



Transcript of the Testimony of **CWMTF**

Date: September 13, 2017

Case: Clean Water Management Trust Fund Board of
Trustees Meeting

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CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES

NORTH CAROLINA MEETING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Wednesday, September 13, 2017, 2:12 p.m.

Reported by Regina Toppins

1 TRUSTEE KICKLER: Good afternoon, everybody.
2 Welcome to the Clean Water Management Trust Fund Board
3 Meeting. The date is September 13. It's a little
4 past 2 p.m., and we are in the William G. Ross
5 Conference Center located on 121 West Jones Street,
6 Raleigh, North Carolina, and, particularly, at the
7 Nature Research Center on the 4th floor Conference
8 Room.

9 I want to thank everybody for being here
10 today, for Trustees in attendance, in person and by
11 phone, and for the members of the public who are with
12 us today. While I remain Chair of the Clean Water
13 Management Trust Fund before we have a swearing in of
14 the new appointments, I'd like to say a few words.

15 First of all, it's been a privilege to serve
16 as Chairman of the Clean Water Management Trust Fund.
17 I've enjoyed getting to know the Trustees, I've
18 enjoyed getting to know the staff. I want to tell the
19 staff that I appreciate them humoring me sometimes
20 when I have random thoughts about how this particular
21 conservation project reminds me of a certain
22 philosopher's sayings or something to that effect.
23 So, I appreciate that very much, but it has been a joy
24 to work with fellow Trustees and with staff and with
25 our partners as well. We've done a lot of good work

1 as a board.

2 While I've been Chair, we established a new
3 criteria during a busy transition time a few years ago
4 for Clean Water Trustees and for staff. We did it. I
5 won't name the list, but such things as writing the
6 criteria, updating the bylaws, policy provisions and
7 new policies, and all of this was done, and that's
8 just three examples of many things that were
9 accomplished. And all of this is working to conserve
10 a state that I call home. And one of the efforts that
11 I've tried to do as Chair is just try to get a
12 conversation started for people taking a more
13 comprehensive view of our state of what Clean Water
14 Management Trust Fund does and trying not to
15 compartmentalize it much. For instance, one of the
16 things I enjoy is when I'm at historic sites, I like
17 to think about the natural heritage values, I like to
18 think about the recreation, is it possible to build
19 trails here on this site. So, when I'm at a natural
20 heritage site, I think back, is this what it looked
21 like 400 years ago I wonder. And so, there's an
22 intersection among all these things.

23 So, I've tried in my discussions, I've tried
24 to foster at least that type of conversation. But as
25 I said, I've enjoyed. I won't belabor or take anymore

1 time from the meeting, but I've enjoyed working with
2 staff, Trustees. I'd like to say I also look forward
3 to serving on the board just in another capacity.

4 So, at this time I would turn over to
5 Executive Director, Walter Clark, who will tell us
6 about the next item on the agenda, which is the
7 swearing in of the Trustees.

8 MR. CLARK: Well, thank you, Trustee
9 Kickler.

10 (APPLAUSE.)

11 I'm sure everybody on the staff, current
12 Trustees and people in the audience value the
13 contribution that you brought to this board, and we
14 all appreciate and thank you for it.

15 Today's a day of change. We will be
16 swearing in some new -- a new trustee, a new Chair of
17 this board and some reappointments. And we're very
18 lucky today to have Judge Robert Orr join us.

19 Judge Orr, would you like to come up front
20 with me?

21 JUDGE ORR: Sure.

22 MR. CLARK: As I said earlier, we're very
23 honored to have Robert Orr, who's a retired Supreme
24 Court Justice here today to swear in these people.
25 Robert Orr has a long history in conservation, I think

1 most of you realize that, so it's a particular honor
2 that you're here to swear these people in in their
3 role in preserving the natural and cultural heritage
4 of our state. Thank you, Bob.

5 JUDGE ORR: Thank you, Walter. And I'm
6 delighted to have this opportunity.

7 Before I do the honors for your new
8 Chairman, let me thank all of the board members and
9 staff for the incredible job you do in promoting and
10 assisting in the clean water effort in North Carolina.
11 There are a lot of important boards and commissions in
12 state government. Candidly, I can't think of one
13 that's more important to the long-term welfare of this
14 state than clean water, and I appreciate, as I know so
15 many people do, your service as board members and
16 staff as your work in making it happen. And I've
17 taken my swearing in instructions from Walter, who I
18 should congratulate on his new job as executive
19 director.

20 We talked about whether you would
21 demonstrate your short-term memory by repeating after
22 me, or whether I would simply read the oath and at the
23 end you would say, "I do," and that's what Walter
24 suggested.

25 CHAIRWOMAN CAWOOD: I think that's lovely.

1 You know I could do it the other way.

2 MR. CLARK: I know, I know.

3 JUDGE ORR: You can either hold the bible,
4 or place your left hand, which ever is more
5 comfortable for you.

6 Do you, Greer Cawood, solemnly swear that
7 you will support and maintain the Constitution and
8 laws of the United States, and do you solemnly and
9 sincerely swear that you will be faithful and bear
10 true allegiance to the State of North Carolina and to
11 the constitutional powers and authorities which are or
12 may be established for the government thereof; and
13 that you will endeavor to support, maintain and defend
14 the constitution and laws of said state, not
15 inconsistent with the Constitution of the United
16 States, to the best of your knowledge and ability; and
17 do swear that you will well and truly and faithfully
18 execute and discharge the duties of your office as
19 Chairman of the Clean Water Management Trust Fund
20 Board of Trustees according to the best of your skill
21 and ability according to law so help you God?

22 CHAIRWOMAN CAWOOD: I will.

23 JUDGE ORR: Congratulations.

24 (APPLAUSE.)

25 And I actually forgot to tell her to raise

1 her right hand, but the oath is still valid.

2 Congratulations.

3 All right, so next John Wilson, the new
4 appointee. And I'm excited that John is joining the
5 board. We had the pleasure of serving together on the
6 Conservation Trust of North Carolina as Board of
7 Directors.

8 You ready to take the oath, sir?

9 TRUSTEE WILSON: I am.

10 JUDGE ORR: Do you, John Wilson, solemnly
11 swear that you will support and maintain the
12 Constitution and laws of the United States, and do you
13 solemnly and sincerely swear that you will be faithful
14 and bear true allegiance to the State of North
15 Carolina and to the constitutional powers and
16 authorities which are or may be established for the
17 government thereof; and that you will endeavor to
18 support, maintain and defend the constitution and laws
19 of said state, not inconsistent with the Constitution
20 of the United States, to the best of your knowledge
21 and ability; and do you swear that you will well and
22 truly and faithfully execute and discharge the duties
23 of your office as a Trustee of the Clean Water
24 Management Trust Fund Board of Trustees according to
25 the best of your skill and ability according to law so

1 help you God?

