

**MEETING SUMMARY**  
**NC Mountain Resources Commission**  
**1:00 – 3:00 PM, December 10, 2010**  
**Governor's Western Residence**  
**Asheville, NC**

**Members In Attendance: David Gantt, Chairman; Harris Prevost, Vice-Chairman; Tom Massie, Chuck McGrady, Charles Vines, Maxine Dalton, George Santucci, Jim Coman, Bob Shepherd, Jay Leutze, Bill Gibson**

**Others in Attendance: Rep. Ray Rapp, Judy Francis, Barbara Volk, Jim Fox, DJ Gerken, Bill Eaker, Walter Clark, Karen Smith, David Ray, Eric Romaniszyn, Max Hoffman, Linda Giltz, Mike Butrum, Phyllis Styles, Karen Cragolin, Susie Hamrick-Jones, Michelle Price, Gerald Green**

**Welcome and Introductions**

Chairman Gantt opened the meeting at 1:00 PM and invited all in attendance to introduce themselves.

**Approval of November 19, 2010 Meeting Summary**

Chairman Gantt asked everyone to review the summary of the November 19, 2010 meeting that had been previously provided to them and asked if anyone had any corrections to offer. Chuck McGrady made a motion to approve the summary as presented. George Santucci provided a second to the motion which was approved unanimously.

**Updates from the Technical Advisory Council**

Jim Fox, Chairman of the Technical Advisory Council said his group has been working on several issues as directed by the Commission. He recognized Karen Smith, who provided a brief update from the sub-committee that has been reviewing the slope issue. They have identified five priority focus areas:

1. Establish a notification system for identified landslide hazard areas
2. Develop a local model ordinance for steep slope areas.
3. Develop a comprehensive public education program about landslide hazards and issues associated development in the mountains.
4. Advocate for appropriations from the NC Legislature to accelerate the landslide hazard mapping program and to complete the mapping process for all WNC counties by 2016.
5. Requirement for geotechnical analysis of development on steep slopes in excess of 40%

The committee will continue their work and provide a preliminary report at the January meeting.

Jim Fox gave a brief overview of the PowerPoint presentation he is working on for the Outreach and Education Committee. He stressed it would be important for the Commission to be consistent with its message and balanced. He used the analogy of the 3-legged stool to focus the comments around the concept of "fair to me, fair to my neighbor, fair to the mountains." He said that each presenter should go beyond the informational bullet point points in the presentation and be a storyteller – use your personal experiences and knowledge of a particular place to make your presentation resonate with the audience.

Walter Clark, Vice-Chairman of the Technical Advisory Council was then invited to share his experience working as staff attorney for the Coastal Commission. Walter said there was a big difference between

the Coastal Commission and the Mountain Resources Commission because the Coastal Commission had rule-making authority under the Coastal Zone Management Act. That law primarily focused on hazard plans and required coastal counties to have land use plans. The relationship between the Commission and their technical advisors was not easy at first and had to evolve over time. Eventually, decisions became more educated, and the Commission remained legitimate. Walter cautioned about moving quickly on slope issues because of their technical nature. The MRC should lean on the TAC and vice versa, and not expect decisions to be made in two or three meetings. That would be unfair and unrealistic. The MRC does not have the requirement for public hearings, but we still need to discuss how much public input we want to have.

Chairman Gantt asked the TAC members present if they felt like they had the right people with the right expertise on their Council. Walter said that issues will dictate who is appropriate to be on the Council. As issues change, people will change. A number of people agreed that there is still a need for someone with an economics perspective. Jay Leutze asked Walter to discuss the Coastal Commission's interaction with General Assembly members. Walter said the Commission always tried to keep them in the loop. Controversial single-issue things can endanger entire programs. It's important to keep legislators informed. Bill Eaker asked Walter to comment on a few of the Coastal Commission's successes and failures. Walter said there is a lot of development on the coast, but not on filled areas, hardened structures, or in wetlands. The beaches are public resources and they were protected as such. The beaches are allowed to move as nature intended. That is a success that stands to this day and the public has benefited greatly from it.

