

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

MINUTES OF THE
FOREVER WILD BOARD MEETING
Alabama A & M University
Normal, Alabama
December 1, 2011

* * * * *

TRANSCRIPT OF PROCEEDINGS

* * * * *

Proceedings taken before Tracye
Sadler Blackwell, Certified Court Reporter, ACCR
No. 294, and Commissioner for the State of Alabama
at Large, at Alabama A & M University, Clyde Foster
Multi-Purpose Room, Normal, Alabama, on Thursday,
December 1, 2011, commencing at approximately
10:09 a.m.

* * * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

BOARD MEMBERS PRESENT:

- Mr. N. Gunter Guy, Commissioner
- Mr. Leo Allen
- Dr. A.F. Schlundt
- Mr. James W. Porter
- Mr. John Woller, Sr.
- Dr. Robert Taylor
- Mr. Raymond A. Keller
- Dr. Gary Hepp
- Dr. Robert Lawton

BOARD MEMBERS NOT PRESENT:

- Ms. Linda Casey
- Dr. John F. Valentine
- Mr. Angus Cooper
- Mr. Everett Johnson
- Mr. Harold Barber
- Dr. Richard Holland

* * * * *

EXHIBIT INDEX

A Resolution 104

1 COMMISSIONER GUY: All right. I think we have
2 everybody here that's coming. I want to
3 welcome everybody to Huntsville and
4 Alabama A & M.

5 Can everybody hear me all right, or
6 do I need to use a microphone?

7 (No response.)

8 COMMISSIONER GUY: At this time I want to call
9 the meeting to order of the Forever Wild
10 Land Trust Board of Directors. And at
11 this time I want to call the roll to
12 establish whether we have a quorum.

13 Linda Casey?

14 (No response.)

15 COMMISSIONER GUY: Dr. John Valentine?

16 (No response.)

17 COMMISSIONER GUY: Dr. Robert Lawton?

18 DR. LAWTON: Here.

19 COMMISSIONER GUY: Dr. A.F. Schlundt?

20 DR. SCHLUNDT: Here.

21 COMMISSIONER GUY: Dr. Gary Hepp?

22 DR. HEPP: Here.

23 COMMISSIONER GUY: Dr. Robert Taylor?

1 DR. TAYLOR: Here.

2 COMMISSIONER GUY: George Barber?

3 (No response.)

4 COMMISSIONER GUY: Angus Cooper?

5 (No response.)

6 COMMISSIONER GUY: Raymond Keller?

7 MR. KELLER: Here.

8 COMMISSIONER GUY: Dr. Richard Holland?

9 (No response.)

10 COMMISSIONER GUY: Mr. John Woller, Sr.?

11 MR. WOLLER: Here.

12 COMMISSIONER GUY: Everett Johnson?

13 (No response.)

14 COMMISSIONER GUY: Mr. Leo Allen?

15 MR. ALLEN: Here.

16 COMMISSIONER GUY: Mr. James Porter?

17 MR. PORTER: Here.

18 COMMISSIONER GUY: And I am present and we

19 have nine members. So we have a quorum

20 and we can conduct business.

21 At this time I want to recognize

22 Dr. Taylor. We appreciate him hosting

23 this meeting today. And, Dr. Taylor, I

1 don't know if you have any comments.
2 You might want to just talk a little bit
3 about the university and the facilities
4 here. We appreciate you letting us have
5 this meeting here.

6 DR. TAYLOR: Yes. I'd like to say good
7 morning and welcome to everybody. We're
8 really glad to have you here. And I
9 would say welcome to the winter
10 wonderland of Alabama, because this
11 might be the coldest point that you will
12 find around the north Alabama area. We
13 had so much snow last winter, I thought
14 I was in Michigan where I did my
15 graduate work.

16 But, anyway, just to tell you a
17 little bit about Alabama A & M, Alabama
18 A & M was founded in 1875 in right
19 downtown Huntsville, and then we moved
20 over here to this hill, which we call
21 Normal Hill. We have roughly around —
22 it was founded by Hooper Councill, a
23 former slave. And I guess he would be

1 just thrilled to see the university grow
2 to the extent that it has today to the
3 point where — you know, we have right
4 now a small university, 5,000-plus
5 students, but we have four Ph.D.
6 programs.

7 And since we're talking about land,
8 we have — two of the Ph.D. programs are
9 in the School of Agriculture and
10 Environmental Sciences, a Ph.D. program
11 in plant and soil science. And for a
12 long time we were the only one in the
13 historically black schools in the nation
14 that had a Ph.D. program in that. And
15 right now we also have a Ph.D. program
16 in food science. And we are the only
17 historically black school to have a
18 Ph.D. program in that area.

19 And to just top it off, I want you
20 to know that we work very closely with
21 Auburn University and the Alabama
22 Agricultural Land Grant Alliance and
23 with Tuskegee. So Alabama is unique in

1 the three land grant universities
2 working together. And I mean we work
3 very closely together.

4 So, again, welcome to
5 Alabama A & M. And before you leave, we
6 have a nice po-boy restaurant if you
7 want to go there and have something to
8 eat. But there are lots of restaurants
9 up here also. And I hope we will have a
10 good meeting.

11 COMMISSIONER GUY: Thank you, sir. Thank you,
12 Dr. Taylor. We appreciate it very
13 much.

14 And, you know, I appreciate
15 everybody being here. I know for some
16 people it's a long trip. As we say, we
17 like to try to bring these board
18 meetings to various parts of the state
19 so that we can be open and transparent
20 and people from other parts of the state
21 can come and hear what we are doing as a
22 board and how we are conducting business
23 for the public. And I appreciate

1 everyone who made the trip up here from
2 various parts of the state. And I look
3 forward to a good meeting today.

4 Does anybody else just have any
5 general comments or have any guests they
6 want to recognize or talk about before
7 we get into the business at hand?

8 (No response.)

9 COMMISSIONER GUY: Okay. Having heard none, I
10 think we will now move into public
11 comments. And I've got a list of folks
12 here. And what I'd like for you to do,
13 when I call your name, just come up to
14 the microphone and speak about your
15 particular topic.

16 Tom Wilkins.

17 MR. WILKINS: Good morning.

18 COMMISSIONER GUY: Good morning to you.

19 MR. WILKINS: Thank you, Mr. Chairman and
20 Members of the Board of Trustees.

21 (Brief interruption.)

22 MR. WILKINS: My name is Tom Wilkins. And I
23 work for and I am here today

1 representing Shelby County. We — and
2 I'd like to include Tim Webster with
3 Shelby Investments, Chris Oberholster
4 and Steve Northcutt with the Nature
5 Conservancy.

6 We are here in support of the
7 proposed acquisition by the Alabama
8 Forever Wild Land Trust of the
9 approximately 456-acre Shelby
10 Investments tract that is located along
11 the Cahaba River in extreme southwestern
12 Shelby County just before the river
13 flows into Bibb County. The proposed
14 acquisition area includes over 6100 feet
15 of direct Cahaba River frontage, and it
16 provides substantial buffers of forest
17 land in critical areas both directly on
18 and adjacent to the Cahaba River.

19 It is my understanding that this
20 tract has been evaluated by the board
21 and staff earlier this year and it
22 received a ranking as the second-highest
23 priority in the central section of the

1 state. I also understand that the board
2 has received other proposals since that
3 prior evaluation and that it is in the
4 process of revising its priorities.

5 I am here to reiterate that this
6 proposed acquisition site should
7 continue to have a high priority and
8 formal appraisals should be requested.
9 I know this board is already well aware
10 of the special, even unique level of
11 biodiversity supported by the Cahaba
12 River, particularly in the area of the
13 river where there's a rich collection of
14 fish, mussels, snails, and other
15 riverine species.

16 Since I know the Forever Wild Board
17 is already familiar with the importance
18 of protecting the Cahaba River, I am
19 only going to cite a few facts to
20 support the placement of an extremely
21 high priority on acquiring the proposed
22 tract to better protect the river.

23 The Cahaba River has more fish

1 species per mile than any other river of
2 its size in North America. According to
3 a recent assessment, the Cahaba River
4 supports 131 fish species out of 187
5 species in the entire Mobile Bay
6 ecoregion. The Cahaba River basin
7 supports 69 rare and imperiled species,
8 including ten fish and mussel species
9 under the Endangered Species Act.

10 In the 2007 National Geographic
11 Collegiate Atlas of the World,
12 southeastern rivers in the U.S. and the
13 Cahaba River specifically are noted as
14 one of six biological rich areas in the
15 world threatened by habitual loss and
16 fragmentation, invasion of non-native
17 species, pollution, and unsustainable
18 exploitation.

19 The Cahaba River was identified as
20 one of the eight most critical hot spots
21 of biodiversity out of 2,211 watersheds
22 in the contiguous United States
23 according to the Nature Conservancy.

1 The World Wildlife Fund included the
2 Mobile, Tennessee, Cumberland River
3 systems among the 19 most important
4 ecological areas to save on the entire
5 planet in the next decade.

6 In September of 2007 the Sierra Club
7 published America's Wild Forest Legacy
8 which identified the upper Cahaba River
9 as one of the 52 most important places
10 to protect within the next ten years.

11 The Cahaba River has already
12 experienced large-scale extirpation of
13 fish, mussels, snails species primarily
14 as a result of excessive sedimentation
15 and nutrient loads as well as
16 hydrological alterations. Over one-half
17 of the 190-mile Cahaba River mainstream
18 length has been placed on Alabama's
19 section 303(d) list. The number of
20 mussel species found in the river has
21 decreased from 48 to 27.

22 Beth Stewart, executive director of
23 the Cahaba River Society, and Chris

1 Oberholster, director of the Alabama
2 Chapter of Nature Conservancy, also
3 support this proposed acquisition.

4 I would like to make you aware of
5 one important additional point before I
6 finish my comments.

7 As you can see on the maps that we
8 have provided and the larger one over
9 here, the proposed acquisition area
10 perfectly complements Shelby County's
11 existing 309-acre Cahaba River Park
12 property. This means that the
13 acquisition of the additional area will
14 provide substantially greater
15 environmental benefits than if the tract
16 was a standalone site because of its
17 excellent connectivity.

18 Once again, thank you, Mr. Chairman
19 and Members of the Board, for the
20 opportunity to speak to you today.

21 COMMISSIONER GUY: Thank you, Mr. Wilkins.

22 Before you leave, are there any
23 questions of Mr. Wilkins before he sits

1 down?

2 DR. LAWTON: How much of that property is
3 forested?

4 I can't see from here.

5 MR. WILKINS: I'm sorry. I don't have a
6 current percentage. There has been some
7 logging in the area, and I really can't
8 address the quantity.

9 COMMISSIONER GUY: Okay. Any other questions
10 of Mr. Wilkins?

11 (No response.)

12 COMMISSIONER GUY: Thank you, sir.

13 Chris, I see that you're here to
14 talk about this as well. If you would,
15 why don't you go next.

16 You want to just leave that up
17 there, Mr. Wilkins, so when — are you
18 here to talk about this too?

19 MR. OBERHOLSTER: Yeah. But I'm happy to just
20 stay in the order.

21 COMMISSIONER GUY: No. No. You're welcome to
22 go. Come on, Chris. Chris Oberholster.

23 MR. OBERHOLSTER: Good morning.

1 COMMISSIONER GUY: Good morning.

2 MR. OBERHOLSTER: I'm the state director for
3 the Nature Conservancy in Alabama based
4 in Birmingham. I just wanted to speak
5 briefly in support of this proposed
6 project on the Cahaba River in Shelby
7 County.

8 This is an area of the Cahaba
9 River — you've all probably heard many
10 of the superlatives and as recounted
11 here again by the previous speaker —
12 tremendous biological significance,
13 scenic significance, and so on, but the
14 strategic value, in particular, to this
15 part of the river and this parcel in
16 this immediate vicinity.

17 This is right in the immediate
18 vicinity of the Cahaba River Wildlife
19 Management Area which is available to
20 the public for public hunting and other
21 outdoor activities through the Forever
22 Wild program already, and this would add
23 the additional benefit of complementing

1 what Shelby County already has in their
2 couple of — two or 300-acre park on the
3 river. But this will add to the
4 possibilities and the potential to
5 really put in an even better public
6 recreational and tourism sort of park in
7 that part of the river.