2 TRUSTEE WILSON: I do.

3 JUDGE ORR: Congratulations.

4 (APPLAUSE.)

5 Troy being a historian has actually brought
6 his own family bible for this. Put that over there.
7 Delighted that Troy was reappointed. He's been a good
8 friend, and I know has served admirably as Chairman.

9 So, you ready to take the oath?

10 TRUSTEE KICKLER: Yes, sir.

11 JUDGE ORR: Raise your right hand.

12 Do you, Troy Kickler, solemnly swear that
13 you will support and maintain the Constitution and
14 laws of the United States, and do you solemnly and
15 sincerely swear that you will be faithful and bear
16 true allegiance to the State of North Carolina and to
17 the constitutional powers and authority which are or
18 may be established for the government thereof; and
19 that you will endeavor to support, maintain and defend
20 the constitution and laws of said state, not
21 inconsistent with the Constitution of the United
22 States, to the best of your knowledge and ability; and
23 do you swear that you will well, truly and faithfully
24 execute and discharge the duties of your office as the
25 Trustee of the Clean Water Management Trust Fund Board

1 of Trustees according to the best of your skill and
2 ability according to law so help you God?

3 TRUSTEE TICKLER: I will.

4 JUDGE ORR: Congratulations.

5 (APPLAUSE.)

6 Robin. I'm sure Troy wouldn't mind if you
7 use the family bible.

8 Do you, Robin Hackney, solemnly swear that
9 you will support and maintain the constitution and
10 laws of the United States, and do you solemnly and
11 sincerely swear that you will be faithful and bear
12 true allegiance to the State of North Carolina and to
13 the constitutional powers and authorities which are or
14 may be established for the government thereof; and
15 that you will endeavor to support, maintain and defend
16 the constitution and laws of said state, not
17 inconsistent with the Constitution of the United
18 States, to the best of your knowledge and ability; and
19 do you swear that you will well, truly and faithfully
20 execute and discharge the duties of your office as a
21 Trustee of the Clean Water Management Trust Fund Board
22 of Trustees according to the best of your skill and
23 ability according to law so help you God?

24 TRUSTEE HACKNEY: I will.

25 JUDGE ORR: Congratulations.

1 (APPLAUSE.)

2 JUDGE ORR: I take some special pleasure in
3 administering the oath to Renee. I grew up in
4 Hendersonville and feel like I'm the native, but
5 Renee's lived there for 40 years, which is longer than
6 I lived there, so you're the native of Hendersonville.

7 So, place your left hand on the bible and
8 raise your right hand.

9 Do you, Renee Kumor, solemnly swear that you
10 will support and maintain the constitution and laws of
11 the United States, and do you solemnly and sincerely
12 swear that you will be faithful and bear true
13 allegiance to the State of North Carolina and to the
14 constitutional powers and authorities which are or may
15 be established for the government thereof; and that
16 you will endeavor to support, maintain and defend the
17 constitution and laws of said state, not inconsistent
18 with the Constitution of the United States, to the
19 best of your knowledge and ability; and do you swear
20 that you will well, truly and faithfully execute and
21 discharge the duties of your office as a Trustee of
22 the Clean Water Management Trust Fund Board of
23 Trustees according to the best of your skill and
24 ability according to law so help you God?

25 TRUSTEE KUMOR: I will.

1 JUDGE ORR: Congratulations.

2 TRUSTEE KUMOR: Thank you.

3 (APPLAUSE.)

4 JUDGE ORR: Did that do it, Walter?

5 MR. CLARK: That does it.

6 JUDGE ORR: Thank you very much. Good luck
7 and good work and keep it up.

8 (APPLAUSE.)

9 CHAIRWOMAN CAWOOD: All right, we will
10 continue the meeting with a roll call.

11 Troy Kickler?

12 TRUSTEE KICKLER: Present.

13 CHAIRWOMAN CAWOOD: Frank Bragg?

14 TRUSTEE BRAGG: Present.

15 CHAIRWOMAN CAWOOD: Fred Dufour?

16 TRUSTEE DUFOUR: Present. (Telephonically.)

17 CHAIRWOMAN CAWOOD: Robin Hackney?

18 TRUSTEE HACKNEY: Present.

19 CHAIRWOMAN CAWOOD: Renee Kumor?

20 TRUSTEE KUMOR: Present.

21 CHAIRWOMAN CAWOOD: Charles Vines? He was
22 hoping to join us via phone, but due to weather issues
23 in the western part of the state must not be able to.

24 So, John Wilson?

25 TRUSTEE WILSON: Present.

1 CHAIRWOMAN CAWOOD: Wonderful. And we do
2 have a forum and wanted to remind our members of the
3 public we're very glad you're here, and we like to
4 make note of who is present, so please make sure you
5 sign the papers out front to keep Terri happy.

6 So, next in compliance with General Statute
7 138A-15, which mandates that the Chair inquires as to
8 whether any Trustee knows of any conflict of interest
9 or the appearance of a conflict of interest with
10 respect to matters on the agenda; and if any Trustee
11 knows of a conflict of interest or the appearance of a
12 conflict of interest, please state so at this time.

13 TRUSTEE KICKLER: Madame Chair, I have two
14 items that I need to recuse myself on acquisition
15 items, and that is Application ID 2017-055, Salmon
16 Creek Initiative, and then the other one is 2017-016,
17 and that's support Raleigh, Roanoke Island
18 application.

19 CHAIRWOMAN CAWOOD: Thank you. And then I
20 need to recuse myself from Project Number 2017-073.
21 Are there any other recusals?

22 TRUSTEE WILSON: Yes, I have a conflict on
23 2017-054.

24

25 CHAIRWOMAN CAWOOD: Thank you, everyone.

1 Just a reminder to please make sure your
2 cell phones are on vibrate or turned off, and I'll
3 next ask if there are any revisions, additions to the
4 agenda?

5 If not, then I move for adoption.

6 TRUSTEE: So moved.

7 TRUSTEE KUMOR: Second.

8 CHAIRWOMAN CAWOOD: All in favor?

9 TRUSTEES: Aye.

10 CHAIRWOMAN CAWOOD: Great, and then we'll
11 move to the consent agenda and request approval of the
12 amendments from the 2017 board member -- board
13 meeting. Do I have a motion?

14 TRUSTEE KUMOR: So moved.

15 TRUSTEE: Second.

16 CHAIRWOMAN CAWOOD: All in favor?

17 TRUSTEES: Aye.

18 CHAIRWOMAN CAWOOD: And, then, Consent
19 Agenda B is request to extend the date to enter into a
20 construction contract for an existing grant. And,
21 Steve, we have the information that he's provided in
22 the packet.

