

**MEETING SUMMARY**  
**NC Mountain Resources Commission**  
**1:00 – 3:00 PM, March 18, 2011**  
**Hendersonville City Operations Center**  
**305 Williams Street, Hendersonville, NC**

*The mission of the NC Mountain Resources Commission is to take care of our natural resources to enhance and sustain quality of life and ensure the long term health of our region and our people.*

*Members in Attendance: David Gantt, Harris Prevost, Max Hopper, Rodney Locks, George Santucci, Maxine Dalton, Bob Shepherd, Ruth Ann Suttle, Tom Massie, Tommy Jenkins, Jay Leutze, Barbara Volk, Charles Vines, Angie Chandler*

*Others Present: DJ Gerken, Michelle Lovejoy, Bill Eaker, Karen Smith, Rick Wooten, Chuck McGrady, Jim Fox, Mike Butrum, Marvin Hoffman, Mary Jo Padgett, Judy Francis*

**Welcome and Introductions**

Chairman Gantt opened the meeting at 1:00 PM and welcomed all in attendance. He thanked Mayor Volk for hosting the meeting and recognized other elected and appointed municipal officials from Hendersonville including Ralph Freeman and Bo Ferguson, who welcomed the MRC members to Hendersonville and urged them to continue looking at the big regional perspective. They invited the MRC members to return and enjoy Hendersonville's many assets and meet here as often as they would like. Chairman Gantt also recognized Carolina Mountain Lands Conservancy Board member Mary Jo Padgett. She gave a brief overview of CMLC accomplishments and also mentioned the non-profit group ECO that is active in Henderson County. Chairman Gantt then recognized Representative Chuck McGrady who was in attendance.

**Comments from Special Guests and Members of the Public**

Chuck McGrady thanked Barbara Volk for taking his place on MRC as the representative from Land of Sky Regional Council. The legislative session is going very fast and every week has a big issue to deal with. The House and Senate members are working together with discipline. The issue that will trump everything is the budget. Early June target to get a budget approved and then they will focus on redistricting. There will be no new taxes or fees. Taxes due to sunset will. Significant cuts will happen as there is no other way to balance the budget. The state's conservation trust funds are still in danger. He said he will work to make sure they get funded but reminded the group that he is only a freshman. There is a lot of zeal regarding regulatory reform and there are hearings going on around the state. The MRC has been discussed and some political contexts should be considered. He said that he has a different view and has been explaining what the MRC is and isn't. He thinks there may be some backing off, but we need to stagger MRC member terms. This new General Assembly needs to make some appointments. He will be proposing a draft piece of legislation to stagger the terms, and said it would help if we could get some volunteers to step off so those appointments can occur. This is a good thing for the Commission and for the General Assembly. Mitch Gillespie had concerns and he is also an appropriations chair, so convincing him that the MRC is valuable will be key. Harris Prevost asked if talking to legislators here or in Raleigh would be best. Rep. McGrady responded that at home is always better. Rodney Locks asked how federal government activities are impacting state. Rep. McGrady responded that the stimulus funding is going away which makes balancing the budget more difficult. Friction is also coming from those in the General Assembly who want to overturn rules that are also

federal mandates. Jay Leutze mentioned HB 350, a bill to clarify treatment of conservation lands that was introduced by Rep. McGrady. It clarifies tax issues in a bi-partisan way. Tom Massie asked about the regulatory reform issue and what it means for federal mandates that we are getting money from the federal government to enforce. Rep. McGrady responded that most people don't understand the regulatory implications. Some do understand it and are aware of the unintended consequences. Bob Shepherd asked about writing to legislators and if that type of contact has an impact. Rep. McGrady said he doesn't pay much attention to letters from areas outside his district. He also pays a lot less attention to form letters. You should personalize your letters. He rarely gets a written letter anymore. Mary Jo Padgett asked about the best way to contact committee members. Rep. McGrady responded that he looks at letters from outside his district that are writing on a committee issue. Jay reminded everyone that committee meetings are open to the public. Rep. McGrady added that the public may not be able to comment in committee meetings though.

