

MINUTES
VIRGINIA OUTDOORS FOUNDATION (VOF)
BOARD OF TRUSTEES MEETING
HENRICO, VA
February 9, 2017

Attendees

Board Members

Steph Ridder, Chair
Viola Baskerville
Eleanor Brown
Elizabeth Obenshain, Chair, Preservation Trust
Fund Committee
John Richardson
Tom Slater, Chair, Energy and Infrastructure
Committee
Brent Thompson

Consultant

Rich Mahevich, Office of the Attorney General

Guests included:

Those who spoke during public comments (see list under section)
Brian Wilson
Greg Park
Roberta Zwier, Conservation Fund
Heather Richards, Conservation Fund
Robert Hare, Dominion Power
David Whitehurst, Game and Inland Fisheries
Ellen Shepherd, Virginia's United Land Trusts
Molly Plautz, Dominion Resource Services, Inc.
Kate Wofford, Shenandoah Valley Network
Rex Linville, Piedmont Environmental Council
Brooks Smith, Troutman Sanders
Miranda Yost, Troutman Sanders

Staff

Brett Glymph, Executive Director
Sara Brooks, Human Resources Manager
Bobbie Cabibbo, Executive Assistant
Anna Chisholm, Director of Administration
Brian Fuller, Assistant Director - Stewardship
Leslie Grayson, Deputy Director – Policy & Acquisitions
Harry Hibbitts – Assistant Director - Stewardship
Martha Little – Deputy Director - Stewardship
Jason McGarvey, Communications & Outreach Manager
Dave Morton, IT Manager
Amanda Scheps, Owned Lands Manager
Estie Thomas, Easement Manager
Tamara Vance, Deputy Director - Easements

Ms. Ridder recognized Mr. David Whitehurst, who welcomed the audience and trustees to Department of Game and Inland Fisheries.

A motion was made by Mr. Slater to approve the order of business; motion seconded by Ms. Obenshain and passed unanimously.

The Chair, Ms. Ridder opened the meeting and remarked with that there is no group of individuals that works harder than the VOF staff to protect easements, including those affected by the proposed Atlantic Coast Pipeline (ACP). VOF has done everything it can to stop the pipeline project; we objected to FERC in writing, in 2014, March 2015, April 2016, and again in September 2016 saying the ACP should avoid open space easements and that has been the VOF position throughout this process. We (VOF) are NOT the final decider, FERC is and the attention and comments should be directed to them. We can only object, we cannot stop the pipeline. Many easements have been avoided and where they cannot be avoided, VOF has insisted on

minimizing the impact. Ms. Ridder reminded the attendees that the trustees are still listening but ultimately the decision does not rest with VOF.

Ms. Ridder then opened the floor to public comments at 10:05 am. The following people spoke during this period.

Jim Kibler	Ward Burton	Christopher Miller
Terrell Bowers	Lynn Cameron	Natalie Slate
John Snoddy	John Cowden	Bill Pearsall
Morgan Butler	Ellen Ford	Malcolm Cameron
Rex Linville	Richard Brooke	Gary Robinson
David Perry	Carlton Ballowe	Evan Johns
Megan Cupka	William Limpert	Philip Knopp
Wendy Kendrick	David Johnson	Nancy Sorrells
Susan McSwain	Lucile Miller	Jeff Stapes
Vivian Giles	Michael Godfrey	Parker Agelasto
Madeline Abbitt	Tracy Pyles	Peter Agelasto
Ryan Hodges	Hill Wellford	Betsy Agelasto
Mary Hodges	Laura Greenleaf	Read Charlten
Steven VanLear	Glenn Hirsh	Gayle Mills
Nikki Rovner	Kirk Bowers	George Ohrstrom

AFFECTED LANDOWNER COMMENTS

The following people identified themselves as landowners with VOF held open space easements affected by the Atlantic Coast Pipeline:

Mr. Chuck Burke and via video: Mr. Revercomb, Mr. and Mrs. Bright and Mr. Berry.

Ms. Brown made a motion:

I move that the Board go into a closed meeting pursuant to Section 2.2-3711.A.3 and Section 2.2-3711.A.7 of the Code of Virginia for

1. discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board with respect to Atlantic Coast Pipeline and the Mountain Valley Pipeline conversion applications under 10.1-1704 of the Code of Virginia; and
2. for consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiation or litigating posture of the public body, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding the Atlantic Coast Pipeline Project and associated applications of the Atlantic Coast Pipeline under the 10.1-1704 of the Code of Virginia;

This closed meeting will be attended only by members of the Board. However, pursuant to Section 2.2-3712 (F), the Board requests counsel, the Executive Director, the Deputy Director of Owned Lands, Policy and Acquisition, the Deputy Director of Stewardship, the Assistant Directors of Stewardship, Communications Manager and the Executive Assistant to attend this meeting, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.

Ms. Obenshain seconded the motion and it passed unanimously.

Bobbie Cabibbo read the Certification of the Closed Meeting

WHEREAS, The Board of Trustees conducted a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

Roll Call Vote

Madam Chair: Aye

Mr. Slater: Aye

Ms. Obenshain: Aye

Ms. Brown: Aye

Mr. Thompson: Aye

Ms. Baskerville: Aye

Mr. Richardson: Aye

PRESENTATION BY THE ATLANTIC COAST PIPELINE ON CONVERSION OF OPEN SPACE EASEMENTS

Molly Plautz, Brian Wilson and Greg Park narrated a presentation that is on file with the permanent record of this meeting including a transcript of the video testimonies. The presentation outlined Atlantic Coast Pipelines process and plans for crossing the 10 VOF easement properties that are addressed in the 1704 applications.