23 MR. BEVINGTON: I'd be happy to answer any
24 questions in the three projects that for good cause
25 are not yet under construction contract. All three of

1 those projects are on a new tract that seems
2 appropriate for the scope of their projects, but I can
3 answer any specific questions you have about these
4 three projects.

5 TRUSTEE KUMOR: Chairwoman, I move that we
6 approve the request for these projects.

7 TRUSTEE: Second.

8 CHAIRWOMAN CAWOOD: All those in favor?

9 TRUSTEES: Aye.

10 CHAIRWOMAN CAWOOD: Next, we will next move
11 for a legal update from our counsel.

12 MR. FORDHAM: I really don't have anything
13 specific to talk about. If there's questions about
14 anything that anybody has on their minds, I'd be happy
15 to welcome on some obscure topic of law.

16 CHAIRWOMAN CAWOOD: Or we can move right
17 along to Executive Director's update. Thank you, Hank
18 for not doing that.

19 MR. WALTER: I just want to start off by
20 saying it's a real honor to be here. This is my first
21 acquisition sort of board meeting. I did come to the
22 board meeting and participated as Director in the June
23 meeting, but this is a privilege and an honor to serve
24 this group of trustees, the people of North Carolina
25 as well as, almost as important as anybody, the staff

1 because I think anybody who's been through the
2 presentations the last day and a half would appreciate
3 the work that has gone into those presentations, and
4 it's all not me, it's the staff. So, thank you all
5 very, very much.

6 There's some people in the audience that I
7 wanted to recognize. Representatives from the Town of
8 Valdese whose project was presented yesterday and
9 discussed and really received lots of compliments.
10 So, thank you all for coming, as well as, you know,
11 thank you to the other people in the environmental and
12 conservation community that are in the audience. And
13 I'd be remiss if I didn't thank the North Carolina
14 Legislature for funding this program because if they
15 didn't, we wouldn't be here today.

16 So, you know, one comment in addition to
17 thanking the legislature is to say about three -- I
18 guess it was about three months ago the staff took a
19 field retreat, retreat to the mountains to discuss all
20 the projects that were 2017 applications. We spent
21 two days looking into about 130 applications, and, you
22 know, I was truly amazed by the need in this state for
23 projects, and also amazed at how many of these good
24 projects we can't fund. And I think you as the
25 Trustees have wrestled with that in the last day and a

1 half by looking at all these projects, the good work
2 that they did and the fact that we can't fund
3 everything. So, I'm hoping that this year I can work
4 with the trustees and the legislature to maybe
5 increase our funding so we can go further down these
6 lists and fund more projects that are important to the
7 State of North Carolina.

8 Of course you know, to build that support
9 really requires an outreach effort to the constituency
10 of the state, and I think one of the things that we as
11 Clean Water can do, and you can't ever do this good
12 enough, but that is to reach out to the people we
13 serve and be sure that they know about the projects
14 that we're funding and have them speak on our behalf
15 to support our work because that's where the real
16 power is. People have to speak and have to support
17 us. I know internally we're helping get the word out.
18 Maybe we'll be rolling out a new website that will
19 highlight a lot of our work sort of on the front page.

20 And also to those of you who are applicants,
21 I hope you will find it much easier to use our grant
22 management system to track applications and report
23 them because I think that's important. We want to
24 serve that client group as best we can.

25 I'm also going to be working pretty closely

1 with the department public relations person to be sure
2 that we get good press releases out about our work.
3 We have had two meetings already with those folks in
4 the department and they've committed to help us get
5 the word out about our projects and the good work we
6 do.

7 As Greer has mentioned and the Trustees have
8 mentioned, over the last two days after this board
9 meeting I think there will be reflection time for the
10 staff and the Trustees to look at our funding criteria
11 and our whole idea of caps on projects from a pros and
12 cons perspective to see whether or not we need to make
13 some changes. It's always a process of evolution and
14 I think it's time to reflect again, and we'll have a
15 few months to do that and see what maybe needs to be
16 done.

17 So, I welcome the Trustees' participation in
18 that. As you know, you've got a great staff to help
19 guide that, and I'm just glad to be here and honored
20 to serve. Thank you very much.

21 CHAIRWOMAN CAWOOD: And to add onto Walter's
22 comments about as we look at the criteria and as we
23 kind of take a period of reflection, we also welcome
24 our partners to provide input to staff and to Trustees
25 of things that they see. So know y'all are a part of

1 the process to ensure that we get this just right
2 because what we want to be doing is funding the most
3 important projects for North Carolinians.

4 So, to move next to public comments, would
5 like to open up and the public is invited to make
6 comments to the Board of Trustees. And you'd be
7 limited to three minutes each, but anyone who would
8 like to make a comment, we welcome you up to the
9 podium so everybody can hear you, please.

10 MS. HEIDI: Good afternoon, my name is Beth
11 Heidi. Oh, I'm sorry, you may not have been able to
12 hear me. My name is Beth Heidi, and I'm from Valdese,
13 North Carolina, and I'm president and founder of the
14 Friends of the Valdese Rec. We started two and a half
15 years ago when our parks and rec director, Doug
16 Knight, told me there was some land for sale down on
17 Lake Road that might make a good park. And I wanted
18 to thank the Board and the staff for having the Clean
19 Water Management Trust Fund available because our
20 first meeting was trying to meet with Crescent
21 Properties/Duke Energy where I thought they might give
22 us a big break on the price and we'd just be sailing
23 right along, and that didn't happen, but, thankfully,
24 you guys are here. And it gave us hope because when I
25 started looking at the land for a park, I thought it

1 was just going to be a short drive for folks like me
2 to be able to get out and bike and hike and kayak, but
3 once we started to working on the project, I learned
4 about conservation and how we need to protect our
5 drinking water and the Carolina crayfish, all of that
6 needs to be protected, and that all our citizens need
7 a stay-cation. But most importantly, this project
8 ended up being a way to save Valdese. Like, we've
9 lost our textile industry, we've lost a lot of jobs,
10 so this is a way to bring something back to Valdese as
11 far as tourism, new people to live there, a higher
12 educated work force with everything we need.

13 So, I know you still have to vote, but I
14 appreciate you considering us. I appreciate you
15 having Damon. He's like just become one of us, and
16 I'm always so happy when Damon comes to Valdese
17 because I didn't get on the land, we can't, you know,
18 I don't own it yet, but if Damon's coming, we have an
19 excuse to go walk around. And he's been really
20 helpful. And I don't know if you call it
21 hand-holding. For me it was because I don't know
22 what's going on, but he's there to say here's what you
23 need to do and here's what's going to make it great.

24 And I appreciate you guys understanding
25 recreation. I thought this was about we got to buy

1 some land and not ever touch it; that you get
2 recreation is important; that we need to be out on the
3 land and looking at the river and enjoying it. So
4 thank you, thank you.