A discussion about the importance of staggering terms followed. Tom Massie said the Commission should support the proposed policy of staggering terms. A motion to support was forwarded by Harris Prevost who stated that staggered terms are healthy for boards and commissions. Rodney Locks provided a second to the motion. A conversation about including term limits in the proposed legislation ensued and various members stated that other boards and commissions they sat on allowed up to two consecutive terms before a member has to step down for at least a year before being reappointed. Bob Shepherd said he did not see the need for term limits. Max Hopper said including term limits may provide additional flexibility and might be supported in Raleigh and he offered to add that amendment to the current motion. Chairman Gantt called the question regarding the original motion. All were in favor and the motion passed unanimously. Chairman Gantt then asked for a vote on recommending that language regarding term limits be included in the proposed legislation. All were in favor except Bob Shepherd who voted no. Judy will email a response request to all members to identify volunteers to step off the Commission early.

#### **Approval of January 21, 2011 Meeting Summary**

Chairman Gantt asked if anyone had any changes to the draft January meeting summary. Judy said there was one name misspelled and that would be corrected. Angie Chandler made a motion to approve the meeting summary with the name spelling correction. Bob Shepherd provided a second to the motion and it was approved unanimously.

#### **Technical Advisory Council (TAC) Update**

Jim Fox, Chairman of the TAC, thanked the MRC for appointing great members to the TAC. They continue to work on technical recommendations and tools while keeping the MRC mission statement in focus. He showed a PowerPoint demonstration of a multi-hazard risk tool that was recently reviewed by the TAC. The tool encourages resiliency while highlighting liability issues. Most hazard areas are on publicly owned land in Buncombe and Macon counties. That is not necessarily the case in Watauga County where much of the landscape is identified as having natural hazard areas.

Jim Fox then discussed the Regional Sustainability Report Card project that the MRC asked the TAC to work on. A sub-committee has been put together to put more work into existing product. Bill Yarborough and Todd Cherry are providing metrics for agriculture and regional economic indicators. The project is being expanded from 18 to 27 counties. They are also adding crafts, natural capital, and social well-being data. Judy Francis has been helpful in obtaining project funding and establishing working partnerships for this effort.

Jim then stated that the TAC needs help making this a decision-support tool. We need a member of the MRC to be on the work group. We will create some prototypes, and then we'll ask if that is what you need. We want to build a product that people will use. Think about future challenges that need work so we can include it. Maxine Dalton stated that the volunteer should be from a local government in the region. Chairman Gantt said he would like to participate in the work group as the Commission representative.

Maxine Dalton asked if the multi-hazard tool was a part of the slope recommendations. Jim said it possibly would be as the TAC is developing a list of potential "next steps" and a list of useful tools to go with the recommendations. He said that many folks need tools to understand the concepts, so the multi-hazard tool could be listed there.

Bob Shepherd said he had concerns regarding the continued funding for slope mapping. He said that Dee Freeman is a friend, and so he asked him what could be done to speed up the mapping funding. Dee replied with a letter stating that funding could be speeded up. He asked Judy to circulate Dee's response with the entire MRC and TAC membership. Rick Wooten commented that it will depend on available funding and staff resources. Bob Shepherd stated the need to take action to send the message to increase money for mapping and stated that he was making a motion to support more money for mapping. Chairman Gantt asked Rep. McGrady for his perspective. Rep. McGrady responded by advising that it would not be a good idea to ask for "more money". It would be appropriate to ask for "continued funding". There is hardly any support for Rep. Rapp's slope legislation and it's a sensitive issue. Jay Leutze said that there needs to be agreement on the Commission's operating procedures and we will have a lot more weight if we are deliberate in our actions. Bob said he understood the need to be politically astute, but he wants agreement that this is important and the MRC will weigh in when the time is right. He withdrew his motion.

### **Committee Reports**

Fund Raising Committee, George Santucci – George said the committee is working with Max Hopper to incorporate fund raising language into the draft of Internal Operating Procedures. Fund-raising and financial matters are not typically a part of bylaws, so they may want a separate document to specify separate procedures financial and fund-raising functions.