8 This is a pretty rural part of
9 Shelby County, and there are emerging
10 efforts underway to get a — to make a
11 canoe trail along the kind of national
12 class of the Bartram Canoe Trail that
13 winds its way through the Forever Wild
14 lands and DCNR and other lands in the
15 delta. There's a possibility of having
16 a similar world-class, national-class
17 Blue Water kind of canoe trail on the
18 Cahaba, and efforts are underway on
19 segments of that all the way from
20 Trussville north of Birmingham on the
21 Cahaba all the way through this
22 particular part of the river — this is
23 a key missing piece in the raw material

1 for such a trail — all the way down to
2 the Old Cawhaba property that Forever
3 Wild has next to Cawhaba Archeological
4 Park near Selma.

5 So world-class resources, as you
6 heard. This is a key link in that chain
7 to really bring that to people, the
8 accessibility of it and use for tourism
9 and economic development, quality of
10 life, and other uses.

11 But thank you for the opportunity to
12 speak to you.

13 COMMISSIONER GUY: Questions?

14 Mr. Allen?

15 MR. ALLEN: What's the land being used for
16 now?

17 MR. OBERHOLSTER: I believe there's a
18 representative in the audience here who
19 knows — who's represented the owners of
20 the land. And so I would defer to them
21 to just talk about it as the folks who
22 know it the best. That might be the
23 best thing.

1 MR. ALLEN: And he may can answer his question
2 about the forest and timberland.

3 MR. BROWN: Good morning. I'm Sean Brown with
4 Tutt Land Company and represent Tim
5 Webster with Shelby Investments. And as
6 far as what the land is being used for
7 now, primarily as a timber investment.
8 I would say probably 60 percent of the
9 property, maybe 70 percent is currently
10 timbered. There was a fire last year
11 that burned close to a hundred acres, 80
12 acres of the property. So that was cut
13 and will be reforested this — you know,
14 first coming of next year. But about 60
15 to 70 percent is currently timbered,
16 hardwood along the river and, you know,
17 different age class pine plantations on
18 about 70 percent of the property.

19 COMMISSIONER GUY: Any other questions?

20 Before you sit down — go ahead.

21 MR. KELLER: No.

22 COMMISSIONER GUY: No. You go ahead.

23 MR. KELLER: Primarily was a pine site is what

1 you're saying?

2 MR. BROWN: Sir?

3 MR. KELLER: It was primarily a pine site?

4 MR. BROWN: That's correct. It's probably —

5 out of 456 acres, probably 50 to

6 80 acres is in, you know, old grove

7 hardwood timber, you know, along the

8 creek.

9 MR. KELLER: It wasn't cut, then?

10 MR. BROWN: That has not been cut. The only

11 thing that was cut was pine timber.

12 MR. KELLER: Are there little low places, you

13 know, in the contour that could be that

14 hardwood come back, or is it all sort of

15 flat and going to have to be all pine

16 reforested?

17 MR. BROWN: There's some great drains that

18 would be very suitable for reforestation

19 in hardwood, absolutely.

20 MR. KELLER: But that was in pines when it was

21 cut?

22 MR. BROWN: That was in pine.

23 MR. KELLER: And you'd have to plant hardwoods

1 or —

2 MR. BROWN: That's correct.

3 Yes, sir.

4 DR. SCHLUNDT: My question was about the
5 ownership of adjacent lands by the same
6 organization, Shelby Investments. You
7 wouldn't happen to own the piece of
8 property on the other side of the river
9 in the southeast there that looks like
10 real dense forest or anything else
11 around there that would —

12 MR. BROWN: No, sir. This — all of the
13 property in orange is owned by Shelby
14 Investments, and then the surrounding
15 landowners are owned by corporations.

16 DR. SCHLUNDT: Thanks.

17 COMMISSIONER GUY: Any other questions?

18 MR. PORTER: I've got one.

19 COMMISSIONER GUY: Yes, Mr. Porter.

20 MR. PORTER: Is this reclaimed land?

21 MR. BROWN: Yes, most of it is.

22 COMMISSIONER GUY: Chris.

23 MR. OBERHOLSTER: Let me just offer one

1 additional comment about the forest
2 types in that immediate area.

3 The geology is all — it's all that
4 sandstone, kind of country
5 ridge-valley. The ridges that are now
6 in the pines that we talk about,
7 typically if you look at the remnants
8 there, you'll see that it's that
9 mountain longleaf pine kind of forest
10 and on the ridges shortleaf and longleaf
11 pine mixed with some hardwoods and then
12 all terrains and steeper slopes and
13 river frontage. You know, that's all
14 hardwood as best we can see is the
15 record.

16 COMMISSIONER GUY: And, Chris, how many miles
17 would you have along the Cahaba River if
18 this property was acquired? How much
19 total combined with the other property
20 that's already there? Is it miles or is
21 it ...

22 MR. BROWN: I could just —

23 COMMISSIONER GUY: Just a guess.

1 MR. BROWN: It's about three miles in the
2 Cahaba River National Wildlife Refuge, a
3 couple of miles in the Forever Wild,
4 three miles or so on the Old Cahaba
5 property further south. Those are the
6 main ones.

7 COMMISSIONER GUY: I don't know if I'm the
8 only one. Greg, could you address this
9 question: Has this been discussed
10 before, or am I just thinking of another
11 piece of property, this particular
12 piece?

13 MR. LEIN: Commissioner, I believe that
14 Jo Lewis presented information at the
15 June meeting in the short — the
16 short-list packet that was presented at
17 the June meeting included this
18 property. But the board has not taken
19 any action on this short-listed property
20 since that presentation in June.

21 COMMISSIONER GUY: Was that the Birmingham
22 meeting?

23 MR. LEIN: Yes, sir, I believe that was.

1 COMMISSIONER GUY: Was this the one that you
2 had a question about, Jim, or am I
3 thinking about another piece?

4 MR. PORTER: Now, Mr. Commissioner, I wish I
5 could remember that. I'm sure it was a
6 great question, but I —

7 MS. POWELL: Other than the presentation Jo
8 made pursuant to the routine short-list
9 presentation, I don't recall any other
10 presentation or further board discussion
11 outside all the other properties that
12 were included in that short-list
13 presentation we give each — or
14 periodically.

15 COMMISSIONER GUY: And just refresh everybody,
16 including myself, about what you mean
17 about a short list and where that is as
18 far as what that means. I think it's
19 helpful to some of the new board members
20 like myself.

21 MR. LEIN: Yes, sir.

22 COMMISSIONER GUY: And maybe refresh everybody
23 else and the public.

1 MR. LEIN: Yes, sir.

2 The program receives nominations of
3 properties constantly throughout the
4 year. Any citizen, member of the public
5 or organization can nominate a property
6 for consideration by Forever Wild. And
7 the first thing that the Conservation
8 Department does when we receive those
9 nominations is establish whether there's
10 a willing seller, because the nomination
11 may come from someone else other than
12 the landowner themselves.

13 And so we make contact with the
14 landowner and establish whether they
15 would be willing to consider selling the
16 property to the Forever Wild program.
17 And we do that in writing. And once we
18 get a response back, either positive or
19 negative — or if we get no response, we
20 treat it as a "no" in terms of its
21 availability.

22 But if the property is determined to
23 be, in fact, available for

1 consideration, then the staff begins a
2 process where they evaluate that
3 nomination. They generate maps. They
4 gather information. They look at
5 proximity to other Conservation lands.
6 They look at the recreational
7 opportunities.

8 And the property is then scored
9 under the four categories that the law
10 describes as being the categorical
11 opportunities for acquisition by Forever
12 Wild. And that's, again, done by the
13 State Parks staff covering the state
14 parks category, the Wildlife and
15 Freshwater Fisheries staff covering the
16 wildlife management area category. And
17 then Jo Lewis and Chris Smith in the
18 Lands Division cover the recreational
19 and nature preserve categories.

20 And each year all of that
21 information is aggregated for all of the
22 available nominated properties and
23 presented to the board as what we call a

1 short list. And, again, that's
2 described under the constitutional
3 amendment itself as the prioritized list
4 of properties which the board would
5 consider.

6 And the short list is essentially
7 the highest-scoring — the three
8 highest-scoring properties under each of
9 the four categories within each of the
10 three districts that is described under
11 the constitutional amendment. So
12 there's potentially, I believe, up to 36
13 properties that could be on the short
14 list. It's typically less than that,
15 because there are often not nominations
16 that are adjacent to our state park
17 system. And so they typically don't
18 have the full sweep of nominations like
19 the other categories might.

20 But that is typically presented to
21 the board once and sometimes twice a
22 year. This past year it was presented
23 to the board at the June meeting. And

1 it's really a function of the volume of
2 nominations that we receive. And, in
3 fact, we have been discussing preparing
4 a new short list for the board for your
5 consideration at the February meeting,
6 because we have had such a large volume
7 of recent nominations that we want the
8 board to be aware of what the
9 opportunities are as you consider your
10 available funds.

11 And, again, that's not something we
12 would do for each meeting.
13 Historically, it's once a year, but this
14 year it looks like it's going to be
15 twice. And that next situation would
16 come up in February.

17 COMMISSIONER GUY: So if I'm remembering
18 right, then, it was provided to us in
19 that packet, and there was a little
20 information about it at that time where
21 it was scored?

22 MR. LEIN: Yes, sir.

23 COMMISSIONER GUY: And it was discussed then,

1 and that's what I'm thinking about.

2 Okay.

3 MR. LEIN: And that packet typically has a map
4 for each of the short-listed properties,
5 a one-page writeup, and there's a
6 summary of what the scores are relative
7 to other nominations. And Jo Lewis
8 typically makes that presentation.

9 COMMISSIONER GUY: Okay. Maybe I'm the only
10 one that didn't remember that. But does
11 anybody else have any questions?

12 MR. PORTER: Well, just the — and, Greg,
13 since you're there and you discussed
14 it — but to me it's very, very
15 important, particularly based on some of
16 the comments that I've heard recently —
17 but I think it's very important for the
18 public to understand that we don't go
19 out and look for property. These
20 properties have to be nominated, and
21 then you have to have a willing seller.
22 So it's all driven by the property
23 owner. And I think that's very

1 important for the public to understand
2 because there's been some — some
3 misunderstandings about it. And I think
4 that's an important aspect of what we
5 do.

6 MR. LEIN: Yes, sir. And as — when we give
7 presentations, we often point — we
8 explain the process and we point out to
9 the public that this program has no
10 condemnation power; okay?

11 It's all about a willing seller and
12 fair market value. So when you boil it
13 down, the landowner of a nominated
14 property holds all the cards, all the
15 cards. And the projects that work out
16 are ones where the landowner wants
17 Forever Wild to have the property and
18 this board wants to bring the property
19 into public ownership.

20 COMMISSIONER GUY: And do you remember how it
21 scored? Did somebody say that? How did
22 it score?

23 Do you remember, Jo?

1 MS. LEWIS: Yes.

2 COMMISSIONER GUY: Ms. Lewis. Thank you.

3 MS. LEWIS: This tract short-listed as number
4 two in recreation in the central
5 district. Its score was a 61.5. It did
6 not score well in the parks because it's
7 not adjacent to a state park —
8 Conservation state park. And Wildlife
9 and Freshwater Fisheries did not
10 recommend it as particularly useful. It
11 scored a 51.1 in nature preserve, if I
12 recall.

13 The physical file we used to score
14 in-house was not particularly robust,
15 and so we also have a second scoring
16 using the same scoring criteria, which
17 we call the (inaudible). I do not know
18 if that was done for recreation. It was
19 not done with nature preserve because it
20 did not make it into the top tiers. But
21 given more information, there is an
22 additional opportunity to revise the
23 score.

1 COMMISSIONER GUY: So really it only scored in
2 recreation, then. Is that what you're
3 saying?

4 MS. LEWIS: Correct. It only short-listed.
5 It scored in —

6 COMMISSIONER GUY: Short-listed.

7 MS. LEWIS: Scored in nature preserve as
8 well. Some of the attributes weren't
9 defined in the file.

10 COMMISSIONER GUY: Got you.

11 Okay. With that, does anybody have
12 any more questions?

13 (No response.)