5 MR. KNIGHT: You guys can tell it's really
6 hard to get her excited about something. She has been
7 a great asset to our department. My name is Doug
8 Knight. I'm the Parks and Recreation Director, and it
9 was a good day when we were able to get Beth to join
10 arms with us to help us get this project going. I'd
11 also like to thank Damon. He's been a real
12 instrumental part of getting this together. He's
13 given us a lot of good help and instruction on what we
14 need to do to get this to happen. And we're a little
15 bit out of order here I think because you haven't
16 really done the approval yet, but in advance, if you
17 do approve this, we'd like to thank you for that. So,
18 thanks a lot.

19 (APPLAUSE.)

20 CHAIRWOMAN CAWOOD: All right, well, we will
21 close the public comment section and move on to old
22 business. And before we start, on the consideration
23 of the Committee's work, just wanted to make sure
24 everyone knows the total of funds which we were able
25 to work from.

1 Acquisitions funds, we had \$15,308,704; for
2 Restoration, we had 3,605,159, and for Innovative
3 Storm Water, we had 895,039 and change, just to put it
4 in perspective.

5 So, as we talk about the Acquisition
6 Committee's work, on today September 12th we make the
7 following recommendations:

8 We recommend that \$58,322 of unspent funds
9 that have been set aside in September 2016 for donated
10 minigrant projects become available to fund 2017
11 acquisition project applications.

12 We, the Committee, also recommends that
13 \$150,000 be available from acquisition funds for
14 donated minigrant projects to be funded between 2017
15 and 2018.

16 And so, people understand what that is,
17 basically we are not setting aside money for donated
18 minigrants just in case there are unspent funds like
19 there were this year, we are just making sure that
20 funds are available. If those requests come in, the
21 same amount will be able to be funded.

22 Third, the Committee recommends that the
23 following projects be funded from the \$1,883,107
24 appropriation set aside for military buffer projects
25 in the amount set forth below. And all members of the

1 Committee have this information so I will read the
2 item numbers, which are 1, 2, 3, and 4.

3 Also, the Committee recommends that 2017-53
4 the TNC, Three Steps Forest will be partially funded
5 with available funding allocated for military buffered
6 projects. And that it will be first on the
7 provisional list to be fully funded when additional
8 revenue becomes available.

9 In addition to that project, the two
10 projects after that, which were line items 6 and 7,
11 are placed on the provisional list if additional
12 funding becomes available. And normally we end up
13 having provisional funds available from projects that
14 are expected to go through and just, you know, things
15 happen, these are active projects, and so, moneys
16 become available. So, the committee is hope -- well,
17 believes that all of those projects will be funded.

18 Next, the Committee recommends that a
19 funding cap of \$1.2 million per project be applied to
20 the remaining 2017 acquisition awards. And I will
21 need to recuse myself on the next item and ask for
22 Trustee Bragg.

23 TRUSTEE BRAGG: The recommendation comes
24 from the Committee for Item Number 2017-073, which is
25 the PLC - North Property, Historic Bethania. Comes

1 with the recommendation that we adopt and fund that
2 project in the amount of \$93,195.

3 Did I read that okay?

4 CHAIRWOMAN CAWOOD: You did great.

5 The Committee recommends that the following
6 project be funded up to the amount set forth below.
7 Trustee Tickler is recused from this discussion and
8 vote, and it is Item 2013-016.

9 In addition, the Committee recommends that
10 the following projects be funded up to the amounts set
11 forth below. And Trustees have this information,
12 which will be this line item starting 2017-024, the
13 Hobgood Tract, through 2017-025 the ERA - Iski Tract,
14 Eno River.

15 And the Committee recommends that the
16 2017-067 TNC Riegel Ridge be partially funded with
17 available funding; that it will be third on the
18 provisional list to be fully funded when additional
19 revenue becomes available. And just so folks know,
20 this is the other military buffer project that I --
21 no. Strike that, I apologize.

22 Then, also the Committee recommends
23 additional funds available to acquisition projects
24 prior to July 1st, 2017 be allocated to the following
25 projects, in the order listed, subject to a cap of

1 \$1.2 million per project. And, again, Trustees have
2 this information, and it is projects 2017-053 through
3 2017-068.

4 And also, just so the record reflects that,
5 Trustee Kickler is also recusing himself from one of
6 the first projects that I mentioned, the 2017-055
7 military buffer project, Salmon Creek.

8 So, since this comes from the Committee,
9 just need a second. If I could have a motion to
10 approve all of the items except for the three where
11 trustees need to recuse themselves.

12 I'm sorry, yes, before we move on to that,
13 if there is any discussion, as you know Acquisition
14 Committee spent a number of hours yesterday, had great
15 presentations from the staff on, you know, really
16 amazing, amazing projects that were brought before us.
17 And want to thank as our executive director did, you
18 know, our partners, both our state partners, the land
19 trust, our municipalities and counties who work so
20 hard to bring these great projects before us. We wish
21 we had unlimited funds to be able to fund them all,
22 but we don't, so we had to make those hard decisions.

23 Any other discussion? And I want to confirm
24 that the court reporter does have the document that
25 I'm speaking from so she has all of the information.

1 COURT REPORTER: Yes.

2 CHAIRWOMAN CAWOOD: Thank you, and thank you
3 for being here.

4 COURT REPORTER: Oh, you're quite welcome.
5 It's my pleasure.

6 CHAIRWOMAN CAWOOD: The Report of
7 Acquisition Committee held September 12, 2017.

8 COURT REPORTER: Yes.

9 CHAIRWOMAN CAWOOD: Thank you for that.
10 And so, looking for a motion to approve this
11 report, taking out the three recusal issues which are
12 for Trustee Kickler, 2017-055 and 2017-016, and my
13 recusal, which is 2017-073.

14 TRUSTEE WILSON: A comment on items 1 and 1
15 pertaining to the donated minigrant projects. As we
16 recommend that 150,000 be available for donated
17 minigrants, I think we should remind ourselves how
18 important the conservation tax credit was to inspiring
19 people to make those donations of land and easements,
20 and just as Walter talked about, how important it is
21 for us to all work hard to try to increase funding for
22 the Clean Water Management Trust Fund and other
23 funding resources, I think it's important to work hard
24 to have the conservation tax credit restored because
25 it was very important and very effective and

1 beneficial to people in a lot of ways.

