422,
2 2008-701. And let the record show that Trustee Karen
3 Cragnolin has recused herself and will now vote on
4 those two projects.

5 You've heard the committee report; it needs
6 no second. Is there any discussion?

7 BOARD MEMBERS: (No response.)

8 MR. BADDOUR: Hearing none, so as many as
9 favor the motion, signify by saying "Aye."

10 BOARD MEMBERS: Aye.

11 MR. BADDOUR: Opposed, no?

12 BOARD MEMBERS: (No response.)

13 MR. BADDOUR: The ayes have it. Mr.
14 Chairman?

15 MR. HESTER: Thank you, Mr. Chairman.
16 The next group on your handout is 40 through 44. The
17 committee recommended not funding those and I'll read
18 those projects -- numbers of those projects:
19 2008-712, 2008-407; 2008-706; 2008-713; and 2008-416.

20 MR. BADDOUR: Okay. Per the committee
21 recommendation, it does not need a second. Is there
22 any discussion?

23 BOARD MEMBERS: (No response.)

24 MR. BADDOUR: Hearing none, so as many as
25 favor the adoption of the recommendation of the

1 committee, signify by saying "Aye."

2 BOARD MEMBERS: Aye.

3 MR. BADDOUR: Opposed, no?

4 BOARD MEMBERS: (No response.)

5 MR. BADDOUR: The ayes have it. Mr.

6 Chairman?

7 MR. HESTER: Thank you, Mr. Chairman.

8 Then lastly, the last group we deferred with some
9 issues that remain outstanding. We'd like to consider
10 those matters in November. I will read those. They
11 are Numbers 42 to 52 and the application numbers are
12 2008-817; 2008-705; 2008-714; 2008-423; 2008-414;
13 2008-424; 2008-421; and 2008-411.

14 MR. BADDOUR: Okay. You've heard the
15 committee recommendation. Is there any discussion?

16 BOARD MEMBERS: (No response.)

17 MR. BADDOUR: The committee recommendation
18 does not need a second. So as many as favor the
19 adoption of the committee recommendation, signify by
20 saying "Aye."

21 BOARD MEMBERS: Aye.

22 MR. BADDOUR: Opposed, no?

23 BOARD MEMBERS: (No response.)

24 MR. BADDOUR: The ayes have it.

25 MR. HESTER: Richard, I'd like to ask you

1 if you wanted to delay this -- our agenda item I-V for
2 today? Do we want --

3 MR. ROGERS: Yes, we can. I -- just to
4 give -- I can give a brief update, if that's all
5 right, with regards to our innovative stormwater RFP,
6 and I will tell you that there's been a whole lot of
7 interest for this RFP. Kevin, along with managing
8 these projects as well, has been taking phone calls
9 and meeting with folks with regards to their interest
10 in participating. So, we're anticipating a good -- a
11 good application pool to consider and we look forward
12 to bringing you that information in the near future
13 but just wanted to give you information that there is
14 a lot of interest in this effort that we're pursuing
15 on innovative stormwater.

16 MR. HESTER: Mr. Chairman, one last thing
17 that's -- because we've had to do the innovative
18 stormwater and Kevin's been involved in that and
19 prepare for this cycle of applications, I'd like to,
20 once again, thank Kevin particularly -- in particular,
21 and the rest of the staff on what they've done. And
22 with that, I appreciate everything, and that would be
23 my report.

24 MR. BADDOUR: Thank you for your work and
25 Co-Chairman Yvonne Brannon and other members of the

1 committee and the staff. I felt like it really went
2 very smoothly today. I think we're, kind of, getting
3 into our stride as to the way that we are doing things
4 now. You know, the idea of going ahead and approving,
5 finally, most of the projects that we're going to deal
6 with, making some final decisions, not to fund some
7 and then, in the appropriate case, holding some open
8 for review in November. The process seems to be
9 working well, but, you know, yesterday there was, I
10 thought, a nice mix of the projects that were
11 presented for review and for presentation and those
12 that we went over. I think the Board members were
13 given ample opportunity to see whatever they wanted to
14 see, but this is a new process, an ongoing process,
15 and I would encourage members to let us know what you
16 like about it and what you don't like about it and,
17 maybe, one of the items, by the way, at the retreat,
18 at least, for a short period of time, ought to be a
19 review of our process, and -- but by that time, we
20 will have gone through one complete cycle doing it the
21 new way. But anyhow, thank everybody who made that a
22 success.