14 COMMISSIONER GUY: Thank you. Thank both of
15 you. Thank the presenters.

16 Does anybody else have any comments,
17 Chris or anybody else?

18 On this particular piece I'm talking
19 about.

20 Yes, sir.

21 MR. NORTHCUTT: Can I say one thing?

22 COMMISSIONER GUY: Yes. Come up.

23 MR. NORTHCUTT: I'm Steve Northcutt with the

1 Nature Conservancy. And another element
2 to this — and we talk about the
3 recreational aspect and the biodiversity
4 of the river. But I've been working
5 with U.S. Steel Corporation for the last
6 few years, and they are very interested
7 in finding ways to bring people to the
8 river. You know, they have development
9 properties, and they are willing to
10 assist and do some — on their
11 properties, areas where people can
12 camp. And they were even willing to
13 put in a couple of canoe launch sites
14 just upstream from this. So I think
15 having corporate support like that is a
16 key element to this.

17 COMMISSIONER GUY: Thank you, Mr. Northcutt.

18 All right. Our next speaking
19 request is by Mr. — is it Pat Byington?

20 Mr. Byington. Did I say that right?

21 Close?

22 MR. BYINGTON: Yes, sir.

23 COMMISSIONER GUY: Spell your last name for

1 the court reporter, too, when you state
2 it, please.

3 MR. BYINGTON: It's B-Y-I-N-G-T-O-N.

4 COMMISSIONER GUY: Good morning.

5 MR. BYINGTON: Good morning.

6 First of all, I want to make a few
7 comments on — I used to serve on the
8 Forever Wild Board between 1996 and 2002
9 in the central Alabama region. So it's
10 wonderful always to be able to address
11 the board of trustees and to actually
12 see members who are — who got, it looks
13 like, a second round of duty, which is
14 wonderful.

15 I also want to personally thank
16 Forever Wild. Two weeks ago my
17 daughter, who is eight years old, she
18 and her Girl Scout troop went out to
19 Ruffner Mountain in Birmingham. And
20 it's a — many of you may not know this,
21 but half of Ruffner Mountain is a
22 Forever Wild property. And we were
23 actually able to spend the day with her

1 Girl Scouts. And, you know, it's
2 wonderful to see, you know, a bunch of
3 girls from urban Birmingham, Alabama,
4 get out and see their first wetland.
5 And there's a wonderful education
6 program, and it just is a wonderful
7 example of the partnership Forever Wild
8 has and how we actually leverage our
9 resources. Because the Ruffner Mountain
10 Nature Center there is something
11 extraordinary, a very good program.

12 The reason I wanted to speak to you
13 guys today is I would like for you to
14 consider in the future honoring a person
15 who would come to these meetings every
16 day — every meeting, wherever it was
17 throughout the entire state, to push for
18 a property that you do own right now,
19 and that's the Sipsey River–Sullivan and
20 Sipsey River–Randolph tracts in
21 Tuscaloosa County. And that person that
22 I would like you to consider to honor is
23 a lady by the name of Maxie Bryant.

1 She was a member of the Tuscaloosa
2 Audubon Society. She was notorious.
3 She would come to every meeting, and she
4 would give this wonderful smile and say
5 here I am again. And she'd prod us and
6 she'd encourage us to consider buying
7 the Sipsey River Swamp property. And
8 she would help lead the efforts of
9 getting people — other groups to
10 support. And she was just an
11 extraordinary woman.

12 What was also special about her is
13 after we purchased that property, the
14 Sipsey River Swamp areas — after we,
15 you know, did our job, what made Maxie
16 also quite special was she still came to
17 the Forever Wild board meetings. I
18 think she was a little bit addicted to
19 our meetings. But she came and at every
20 meeting she did something I thought was
21 very important. She came here to thank
22 us and to thank — and she'd say I also
23 have an eye on you.

1 But she was very special. She
2 died — she passed away about five years
3 ago, in fact, five years ago this
4 month. And I talked to some members of
5 her family, and I — you know, I just
6 believe it might be — it would be
7 something very special to honor her in
8 some fashion. And I do know that y'all
9 have taken the opportunity to honor
10 people by naming some of the tracts in
11 honor of folks, and I would like to see
12 if you could consider that — obviously
13 not today, but in the future.

14 So that's my ask and I deeply
15 appreciate all the work you do.

16 COMMISSIONER GUY: Thank you very much.

17 Does anybody have a question before
18 he sits down?

19 DR. LAWTON: How are the pigs doing on the
20 Sipsey River? Are we managing the pigs
21 any better down there?

22 MR. BYINGTON: I don't know if we are. But I
23 had a fellow who was looking at my

1 here in Huntsville, Alabama. And I'm
2 just here to personally thank y'all for
3 the additional acreage to the state
4 park.

5 In 1998 there were 197 acres
6 acquired, the Big Cat Creek tract, and
7 in 2004 Periwinkle Springs, 40 acres,
8 and then the Monte Sano Park-North Slope
9 addition, 154 acres in 2008. That
10 brings the park acreage to over 3,000
11 acres.

12 The park has about 250,000 visitors
13 a year, and we continue to grow each
14 year as the population here grows. And
15 we've been able to add additional hiking
16 trails, and it's been a really good
17 thing. So thank y'all.

18 COMMISSIONER GUY: Thank you, sir.

19 Before you sit down, does anybody
20 have any questions of Mr. Wilborn?

21 He runs Monte Sano, which — how far
22 is that away?

23 MR. WILBORN: About six, seven miles.

1 COMMISSIONER GUY: It's pretty close to the
2 city; right?

3 MR. WILBORN: Yes.

4 MR. ALLEN: How many acres in the park?

5 MR. WILBORN: There's about 3100 acres now.

6 MR. ALLEN: Is it all contiguous?

7 MR. WILBORN: No. There are 80 acres that are
8 not on the west slope of the mountain.

9 DR. LAWTON: But, Kent, still point out that
10 the state park is contiguous with
11 properties owned by the Huntsville Land
12 Trust.

13 MR. WILBORN: Yes.

14 DR. LAWTON: That's another five or 600 acres.

15 MR. WILBORN: Yes.

16 DR. LAWTON: So the whole complex of preserve
17 lands, which is a contiguous mass, is
18 edging up toward 5,000 acres.

19 MR. WILBORN: It's sort of the place where
20 everybody on the weekend that's local
21 goes to. I mean, they're there in the
22 morning. And when I was up this
23 morning, the sun wasn't even up and

1 there were runners already out running,
2 hiking. So it's a great — great
3 asset.

4 COMMISSIONER GUY: I understand used by
5 families, kids, and just about everyone;
6 correct?

7 MR. WILBORN: Yes. Yes. Well, we have the
8 local high schools, the universities,
9 the track club, they come up and run.
10 The sheriff department runs. The
11 military runs. Everybody is up there
12 running or hiking.

13 COMMISSIONER GUY: Thank you.

14 MR. WILBORN: Thank y'all.

15 COMMISSIONER GUY: Thank you, sir.

16 MS. POWELL: Commissioner, if I could just ask
17 everybody to speak up a little bit. As
18 we go forward, everybody is getting a
19 little lax.

20 COMMISSIONER GUY: We could use this, but we
21 have to pass it around. So just — if
22 you're not hearing us, give us a
23 thumbs-up and we'll talk louder. And

1 don't be afraid to come forward in your
2 seats.

3 Lamar Pendergrass.

4 Good morning, Mr. Pendergrass.

5 MR. PENDERGRASS: Good morning. I am Lamar
6 Pendergrass. I'm the current manager at
7 Cathedral Caverns State Park, and I'm
8 here to talk a little bit about the
9 Cedar Winds tract.

10 Cathedral Caverns State Park was
11 purchased by the Department of
12 Conservation in 1987. It was opened for
13 business in May of 2000 after major
14 renovations. The park currently
15 consists of about 481 acres. In May of
16 2008 we did receive around 20 acres
17 purchased by the Forever Wild program.
18 Today we see currently between 45 and
19 50,000 people a year, including in that
20 between — around 180 school groups
21 ranging from about 20 people per group
22 to up to 300.

23 The Cedar Winds property would make

1 a very important buffer to the park.
2 This small tract of land runs parallel
3 to the entry road that leads right to
4 Cathedral Caverns. There are two septic
5 tank systems on this property with field
6 lines. When the park was purchased, we
7 installed a new aboveground sewer
8 treatment drip system, and this existing
9 sewer system would be added to our drip
10 system. We feel this would keep any
11 effluent that would have the opportunity
12 to run into the cave out of the area.

13 We also understand that the
14 purchasing of property with structures
15 is not the normal practice of the
16 Forever Wild Board. However, the State
17 Parks Division is willing to pay the
18 cost of the appraised value of the
19 improvements, and we would also maintain
20 these improvements.

21 There have been several offers on
22 the property. We do ask that the board
23 consider this property and move

1 forward. And we thank you for your
2 consideration of this request.

3 COMMISSIONER GUY: Any questions?

4 MR. KELLER: How many acres was it?

5 MR. PENDERGRASS: It's ten acres. Two acres
6 actually consist of an improved
7 campground. By improved, there's a nice
8 facility as far as a bathhouse facility
9 with an office. The other is about ten
10 to 15 campsites which would need major
11 renovation.

12 MR. KELLER: It is for sale though?

13 MR. PENDERGRASS: It is for sale. Yes, it
14 is.

15 MR. KELLER: What's the price of it now?

16 MR. PENDERGRASS: Sir?

17 MR. KELLER: What's the asking price?

18 MR. PENDERGRASS: Well, the first appraisal
19 has been received by your board, I
20 think.

21 COMMISSIONER GUY: It's on our list.

22 MR. KELLER: But, I mean, what are they asking
23 for it?

1 MR. PENDERGRASS: I think the original asking
2 price — I've heard it — and I have
3 been in contact with the real estate
4 agent. Every time he shows the property
5 he'll stop by the park and, you know,
6 just, I guess, drop me a line and say,
7 hey, we're showing the property.

8 I think they were asking about
9 140,000 to 150 originally. You know,
10 again, two acres would be home to the
11 campground — not only as an improved
12 site, but with about 15 sites improved
13 with electricity and water, the rest as
14 a primitive campground where there's
15 just strictly camping.

16 COMMISSIONER GUY: Let me ask a question for
17 clarification.

18 So as it exists now, there is no
19 camping area for the Cathedral Caverns;
20 is that correct?

21 MR. PENDERGRASS: We have only a primitive
22 campground.

23 COMMISSIONER GUY: Okay.

1 MR. PENDERGRASS: And in that area all we have
2 at this time is we put port-a-potties
3 out there for the guests to use. This
4 bathhouse facility would — you know, we
5 get a lot of Scout groups and things
6 like that, weekend and overnight
7 camping, and it really would give us an
8 opportunity to do away with the
9 port-a-potties and actually utilize this
10 bathhouse facility.

11 MR. WOLLER: The existing owner now, is he
12 charging people to use this campground?

13 MR. PENDERGRASS: They were. The campground
14 was closed down in July of 2009 or '10.
15 It hasn't been ran for a little over a
16 year now. And in the beginning, once
17 they shut it down —

18 MR. WOLLER: Does that mean that people cannot
19 go on that property?

20 MR. PENDERGRASS: No. There's nobody using
21 that property at all right now. It's —
22 again, it's adjacent to the park. I
23 live on the park. And if anybody comes

1 up at night, nine times out of ten I
2 have to go out and run them off at
3 night. So it is basically shut down at
4 this time.

5 MR. KELLER: But you think their asking price
6 now is still 140?

7 MR. PENDERGRASS: That I do not know.

8 MR. JONES: Greg, do you have those — we've
9 had a couple of appraisals on that
10 property, I think. And I was thinking
11 135, and then I — it seems like I saw
12 another one.

13 MR. LEIN: If I could, the board authorized an
14 appraisal of the property for the board
15 recently, and we will have that
16 information —

17 COMMISSIONER GUY: Right.

18 MR. LEIN: — for the executive session for
19 the board to discuss momentarily. I
20 believe we're getting close to breaking
21 out in that and —

22 COMMISSIONER GUY: By statute we can't discuss
23 those appraisals.

1 MR. LEIN: That's correct. The appraisal
2 values are confidential to the board
3 until the properties actually close.

4 COMMISSIONER GUY: So all you were saying is
5 that's what you heard last that he was
6 asking. That has nothing to do with our
7 appraisal.