2 CHAIRWOMAN CAWOOD: Thank you, Trustee
3 Wilson.

4 Other comments?

5 So we'll entertain the motion. Motion to
6 approve, with those exceptions?

7 TRUSTEE KUMOR: So moved.

8 TRUSTEE: Second.

9 CHAIRWOMAN CAWOOD: All in favor?

10 TRUSTEES: Aye.

11 CHAIRWOMAN CAWOOD: Any opposed? Okay, the
12 Ayes have it.

13 And then we will move for approval of
14 Project Number 2017-055.

15 TRUSTEE KUMOR: I make that motion.

16 CHAIRWOMAN CAWOOD: Thank you.

17 TRUSTEE HACKNEY: Second.

18 CHAIRWOMAN CAWOOD: All in favor?

19 TRUSTEES: Aye.

20 CHAIRWOMAN CAWOOD: Great. Any opposed?
21 Thank you.

22 And Troy did recuse himself from that issue.

23 And then we have 2017-16. Do I have a
24 motion?

25 TRUSTEE BRAGG: So moved.

1 TRUSTEE KUMOR: Second.

2 CHAIRWOMAN CAWOOD: All in favor say Aye.

3 TRUSTEES: Aye.

4 CHAIRWOMAN CAWOOD: Any opposed?

5 And, again, Trustee Tickler recused himself.

6 TRUSTEE KUMOR: Madame Chairwoman, would you
7 like me to make the motion that we approve Project 073
8 for which you are recused?

9 CHAIRWOMAN CAWOOD: Thank you.

10 TRUSTEE BRAGG: Are you trying to take my
11 job?

12 TRUSTEE KUMOR: I'm learning it on the road.

13 TRUSTEE BRAGG: Go ahead.

14 2017-073 I believe, Renee, that was your
15 motion if you want to second that.

16 All in favor say Aye.

17 TRUSTEES: Aye.

18 TRUSTEE BRAGG: Motion carried.

19 I do note our Trustee Cawood recused herself
20 from that vote.

21 CHAIRWOMAN CAWOOD: Great.

22 Well, that concludes the business of the
23 Acquisition Committee, and we will now move on to
24 consideration of the Stream Restoration and Innovative
25 Storm Water Committee funding recommendations. And if

1 I can step back one second and thank our Trustees that
2 worked on the Acquisition Funding Committee. We
3 luckily had Trustee Dufour in person here with us and
4 Trustee Bragg, and I appreciate the input that we got
5 from our soon to be trustee at that point, Trustee
6 Wilson, in those discussions. So, appreciate
7 everyone's great, great input.

8 So, now I will pass it along, and before I
9 do that, thank Chair Kumar for leading that
10 Committee's work and the great input of Trustee
11 Hackney and Kickler.

12 TRUSTEE KUMOR: Thank you very much, Madame
13 Chair. Our first recommendation or promotion we
14 approved for funding the seven planning applications,
15 and they are: 802, 807, 805 and 806, 801, 808 and
16 804, and those are presented to you to be funded.

17 CHAIRWOMAN CAWOOD: And, Trustee Kumor, can
18 you also let it be known that this information the
19 court reporter has?

20 TRUSTEE KUMOR: I would. The court reporter
21 has a copy of our recommendations?

22 COURT REPORTER: Yes, ma'am.

23 CHAIRWOMAN CAWOOD: So, you've heard the
24 Committee's recommendations that these planning
25 projects be funded and the amount set forth. Is there

1 any discussion? If not, we'll entertain a motion in
2 the vote.

3 TRUSTEE HACKNEY: So moved.

4 TRUSTEE BRAGG: Second.

5 CHAIRWOMAN CAWOOD: All in favor, Aye.

6 TRUSTEES: Aye.

7 TRUSTEE DUFOUR: Aye.

8 CHAIRWOMAN CAWOOD: Thank you, Fred.

9 Those opposed.

10 TRUSTEE KUMOR: Our next recommendation that
11 our Restoration funding, we cap our grant request to
12 500,000, our funding award to \$500,000 per award.

13 CHAIRWOMAN CAWOOD: Great, and we've heard
14 the Committee's recommendation.

15 Any discussion? All in favor?

16 TRUSTEES: Aye.

17 CHAIRWOMAN CAWOOD: Any opposed?

18 TRUSTEE KUMOR: Our next recommendation is
19 that we fund the following nine restoration projects
20 to be funded up, and not to exceed our cap, and they
21 are Projects 2017-401, 420, 403, 407, 402, 404, 411,
22 406 and 422 from 2016-422.

23 CHAIRWOMAN CAWOOD: Okay, we've heard the
24 Committee's recommendation be funded. Any discussion?
25 All those in favor?

1 TRUSTEES: Aye.

2 CHAIRWOMAN CAWOOD: Any opposed?

3 TRUSTEE KUMOR: Madame Chairwoman, I wanted
4 to explain to you that at this point the Committee
5 chose to change some of the recommendations from staff
6 for provisional funding because we felt that it was
7 important especially for Project 2017-409 that we had
8 invested in that project in the past, and we felt
9 withholding funding to that project would lose us the
10 ground that we had gained. And it was important with
11 regard to this remediation for Hydrilla that we
12 continue with the process to keep going forward
13 because that's not something that happens once, it's
14 something that has to happen over a span of several
15 treatments. So, we moved that project up from where
16 it had been listed in our presentation from staff.
17 And as you'll see, we then reordered. We're bringing
18 forward then the recommendations of 2017-409,
19 2017-414, 408, 415, 425, 410 and 405. It's our
20 recommendation that these be provisionally funded as
21 funds become available and funded in that order.

22 CHAIRWOMAN CAWOOD: Great. We've heard the
23 Committee's recommendation, and those are also subject
24 to the cap of \$500,000 per project and the order of
25 the score.

1 Is there any further discussion? All those
2 in favor?

3 TRUSTEES: Aye.

4 CHAIRWOMAN CAWOOD: Any opposed?

5 TRUSTEE KUMOR: As you recall, this
6 Committee instead of people dealing with one massive
7 issue as you acquisition people do, we have three
8 separate possibilities that we deal with. So we've
9 already dealt with our planning funds and planning
10 applications and with our restoration fund, and we
11 also have an additional program where we --

12 CHAIRWOMAN CAWOOD: Trustee Kumor, can you
13 hold on one quick second, we have a legal question to
14 resolve.

15 From our previous, and thank you for having
16 the legal counsel that we have to watch after us, if
17 the court reporter will note from the report on
18 Restoration Innovative StormWater Committee -
19 September, 2017 document there are just a couple of
20 word changes. One, it's seven restoration projects,
21 not six, and also the last line should read: In this
22 order, not in order of score. So, in this order.

23 Excuse me, Trustee Kumor.

24 TRUSTEE KUMOR: Our last project, group of
25 projects are considered in Innovative StormWater

1 projects, and we have, are recommending five projects
2 to be funded in their amounts there: 2017-1009, 1005,
3 1006, 1007, 1004. And we recommend these be funded in
4 the amounts set forth.