Karen Cragolin asked Walter how onerous the rulemaking process is. He responded that it depends on the issue. Some are very complex and take years. Some are not as time consuming and can be handled more quickly. Walter said that any issue takes time and the sooner that a particular directive can be made, the sooner that technical advisors can form committees and begin to provide appropriate information.

### **Recognition of Elected Official**

Representative Ray Rapp joined the meeting and was recognized by Chairman Gantt. He apologized for being late and asked to be allowed to say a few words. He explained that he did not believe there was any consensus on the slope issue among members of the western delegation. He suggested that the MRC might host some public outreach sessions in the future on the subject. He said the ones that were held in the past were not well attended. Most of the people who showed up were in opposition to any controls and were not inclined to consider anything else.

Mike Butrum said that realtors are not necessarily opposed to slope rules, but they are opposed to unfunded mandates. They are concerned about the disclosure issue and notification about where a landslide might occur. What if there are errors in the maps? Chairman Gantt said this is the kind of conversation we need to have. It will have to be fair and everyone needs to be open about what they are really willing to do and what they are uncomfortable with. Tom Massie said the Commission could be a forum for that discussion but will always have to make sure and be an honest broker.

### **Committee Reports**

#### *Fund Raising Committee, George Santucci*

George Santucci reported that the Fund-Raising Committee has project-based efforts underway. A recent presentation regarding the regional report card effort to the Blue Ridge National Heritage Area Board of Directors by David Gantt and Judy Francis was well-received. He also urged the Commission to

consider a Resolution to submit to the General Assembly regarding support for the continuation of Judy Francis' position should that become necessary during the upcoming budget process.

Judy said that her position was currently included in the NCDENR budget, but the future is uncertain for almost every employee. She also mentioned the recent Boards & Commissions announcement from Governor's Office which stated that every state Board and Commission will be reviewed to see if it is still necessary. That review process is expected to be undertaken over a two-year period.

#### *Administrative Committee*

Judy Francis said that Max Hopper was working on draft bylaws and would have them at a future meeting. She passed out three draft logos that had been prepared by the NCDENR graphics department to be considered for the MRC logo. The logos had been reviewed previously by the Chairman and Vice-Chairman who were not inclined to select any of them, but wanted the full Commission to decide. After reviewing the three drafts, the Commission members did not wish to pursue any of them, but asked if the 3-legged stool could be used as a graphic and, possibly, a logo. Judy said she would ask if the graphics department would consider putting that together, though she was told it is their policy to only prepare three free drafts.

#### *Outreach & Education Committee, David Gantt*

Chairman Gantt reported that Outreach and Education Committee is working with Jim Fox to finalize the Outreach presentation for outreach to COGS and other groups.

#### *Legislative Committee, Jay Leutze*

Jay Leutze explained that the Legislative Committee is about to lose 1/3 of our membership as Chuck McGrady is leaving to be a Representative. We are still processing addresses and contact info. We will circulate the information when it is complete. We are also generating letters to introduce ourselves. The legislative breakfast still being discussed after the holidays and Chuck McGrady will assist with getting that set up. Jay will provide more info via email as it develops.

#### **Other Business**

Trust Fund Support Resolution: Jay Leutze read aloud a draft resolution supporting the continued appropriations for the state's conservation trust funds. Bob Shepherd said that he would like the language to be clarified that that the Parks & Recreation Trust Fund provides support for local as well as state park projects. Tom Massie recused himself from voting. Jim Coman made a motion to approve the resolution with the amendment suggested by Bob Shepherd. Maxine Dalton provided a second and the motion was approved unanimously.

Metrics for Report Card – Maxine Dalton said she is reviewing metrics for human sense of well-being that may be useful for the report card project. She will discuss her findings with Jim Fox.

Harris Prevost asked Judy Francis to include the Commission's mission statement on all future meeting agendas.

NEXT MEETING:           JANUARY 21, 2011  
                                  Location - Cleveland County

#### **Adjourn**

There being no further business, Tom Massie made a motion to adjourn. Harris Prevost provided a second to the motion which was approved unanimously. The meeting adjourned at 3:15 PM.