8 MR. PENDERGRASS: I've heard that's the asking
9 price. All I can say about the asking
10 price and what he's been — you know, I
11 do know there have been several people
12 that have looked at the property.

13 The real estate agent, he will stay
14 in contact with me, I guess, just to,
15 you know, say, hey, what's the action of
16 the board. Because, you know, it was
17 submitted by the owner of the property.
18 And they've had no, you know, sound
19 offers as far as what they were asking
20 for at this time.

21 COMMISSIONER GUY: Thank you, Mr. — go ahead,
22 yes, sir.

23 DR. SCHLUNDT: Quick question here: If this

1 property were purchased, the management
2 of that ten acres would completely be
3 done by you?

4 I'm assuming that's the — part of
5 what we're discussing here is that there
6 would be no need for the state people to
7 be involved from — well, you're a state
8 person too.

9 COMMISSIONER GUY: You just mean Parks.

10 DR. SCHLUNDT: Parks. It would just be an
11 extension of your management of the
12 property and be managed as part of the
13 main unit of the state park?

14 MR. PENDERGRASS: Correct. Yes. You know,
15 if — again, if we're able to open and
16 utilize any of that campground, it would
17 give us an opportunity to actually hold
18 some RV campsites. You know, probably
19 less than ten to 12 would be made
20 usable.

21 MR. WOLLER: I've got another question
22 relative to the potential value of this
23 thing.

1 The people who — do you know the
2 people who are looking at the property
3 and considering it and so forth — do
4 you have any idea — is their intent
5 to —

6 MR. PENDERGRASS: The one that I do know —

7 MR. WOLLER: — rent this campground to people
8 and —

9 MR. PENDERGRASS: The one I do know for sure,
10 they were going to open it up as a
11 campground.

12 MR. WOLLER: Okay.

13 MR. PENDERGRASS: At least during the busy
14 season that we have.

15 MR. WOLLER: To use Cathedral Caverns?

16 MR. PENDERGRASS: Exactly.

17 MR. WOLLER: Okay.

18 MR. PENDERGRASS: Because they're only getting
19 people — they're only going to get
20 people to stay there who actually come
21 and visit the park.

22 MR. WOLLER: Okay. Thank you. That's what I
23 thought.

1 COMMISSIONER GUY: All right. Any other
2 questions?

3 (No response.)

4 COMMISSIONER GUY: Thank you, sir.

5 MR. PENDERGRASS: Thank you.

6 COMMISSIONER GUY: Is it Cathie Wayne?

7 Ms. Wayne. Good morning.

8 MS. MAYNE: Good morning. My name is Cathie
9 Mayne.

10 COMMISSIONER GUY: Oh, is it Mayne? I'm
11 sorry.

12 MS. MAYNE: M-A-Y-N-E.

13 COMMISSIONER GUY: I apologize.

14 MS. MAYNE: That's fine. It's my writing. I
15 apologize.

16 I'm the marketing director for the
17 Land Trust of North Alabama, and I am
18 here, also, as my friend Kent said, to
19 thank you. Thank you for your wisdom
20 and for your caretaking and your
21 stewardship of Alabama wild properties.

22 The State Park, our good friends
23 there, kind of take care of the west

1 side of Monte Sano Mountain and our
2 nature preserve — or Monte Sano Nature
3 Preserve is the east side. Part of what
4 you all have done in the past few years
5 is to purchase the Terry property which
6 became part of the state park. Another
7 portion that you in your wisdom
8 purchased was the Certain tract, which
9 is on Green Mountain. And that is part
10 of our Blevins Gap Nature Preserve.

11 The Land Trust has three large
12 preserves within the city of Huntsville,
13 and each is larger than Central Park.
14 We have 40 miles of trails for the
15 public to use. And I want to tell you,
16 if you were to pass by the parking lot
17 of the Blevins Gap Preserve, it is
18 always full. Always full. People love
19 it. They enjoy walking along that ridge
20 and seeing two different valleys.

21 So, again, welcome to Huntsville.
22 Thank you for what you do. And we hope
23 to bring more property to your attention

1 very soon. Thank you.

2 COMMISSIONER GUY: Thank you, Ms. Mayne.

3 Any questions of Ms. Mayne?

4 (No response.)

5 COMMISSIONER GUY: Thank you very much for

6 your comments.

7 That was all of the speakers that I
8 had noted. Is there anybody who did not
9 sign up that wishes to speak?

10 Yes, sir. If you would, state your
11 name and —

12 MR. LAWSON: I'm Daryl Lawson here at Alabama
13 A & M and just wanted to welcome the
14 board again along with Dr. Taylor and
15 just inform you that we do have a very
16 good program here. And one of the
17 things we're sort of proud of that some
18 of you may not be aware of is that we
19 have a fully-accredited forestry program
20 here, the Forest, Ecology, and Wildlife
21 Program. And it is the only HBCU in the
22 country that has that. And we're
23 working with some of the partners that

1 y'all developed.

2 And we have a wildland fire crew
3 here that is unusual. And we assist the
4 Nature Conservancy. Some of the board
5 members here, we've worked on their
6 properties and everything. And just
7 wanted to let you know that there are
8 some real good things happening here in
9 north Alabama and also at Alabama A & M,
10 that we want to welcome the board.
11 Thank you for visiting the campus. And
12 hopefully you'll take a few minutes and
13 drive around the hill and enjoy the
14 beauty that we have. And thank you for
15 your service.

16 COMMISSIONER GUY: Thank you. Thank you,
17 Mr. Lawson.

18 Any other — anybody else that
19 wishes to speak at this time?

20 (No response.)

21 COMMISSIONER GUY: Okay. At this time, by
22 regulation, I would note publicly that
23 appraisal values are confidential during

1 periods of negotiation. Accordingly, in
2 order to discuss tract appraisal values
3 that we must do, the board will need to
4 go into recess for an executive
5 session.

6 Is there a motion for the board to
7 now recess into executive session?

8 MR. WOLLER: So moved.

9 DR. TAYLOR: Second.

10 COMMISSIONER GUY: We've got — Mr. Woller was
11 the first and who seconded it?

12 DR. TAYLOR: I second it.

13 COMMISSIONER GUY: Okay. Dr. Taylor.

14 All right. At this time I'm going
15 to call for a roll call to go into
16 executive session of those members
17 present.

18 Dr. Lawton?

19 Dr. LAWTON: Aye.

20 COMMISSIONER GUY: Dr. Schlundt?

21 DR. SCHLUNDT: Aye.

22 COMMISSIONER GUY: Dr. Hepp?

23 DR. HEPP: Aye.

1 COMMISSIONER GUY: Dr. Taylor?

2 DR. TAYLOR: Aye.

3 COMMISSIONER GUY: Mr. Keller?

4 MR. KELLER: Aye.

5 COMMISSIONER GUY: Mr. Woller?

6 MR. WOLLER: Aye.

7 COMMISSIONER GUY: Mr. Allen?

8 MR. ALLEN: Aye.

9 COMMISSIONER GUY: Mr. Porter?

10 MR. PORTER: Aye.

11 COMMISSIONER GUY: And myself.

12 And so at this time, for those
13 members of the public that are here,
14 what we will do is — by my watch we're
15 about five minutes till 11. We'll take
16 about a 20-minute recess. If y'all
17 would just be patient. Maybe not that
18 long. And we will go into executive
19 session and then return as soon as we
20 can finish that bit of business to
21 conduct the remaining portion of our
22 business.

23 Yes, sir, Mr. Lein.

1 MR. LEIN: I just want to encourage the board
2 members to please bring your packet with
3 you for reference. And we're located
4 right across the hall.

5 (Recess for Executive Session
6 taken.)

7 COMMISSIONER GUY: The time is 11:22 and I
8 have called the board back to order.
9 And we're now finished with our business
10 for today.

11 At this time I want to call on
12 Mr. Greg Lein for some reports on the
13 board matters, financial and pending
14 transactions.

15 MR. LEIN: Good morning.

16 COMMISSIONER GUY: Good morning.

17 MR. LEIN: For the benefit of the court
18 reporter and the public, my name is Greg
19 Lein. I'm an employee in the State
20 Lands Division in the Conservation
21 Department.

22 Within the board's packet, we are
23 now at the part of the agenda that

1 attends to financial data. When we ran
2 the report for this meeting
3 November 10th, the program's cash
4 balance was right around \$18.2 million.
5 The board has previously made motions to
6 attend to offers to purchase certain
7 properties that had been previously
8 appraised, and I'll go through that list
9 because that becomes encumbrances of the
10 cash.

11 In the order in which these projects
12 have proceeded, we have the Weeks
13 Bay-Meadows addition in Baldwin County,
14 which is approximately 685 acres in
15 size. This project involves a
16 half-million-dollar NOAA grant that had
17 been secured by our Weeks Bay staff
18 previously, and that reduced the cost to
19 the board and the program by a
20 half-million dollars.

21 The next project is the Lauderdale
22 WMA-Denson, 20 acres. This was a
23 portion of a previous closing where

1 there was a title problem. We're
2 keeping this on the list as we try to
3 resolve whether or not the family is
4 going to be able to resolve that title
5 issue. If so, the board's previous
6 motion to purchase would cover that if
7 it could all work out.

8 The next property is the Post Oak
9 Flat-Patrick addition in Jackson
10 County. This is approximately 2100
11 acres in size. We have been
12 communicating with the landowner and
13 family on this property, and we're
14 working to resolve the purchase option
15 agreement and had some good
16 communication this past week. I think
17 everything is going to work out fine on
18 that. And things were proceeding so
19 well that they wanted to know how long
20 it would take to close once we execute
21 the purchase option agreement. So
22 everything looks good on that project.

23 The Weeks Bay Reserve-Metcalfe

1 addition, right about 29 acres. And
2 this project also has some grant money
3 and some leveraging that would be made
4 available by the Lands Division which
5 would cover about half the cost. And
6 that's shown in the report to the
7 board. And we have recently completed
8 the purchase option agreement on this
9 property and are working with our legal
10 section to schedule the actual
11 exercising the option and closing of
12 this, all of which should be able to
13 happen in the next quarter or so.

14 The next project is the
15 Heron-Portersville Bay project in Mobile
16 County. This is right around 1100 acres
17 in size, and it involves a
18 one-million-dollar National Coastal
19 Wetlands Grant that was secured by Chris
20 Smith and Jo Lewis this past year to
21 leverage this opportunity to the board.
22 And the board made a motion to purchase
23 at a previous meeting. So we've

1 actually gone through, again, the option
2 process, and legal has recently
3 exercised the option on these two
4 properties and is involved in an
5 exchange with the agents for the
6 families. And this is proceeding toward
7 closing and should close very soon.

8 The next project is one that's a
9 little bit unique to the program. We
10 don't have many land swap or land
11 exchange projects that come about, but
12 this would be the second one. And I
13 believe it actually closes —

14 Is it today, Ms. Weber?

15 MS. WEBER: Yes.

16 MR. LEIN: This exchange, this swap will close
17 today, December 1st. And it basically
18 involves an exchange of property up in
19 the Freedom Hills/Riverton area of the
20 Wildlife and Freshwater Fisheries WMA
21 and community hunting area system. And
22 this is a project in which Forever Wild
23 would be given more acres than it gives

1 up. And that's always how we try to
2 approach potential land exchanges where
3 the benefit is largely to the state and
4 Forever Wild program.

5 The next project is the
6 Weogufka-State Forest addition, 762
7 acres approximately. This project and
8 the next two that follow it were
9 projects that the board made motions on
10 at the last board meeting in September.
11 And I'm reporting to you today that all
12 of those offers were made and all of
13 them were accepted.