5 CHAIRWOMAN CAWOOD: Great. You've heard the
6 Committee's recommendation. Is there any discussion?
7 If not, all in favor?

8 TRUSTEES: Aye.

9 CHAIRWOMAN CAWOOD: Any opposed?

10 TRUSTEE KUMOR: And our final recommendation
11 is that should more funds be available under
12 Innovative StormWater projects, we recommend that
13 project 2017-101 and 103 be funded in the order
14 presented below.

15 CHAIRWOMAN CAWOOD: And, Trustee Kumor,
16 1003?

17 TRUSTEE KUMOR: Yes.

18 CHAIRWOMAN CAWOOD: Wonderful. Okay, you've
19 heard the Committee's recommendation.

20 And, again, for the court reporter, above it
21 should be in that order instead of above in that order
22 of score, please. Thank you.

23 All in favor?

24 TRUSTEES: Aye.

25 CHAIRWOMAN CAWOOD: Any opposed? Okay,

1 that's approved, perfect.

2 And if we could take about a five-minute
3 break and then reconvene and finish our business, that
4 would be great.

5 (RECESS TAKEN FROM 3:00 P.M. TO 3:11 P.M.)

6 CHAIRWOMAN CAWOOD: Great. Well, everyone,
7 we can convene back. Great, and to just conclude our
8 old business, I would accept a motion to amend the
9 previous action taken by the first vote in Item 10 on
10 the sheet entitled Report of Acquisition Committee
11 held September 12th, 2017 and amended in the following
12 manner: To insert projects 2017-69 and 2017-63; the
13 projects 2017-053 and 2017-057.

14 TRUSTEE KUMOR: So moved.

15 TRUSTEE HACKNEY: Second.

16 CHAIRWOMAN CAWOOD: All in favor?

17 TRUSTEES: Aye.

18 CHAIRWOMAN CAWOOD: Wonderful.

19 Thank y'all, and that concludes our old
20 business and we can move on to new business. And,
21 Will, I think you're on tap to lead us through the
22 Tater Hill Preserve request.

23 MR. SUMMER: I am, thank you very much.

24 Okay, the North Carolina Department of
25 Agriculture and Consumer Services Plant Conservation

1 program has made a dedicated member request to this
2 board. And since I'm not a field rep, this will be my
3 own only pretty picture through our whole
4 presentation. That's Gray's lily we'll talk about a
5 little bit later.

6 A little bit of background on this request.
7 In 2014 the board approved a request from the plant
8 conservation program to fund transaction costs for a
9 boundary adjustment of the Tater Hill Plant
10 Conservation Preserves. Now, what staff and board
11 didn't realize or contemplate when they approved that
12 was that this specific parcel that was affected by
13 this boundary adjustment was actually dedicated per
14 the Natural Heritage Trust Fund Grant in 2005. Per
15 the Clean Water Conservation Agreement Amendment
16 Policy, all the things that would have gone before the
17 previous Natural Heritage Trust Fund Board are kind of
18 rolled into our jurisdiction so that any amendment
19 that would have gone to that board now comes to our
20 board for our consideration. So that's why this
21 conservation amendment is coming to this board.

22 So, the existing conditions on this, and
23 I'll bring up a map in the next slide, but,
24 essentially, adjacent to the Tater Hill Preserve there
25 are two parcels owned by Roger and Karen Miller. They

1 have deed access to get through the preserve to get to
2 each of those two parcels and at present only one of
3 these rights has been exercised. So, there's a road
4 going through the preserve to get to one parcel, the
5 other still has no road going, but there's the right
6 existing to get to that road. So, the Plant
7 Conservation Program would like to prevent the need to
8 construct that other road and has negotiated a land
9 swap with that adjacent landowner.

10 So, here's the lay of the land as it is
11 today. The area that's crosshatched in green is the
12 current preserve boundary. This parcel right here is
13 one of the parcels owned by Roger and Karen Miller,
14 and there's one in pink is another parcel one owned by
15 Roger and Karen Miller. As you can see on this map,
16 there is an existing access road going through the
17 preserve coming to the first of the two Miller
18 parcels.

19 Now, as I mentioned, they do have the right
20 to bring this road on through the preserve to access
21 their second parcel. It is the land manager's
22 preference not to have that happen, so they have
23 negotiated a land swap whereby Roger and Karen Miller
24 will give this two-acre piece of property to the Plant
25 Conservation Program in exchange for this area in

1 blue, which is exactly two acres. The red dots on
2 this are flowering plants, which means they were
3 confirmed as Gray's lily. The blue dots were not
4 flowering plants, which means they could be Gray's
5 lily or they could be less rare, less threatened
6 version of the lily. So, you can see there are three
7 of the flowering, identified flowering stems on the
8 parcel that would be traded if this were approved, and
9 two confirmed on the other parcel as well as several
10 others that are unknown at this point.

11 So, their request is simply to de-dedicate
12 two acres of existing preserve in order to permit a
13 two-acre land swap with the adjacent landowner. So in
14 looking at the existing and proposed swap the size is
15 the same in two acres. On the existing two acres
16 there are impacts, an access road and pond totalling
17 about 15% of the property. The proposed trade is
18 un-impacted. As I mentioned, there are three
19 confirmed Gray's lilies on the one that's existing and
20 two on the one that would be traded; however, I will
21 note that these, at least two of these are very close
22 to the road that that landowner has the right to
23 maintain and that puts them in kind of a perilous
24 position.

25 The natural heritage area on the existing

1 B-ranked Rich Cove Forest, which is good, B-ranked is
2 good. On the proposed, however, that area is A-ranked
3 High Elevation Red Oak Forest, which is excellent,
4 which means of the High Elevation Red Oak Forests that
5 are out there, this is among the better specimens.

6 Another point, again, is if we continue with
7 existing conditions, there will be construction of an
8 additional road across the preserve, and if we do the
9 proposed swap, there will be no more roads constructed
10 on the preserve.

11 So, all that said I'm going to kind of
12 remind you of the pertinent points of the policy that
13 the board adopted in reference to conservation
14 agreement amendments. This amendment, because it is
15 not of a utility or a public road type, must meet all
16 of these said six requirements laid out in the policy:
17 That it clearly preserve the public interest, have a
18 beneficial effect of conservation values, not result
19 in private benefit other than the benefit inherent to
20 the conservation agreement; be consistent with the
21 conservation purposes intent to easement, be
22 consistent with the documented intent of the donors or
23 other grantors.

24 In this case all funding came from the
25 Natural Heritage Trust Fund, so there's only one party

1 and we represent it. And demonstrate that no
2 practical alternatives exist and that the impact is
3 minimized. I believe these six parts, but there are a
4 few other points of the policy to consider. In
5 another part of the policy it basically specifies that
6 any swap favor the fund at three to one. However, it
7 also says in the policy that although this policy sets
8 forth certain guidelines and procedures, nothing
9 herein should be deemed the sole and absolute
10 discretion of the Board of Trustees.

