

MINUTES
SOUTH CAROLINA CONSERVATION BANK
Friday, November 9, 2018 – 10:00 am
Rembert C. Dennis Building – Room 335
Columbia, SC 29201

The South Carolina Conservation Bank (SCCB) Board held its regular meeting at 10:00 am, Friday, November 9, 2018 in room 335 of the Rembert C. Dennis Building in Columbia, SC. Notice of the date, time and place of the meeting was posted and mailed to the news media in accordance with the Freedom of Information Act. Chairman C. Douglass Harper presided at the meeting and members present included Michael G. McShane, Vice Chairman; Andrea Clark; Elliott Close; D. Clinch Heyward; Charles G. Lane; W. Thomas Lavender, Jr.; Curtis M. Spencer; Larry L. Yonce; and Ex-Officio members Norman F. Pulliam, Chairman SCDNR Board; Chisolm Beckham for Dr. Walt McPhail, SC Forestry Commission Chairman and Phil Gaines for Duane Parrish, Director for SCPRT. Member absent was William L. Snow, Sr.

I. WELCOME AND CALL TO ORDER

The Chairman called the meeting to order, welcomed everyone and thanked everyone for their attendance. The Chairman asked Ms. Larck, SCCB Business Manager, to confirm that a public notice has been given for this meeting. Ms. Larck stated that this was correct.

II. INTRODUCTION OF NEW BOARD MEMBERS

The Chairman welcomed the two new Bank Board members, Larry Yonce and Curtis Spencer, and asked them to make a short introduction. Mr. Yonce and Mr. Spencer both gave the Board a short background and stated that they were honored to be a part of this Board.

III. ROLL CALL

The Chairman asked Ms. Larck to call role of the Board Members. Ms. Larck called role and a quorum was established with nine Board Members and three Ex-Officio in attendance. The Chairman recognized and thanked Mr. Parkin Hunter and Ms. Harley Kirkland from the SC Attorney General's office for serving as counsel for this meeting.

IV. PUBLIC COMMENTS

The Chairman opened the floor to anyone that would like to address to the Board. Susan Ramsey Platt from North Myrtle Beach asked to speak on behalf of a current application known as Ingram Dunes. Ms. Platt stated that this property is currently in jeopardy and needs funding for conservation. The Chairman thanked Ms. Platt for coming to speak to the Board and stated that the Board understands and is working diligently to be able to review grants such as this one in the near future. There being no further public comments, the Chairman called for the next agenda item.

V. ADOPTION OF MINUTES

The Chairman stated the Board was sent a draft copy of the July 31, 2018 minutes prior to the meeting for their review and that a copy was within the Board Member handouts. The Chairman asked for any additions, deletions, or corrections. There being none, the Chairman called for a motion to adopt the minutes from the July 31, 2018 meeting. Mr. McShane made the motion to approve the July 2018 minutes. Ms. Clark seconded and the motion unanimously passed.

VI. CHAIRMAN'S COMMENTS

The Chairman stated that as everyone knows, the Bank is currently in a state of transition and thanked everyone for their patience during this time. The Chairman thanked Mr. Lavender and the rest of the Executive Director Search Committee as well as Mr. Lane and the rest of the Technical Advisory Committee for their hard work. The Chairman stated that both Committee's will be giving a report to the Board later in the meeting. The Chairman thanked Mr. McShane, the full Board, and Ms. Larck for their involvement.

VII. OLD BUSINESS

A. FINANCIAL REPORT

The Chairman stated that within the Board's handouts was a brief financial report to summarize the Bank's source of funding, including the Governor's vetoes that had since been overridden, and what is currently available for grants. Mr. McShane stated for the record that the two provisos requiring the Bank to transfer \$3 million to the SC Department of Natural Resources (SCDNR) has been done. The Chairman stated that on October 3, 2018 the Other Funds Committee gave the Bank authorization to spend \$3 million in Other Funds for the grant known as Tall Pines which would be later discussed during the next agenda item. The Chairman stated that the final figure available for grants during FY 18-19 is roughly \$5.4 million. The Chairman noted that if this funding was not spent by the end of the Fiscal Year, then only 10% of General Funds will carry forward. Mr. Lavender asked if the money had to be encumbered or dispersed by the end of the Fiscal Year to avoid losing the funding. Ms. Larck stated that the money had to be dispersed by June 30, 2018 to avoid losing it.

B. REVIEW OF OUTSTANDING GRANTS

The Chairman stated that there is currently \$3,125,000 in outstanding grants and asked that the Board go through and discuss each property. The Chairman also asked the applicant, if in attendance, to give the Board an update.