14 And I wanted to put in a footnote
15 here on the Weogufka project. At the
16 June meeting in Birmingham there had
17 been some discussion about this project,
18 and the parties that were there speaking
19 to the board from the Conservation Fund,
20 which is the group that had nominated
21 this project and actually hold title to
22 the land today, they had offered to pass
23 on a donation which would be a savings

1 to the program. The board made a motion
2 to purchase this property at the last
3 board meeting, but there wasn't any
4 further discussion about that donation
5 of value. And I just want to report to
6 the board that as we went forward with
7 the offer, the offer was conditioned
8 upon them including that donation of
9 value. So that was part of the exchange
10 and communication with them. And,
11 again, they have accepted and maintained
12 doing what they represented to you back
13 in June when they spoke to you at the
14 June meeting.

15 The Coon Gulf-Blue Hole addition in
16 Jackson County, 120 acres. This is a
17 project with the local Alabama Land
18 Trust, and they've accepted the offer on
19 that. So we're working to schedule the
20 closing with them this year.

21 And, lastly, the Perdido River-Swift
22 addition, which is an inholding within
23 the state's Perdido Wildlife Management

1 Area. It's about 160 acres. That
2 company — the timber company that has
3 that land has accepted the offer. And
4 so, again, we're working on the
5 remaining due diligence, securing a
6 second appraisal of phase one, and then
7 scheduling the closing for that tract.

8 As previously stated, all those
9 appraisal values are confidential to the
10 board until the projects actually close,
11 and then they become public record.

12 And the sum-total of all of those
13 projects approved by the board amounts
14 to around \$6.8 million in project
15 value. That's the cost of purchasing
16 the property and the cost of
17 transferring the 15-percent
18 stewardship — value to the stewardship
19 fund, which is your fund for the
20 perpetual long-term maintenance of those
21 lands. That leaves the board with
22 basically \$11.4 million of unencumbered
23 cash funds.

1 And immediately below that in your
2 report we itemize the board's budgetary
3 capital spending authority. And this is
4 your spending authority from previous
5 years, which does not expire, because
6 it's capital authority. And that
7 carries forward in the future FYs.

8 So that was \$6.3 million that
9 carries forward. This year, the year
10 we've now entered come October 1, the
11 spending authority is \$12.2 million.

12 And so the sum-total of that is
13 \$18.5 million of capital spending
14 authority.

15 So that's your spending authority
16 associated with the actual capital
17 actions such as land acquisition. So as
18 you can see, you have a capital spending
19 authority that covers your available
20 cash today, and you can conduct business
21 under that budgetary authority.

22 I do want to add that the income
23 that the program has received this year

1 has seen a couple of deposits that were
2 unanticipated. One was a full
3 achievement of the 15-million-dollar cap
4 that by law Forever Wild cannot receive
5 more than \$15 million of income from the
6 Alabama Trust Fund in a given year. And
7 because of the economy, many people
8 thought we would not achieve that
9 15-million-dollar deposit, but, in fact,
10 we did. The remainder of that deposit
11 came in in June after the June meeting.

12 And, also, since the September
13 meeting, there has been a long ongoing
14 study that was being done by the
15 treasurer's office and the public
16 examiner's office looking at
17 distributions from the Alabama Trust
18 Fund to the state — state beneficiaries
19 of those funds, one of which was Forever
20 Wild. And there have been some
21 historical transfers of funds many years
22 ago that the audit basically found all
23 of the beneficiaries didn't get the full

1 distribution that they should have. And
2 these were associated with realized and
3 unrealized gains basically. So the
4 findings of that whole report presented
5 that Forever Wild was due about
6 \$3.2 million.

7 And I believe many of you may have
8 gotten the report relative to that from,
9 again, the examiner's office and the
10 treasurer's office back in October. And
11 if you didn't, we can get you copies of
12 that. But they asked for your mailing
13 addresses so that they could send you
14 the reports.

15 So that's an additional \$3.2 million
16 that was unanticipated as revenue to the
17 program.

18 And so that basically captures the
19 reporting for the land trust fund. As
20 you all know, there are two funds. The
21 other fund is the stewardship fund, and
22 that's on the next page.

23 The current cash balance as of

1 November 15th of the stewardship fund is
2 \$25.1 million. Your spending authority
3 for this year is \$890,000. And we've
4 itemized the expenditures thus far as of
5 October 1 under the budget year where
6 money has been spent thus far: repair
7 and maintenance, rentals, professional
8 services, supplies and materials,
9 transportation. And those expenditures
10 amount to about \$108,000 out of the 890
11 that are authorized for this year. So
12 that leaves an available balance of
13 \$781,000.

14 A lot of these maintenance
15 activities happen in late spring and the
16 summer months of the year. And we will
17 be reporting back to you the
18 expenditures by tract — that's
19 something our accountant is working
20 on — so that you understand where
21 expenditures go relative to the
22 properties that have been purchased.

23 Are there any questions?

1 COMMISSIONER GUY: Thank you, Greg. Are you
2 going to talk about pending transactions
3 next?

4 MR. LEIN: Yes, sir.

5 The next page — you've got to flip
6 over two pages in your packet.

7 The next page covers basically the
8 potential closings that are under
9 consideration by the board. This is the
10 list of properties that the board has
11 authorized us to secure appraisals on
12 and properties that appraisals have been
13 secured on relative to grants the
14 departmental staff are pursuing to
15 leverage Forever Wild opportunities.
16 And I'm just going to briefly go down
17 this list.

18 Again, the appraisal values are
19 confidential to the board. But for the
20 benefit of the public, these properties
21 involved project areas, one in Coosa
22 County — this is the Coosa WMA—Hancock
23 Phase II property, about 842 acres in

1 size, that was previously scored and
2 short-listed in recreation area and WMA
3 and, also, as a nature preserve within
4 the central district of the Forever Wild
5 program.

6 The Yates-Weil property in Elmore
7 County is just over 1900 acres in size,
8 and this property short-listed as a
9 state park and WMA in the central
10 district.

11 The Cathedral Caverns-Cedar Winds
12 property in Marshall County,
13 approximately ten acres in size. This
14 property short-listed previously as
15 number one under the state parks
16 category within the northern district.

17 And the next one is the Coldwater
18 Mountain-Cassidy addition in Calhoun
19 County, approximately 20 acres in size.
20 This property previously was
21 short-listed as number two for nature
22 preserve and number one for recreation
23 area categories.

1 And that basically covers, I
2 believe, the northern district. Is that
3 correct, Ms. Lewis? Calhoun County?

4 MS. LEWIS: Yes.

5 MR. LEIN: Calhoun County is in the northern
6 district, I believe.

7 MS. LEWIS: Yes.

8 MR. LEIN: Lastly on the list is the
9 MTD-Perdido Connector property in
10 Baldwin County. This is a project about
11 6,000 acres in size. And it had been
12 nominated several years ago and
13 appraised well over a year ago. We were
14 looking into federal funds that might
15 leverage the potential acquisition down
16 there in the coastal part of the state
17 where there's often more federal grants
18 available. And we just have not been
19 able to secure any grants or really
20 realize any significant opportunities
21 that might leverage that very expensive
22 project.

23 We continue to keep our eyes open,

1 but there has just not been much. As we
2 said before and Chris will speak to in a
3 little while, there's less and less
4 federal funds available these days for
5 grant programs that have historically
6 been available.

7 Commissioner, I'd be happy to answer
8 any other questions the board might have
9 at this time.

10 COMMISSIONER GUY: Mr. Porter.

11 MR. PORTER. What is the — what's the — has
12 the Perdido Connector — does it have
13 any scoring?

14 MR. LEIN: Perdido Delta?

15 MR. PORTER: The Perdido — what you had, the
16 Perdido Connector.

17 MR. LEIN: Yes, sir. The MTD-Perdido
18 Connector. I did not show the scoring
19 on that. And I apologize for that. I
20 don't remember exactly how it scored.
21 Again, it was short-listed, and the
22 board took action on this probably over
23 two years ago. So it would have been a

1 short-list from way back then. Jo might
2 be able to speak to that.

3 MS. LEWIS: I'm not sure about every one of
4 them. It short-listed in 2007 as number
5 one in the WMA. It short-listed in June
6 of 2009 and June — and December of
7 2009 — we did that extra short list
8 then. Both times it was number one in
9 recreation. And it was number two in
10 nature preserve in June of 2009.

11 Does that answer the question?

12 MR. PORTER. Yes, ma'am. Thank you.

13 MR. LEIN: I believe that also illustrates
14 that, you know, projects that are
15 available may get short-listed several
16 times as they remain available for the
17 board's consideration. And the score,
18 that ranking of one or two or three, can
19 change with each short-listing because
20 it's all relative to other properties.

21 And so if the score stays the same
22 as — by way of example, a 75 and that
23 makes it number one one year, two years

1 later if it's still on the list, it may
2 still be a 75, but then there's a new
3 property that's a 78. And so the
4 ranking will change relative to all of
5 the available tracts.

6 That gets a little confusing and
7 it's often hard to briefly describe to
8 the board, but that's how the short-list
9 packet works. And there will be, again,
10 a new short list, hopefully, for the
11 February meeting and we can provide
12 additional explanation then, at that
13 time, if there are any more questions
14 about how that works.

15 DR. LAWTON: I've got a question about that
16 property.

17 Is that a contiguous tract, or is
18 that a constellation of tracts?

19 MR. LEIN: The MTD-Perdido Connector?

20 DR. LAWTON: Yes.

21 MR. LEIN: We named it as a connector because
22 it falls within the landscape between
23 all of the Mobile-Tensaw Delta lands

1 that Forever Wild has bought and all of
2 the lands along the Perdido River. It's
3 actually closest to the Splinter Hill
4 Bog, Forever Wild acquisitions, and
5 properties that the Nature Conservancy
6 owns. Within that watershed — it falls
7 in both watersheds, and that's why we
8 refer to it as a connector is that it's
9 within the physical landscape. Drainage
10 from that 6,000-acre property goes to
11 the delta and also to the Perdido
12 River.

13 And that kind of landscape context
14 can often come into play relative to the
15 movements of big mammals like black bear
16 that might be moving out of that Perdido
17 River system and trying to get over to
18 the delta. You know, a 6,000-acre tract
19 in the middle of all that corridor area
20 might be of significant conservation
21 benefit.

22 Yes, sir.

23 MR. ALLEN: How is access for the public's use

1 on that particular piece of property?

2 Is it good access, bad, or what?

3 MR. LEIN: On the Perdido — MTD-Perdido

4 Connector?

5 MR. ALLEN: Right.

6 MR. LEIN: I believe it's bisected by a county

7 road —

8 MS. LEWIS: Paved county road.

9 MR. LEIN: — a paved county road in north

10 Baldwin County. And I believe it has

11 good internal road — you know, woods

12 roads that have been utilized for timber

13 harvest. I believe that there has been

14 timber taken off recently, but they've

15 left a lot of the longleaf on the site,

16 sort of like a select-cut, if you will.

17 And this is basically what people call

18 pine sandhill-type habitat. It has some

19 bog habitat within it in the matrix of

20 the landscape. And then, again, the

21 drainage is blackwater-type stream

22 drainages and good soils for species

23 like gopher tortoises and other things

1 that are associated with pine sandhill
2 communities.

3 MR. KELLER: Is it all contiguous? Is it
4 contiguous?

5 MR. LEIN: It's — again, it's not physically
6 contiguous to any Forever Wild
7 properties. It's just within that
8 landscape that falls in close
9 proximity. I think it's within three or
10 four miles of the Clearwater tract,
11 which is a 10,000-acre Forever Wild
12 ownership which would be to the west.
13 And then it's probably three to four
14 miles away from the Splinter Hill Bog
15 property.

16 MR. KELLER: Is the property itself
17 contiguous?

18 MS. LEWIS: It's changed — somebody had
19 complicated ownership and the specific
20 polygon of what has been nominated has
21 changed over the year. The 6,000 acres
22 we're referring to I'm pretty sure is
23 one contiguous block. There were some

1 additional smaller pieces that were not
2 contiguous to the main block. I don't
3 think they were currently included in
4 the nomination. So, yes, I think it is
5 one major block.

6 MR. LEIN: Dr. Taylor.

7 DR. TAYLOR: Would it be correct to say a
8 federal grant would be necessary before
9 the purchase of this land?

10 MR. LEIN: Well, by way of example, the
11 appraised value, which, of course, is
12 confidential to you at this time,
13 exceeds your available funds at this
14 time. So if you wanted to take action
15 on it today, you really don't have the
16 funds with which to pursue it.