11 I say all that to say that in this
12 particular case it's not the landowner who's coming to
13 us and requesting this, it's the land manager who's
14 responsible for protecting these resources that we
15 gave them the grant funds to begin with, and is saying
16 I can better protect these if you allow us to do this
17 swap. So, it's not the sort of -- well, let me back
18 up and say that in the interest of the resource I
19 think this would be a -- perhaps a better arrangement
20 to allow the swap to go forward.

21 So, with all that said this is the board
22 action needed, and I will take any questions about
23 this property or this policy. And if anything's
24 specific about the plant is asked, I've got a botanist
25 in the peanut gallery.

1 TRUSTEE KUMOR: Will, what you're saying is
2 that under the original set of preservation they still
3 had access or they didn't have access under that in
4 that right-of-way to their property?

5 MR. SUMMER: They do. So, the Millers have
6 deeded access to both of those and that's --

7 TRUSTEE KUMOR: And so, what they'd be doing
8 is in their swap they're giving up that other
9 right-of-way?

10 MR. SUMMER: They're giving up this project
11 and, therefore, the need for --

12 TRUSTEE KUMOR: That right-of-way.

13 MR. SUMMER: The right-of-way to get to it,
14 yes.

15 TRUSTEE KUMOR: So, even though the blue
16 piece is under some sort of protection, there's still
17 a roadway going through it?

18 MR. SUMMER: Exactly, yes.

19 TRUSTEE WILSON: Can you go to the 3/1 side?

20 MR. SUMMER: Sure.

21 TRUSTEE WILSON: Okay, thanks.

22 TRUSTEE KUMOR: So, I'm guessing the Millers
23 don't want to give us all the property?

24 CHAIRWOMAN CAWOOD: Especially when they're
25 not asking for the change.

1 TRUSTEE BRAGG: Greer, they are not asking
2 for the swap. The Millers have agreed to it, but that
3 was not the origin of the request; is that right?

4 MR. SUMMER: That's correct. The Plant
5 Conservation Program issued it.

6 TRUSTEE BRAGG: So we don't really have any
7 leverage to ask them would you do a covenant on the
8 loan to own a building of a 1500 square foot house or
9 something?

10 MR. SUMMER: I think as it sits, they are
11 already restricted to a maximum of two dwellings
12 anyhow, but I don't know other than that what other
13 restrictions we might be in a position to mandate.

14 TRUSTEE KUMOR: I mean we can't really do
15 anything to that right-of-way. They have the
16 right-of-way. They can get on their property no
17 matter what.

18 MR. SUMMER: Yes.

19 MR. FORDHAM: Is there anything in the
20 document that gives them the right-of-way that needs
21 to be amended to make it clear they can't use it for
22 some other property?

23 MR. SUMMER: I would be happy to -- I've got
24 a copy of it with me, I'd be happy to give it to you
25 after this.

1 MR. FORDHAM: So, you could add to the
2 motion just that any additional documents necessary to
3 be signed that cause the current rights not to be
4 applicable to other properties. I didn't say that
5 very well.

6 MR. SUMMER: No, I understand exactly what
7 you mean.

8 TRUSTEE BRAGG: Extinguish.

9 MR. SUMMER: Extinguish any further access
10 across the preserve.

11 MR. FORDHAM: Because do they own any other
12 properties other than the ones shown on the right?

13 MR. SUMMER: I don't believe so.

14 MR. FORDHAM: Somebody else owns the little
15 corner?

16 MR. SUMMER: I do know that it's different
17 landowners both here and here.

18 MR. FORDHAM: That's why they would have go
19 across the preserve to get to the pink parcel?

20 MR. SUMMER: But to your point, I don't know
21 if the Millers have some other property.

22 MR. FORDHAM: We should just make sure that
23 instrument can't be used for something else.

24 MR. SUMMER: You and I can go over it just
25 to make sure. I don't know if it specifically

1 identifies these two parcels as the ones for which
2 access easement is, but I do have it with me so we can
3 certainly confirm that.

4 MR. FORDHAM: Okay.

5 TRUSTEE KUMOR: Well, essentially, they have
6 -- that property is essentially theirs to use anyway
7 because of that right-of-way, isn't it?

8 MR. SUMMER: Um-hmm.

9 TRUSTEE BRAGG: Will?

10 MR. SUMMER: Yes, sir.

11 TRUSTEE BRAGG: Have you walked the property
12 and looked at the parcels and feel comfortable that
13 this is the right thing?

14 MR. SUMMER: I have not, however, one of the
15 Natural Heritage Program field botanists Wesley Gnapp
16 did, and I asked him of this particular proposal if he
17 felt like it was beneficial to conservation values to
18 do this swap and he said yes.

19 TRUSTEE BRAGG: Okay.

20 CHAIRWOMAN CAWOOD: Any further discussion?

21 TRUSTEE KUMOR: Madame Chairwoman, I'd like
22 to make a motion that we honor the request and
23 dedicate the two acres of the existing nature preserve
24 in exchange for a dedication of the two acres on the
25 adjacent parcel.

1 And it's to my understanding this isn't done
2 yet, the dedication.

3 MR. SUMMER: No, this is the first step, and
4 I'd be happy to tell you the full process if you'd
5 like.

6 TRUSTEE KUMOR: Okay, because it makes me
7 nervous and then it not happen.

8 MR. SUMMER: So, this is step one. The next
9 step will be to go by the Natural Heritage Advisory
10 Committee. They advise the Natural Heritage Program
11 on dedications and de-dedication. Then there's a
12 public comment period, and then it must go to Counsel
13 of State, and then it would be amended, dedicated
14 amended.

15 TRUSTEE KUMOR: But the Millers, the
16 property owners, are agreeing to all of this?

17 MR. SUMMER: Yes, it's my understanding that
18 they have agreed to what the Plant Conservation sent
19 to us.

20 TRUSTEE KUMOR: Then I make my motion.

21 TRUSTEE BRAGG: Maybe adding to the motion
22 that subject to the proper procedure and to absolutely
23 extinguish the existing right-of-way.

24 TRUSTEE KUMOR: There you go. Thank you,
25 Frank, I like that.

1 CHAIRWOMAN CAWOOD: We have a motion; is
2 there a second?

3 TRUSTEE HACKNEY: Second.

4 CHAIRWOMAN CAWOOD: All in favor say Aye.

5 TRUSTEES: Aye.

6 CHAIRWOMAN CAWOOD: Any opposed? Great,
7 approved.

8 Thank you, Will, for working on that for us.
9 And next we will move Nancy to the Catawba Lands
10 Conservancy, Holly Tract, and that is grant contract
11 amendment request.