23 Okay. Now, we'll call on the Program
24 Committee for a report and this month that Program
25 Committee was co-chaired by Hollan and Markham dealing

1 with criteria issues and I can't remember who chaired
2 that. Did you do that? Kevin, I believe you did,
3 right?

4 MR. MARKHAM: Thank you, Phil. We had
5 three items on our agenda yesterday, two informational
6 and one that was informational but with an additional
7 action item.

8 First, we discussed the re-formatting of the
9 2009 applications. Nancy Guthrie provided us with an
10 overview of where staff is in the process. Again,
11 this is an informational item. Staff had been re-
12 formatting the applications based on input from the
13 committee and the Board. Under the 2009 cycle, we
14 will be separating the applications so that each of
15 the major funding areas will have a separate
16 application. Staff, this fall, are working on
17 applications for acquisitions, wastewater --
18 restoration and stormwater will still be combined.
19 And they've also started developing an application for
20 greenways.

21 Again, it's important to note that the
22 scoring doesn't change on these. This is just the --
23 an effort by the Board and the staff to become more
24 user friendly. Again, Nancy provided us with a nice
25 overview of the application, an example from the

1 acquisition's. There will be more checking of boxes,
2 more selections from menus for different options on
3 the questions. The applicants will still have the
4 opportunity to provide additional information that
5 doesn't fit a "one size fits all" category. They will
6 be targeting the application to more closely follow
7 our criteria, which will make it easier for the staff
8 and the Board to review. In addition, it's
9 streamlining the process for applicants. The
10 supplemental questions that -- previously, they had to
11 download and do separately -- will now be incorporated
12 directly into the application since each major project
13 type will have it's own separate application. There
14 are also very good instructions that provide linkages
15 for the applicants to follow to obtain information and
16 to look at examples of what it is we're looking for.

17 Again, this was an informational item and I
18 believe the Board -- I mean, the committee was pleased
19 with what we saw and we look forward to seeing the
20 follow-up products that will be posted for the 2009
21 cycle. Thank you.

22 The next item that we discussed were the
23 greenway criteria. Again, as the staff are developing
24 the application for greenways, they were looking for
25 some input from us for clarification. We have been

1 providing input for the past year or so on greenways.
2 I believe that staff, mostly through Nancy, has
3 provided us in the handout under Item J-C that
4 identifies what -- I think, one of the critical things
5 for greenways is defining what a greenway is. And, I
6 guess, the guiding idea is that a greenway is a land-
7 use category: trails, benches, restrooms, parking,
8 and other items like that are facilities. "Greenways
9 are typically defined as linear, vegetated and multi-
10 purpose."

11 For the Board funding, the greenway corridor
12 must be riparian that we do expect a public trail to
13 be built on property. I believe that precipitated a
14 little bit of discussion amongst the Board -- the
15 committee. And as a result, we did, Mr. Chair, have a
16 motion from Bill Hollan to help clarify, I believe,
17 for staff purposes as they continue to develop these
18 criteria. And I'll read them into the record. But I
19 believe the motion was -- was that, based on the
20 legislation, defining these as a system of riparian
21 trials the motion is that "Greenways funded by Clean
22 Water Management Trust Fund are to be riparian." That
23 was seconded by Walter Camp. We also want to make
24 sure that it's noted that that does not preclude
25 applicants for bringing other things to us for

1 consideration, but that we do want our funding to be,
2 primarily, geared towards riparian areas. You know,
3 we certainly encourage applicants to bring linkages to
4 us, potentially as matches, to link riparian areas.