17 Again, there's been no motion by the
18 board to make an offer, and I wouldn't
19 necessarily assume that the appraised
20 value matches up with what the landowner
21 might accept for the property because it
22 has been on the market for several
23 years. They've looked at other

1 opportunities to sell it and none have
2 really materialized. So I wouldn't just
3 assume that the appraised value matches
4 up with what they might take for the
5 property.

6 But, again, the availability of
7 funds required to purchase this, it
8 would be a close call as to whether you
9 could really afford it without federal
10 assistance.

11 COMMISSIONER GUY: Any questions of Mr. Lein?

12 (No response.)

13 COMMISSIONER GUY: Thank you, Greg.

14 MR. LEIN: Thank you.

15 COMMISSIONER GUY: Chris.

16 MR. SMITH: Thank you, Commissioner, and good
17 morning, Board.

18 For the benefit of the public, my
19 name is Chris Smith, and I work with the
20 State Lands Division, Department of
21 Conservation and Natural Resources. The
22 State Lands Division participates in
23 different federal assistance programs or

1 grant programs, and we try to further
2 the Forever Wild dollar through matching
3 funds. And at each board meeting I
4 update the board with pending proposals
5 and reimbursements and what have you
6 associated with the different federal
7 acquisition programs. And we utilize
8 different Forever Wild nominations that
9 fit some of the different criteria
10 associated with these different programs
11 and try to leverage money to help
12 Forever Wild dollars.

13 At this time basically we have
14 two — I have two pending things to
15 report to the board. One is associated
16 with the nominations — the Heron Bay
17 and the Portersville Bay nominations
18 down in south Mobile County. Greg
19 briefly mentioned them a minute ago.
20 And we did receive a million-dollar
21 grant award to purchase — to help
22 purchase those tracts. We have been
23 working through the processes of all the

1 appraisal reviews and different
2 paperwork associated with reimbursement
3 so that when those properties close
4 we'll be ready to seek reimbursement
5 immediately.

6 I reported to the board at the
7 September meeting that we had submitted
8 a Land-Water Conservation Fund proposal
9 to ADECA and the National Parks Service
10 associated with the Coldwater
11 Mountain-Cassidy nomination. And we did
12 receive since the last meeting an
13 approval to submit what is called the
14 second-level application. And that was
15 actually due yesterday, and that has
16 been submitted. And so probably by the
17 next board meeting we will hear further
18 information about whether our proposal
19 will be accepted to help, you know, get
20 some federal assistance for that
21 purchase.

22 And at this time that's all I have
23 as far as any pending proposals or

1 reimbursement activity.

2 COMMISSIONER GUY: Any questions of

3 Mr. Smith?

4 DR. LAWTON: No. But a comment. I want to

5 thank everybody working on our behalf in

6 pursuing these sorts of funds. It's

7 made a lot of purchases possible that we

8 wouldn't have been able to do otherwise.

9 COMMISSIONER GUY: That's a very good point,

10 Dr. Lawton. Thank you for saying that.

11 Okay. I think that finishes reports

12 from the Lands Division. So at this

13 time we come to the part of the business

14 of the board where we can discuss

15 publicly any of these properties that

16 have been talked about or previously

17 recommended to us.

18 Is there any discussion?

19 Mr. Keller.

20 MR. KELLER: I'd like to nominate the

21 Cathedral Caverns.

22 COMMISSIONER GUY: I don't know if everybody

23 could hear, but —

1 MS. POWELL: Please speak up for the reporter.

2 COMMISSIONER GUY: Yeah. Yeah.

3 MR. KELLER: I would like to nominate the
4 Cathedral Caverns.

5 COMMISSIONER GUY: There's a motion to
6 nominate Cathedral Caverns—Cedar Wind in
7 Marshall County. Is there a second to
8 the motion?

9 MR. WOLLER: I second it.

10 MS. POWELL: I think you may want to — the
11 terminology would relate to, instead of
12 nomination, a motion as to what the next
13 action would be on that, if it would be,
14 for example —

15 COMMISSIONER GUY: I'm sorry. What was your
16 motion to do?

17 MR. KELLER: My motion is to pursue, acquire,
18 whatever —

19 COMMISSIONER GUY: To purchase the property as
20 nominated?

21 MR. KELLER: Yes.

22 COMMISSIONER GUY: Okay. I assumed you said
23 that. I was saying that. I apologize.

1 I didn't hear you.

2 So the motion by Mr. Keller is to
3 move forward to purchase the Cedar
4 Wind-Cathedral Caverns nominated
5 property. Is there a second?

6 MR. WOLLER: Second.

7 COMMISSIONER GUY: All right. Who seconded?

8 MR. WOLLER: I did.

9 COMMISSIONER GUY: Mr. Woller. All right.

10 Is there now any discussion on the
11 motion?

12 Yes, sir.

13 DR. SCHLUNDT: We heard a presentation earlier
14 about the State Park people being
15 willing to purchase the improvements on
16 that property, and I — I would like to
17 suggest we add that to our proposal
18 here.

19 COMMISSIONER GUY: So amend the motion to make
20 it subject to the State Parks purchasing
21 the improvements on the property?

22 DR. SCHLUNDT: And taking on responsibility
23 for management of the property

1 subsequent to our final purchase. Small
2 detail, I guess.

3 COMMISSIONER GUY: So that's really in the
4 form of a motion to amend. Is there a
5 second to the motion to amend?

6 MR. WOLLER: Second the motion.

7 MR. PORTER: Second.

8 COMMISSIONER GUY: All right. Any discussion
9 on that motion?

10 (No response.)

11 COMMISSIONER GUY: All right. All in favor
12 say "aye."

13 (All board members present
14 responded "aye.")

15 COMMISSIONER GUY: All opposed.

16 (No response.)

17 COMMISSIONER GUY: All right. So now what we
18 have is a motion to purchase the
19 Cathedral Caverns—Cedar Wind property
20 that's nominated with the State Parks —
21 subject to the State Parks paying the
22 improvement amount on that parcel of
23 property; correct?

1 MS. POWELL: And management.

2 COMMISSIONER GUY: And managing that as they
3 indicated they would do.

4 All right. Any discussion on that
5 amended motion?

6 (No response.)

7 COMMISSIONER GUY: All right. All in favor
8 say "aye."

9 (All board members present
10 responded "aye.")

11 COMMISSIONER GUY: All opposed.

12 (No response.)

13 COMMISSIONER GUY: All right. Motion carries.

14 MR. PORTER: Mr. Commissioner?

15 COMMISSIONER GUY: Yes, sir, Mr. Porter.

16 MR. PORTER: I'd like to — or I will make a
17 motion that we —

18 COMMISSIONER GUY: Speak up a little bit, Jim.

19 MR. PORTER: Make a motion that we negotiate
20 the purchase of the Coosa Wildlife
21 Management Area—Hancock Phase II
22 property.

23 DR. LAWTON: I second.

1 COMMISSIONER GUY: All right. There's a
2 motion — to negotiate the purchase; is
3 that what you said?

4 MR. PORTER: Yeah. To purchase it and to
5 negotiate the purchase price.

6 COMMISSIONER GUY: All right. And there's a
7 second by Dr. Lawton.

8 Is there any discussion on the
9 motion?

10 (No response.)

11 COMMISSIONER GUY: Let me be clear on
12 something. When you say to negotiate,
13 do you want to put any terms on those
14 negotiations?

15 MR. PORTER: Well, just — I mean, we know
16 that by statute that there's a ceiling.
17 But, you know, if they'll take less, I'd
18 like for us to take it.

19 COMMISSIONER GUY: Well, what I'm
20 understanding, though, is there has to
21 be some direction for that; correct?

22 MR. LEIN: Well, historically —

23 MR. PORTER: We negotiate in these things and

1 to use their best judgment to negotiate
2 the best price.

3 MR. LEIN: And, historically, motions like
4 this are basically — the staff is
5 getting the concurrence of your chairman
6 of the board, our commissioner, on
7 situations where we might offer less
8 than the appraised value to negotiate
9 the purchase at a savings to the board.
10 So I believe we understand what
11 you're — what the motion is, is
12 basically to work through our
13 commissioner and chairman of the board
14 to consider a lesser offer on this
15 property.

16 COMMISSIONER GUY: All right. So a motion and
17 a second. All in favor say "aye."

18 (All board members present
19 responded "aye.")

20 COMMISSIONER GUY: All opposed.

21 (No response.)

22 COMMISSIONER GUY: Motion carries.

23 Any other discussions about any

1 properties?

2 DR. SCHLUNDT: Mr. Commissioner?

3 COMMISSIONER GUY: Yes, sir.

4 DR. SCHLUNDT: We just heard from Mr. Smith

5 over there about a pending grant for the

6 Coldwater Mountain-Cassidy property. I

7 would propose that we would get a second

8 appraisal on that and go forward with

9 the purchase pending a receipt of some

10 kind of a grant. And if we don't get

11 the grant, then we can rediscuss that at

12 some later time, I guess, at the next

13 meeting.

14 COMMISSIONER GUY: So the motion is to

15 purchase subject to receiving the

16 grant?

17 DR. SCHLUNDT: Yes.

18 COMMISSIONER GUY: Okay.

19 MR. LEIN: If I could, as a point of

20 clarification, I think what I hear

21 Dr. Schlundt recommending is that we

22 proceed with making an offer on the

23 property but actual purchase is subject

1 to leveraging funds through the grant.
2 But really the next step is to make sure
3 that the landowner would accept, you
4 know, an offer on the property relative
5 to the appraisal. Is that correct?

6 DR. SCHLUNDT: Yes, sir.

7 COMMISSIONER GUY: So we'll — the motion is
8 to make that offer subject to the
9 appraisal for consideration by the
10 board.

11 Okay. Is there a second to —

12 MR. WOLLER: Second.

13 COMMISSIONER GUY: All right. Mr. Woller
14 seconds it.

15 Any discussion on the motion?

16 (No response.)

17 COMMISSIONER GUY: All in favor say "aye."

18 (All board members present
19 responded "aye.")

20 COMMISSIONER GUY: All opposed.

21 (No response.)

22 COMMISSIONER GUY: Motion carries.

23 Any further discussion on any other

1 matters?

2 (No response.)

3 COMMISSIONER GUY: Okay. I would like to
4 bring up a matter that's not related to
5 a purchase of property if we don't have
6 any more discussions about property.
7 And I've handed out to everyone a
8 resolution. And I want to read the
9 resolution into the record, and then I'm
10 going to ask that the board consider the
11 motion.

12 And I want to just briefly kind of
13 give you the genesis for the motion.
14 And I think I've discussed this a little
15 bit before in our meetings. But as
16 everyone knows, we went to the
17 legislature last year to try to get the
18 Forever Wild Land Trust program
19 reauthorized by statute, and we were
20 unsuccessful in doing that. But we
21 do — we did get a constitutional
22 amendment passed — well, we didn't get
23 the amendment passed, but we got

1 legislation for a constitutional
2 amendment to be placed on the ballot for
3 November of 2012. And that will come up
4 in the general election in November, and
5 hopefully it will pass.

6 In the meantime, we had a lot of
7 discussion with members of the public
8 and with the legislature and various
9 groups and organizations just
10 concerning, you know, issues related to
11 the administration of the Forever Wild
12 program. Some of those suggestions were
13 actually incorporated into one of the
14 pieces of legislation that we were okay
15 with if it had been passed. But it did
16 not pass.

17 What I've brought forth to the board
18 is those same issues or suggestions in
19 the form of a policy or procedures by
20 which I would like for the board to
21 consider for us to adopt in going
22 forward with this program. So at this
23 time what I would like to do is just

1 read it for the benefit of the public,
2 and it says as follows:

3 Whereas, the Board of Trustees of
4 the Forever Wild Land Trust, the Board,
5 is charged with overseeing the
6 acquisition and stewardship, protection,
7 management, and enhancement of lands
8 acquired and held in trust by the State
9 of Alabama through the Forever Wild Land
10 Trust, in parentheses, the Trust,
11 established in accordance with
12 provisions of Amendment Number 543 to
13 the Constitution of Alabama 1901.