12 MS. GUTHRIE: Thank you. And this request
13 will be familiar to most of you. You've seen this
14 project a few times. In November 2015 the board
15 approved \$1,019,000 to purchase and feed 260 acres by
16 the Catawba Lands Conservancy, and that would have
17 been purchased from the White Water Center outside of
18 Charlotte.

19 While the Catawba Lands Conservancy was
20 working with the owner, they came back with a
21 different proposal in March of 2016 to revise the
22 scope of work and purchase 41 acres in fee simple and
23 then purchase an easement on at least 132 acres. And
24 at that point in March 2016 you all did approve that
25 amendment to the scheduled work. However, throughout

1 the next year continuing to work on the project that
2 option was no longer viable. That included some work
3 with the neighboring landowner who changed their mind
4 on the project, and the White Water Center had to go
5 back and really relook at their lands and their
6 situation and what they wanted to do with this
7 project.

8 So, in June of this year you all heard a
9 proposal to revise the scope of work to purchase an
10 easement on up to the 189 acres. And you may recall
11 that that was not really well-defined where those
12 acres were or how the value of that would be
13 determined. So, in June you all did not take an
14 action on that proposal, but you asked that throughout
15 the summer Catawba Lands Conservancy keep working on
16 this project and come back with a much more solid
17 revision proposal and so they have that now. And the
18 proposal in front of you now will be to revise the
19 scope of work to purchase an easement on 192 acres.

20 And show you the original proposal is on the
21 left. The proposal in front of you now is on the
22 right. You can see really it's the southwest corner
23 that will have no restriction on it. At this point
24 that is really to kind of allow some lands there for
25 the White Water Center to develop if they need in the

1 future. And then the remaining property mostly will
2 be under a conservation easement.

3 The project, the budget will remain the
4 same. Clean water will provide funding up to a
5 million dollars for the acquisition of the easement,
6 and then 19,000 for transactional costs, and there is
7 still a 50% match on the value of the land. Here's
8 just a summary to let you see how the project has
9 changed from the original award to what was approved
10 in 2016 and now the proposed revision in front of you.
11 So, in each one the match is coming from a donated
12 bargain sale. The cost of the conservation easement
13 at this point, you know, it has been established
14 firmly by State Property Office and that allows the
15 calculation of how many acres will be under the
16 conservation easement. The land will remain in the
17 ownership of the National White Water Center. The
18 easement will be held by Catawba Lands Conservancy,
19 and that is consistent with other properties in this
20 area that will or may become part of the Carolina
21 Thread Trail.

22 Through all of these changes the score does
23 not change, and that's really the number of acres is
24 not calculated in a score, and so, that has been what
25 has been moving around so much in this project. The

1 award request stays the same. The matching funds
2 percentage has always remained the same. The public
3 access using the Carolina Thread Trail is still part
4 of this project, and the resource protection, backup,
5 to here you can see clean water's main interest is
6 really that stream and the natural heritage area
7 that's running through the middle of the property,
8 that is still protected. So, that nets us with the
9 score remaining the same throughout all of these
10 changes.

11 And I will take any questions you have on
12 it. Otherwise, I'll let you discuss if you're ready
13 to make a decision on this proposal.

14 TRUSTEE KUMOR: They've never received any
15 money from us yet?

16 MS. GUTHRIE: Not yet. There is a contract
17 in place, but we have not paid any funds from that.

18 CHAIRWOMAN CAWOOD: Nancy, I see this as
19 another example, and we talked about it with Damon
20 with the Valdese project, but, Nancy, you're really
21 working with our partner and trying to help them get
22 what they need to and get to the right answer as it
23 relates to the conserving of land. So, thank you for
24 all the time and help you've given them and us getting
25 to this place.

1 MS. GUTHRIE: Chairwoman, I should add that
2 the restrictions in the easement are consistent with
3 the clean water easement. They have asked for trails
4 which were in the original request that also ask for a
5 two platforms and a covered shelter. Again, those
6 have not changed significantly by taking out that
7 southwest corner from any restrictions. That is where
8 they have agreed to remove any recreation that may be
9 developed as part of the White Water Center.

10 So, just wanted to make sure you realize the
11 easement is very much in line with the standard
12 restrictive easement share.

13 CHAIRWOMAN CAWOOD: Any other questions?

14 TRUSTEE BRAGG: Greer, I would like to.
15 Nancy, I want to thank you for this much too. I'm
16 very, very familiar with this project. Those of you
17 who have not been to the White Water Center, it's a
18 huge venture, 501C3, but it's had a long, rough
19 history and has stabilized finally. But the county
20 owned the land and leased it. Now the land is owned
21 by the 501C3 and this part of the property. And I'm
22 sorry I can't tell you, but it's over a thousand acres
23 involved in this whole project. And this part of it
24 that is the trail is going to go through is pristine
25 head water along the creek. And Mecklenburg County

1 doesn't have a lot of pristine head waters anywhere.

2 So, I would like to encourage Trustees to
3 support this by Nancy.

4 CHAIRWOMAN CAWOOD: Do I have a motion to
5 approve? Sounds like it. Do you have a second?

6 TRUSTEE: Second.

7 CHAIRWOMAN CAWOOD: Wonderful. All in favor
8 say Aye.

9 TRUSTEES: Aye.

10 TRUSTEE DUFOUR: Aye.

11 CHAIRWOMAN CAWOOD: Thank you, Trustee
12 Dufour. It is approved.

13 Well, that concludes our new business.

14 Is there anything else that the Trustees
15 would like to bring before the board before we
16 adjourn?

17 TRUSTEE DUFOUR: None for me.

18 CHAIRWOMAN CAWOOD: Thank you for being with
19 us. We appreciate it.

20 TRUSTEE DUFOUR: You're welcome.

21 CHAIRWOMAN CAWOOD: All right, then, we are
22 adjourned.

23 (THE MEETING ADJOURNED AT 3:34 P.M.)

24

25

1 STATE OF NORTH CAROLINA

2 COUNTY OF DURHAM

3

4 REPORTER'S CERTIFICATE

5 I, Regina Toppins, a court reporter and Notary
6 Public in and for the State of North Carolina, do hereby
7 affirm that the foregoing pages contain a verbatim
8 transcription of the above-captioned proceedings and
9 have been transcribed to the best of my ability and
10 understanding;

11 I further affirm that I am not related to any of
12 the parties to this action; that I am not interested in
13 the outcome of this case; that I am not of counsel nor
14 in the employ of any of the parties to this action.

15 IN WITNESS WHEREOF, I have hereto set my hand,
16 this the 13th day of September, 2017.

17

18

19

Regina Toppins, Notary Public
Notary Number: 200626300019

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