Administrative Committee, Max Hopper – Max passed around hard copies of the draft of Internal Operating Procedures that he has been working on. Various members offered comments. Harris said that meeting "summaries" should really be called meeting "minutes." He also asked about how information from interim meetings between regular meetings should be circulated. Max emphasized that the document outlines Internal Operating Procedures and should not be referred to as "bylaws." He said this is just a draft that the administrative committee is still working on. He asked the members to spend some time looking over the document and email comments to him. There was discussion about the need for a procedure specifying how issues are brought to the MRC for consideration. There also needs to be a decision about fiscal issues and the need for a Treasurer. We need to maintain financial transparency. There is also a need for a public information piece in here as well. How do members speak publicly without representing their comments as coming from the MRC? Think about adding language allowing electronic communications and actions also. Max will send an updated electronic version of the bylaws to Judy with a request for comments that she will circulate to the members to mark up using the track changes function. Bob Shepherd reminded everyone that Governor's appointees are required to attend 75% of meetings in a calendar year. Rodney Locks said we need clarification about what portions of the state's administrative code that applies to the MRC. Jay

Leutze said the MRC will be able to make strong recommendations when there is a rigorous process for how agendas are put together, requests are processed, positions are established, etc. Max said almost every organization allows the Chairman to set the agenda, but has a process for adding things to it. Charles Vines said he'd like to get action items in advance of meetings so he is ready to discuss constructively at the meeting.

Outreach & Education Committee - David Gantt gave an update on outreach presentations that have taken place. All Council's of Governments have scheduled presentations to their boards except Region C. Max Hopper said he will help set up a date for them. Lots of members are doing presentations and outreach work for their constituent groups. Bob Shepherd and David Gantt also met with representatives from the Asheville Chamber of Commerce.

Legislative Committee - Jay Leutze gave a brief update on legislative activities in Raleigh. He said Rep. McGrady gave us a lot of information and is doing a great job. The budget process going very fast. This is long session but they want to wrap up budget in June. There are signs that the budget is not quite as bad as it was once thought, but we need to be vigilant about the trust funds. He said members should all be reaching out to your legislators now. Tuesday is a lobby day in Raleigh. Reorganization of DENR is now on the table. We need to keep an eye on that and also talk about maintain DENR staff support for the MRC. Consolidation of the trust funds is also being discussed. The Boylston Creek issue is very problematic and there are legal issues that the pending legislation will complicate.

### **Other Business**

Member SEI Findings - Judy Francis said that all but two of the Statement of Economic Interest forms have been reviewed by the state Ethics Commission. She read the findings out to the Commission. They are this:

No conflict or potential for conflict: Jim Coman, Tommy Jenkins, Bill Gibson, Max Hopper, Charles Vines, Wayne Abele

No conflict, but potential for conflict that does not prohibit service on the MRC:

Harris Prevost: Should recuse himself from applying his influence on any matters re: the Mountain Stewardship Foundation.

Jay Leutze: Should recuse himself from applying influence on any matters re: the Southern Appalachian Highlands Conservancy

Bob Shepherd: Should recuse himself from applying influence on any matters re: the Southern Appalachian Man & the Biosphere Foundation

Rodney Locks: Should recuse himself from applying influence on any matters re: the City of Brevard

Tom Massie: Should recuse himself from applying influence on any matter re: NC Wildlife Federation and the Cherokee Heritage Foundation

George Santucci: Should recuse himself from applying influence on any matter re: the National Committee for the New River

Maxie Dalton: Should recuse herself from applying influence on any matter re: the NC Public Lands Council

Angie Chandler: Should recuse herself from applying influence on any matter re: the Blue Ridge National Heritage Area

Logo Issue – Judy Francis reported that no submittals in the logo contest have been received from any of the universities the MRC wanted to participate. All agreed that they would revisit the logo issue at a future date, but other more important matters needed to be addressed first.

Maxine Dalton said that the Spring Creek Community Foundation got a \$25,000 grant to complete the bathroom facilities at the Community Center.

Max Hopper said that the Don Gibson Theater is hosting Ricky Scaggs this weekend.

**Next Meeting**

The next meeting of the MRC will be on MAY 20, 2011 in Polk County. Bob Shepherd will help Judy coordinate logistics. There was support to hold the July meeting in Ashe County or North of Watauga.

**Adjourn**

There being no further business, the meeting adjourned at 3:40 PM.