14 And whereas, in conjunction with the
15 recent introduction of bills in the
16 Legislature respecting the Trust, the
17 Board received comments related to
18 various matters of interest regarding
19 the administration of the Trust.

20 And whereas, the Board desires to
21 respond to such comments for this
22 Resolution.

23 Now therefore, be it resolved by the

1 Board that it shall, no later than
2 February 1, 2013, publish a five-year
3 long — five-year long-range plan, which
4 will be part of the annual report of the
5 Board, outlining goals for future
6 acquisitions of lands, anticipated
7 activities on currently held Trust lands
8 and anticipated activities of the Board;
9 and shall, no later than the conclusion
10 of that initial five-year period, update
11 said long-range plan and thereafter
12 continue to update such plan on
13 five-year increments.

14 Be it further resolved, that the
15 Board hereby declares that the
16 acquisition of farmland has not been nor
17 is it intended to be a primary focus of
18 the Trust, especially in regard to such
19 lands that are in active production of
20 row crop agriculture and livestock
21 pastureland, and in the long-range plan
22 hereinabove provided for, the Board will
23 specify and provide appropriate limits

1 on the acquisition of cropland or
2 pastureland as a percentage of the
3 Trust's total acquisitions and land
4 holdings.

5 Be it further resolved, that the
6 Board shall publish information to the
7 public regarding public access, for
8 purposes of hunting and recreation, to
9 the lands held in the Trust, such
10 information to describe points of entry
11 to the lands, rules necessary for
12 obtaining permits as may be appropriate,
13 et cetera.

14 And be it further resolved, that the
15 Board, placing as it does a low priority
16 on the purchase of land leases for the
17 Trust, shall publish policies in respect
18 thereof.

19 And be it further resolved, that
20 minutes of the meetings of the Board
21 shall be made available to the public
22 online and for copying within five
23 business days following receipt from the

1 court reporter and, thereafter, final
2 minutes as approved by the Board will be
3 made available to the public online and
4 for copying within five business days
5 from such approval.

6 Be it further resolved, that the
7 Board of Trustees shall implement a
8 public education initiative in order to
9 better communicate to Alabamians the
10 benefits to them of the activities of
11 the Forever Wild Trust, identifying
12 lands held therein and the potential
13 uses thereof available to the public,
14 and how the public may best access and
15 benefit from those lands, as well as the
16 overall benefits of the Trust to the
17 State and its people.

18 I further want to communicate to the
19 board that there were parties, you know,
20 which opposed this during the
21 legislation. And we have been in
22 communication with those parties in
23 interest, and they have received

1 favorably this proposed resolution to
2 address a lot of the concerns they had.
3 And we've been in communication with
4 them just to try to do that.

5 A lot of this is about educating
6 people of all walks of life about what
7 we're trying to accomplish here for the
8 people of the state of Alabama. And the
9 purpose of this resolution, hopefully,
10 is to better, you know, do what we, you
11 know, need to do to try to make the
12 public aware of these kind of things.
13 And we believe that all these things —
14 we, being the Department of Conservation
15 and the Lands Division, who have looked
16 at this, believe that these are all
17 things that would be helpful.

18 So with that in mind — Mr. Porter.

19 MR. PORTER: Mr. Commissioner, I appreciate
20 this resolution, and I think it
21 certainly underscores some things that
22 we are already doing. But I would — I
23 would like to just suggest — and I

1 guess it's just the lawyer in me — in
2 the last paragraph just a change of the
3 wording. And it's the second line of
4 the last paragraph, and it starts with
5 "public." And I would strike
6 "education," and I would strike "in
7 order." And I would strike "better" and
8 "communicate" to — in lieu of — lieu
9 thereof interdelineate educate all
10 Alabamians of. And that would — so it
11 would read a public initiative to
12 educate all Alabamians of the benefits
13 to them.

14 And the reason — I know we
15 mentioned communicate there. But really
16 our charge and part of the — part of
17 our charge under the Constitution is an
18 educational process. And it just seems
19 to me the — to more clearly identify
20 and set forth what we're actually doing
21 here. So what you're saying, it would
22 now read that the Board of Trustees
23 shall implement a public initiative —

1 MR. PORTER: To educate all —

2 COMMISSIONER GUY: — to educate all —

3 MR. PORTER: — Alabamians —

4 COMMISSIONER GUY: — of the benefits to
5 them.

6 MR. PORTER: Yes, sir.

7 COMMISSIONER GUY: I don't have a problem with
8 that. And the motion can so read if
9 there is a — well, I guess — I don't
10 know if it's appropriate for me to make
11 a motion to adopt this, but I would like
12 to make a motion for the board to
13 consider and adopt this resolution. And
14 I will accept Mr. Porter's changes.

15 MR. WOLLER: Mr. Commissioner, I see, just
16 like Mr. Porter mentioned, you know,
17 this is — a lot of this is what we
18 already do. I mean, we — we do our
19 business in a public forum. So putting
20 the minutes out, you know, is obviously
21 not a problem. They're available
22 anyway. The five-year plan, that's a
23 good thing to do. The — you know, what

1 our focus is, the type of lands we're
2 after — all of the things in the
3 resolution are, in essence — other than
4 maybe some details of having the minutes
5 available five days afterwards and so
6 forth. So with that said, I
7 wholeheartedly second this resolution.

8 COMMISSIONER GUY: Thank you.

9 Any discussion?

10 And let me say, I do understand this
11 is what we already do. But this is kind
12 of the things we heard. So we're just
13 trying to further, I guess, make it
14 public that we're doing them by this
15 resolution and that we will do them by
16 this resolution. And we hope by doing
17 so, you know, again, we'll be
18 transparent in what we're doing. And
19 then everybody will understand that's
20 our obligation anyway but that we will
21 be doing it.

22 All right. Any other discussion?

23 (No response.)

1 COMMISSIONER GUY: All in favor say "aye."

2 (All board members present
3 responded "aye.")

4 COMMISSIONER GUY: All opposed.

5 (No response.)

6 COMMISSIONER GUY: The vote carries
7 unanimously.

8 Are there any other motions or
9 general discussions for the board at
10 this time?

11 MR. WOLLER: I would like to make a request
12 of, I guess, Jo and Greg that we get
13 another update on the distribution of
14 the funding and the acreage by
15 district. We had one, I think, last
16 December. And I kind of thought we
17 would get one today, but we didn't, so
18 maybe at the next meeting. Would that
19 be possible?

20 MS. LEWIS: That will definitely be possible.

21 MR. WOLLER: Great.

22 COMMISSIONER GUY: And you want them broken
23 down by the districts and —

1 MR. WOLLER: Yeah. She put a report out a
2 year ago.

3 COMMISSIONER GUY: We can certainly do that.
4 We could send that to him —

5 MR. WOLLER: Oh, the next meeting is fine.

6 COMMISSIONER GUY: Okay.

7 MR. LEIN: Mr. Woller is referring to a report
8 we've done in the past that itemizes the
9 number of acres and the number of
10 dollars spent in each of the three
11 districts. It helps the board see how
12 the projects have been distributed
13 across the state and how that's a
14 balanced effort.

15 MR. WOLLER: Exactly.

16 MR. LEIN: And we'd be happy to provide that
17 report.

18 COMMISSIONER GUY: Okay.

19 MR. PORTER. Commissioner?

20 COMMISSIONER GUY: Yes, sir, Mr. Porter.

21 MR. PORTER: Well, if we're — I guess we're
22 through.

23 COMMISSIONER GUY: Well, we're not through,

1 but we're just —

2 MR. PORTER: Oh, okay. At some juncture I
3 just want to express my appreciation to
4 Dr. Taylor for the wonderful facilities
5 and hospitality that they've given us
6 and the opportunity to be here on the
7 historic Alabama A & M University
8 campus.

9 COMMISSIONER GUY: Yeah. Let's give him a
10 hand.

11 We do have a couple of other items
12 just on the agenda. But if there's no
13 further — I just want to make sure
14 there's no further motions or other
15 points of business with regard to any of
16 the land, and I didn't hear any.

17 I think Greg was going to give us a
18 report on our public education
19 initiative that we talked about, again,
20 in connection with what we heard in the
21 legislative process of things about what
22 we needed to try to do to make the
23 public aware of these great properties

1 that they have available for us.

2 Before Greg does that, let me say
3 this: I'm going to — let me back up.
4 And I'm just going to make this
5 resolution that we passed a part of the
6 record and give it to the court
7 reporter. So I make that an Exhibit A
8 to the minutes.

9 (Exhibit A was marked for
10 identification.)

11 MR. LEIN: Thank you, Commissioner.

12 At the last board meeting in
13 September the board made a motion
14 basically to support this public
15 education initiative and the expenditure
16 of funds from the main Forever Wild fund
17 in support of this effort. And we
18 represented to the board that we would
19 report back to the board at each meeting
20 the expenditures associated with that
21 effort.

22 So I prepared a report in advance of
23 this meeting that itemizes the

1 expenditures that have been made in
2 support of this effort. And, again,
3 it's categorized under the fiscal year
4 that was just finished in September
5 because some of these — some of these
6 purchases were made back at that time.
7 And then it also includes expenditures
8 that we've now made in the FY that we're
9 presently in which started in October.

10 But, essentially, we've tried to
11 represent to you what these have been.
12 Many of them are what I would like to
13 think of as test balloons. This is us
14 trying to understand what it costs to do
15 certain things through traditional media
16 and other forums that might be
17 interested in Forever Wild. And
18 examples would be digital billboards
19 that we bought for the deer expos and
20 the other outdoor expos that took place
21 back in August and September of this
22 year. There was one here in the
23 Huntsville area. There was one in the

1 Birmingham area, a deer expo. And then
2 the Buckmasters event was down in
3 Montgomery.

4 Those are certain forums where
5 there's a lot of hunters and there's a
6 lot of interest in the Forever Wild
7 program. And for the first time we were
8 able to sort of, you know, market the
9 Forever Wild program to those
10 audiences. The billboards were bought
11 in close proximity to the events for a
12 three-day period leading up to the
13 event. And then in the instance of the
14 Buckmasters event, we had enough time
15 where we could actually buy advertising
16 at the event itself and their program.
17 We got banners in the event, and there
18 was a small commercial that ran on the
19 video screens next to where the big
20 bow-and-arrow contest was held in that
21 forum.

22 We were also able to secure
23 advertising through the two biggest

1 schools in the state, Auburn and
2 Alabama, and the football program that
3 takes place there. That purchase —
4 those two purchases included basically
5 in-stadium advertising on the digital
6 boards, radio commercial advertising.
7 And, again, they also provided for us a
8 mechanism where we could come on campus
9 on a game day and do a promotional
10 educational project there with other
11 entities that had bought advertising for
12 these events.

13 A good example would be, we were
14 right next to Public Health's tent on
15 that "Fan Day" at Auburn where we were
16 promoting Forever Wild and they were
17 promoting Public Health programs. And,
18 again, it's an example of state agencies
19 doing a similar thing. They've been
20 doing it for years and actually provided
21 a number of examples of what worked best
22 for them.

23 And the projects with the two

1 football programs they thought were one
2 of the best forums for communicating
3 with Alabamians about the Public Health
4 program. They were really popular.
5 They got a lot of positive feedback.
6 And that was the segway into us
7 investigating that effort. And I think
8 they also have come — those two schools
9 have come and spoken with the
10 commissioner, coincidentally, during the
11 summer as well about those
12 opportunities.

13 In conjunction with those two
14 purchases, we bought billboard
15 advertising on the travel corridors to
16 Auburn and to Tuscaloosa. It was three
17 billboards for each of the two
18 locations. And, again, that captured
19 people that are coming to the games, and
20 other people that are traveling along
21 those roads would see the billboards.
22 But that was a recommendation Public
23 Health made of how you capitalize on

1 your initiatives by having other
2 communications that coincide with one
3 purchase. You have another. And so it
4 has a magnifying effect on your
5 success.

6 We also tested the newspaper
7 process, and that's what's been passed
8 down along the paper. That was a
9 63-paper purchase, one-quarter-page ad,
10 one day. And you can see the cost of
11 that project and what the effects were.
12 I actually had a board member call me.
13 You know, he actually can read. And he
14 saw the ad in his newspaper and said,
15 hey, I saw the ad, I like this, this is
16 a good thing.