5 So, with that, I believe, would it be
6 appropriate to have the motion before the full Board?

7 MR. BADDOUR: Yeah. Okay. You've heard
8 the recommendation of the committee. I think this is
9 important, because our staff was out talking to
10 applicants and they're beginning to think about the
11 2009 application so -- it does not require a second.
12 Is there any discussion?

13 DR. CAMP: One question, Mr. Chairman.
14 Would it be --

15 MR. BADDOUR: Dr. Camp.

16 DR. CAMP: Would it be applicable to,
17 instead of exacting what distance the greenway trail
18 should be from the stream banks in order to allow for
19 washaways going through it and so forth --

20 MR. ROGERS: If I might, Mr. Chairman, I
21 think that is -- I think that we will get into that
22 discussion as we proceed with the criteria committee.

23 DR. CAMP: Sure.

24 MR. ROGERS: Those details -- here, we're
25 just, kind of, looking for a broad -- trying to get

1 ourselves a broader structure and we'll work on the
2 specific issues with regards to distance and those
3 types of things as we go through --

4 MR. BADDOUR: Yeah.

5 MR. ROGERS: -- this process for
6 developing criteria for greenways.

7 DR. CAMP: Well, that -- that could be
8 inherent in the definition, of course, if you could
9 consider that of a greenway.

10 MR. ROGERS: Yes, sir.

11 DR. CAMP: In terms of our -- how
12 detailed you want to go.

13 MR. BADDOUR: Well, I think, Dr. Camp --

14 DR. CAMP: But that could be --

15 MR. BADDOUR: -- we need to -- maybe even
16 to look at that, we need to get a staff recommendation
17 on that and I think that's an appropriate issue.

18 DR. CAMP: I just wanted it on the
19 table.

20 MR. BADDOUR: Right. Absolutely.

21 MR. ROGERS: I agree.

22 MR. BADDOUR: And there's some other
23 issues, too --

24 DR. CAMP: Yeah.

25 MR. BADDOUR: -- I think we want the Board

1 to, at least, talk about. So -- okay. Any further
2 discussion?

3 BOARD MEMBERS: (No response.)

4 MR. BADDOUR: Hearing none, so as many as
5 favor the adoption of the recommendation of the
6 committee, signify by saying, "Aye."

7 BOARDS MEMBERS: Aye.

8 MR. BADDOUR: Opposed, no?

9 BOARD MEMBERS: (No response.)

10 MR. BADDOUR: The ayes have it.

11 MR. MARKHAM: Okay. Thank you, Mr. Chair.

12 Again, if the full Board will consider the questions
13 and items that were prepared by staff regarding the
14 greenway criteria. Please get your comments or
15 concerns to either Co-Chair Bill Hollan or myself, or
16 to Nancy, as soon as possible. We do want to have
17 this wrapped up in time for the 2009 cycle so that
18 applicants will have this to fill out and that Board
19 staff, and particularly field staff, will have the
20 opportunity to be discussing these specific criteria
21 with applicants.

22 And one further informational item is during
23 a meeting that Co-Chair Bill Hollan and I had with
24 Richard, Tom, Beth and Nancy on August 29th, is we
25 identified several criteria-related issues that we

1 would like to bring forward to the Board for
2 consideration. This has been an on-going process for
3 this committee, but Richard did provide us an overview
4 in our summary yesterday and we would like to begin to
5 identify additional criteria-related issue items that
6 we will want to discuss in our February retreat so
7 that we can begin taking action and resolve them and
8 make appropriate recommendations for the 2010 cycle.

