



Land for Maine's Future Program

Minutes of the Meeting

January 30, 2018

32 Blossom Lane, Marquardt Building, Room 118

Augusta, Maine

Board Members Present:

Don Kleiner, Robert Meyers, Lisa Turner, Fred Bucklin, Brad Moll, and Commissioner Chandler Woodcock

Staff Members Present:

Sarah Demers, Tom Miragliuolo, R. Collin Therrien, and Tammara Roberts

Others:

Bethany Atkins, MDIFW
Liz Petruska, DACF BPL
Robert Marvinney, DACF
Karen Tilberg Forest Society of Maine

1. Welcome and Introductions:

Commissioner Chandler Woodcock, announced that Chairman Keliher is not able to attend today's meeting and that Chairman Keliher had appointed Commissioner Woodcock to serve as Chair for this meeting. Acting Chair, Commissioner Woodcock, called the meeting to order at 1:02 pm, welcomed everyone and asked for introductions.

2. Minutes:

Chairman Woodcock asked for a motion to accept November 7 and November 9, 2017 minutes.

Motion: Bob Meyers made the motion to accept the meeting minutes, which was seconded by Don Kleiner. Lisa Turner indicated she had a question about attachment B, it was noted that this wasn't a part of the November meeting minutes and we could address her question when we discuss bond balances and project status.

Acting Chairman Woodcock asked for any discussion by the board. With no discussion and without any objections, the Board's vote was unanimous.

3. Bond Balances -LMF Director:

All 2007 bonds have been expended and will no long be reported on, and all 2009 and 2011 bonds have been sold. The amounts depicted show funds on hand as of December 31, 2017. We have had several projects close or prepared to close in January and you're not seeing the results of those transactions reflected here, but will at the next Board meeting.

Public Law Reference	Designated Purpose of Funds	Authorized Bond Issue	Bonds To Be Sold	Cash Balance
2009, Chapter 645, Sec. J	Conservation & Recreation; Farmland Preservation	6,500,000	0	3,826,716
2009, Chapter 645, Sec. J	Farmland Preservation	1,000,000	0	386,434
2009, Chapter 645, Sec. J	Working Waterfront	1,750,000	0	276,857
<i>Sub-total Public Law 2009, Chapter 645, sec. J</i>		<i>\$9,250,000</i>	<i>\$0</i>	<i>\$4,490,007</i>
2011, Chapter 696	Conservation & Recreation; Farmland Preservation; Working Waterfront	\$5,000,000	\$0	\$3,175,000
Total		\$14,250,000	\$0	\$7,665,007
Water Access Funds - Board Allocation 11/09/2017				
2009 Bond	\$192,500			
2011 Bond	\$307,500			
Total	\$500,000			
Head of Tide Park II	\$50,000			
Pettegrow Point	\$160,000			
Lubec Boat Launch	\$54,000			
Funds Remaining	\$236,000			

Acting Chairman Woodcock asked if there was need for discussion, the Board did not have any questions.

4. Project Allocations & Status – LMF Director:

This information has been updated to show the projects selected by the Board in November as part of LMF Round 9.

Active Projects		Allocations
C&R	17	\$4,274,850
Farmland	2	\$163,000
Water Access	3	\$264,000
Working Waterfront	2	<u>\$421,500</u>
TOTAL	24	\$5,123,350

Projects Closed: Caribou Bog, Crow Island, Ellis River to Whitecap

Staff have been very busy closing out multiple projects in December and January. They have made tremendous progress closing out Round 8 projects so we can be ready for the upcoming Round 9 projects.

Acting Chairman Woodcock asked for comments and questions from the Board.

Sarah to Lisa: This is where we can discuss the correction to the Mirror Lake CE award on Attachment B. Sarah said she sees the error and will correct it to \$500,000.

5. C&R Projects to be Acted On – LMF Staff

A) Lubec Boat Launch, Lubec, Washington County.

1.4+/- acres site to be developed into municipal water access site and boat launch.

- 1.4 acres in fee to be owned by the Town of Lubec.
- To be developed into a much need boat launch.
- Improved safety for those that work and play on the water.
- 500 feet ocean frontage on Johnson's Bay, and frontage on State Route 189 makes it a very visible location. Directly across from the school.
- LMF allocation; \$50,000.

Acting Chairman Woodcock ask Fred to present AOC Committees recommendation: Fred summarized AOC meeting and commented about how well the appraiser presented the appraisal.

AOC Recommendation: Fred Bucklin reported that the Appraisal Oversight Committee met on December 12, 2017, to discuss the Lubec Boat Launch Appraisal. The committee voted in favor (3-0) of supporting the appraiser's value of \$108,000.

Motion: To approve the recommendation of the LMF Appraisal Oversight Committee to accept the appraiser's value of \$108,000. The motion was made by Fred Bucklin and seconded by Don Kleiner. With no discussion or objections, the motion was unanimously approved.

Acting Chairman Woodcock reported that the Public Notice was posted in the Bangor Daily News and Kennebec Journal for the Lubec Boat Launch on January 26, 2018. Staff has not received any written comment prior to this meeting.

Acting Chairman Woodcock asked for public comment from the audience. Seeing none, the Acting Chair asked for a motion to confirm the financial allocation.

Motion: To confirm the total allocation of \$54,000 in LMF Water Access funding to support the fee purchase of Lubec Boat Launch lands, subject to standard LMF conditions. The motion was made by Don Kleiner and seconded by Bob Meyers. With no discussion or objections, the motion was unanimously approved.