Roberta Zwier of the Conservation Fund narrated a presentation on the properties referred to as Hayfields and Rockfish River Parcel. The presentation is on file with the permanent record of this meeting.

VOF STAFF PRESENTATION

Martha Little provided an overview of VOF's work on the ACP, VOF's engagement with regulatory agencies, landowners and stakeholders and the 1704 process. Harry Hibbitts and Brian Fuller gave detailed presentations on the impacts to the 10 easement properties proposed to be crossed by the Atlantic Coast Pipeline and on the conservation values of the proposed substitute property. David Whitehurst of DGIF also spoke on the Hayfields Farm property and its significant conservation and public access values. These presentations are on file with the permanent record of this meeting.

CLOSED SESSION

Ms. Brown made a motion:

"I move that the Board go into a closed meeting pursuant to Section 2.2-3711.A.3 and Section 2.2-3711.A.7 of the Code of Virginia for

1. discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board with respect to Atlantic Coast Pipeline and the Mountain Valley Pipeline conversion applications under 10.1-1704 of the Code of Virginia; and
2. for consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiation or litigating posture of the public body, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding the Atlantic Coast Pipeline Project and associated applications of the Atlantic Coast Pipeline under the 10.1-1704 of the Code of Virginia;

This closed meeting will be attended only by members of the Board. However, pursuant to Section 2.2-3712 (F), the Board requests counsel, the Executive Director, the Deputy Director of Owned Lands, Policy and Acquisition, the Deputy Director of Stewardship, the Assistant Directors of Stewardship, Communications Manager and the Executive Assistant to attend this meeting, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.”

Mr. Thompson seconded the motion and it passed unanimously.

When the meeting reconvened Bobbie Cabibbo read the Certification of the Closed Meeting:

“WHEREAS, The Board of Trustees conducted a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;
NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.”

Roll Call Vote

Madam Chair: Aye
Mr. Slater: Aye
Ms. Obenshain: Aye
Ms. Brown: Aye
Mr. Thompson: Aye
Ms. Baskerville: Aye
Mr. Richardson: Aye

Ms. Ridder, thanked everyone for coming. She said that the trustees are struggling and it is the trustee’s consensus that this matter should remain open as even today we are getting more emails, more comments and thoughts about how we should proceed. We have decided that the trustees should postpone a decision.

Ms. Brown made a motion: “ I move that we defer a decision on the Atlantic Coast Pipeline today. And to ensure that FERC has the benefit of the staff’s conclusions and findings I further move that the board direct the executive director to provide FERC the staff reports on the ACP 1704 applications; motion seconded by Ms. Obenshain and passed unanimously.”

APPROVAL OF MINUTES

Motion made by Mr. Thompson to approve minutes for the September 29, 2016 as presented; motion seconded by Ms. Brown and passed unanimously.

PRESERVATION TRUST FUND (PTF) PUBLIC ACCESS PROJECTS

Citing PTF committee recommendation, Ms. Obenshain moved to approve both the project terms and PTF allotments for a total of \$1.55M for the following projects; motion seconded by Ms. Ridder and passed unanimously.

Amount Approved	Name	Location	Acreage
\$350,000	Murray -Dick-Fawcett House	City of Alexandria	.3
\$50,000	Charley Close Property	Charlottesville	2.8
\$250,000	Hansbrough’s Ridge	Brandy Station	174
142,500	Hazel Hollow Tract	Pulaski County	11.925
\$55,000	Eastern Branch Restoration Park	Virginia Beach	8.8
\$150,000	Enrichmond Outdoor Classroom	City of Richmond	4.8
\$70,000	Hinchee Trail	Roanoke County	38.12 and or 10 and or 98
\$200,000	Hottel-Keller Memorial, Inc.	Shenandoah County	391.066
\$80,000	Four Winds* left off of agenda in error but was approved	Caroline County	306
\$100,000	Malvern Hill Farm	Henrico & Charles City County	20 – 30
\$100,000	Belmead on the James	Powhatan County	1000 +/-

Addressing the partners in the audience, Mr. Slater said the VOF staff has been working very hard – using its best efforts to restore the funding that VOF badly needs. Mr. Slater reported that VOF is down 5 full time workers, and he expressed his appreciation for all the work staff accomplishes despite staff reductions. Mr. Slater asked that the partners remind legislators that VOF needs restored funding.

A motion was made by Mr. Thompson that henceforth, board books be distributed electronically, and that the staff makes whatever accommodations appropriate to facilitate board consideration of projects, with the caveat that a board member can ask for a hard copy if they must. It is in the spirit of our mission and consistent with such; motion seconded by Ms. Ridder and passed unanimously.

To provide some flexibility regarding scheduling of future meeting dates, Ms. Brown moved that the trustees permit the Executive Director and Chair, have the latitude to make changes to the adopted meeting schedule for this year 2017; motion seconded by Mr. Slater and passed unanimously.

Meeting adjourned 5:05 pm