17 I'm just kidding with Mr. Woller
18 because he pulled my leg pretty good
19 this morning about whether we would have
20 a quorum here today.

21 The last purchase that we made in
22 the previous FY was this AL.com. And I
23 passed out a report that we only got

1 last week as that project concluded that
2 showed what the effects of that were.
3 That was really an unknown to us. We
4 didn't know how that worked. But a
5 number of board members suggested that
6 we really needed to look at Web-based
7 advertising. So that was a test balloon
8 in that form of media.

9 AL.com, when you advertise with
10 them, they can actually track how many
11 people are online looking at their
12 Website when your ad is running. Okay.
13 And they call that an impression. And
14 in the purchase we were guaranteed
15 1.5 million impressions, and we
16 actually — because they track how many
17 people are on there looking. We
18 actually secured, I believe, right over
19 4 million impressions. So our purchase
20 exceeded the guarantee that they
21 provided.

22 And they also track how many people
23 clicked through to the landing page to

1 actually understand what Forever Wild
2 was, and that was close to 10,000 people
3 that not only saw the ad but then
4 clicked on the ad to go to the landing
5 page to learn more. And then other
6 people clicked through all the way to
7 the department's Website to see more of
8 the standard information we've had on
9 the Website for years. So, again,
10 that's a representation of how that
11 worked.

12 After October we were able to make a
13 purchase with the Magic City Classic.
14 This is the big rivalry game between
15 Alabama A & M and ASU. And, ironically,
16 this year Alabama A & M won and here we
17 are. I'm a little biased because I'm
18 from Huntsville, and I was coached by
19 Alabama A & M soccer players when I was
20 a youth. So I have ties to this school
21 and this campus, and I'll just stop at
22 that.

23 We also were able to continue some

1 of the newspaper advertising in
2 something that they call a network ad.
3 It shows up every week in the paper.
4 It's a much smaller ad, and it's a way
5 to keep your message present in between
6 the large quarter-page ads that you
7 might do. And we itemized the cost of
8 that.

9 We also bought some promotional
10 materials that were utilizing during the
11 "Fan Days" when we were educating the
12 public about the program. Those were
13 things that we could give to citizens to
14 help remind them about what the program
15 is, the Website, and how they could go
16 there and learn more. That was a small
17 purchase.

18 And then, lastly, the most recent —
19 the interesting thing about all this is
20 that once you start some of this
21 advertising, a lot of people will call
22 you and offer to do more advertising for
23 you. And we had an interesting call

1 from the CBS station in the Birmingham
2 area that has the SEC contracts, and
3 they liked what they had seen at
4 Tuscaloosa. And they said, we'd love to
5 put Forever Wild on the air. And there
6 hadn't been any purchases that, in fact,
7 did that. But there's a much broader,
8 you know, segment of society looking at
9 your information than what might go to a
10 football game itself. So we went
11 forward with that project here
12 recently. The first commercial ran last
13 week during the LSU and Arkansas game.
14 And then we had an ad that ran with the
15 Iron Bowl game. I'm not going to talk
16 about that game at all.

17 But, anyway, those commercials will
18 continue to run. And the Super 6 games,
19 which are the high school championships,
20 we get one commercial per quarter in
21 those games. So they're widely
22 watched. And, again, CBS has the
23 contracts for those championship games.

1 So we're excited about the
2 potentials that are being provided
3 through that. I can provide more
4 details on that actual purchase if
5 anyone is interested. But that
6 summarizes the activities associated
7 with purchased advertising thus far.

8 And I will add that, you know,
9 again, this attended to comments we were
10 hearing during the legislative session
11 about how many people don't know about
12 Forever Wild. And, you know, I
13 personally have worked for this program
14 since 1996. I've written a lot of the
15 articles in our magazine. I've written
16 a lot of the press releases. I've
17 worked with the staff to get the
18 information on the Website. And it
19 really astounded me when I heard that
20 perhaps as little as 20 percent of the
21 public has heard about this program, and
22 we've spent years and years talking
23 about it.

1 It's not a stealth program; okay?
2 All the information is on the Website.
3 But yet only 20 percent of the public
4 had heard of it. That astounds me. And
5 that's one of the things that convinced
6 me that we might need to operate at a
7 different level to attend to the public
8 knowledge of this program. And
9 certainly they cannot access the lands
10 if they don't know about the program and
11 the lands. And so that's really what
12 this all attends to, and I think it gets
13 to why it's so important and why it's
14 worthy of the expenditure of your
15 funds.

16 And I will close by saying that I
17 have mentioned that, you know, one of
18 the ways in which this can be paid for
19 is the outside funds that we receive
20 from the car tag. The guy that helped
21 start the car tag for Forever Wild is
22 here today, Joe Copeland.

23 And would you stand up.

1 And years ago Joe and I talked about
2 this, the importance of a car tag and
3 how that money not only helps buy more
4 land but helps manage the program. And
5 when you're communicating to the public
6 about the program, that's a management
7 activity. It's an administrative
8 function of the program. And I'm really
9 proud that someone like Joe had the
10 foresight to recognize years ago when he
11 was promoting it that it wasn't just
12 about money to buy the land. It's money
13 to help manage the program.

14 And I'd be happy to answer any
15 questions the board might have.

16 COMMISSIONER GUY: Thank you, Joe.

17 MR. WOLLER: Just a quick comment. You know,
18 what Greg has just outlined to us is the
19 last part of the resolution that we just
20 approved basically. You know, it's a
21 public initiative to educate all
22 Alabamians about Forever Wild. So
23 that's part of the resolution that we

1 just approved.

2 COMMISSIONER GUY: And we're moving forward
3 with that. And Greg and Patti and all
4 the staff are doing an excellent job.
5 And we're going to get better at it.
6 And I promise you it will come back to
7 us tenfold. Because when people know
8 about it, they spend money. And when
9 they spend money, you know, it goes
10 to — not only the money that they stay
11 in a lodge or they buy food and they —
12 and, you know, it's billions of
13 dollars. So for what we're going to
14 spend and what the State of Alabama will
15 get back in the benefits of the program
16 will get significantly greater.

17 And, you know, so we're going in the
18 right direction. We're doing the right
19 thing. I have every confidence and
20 belief we're doing the right thing here
21 and that it will pay off tenfold in the
22 long run. Because then the more people
23 that know about these magnificent

1 properties and use them, the better off
2 we'll all be in this state.

3 DR. HEPP: I've got a question.

4 MR. LEIN: Yes, sir.

5 DR. HEPP: Those folks that buy those
6 licenses, do you ever contact them after
7 that initial purchase?

8 MR. LEIN: We actually cannot contact them.
9 We're not provided the names of the
10 people that — we do not have the
11 ability to access the names of people
12 that buy the car tags. I know that
13 sounds ridiculous, but it's part of
14 government and, you know, we are not
15 able to access that information. But I
16 wish we could. But we can thank people
17 on the Website for their participation
18 in the program by buying a tag and other
19 means.

20 COMMISSIONER GUY: Yeah. And, Greg, I don't
21 know if you passed out the advertisement
22 that went into the newspaper, and I
23 don't know if everybody realized it.

1 But, actually, this particular one here
2 is for north Alabama. We did it in all
3 three sections of the state; correct?

4 MR. LEIN: Correct.

5 COMMISSIONER GUY: So, in other words, there
6 was this same ad for the central part of
7 the state and for the southern part of
8 the state showing the Forever Wild
9 tracts in those particular areas. So
10 wherever it was located, we did it
11 across the state, but it was geared
12 towards wherever that paper was located
13 and where those hunters might be.

14 MR. LEIN: And that ad targeted the hunting
15 community right as hunting season was
16 starting, and the map shows where those
17 wildlife management area lands are that
18 receive Forever Wild support and
19 attention. But the ad also goes on to
20 articulate that these lands are
21 available for so many other things,
22 hiking, bird-watching, and
23 horseback-riding and, you know, that

1 entertain a motion to approve the
2 minutes at this time.

3 DR. SCHLUNDT: So moved.

4 COMMISSIONER GUY: Okay. We've got a motion
5 by Dr. Schlundt. Is there a second?

6 DR. LAWTON: Second.

7 COMMISSIONER GUY: Second by Dr. Lawton.

8 All in favor say "aye."

9 (All board members present
10 responded "aye.")

11 COMMISSIONER GUY: All opposed.

12 (No response.)

13 COMMISSIONER GUY: If there's no other
14 business before the board, then the
15 meeting stands adjourned. Appreciate
16 the public being here.

17 (Meeting adjourned at
18 approximately 12:25 p.m.)

19 * * * * *

21 REPORTER'S CERTIFICATE

22 * * * * *

23
24 STATE OF ALABAMA:

25 MONTGOMERY COUNTY:

1 I, Tracye Sadler Blackwell, Certified
2 Court Reporter and Commissioner for the State of
3 Alabama at Large, do hereby certify that I reported
4 the foregoing proceedings of the Forever Wild Board
5 Meeting on December 1, 2011.

6 The foregoing 120 computer-printed pages
7 contain a true and correct transcript of the
8 proceedings held.

9 I further certify that I am neither of
10 kin nor of counsel to the parties to said cause nor
11 in any manner interested in the results thereof.

12 This 26th day of January 2012.

13
14
15
16 _____
17 Tracye Sadler Blackwell
18 ACCR No. 294
19 Expiration date: 9-30-2011

20 Certified Court Reporter
21 and Commissioner for the State
22 of Alabama at Large

RESOLUTION

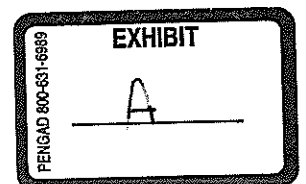
WHEREAS, the Board of Trustees of the FOREVER WILD LAND TRUST (the “Board”) is charged with overseeing the acquisition and stewardship, protection, management and enhancement of the lands acquired and held in trust by the State of Alabama through the FOREVER WILD LAND TRUST (the “Trust”) established in accordance with the provisions of Amendment No. 543 to the Constitution of Alabama 1901, and

WHEREAS, in conjunction with recent introduction of bills in the Legislature respecting the Trust, the Board received comments related to various matters of interest regarding the administration of the Trust, and

WHEREAS, the Board desires to respond to such comments through this Resolution,

NOW THEREFORE, BE IT RESOLVED by the Board that it shall, no later than February 1, 2013, publish a 5-year long-range plan, which will be part of the annual report of the Board, outlining goals for future acquisitions of lands, anticipated activities on currently held Trust lands and anticipated activities of the Board; and shall, no later than the conclusion of that initial 5-year period, update said long-range plan and thereafter continue to update such plan on 5-year increments, and

BE IT FURTHER RESOLVED, that the Board hereby declares that the acquisition of farm land has not been nor is it intended to be a primary focus of the Trust, especially in regard to such lands that are in active production of row crop agriculture and livestock pastureland, and in the long-range plan hereinabove provided for, the Board will specify and provide appropriate limits on the acquisition of cropland or pastureland as a percentage of the Trust’s total acquisitions and land holdings, and



BE IT FURTHER RESOLVED, that the Board shall publish information to the public regarding public access, for purposes of hunting and recreation, to the lands held in the Trust, such information to describe points of entry to the lands, rules necessary for obtaining permits as may be appropriate, etc., and

BE IT FURTHER RESOLVED, that the Board, placing as it does a low priority on the purchase of land leases for the Trust, shall publish policies in respect thereof, and

BE IT FURTHER RESOLVED, that minutes of the meetings of the Board shall be made available to the public online and for copying within five (5) business days following receipt from court reporter and, thereafter, final minutes as approved by Board will be made available to the public online and for copying within five (5) business days from such approval.

BE IT FURTHER RESOLVED, that the Board of Trustees shall implement a public education initiative in order to better communicate to Alabamians the benefits to them of the activities of the Forever Wild Trust, identifying lands held therein and the potential uses thereof available to the public, and how the public may best access and benefit from those lands, as well as the overall benefits of the Trust to the State and its people.

Done this the ____ day of _____, 2011.