1. **Tall Pines Tract** – Jason Johnson with the Conservation Fund stated that SCDNR is going through the process of getting permission from the Joint Bond Review Committee (JBRC) for accountability authority. SCDNR has gone through this process once already and received approval and has submitted all documents for the second approval. The next JBRC meeting is expected to be sometime in December 2018. The Conservation Fund and SCDNR hope to close by the end of the calendar year or at the latest, beginning of January 2019.
2. **Kling Property** – Douglas Bostick with the SC Battleground Preservation Trust was unable to attend this meeting. The Chairman stated that the two-year deadline that this grant was given would be up on November 16, 2018. Mr. McShane stated that he had several conversations with the applicant and SCCB staff and therefore, made a motion to extend this deadline till the Board's next meeting. Mr. Lane seconded and the motion unanimously passed.

VII. EXECUTIVE SESSION (PERSONNEL MATTER)

The Chairman stated that according to Section 30-4-70 of the SC Code of Laws the Board can go into executive session for several reasons including the "discussion of employment". Mr. Lavender made a motion to go into executive session for receipt of legal advice and discussion of a personnel matter. Mr. McShane second and the motion unanimously passed.

IX. RETURN TO REGULAR SESSION

The Chairman called for a motion to go back into regular session. Mr. McShane made a motion to go back into regular session. Mr. McShane noted that no actions had been taken during executive session. Mr. Lavender seconded and the motion unanimously passed.

X. NEW BUSINESS

A. EXECUTIVE DIRECTOR SEARCH COMMITTEE REPORT

The Chairman asked for a report from the Executive Director Search Committee. Mr. Lavender made a motion that the Board approve the recommendation made by the Executive Director Search Committee and authorize the Chairman to extend an offer to the recommended candidate. Ms. Clark seconded and the motion unanimously passed.

B. ATTORNEY III POSITION DISCUSSION

The Chairman stated that there is currently an unfilled Attorney III position at the Bank and asked the Board for their thoughts on the matter. Mr. McShane made a motion that the Bank post the Attorney III position as soon as possible even though the position would not be filled until the new Executive Director is in place. Mr. Lavender seconded with the statement that the position would remain open until the Chairman decides to stop receiving application. Mr. McShane agreed and the motion unanimously passed.

C. REVIEW OF PENDING APPLICATIONS RECEIVED BUT NOT APPROVED GRANTS

The Chairman stated that within the Board handouts included a list of all pending applications awaiting approval from the Board. The Chairman stated that this was for information only at this time.

D. MAPPING COMMITTEE REPORT

The Chairman asked for a report from the Technical Advisory Committee (TAC) Chaired by Mr. Lane. Mr. Lane stated that under new legislation, the Bank was tasked to create a conservation map and deliver it to the Legislature by July 1, 2019. The TAC members were Mr. Lane; Maria Whitehead for Open Space Institute; Ken Prosser and Tyler Brown for SCDNR; Mike Shealy for SC Forestry Commission; Scott Park for Upstate Forever and SC Land Trust Network; Phil Gaines for SC State Parks; David Bishop for The Nature Conservancy; and Rua Modercai for USFWS. The Committee came up with a Request for Proposal (RFP) document to receive proposals from a few entities to complete this work. Mr. Lane stated that there was going to be one change to the document prior to dispersal; in which the entity would be asked to give a do not exceed figure instead of the Bank imposing one on them. Mr. Lane made a motion to approve this RFP for dispersal so the Board can receive at least two proposals. Mr. Lane noted that the Bank will own this map and will be interactive so that the Bank can continue to add new data to it. Mr. Lane stated that the Bank is required to update this map every ten years but this is a map that can be updated constantly. Mr. Lavender seconded and the motion unanimously passed.

E. BOARD POLICY UPDATE

The Chairman stated that the Board Policy, last updated in November 2014, needed a minor change due to new legislation requiring the Bank to meet quarterly instead of twice annually. Mr. McShane made a motion to change the policy to reflect the new legislation to read that the Board must meet at least quarterly. Ms. Clark seconded and the motion unanimously passed.

XI. BOARD MEMBER OPEN DISCUSSION

The Chairman opened the floor for Board member discussion. Mr. McShane informed the Board that he was invited to testify before the US Senate Environment and Public Works Committee on NAWCA and some other wildlife issues. The Chairman congratulated and commended Mr. McShane on this honor to speak before the Committee.

XII. TIME AND PLACE OF NEXT BOARD MEETING

The Chairman stated that the next Board Meeting was to be determined once the new Executive Director is confirmed by the Senate, hopefully by the end of January.

XIII. ADJOURN

The Chairman called for a motion to adjourn. Mr. Spencer made the motion to adjourn. Mr. Clark seconded and the motion unanimously passed.