9 With that, I conclude the committee report.

10 MR. BADDOUR: Okay. Thank you very much,
11 Mr. Chairman.

12 Next, on the agenda, is the report of the
13 Acquisition Committee that met this morning. Karen?

14 MS. CRAGNOLIN: Thank you, Mr. Chairman, and
15 thank you to all the people who came an hour early to
16 our meeting this morning. I appreciate your effort
17 to do that. Mr. Chairman, there were no recusals
18 this morning from any discussions and we do have four
19 actions items from the committee.

20 The first one is a clarification. It's
21 Number K-B on your agenda for the Acquisition's
22 Committee this morning. On Greenway Committee grant
23 criteria, we are moving forward and, sort of,
24 tightening up some of the ideas here. And the
25 committee recommended, unanimously, that the buffer

1 be no less than 30 and an average buffer of no less
2 than 50 along project corridors. So, that's a
3 recommendation from the committee, Mr. Chairman.

4 MR. BADDOUR: Okay. You've heard the
5 recommendation of the committee. Is there any
6 discussion?

7 BOARD MEMBERS: (No response.)

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

11 BOARD MEMBERS: Aye.

12 MR. BADDOUR: Opposed, no?

13 BOARD MEMBERS: (No response.)

14 MR. BADDOUR: The ayes have it.

15 MS. CRAGNOLIN: Thank you, Mr. Chairman.

16 The next item we looked at was the Coastal Land Trust,
17 Henry Tract, Turnagain Bay Project, and it's Number
18 2006-8023. And the committee recommended that we go
19 ahead and hire somebody to delineate the wetland area
20 and provide up to \$8,000 for the state property
21 office, Mr. -- I forget the name -- Derrick. Is that
22 his name, Derrick?

23 MR. JONES: Everette Moore.

24 MS. CRAGNOLIN: Everette -- excuse me -- Mr.
25 Moore to do -- order another appraisal, if necessary,

1 to ascertain the value of the property. Thank you,
2 Mr. Chairman. That was a unanimous recommendation
3 from the committee.

4 MR. BADDOUR: Okay.

5 MR. MARKHAM: Mr. Chair?

6 MR. BADDOUR: Kevin.

7 MR. MARKHAM: I was not at the committee
8 meeting for this, but I will be recusing myself from
9 discussion on this project since my firm was involved
10 with the landowner and the developer on this project.

11 MR. BADDOUR: Okay. Well, let the record
12 show Mr. Markham is excuse [sic]-- recused from either
13 discussion or vote on this issue. Is there any
14 further discussion?

15 BOARD MEMBERS: (No response.)

16 MR. BADDOUR: Okay. You've heard the
17 committee recommendation. Is there any further
18 discussion?

19 BOARD MEMBERS: (No response.)

20 MR. BADDOUR: So as many as favor the
21 committee recommendation -- adopting the committee
22 recommendation, signify by saying "Aye."

23 BOARD MEMBERS: Aye.

24 MR. BADDOUR: Opposed, no?

25 BOARD MEMBERS: (No response.)

1 MR. BADDOUR: The ayes have it.

2 MS. CRAGNOLIN: Thank you, Mr. Chairman.

3 The next item was -- really may be a result of some of
4 the discussions we had about Turnagain Bay on the
5 Henry Tract, and that all -- the recommendation was
6 unanimous from the committee -- is that all
7 acquisition projects in excess of half a million
8 dollars would -- we would give the property offers
9 [sic] the right to do a second appraisal, and that the
10 staff will come back with some guidelines for that.
11 Unanimous recommendation from the committee.

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

14 BOARD MEMBERS: (No response.)

15 MR. BADDOUR: So as many as favor the
16 adoption of the committee recommendation, signify by
17 saying "Aye."

18 BOARD MEMBERS: Aye.

19 MR. BADDOUR: Opposed, no?

20 BOARD MEMBERS: (No response.)

21 MR. BADDOUR: The ayes have it.

22 MS. CRAGNOLIN: Thank you, Mr. Chairman.

23 And the next item was a request for a scope
24 modification on application 2007-M005 for the Mountain
25 Land Conservancy and this was a pre-acquisition

1 mini-grant. As it turns out, the -- it is the -- the
2 project has changed considerably and the staff
3 recommends that the scope be modified to allow the
4 monies to be used for actual acquisition rather than
5 for easement, and that was a unanimous recommendation
6 of the committee as well.