Acting Chairman Woodcock announced that we will not be hearing any discussion about the next agenda item, Ragged Mountain – Mirror Lake Conservation Easement at this time, but we will at a future meeting.

6. Board Notification and Approvals – LMF Director

Farm Cove Community Forest – Fourth Machias Lake Ecological Reserve Conservation Easement Assignment to Forest Society of Maine

Sarah presented a summary:

- This was a 2004 LMF project for the fee purchase of 11,748 acres by Downeast Lakes Land Trust (DLLT)
- Immediately after purchase, DLLT granted a working forest easement on 8,188 acres, and an Ecological Reserve easement on 3,560 acres. Both easements were held by New England Forestry Foundation (NEFF).
- In September 2016, the Ecological Reserve CE was transferred to Sweet Water Trust (SWT).

Easement Assignment: DLLT (landowner) and SWT (easement holder) are requesting to assign the Ecological Reserve easement to Forest Society of Maine (FSM). No changes will be made to the CE.

- Boundaries and baseline have been refreshed
- Consent from federal and private funders obtained
- Financial commitment from SWT to FSM for a stewardship endowment now held in escrow pending LMF assignment approval
- FSM Board unanimous vote to approve FSM accepting easement assignment 12/6/2017

Fred Bucklin asked why the transfer is needed.

Karen Tilberg from Forest Society of Maine responded that Sweet Water Trust approached Forest Society of Maine a number of years ago about this assignment. It is her perspective that SWT is getting out of holding easements themselves and offered it to Forest Society of Maine because of their experience. DLLT will still own the property and the easement will be transferred to FSM. No changes will be made to the easement terms.

Don Kleiner clarified that LMF funds aren't changing hands, correct?

Sarah: This is correct. The motion will allow for the LMF Board Chair to sign a Memorandum of Consent to Assignment, with specific requirements for the assignment.

Motion: To accept and consent to the assignment of the Fourth Machias Like Ecological Reserve Conservation Easement to the Forest Society of Maine, and authorize LMF Board Chair to sign a Memorandum of Consent once all LMF legal and due diligence requirements have been met. The motion was made by Lisa Turner and seconded by Don Kleiner. With no discussion or objections to the motion, the vote was unanimous.

7. Access Improvement Grants – LMF Director & Contractor

Sarah directed the Board to Attachment F in their Board packet and noted that contractor Liz Petruska is here to give a summary of progress completed on 2017 access improvement grants.

Lisa inquired on progress to date on the Cold Stream Forest project access improvements Liz reported that she is waiting to hear from the regional land manager to determine if the improvements are complete, or if there is more to do this summer.

Staff have asked the Board whether they would like to appoint a subcommittee to review upcoming 2018 access improvement grants, or would they prefer to have the contractor and LMF staff review the applications and provide a summary and recommendations to the Board? Previously there was a subcommittee that reviewed access grants. We can continue that regiment, or we could have staff review and contractor review proposals and they would report back to this board for a vote of approval.

Fred Bucklin recalled the discussion at the end pf the last round that access grants could be reviewed by staff and recommendations brought back to the board.

Acting Chairman Woodcock queried whether this was a motion, and Fred replied that it was a motion. The motion was seconded by Brad Moll.

Motion as clarified by Acting Chair: To allow LMF staff and contractor to review access improvement grants and come back to the board with recommendations for acceptance and funding.

Comments from the Board:

Lisa Turner: We had discussed the last time that there would be a dollar value threshold, with staff reviewing and making recommendations on anything under \$5,000, and a subcommittee reviewing and making recommendations on anything over \$5,000.

Acting Chairman Woodcock clarified Lisa's comment and confirmed that she was offering this as an amendment to the motion. Acting Chairman Woodcock asked for a second to the amendment, seeing none, the amendment failed.

Acting Chairman Woodcock asked for a vote on the standing motion which passed with 3 in favor of Staff reviewing and reporting back to Board and 2 opposed (Turner, Kleiner).

Acting Chairman Woodcock directed staff to please keep Lisa's suggestion in mind when reviewing and reporting back to the board.

Fred Bucklin suggested that there is an item he'd like to add to a future Board agenda regarding the date or age of appraisals. As real estate markets change from, values can increase or decrease over time and it's important that the Board is making decisions on current information.

Sarah: We have policy for requirements in the LMF workbook. We can review present policy at a future meeting and discuss possible changes.

Fred: We need to start someplace and it isn't a yay or nay on this subject.

Acting Chairman Woodcock: Think reviewing policy is an important point, but it isn't an agenda item for us today. Are you comfortable with this Fred?

Fred: What I am asking is if it could be put on future agenda.

Acting Chairmen Woodcock: I believe Sarah has just added it.

8. Staff Updates

Sarah reported that there are no updates, however, one thing that came into the office that could be shared at a future meeting if there is interest are the reports from the Maine Historic Preservation Commission on closed LMF projects. MHPC reviews and prioritizes projects that have been closed for their inventories. There are statues in place that give them the authority to conduct inventories on LMF properties. She didn't bring the reports in, but will at the next meeting for anyone interested in reviewing them.

Acting Chairmen Woodcock thanked the Board for their efficiency in getting through the agenda and acknowledged that sometimes the agenda items change as is the case for us today, with an item to be held for another meeting. These meetings are necessary for discussion and keeping projects progressing toward closing.

The acting Chair asked for a motion to adjourn. The motion was made by Don Kleiner and seconded by Lisa Turner with all in favor.