7 MR. BADDOUR: Okay. You've heard the
8 committee recommendation. Is there any discussion?

9 BOARD MEMBERS: (No response.)

10 MR. BADDOUR: So as many as favor the
11 adoption of the committee recommendation, signify by
12 saying "Aye."

13 BOARD MEMBERS: Aye.

14 MR. BADDOUR: Opposed, no?

15 BOARD MEMBERS: (No response.)

16 MR. BADDOUR: The ayes have it.

17 MS. CRAGNOLIN: Thank you, Mr. Chairman.
18 That's the end of my report. Thank you.

19 MR. BADDOUR: Okay. All right. At this
20 time, I'll recognize Trustee Beane for a motion.

21 MR. BEANE: Mr. Chairman, I move that
22 this Board go into a closed session for the purpose of
23 considering the qualifications for employment of an
24 employee pursuant to General Statute § 143-318.11.

25 MR. BADDOUR: You've heard the motion.

1 MR. McGRADY: Second.

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

4 BOARD MEMBERS: (No response.)

5 MR. BADDOUR: So as many as favor the
6 motion, signify by saying "Aye."

7 BOARD MEMBERS: Aye.

8 MR. BADDOUR: Opposed, no?

9 BOARD MEMBERS: (No response.)

10 MR. BADDOUR: The ayes have it.

11 (Closed session from
12 11:04 a.m. to 11:40 a.m.)

13 MR. BADDOUR: Okay, folks. The only thing
14 left on the agenda was Item L, "Discussion."
15 Anything any Board member would like to bring to the
16 board?

17 MR. HOLLAN: Mr. Chairman, just one
18 thing.

19 MR. BADDOUR: Yes.

20 MR. HOLLAN: During the wastewater
21 discussions yesterday, I know most everybody was
22 there, but -- I mean, not wastewater, the stormwater
23 discussions yesterday. There was a lot of
24 discussions about innovative projects. I think
25 several of the projects that we approved today

1 without a whole lot of discussion were discussed in
2 great length yesterday and they do include
3 significant innovation, things we've never done
4 before and, I think, they are responsive to the
5 signal that we got from the General Assembly --

6 MR. BADDOUR: Oh, yes.

7 MR. HOLLAN: -- that we ought to look at
8 innovative projects. While you put in place the five
9 million dollar initiative for new projects, there
10 were some projects in this cycle that, I think, would
11 not have been funded but for the emphasis on
12 innovation. I think they're good projects and there
13 will be a lot of good information that's derived from
14 them. So, I just wanted to get that into the
15 permanent record, because it was in a lot of the
16 discussion yesterday.

17 MR. BADDOUR: I thank you for that comment,
18 and, Richard and Lisa, as you do a press release -- I
19 guess, you will talk about these projects?

20 MR. ROGERS: (Nods affirmatively.)

21 MR. BADDOUR: What Bill said, I think, is
22 important and they may be some of the projects that
23 you really want to highlight. I think that would be
24 great to do that. That's an excellent point. Thank
25 you for that. Anybody else?

1 BOARD MEMBERS: (No response.)
2 MR. BADDOUR: And do I hear a motion?
3 MR. BEANE: I move we adjourn.
4 DR. CAMP: Second.
5 MR. BADDOUR: So as many as favor the
6 motion to adjourn, signify by saying, "Aye."
7 BOARD MEMBERS: Aye.
8 MR. BADDOUR: Opposed, no?
9 BOARD MEMBERS: (No response.)
10 MR. BADDOUR: The ayes have it.
11 **(MEETING WAS ADJOURNED AT 11:42 A.M.)**

*Quoted material in this transcript
is verbatim and may/may not
reflect a direct quote.*

