

1 BOARD MEMBERS PRESENT:

2 Commissioner Christopher M. Blankenship, Chairman
3 Mr. David Wright
4 Mr. Raymond B. Jones, Jr.
5 Mr. Rick Oates
6 Dr. Patricia Sims
7 Dr. Lori Tolley-Jordan
8 Dr. James B. McClintock
9 Mr. Reginald N. Holloway
10 Mr. James "Mickey" Childers

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12 CHAIRMAN BLANKENSHIP: Good morning. Welcome
13 to the May Forever Wild Board Meeting
14 here in beautiful Huntsville, Alabama.
15 First I'll call the roll and make sure
16 we have a quorum. Please indicate your
17 presence when I call your name.

18

Chris Blankenship is here.

19

Jack Darnall?

20

(No response.)

21

CHAIRMAN BLANKENSHIP: Mr. Holloway?

22

MR. HOLLOWAY: Here.

23

CHAIRMAN BLANKENSHIP: Mr. Jones?

1 MR. JONES: Here.

2 CHAIRMAN BLANKENSHIP: Mr. Oates?

3 MR. OATES: Here.

4 CHAIRMAN BLANKENSHIP: Mr. Satterfield?

5 (No response.)

6 CHAIRMAN BLANKENSHIP: Dr. Tolley-Jordan?

7 DR. TOLLEY-JORDAN: Here.

8 CHAIRMAN BLANKENSHIP: Mr. Childers?

9 MR. CHILDERS: Here.

10 CHAIRMAN BLANKENSHIP: Dr. McClintock?

11 DR. McCLINTOCK: Here.

12 CHAIRMAN BLANKENSHIP: Dr. Sims?

13 DR. SIMS: Here.

14 CHAIRMAN BLANKENSHIP: Mr. Wright?

15 MR. WRIGHT: Here.

16 CHAIRMAN BLANKENSHIP: Dr. Valentine?

17 (No response.)

18 CHAIRMAN BLANKENSHIP: Dr. Neumann?

19 (No response.)

20 CHAIRMAN BLANKENSHIP: Dr. Powers?

21 (No response.)

22 CHAIRMAN BLANKENSHIP: Dr. Saloom?

23 (No response.)

1 CHAIRMAN BLANKENSHIP: We have nine. We have
2 a quorum.

3 So, again, welcome to our meeting
4 here in Huntsville at the EarlyWorks
5 Children's Museum. It's about my level
6 of learning, so I have really enjoyed
7 being here. So far, since we got here
8 this morning, I've walked around and
9 read about all the presidents. I took
10 several pictures of interesting facts so
11 that I can share those with my wife when
12 I get home. I think she'll really
13 appreciate that.

14 But I do appreciate you guys setting
15 this up, Raymond and Dr. Sims, for us to
16 have a meeting here in Huntsville.

17 Would you like to say anything about the
18 facility or --

19 MR. JONES: Not particularly. Just welcome to
20 Huntsville.

21 CHAIRMAN BLANKENSHIP: Thank you. Glad to be
22 here.

23 I was also going to recognize Parks

1 Director Greg Lein's birthday, but he's
2 under the weather today. So he's not
3 here. So he misses out on his big
4 recognition.

5 I don't have any other opening
6 comments. I don't see anyone else.
7 We'll go ahead and start with the public
8 comment portion of the meeting.

9 We only have a few speakers. So if
10 you would like to speak and you just
11 haven't filled out one of the green
12 slips, please raise your hand and Jo or
13 one of the staff members will get you a
14 piece of paper to fill out to speak.

15 But we'll go ahead and get started
16 with the first speaker, Brooks Wall,
17 speaking on the Hollins WMA, Tab 3-B,
18 page 6. 3-B, page 6.

19 Give them just a second to find
20 that.

21 All right. Go ahead.

22 MR. WALL: All right. Thanks, guys. I
23 appreciate you letting me come here

1 today. Thank you for moving forward
2 with the first appraisal. It should be
3 in your packets, and you'll see that.

4 I'm really here today to talk about
5 why I would love for you guys to move
6 forward with this today to make a motion
7 to make an offer and move to the second
8 appraisal, and that primarily involves
9 different management goals between you
10 guys and us.

11 I'm the forester for these
12 landowners, and we have goals that are a
13 little different than you guys. And, of
14 course, that affects my decision as a
15 forester on what I do. And so I'm
16 trying to decide what to do at this
17 point in time compared to what I know
18 you guys would want done if you were to
19 get this property.

20 For instance, we need to do some
21 site prep this summer on about
22 350 acres. That's something that's
23 beneficial for both of us. I don't see

1 a problem in moving forward with that.
2 But if we don't go for the second
3 appraisal this time and wait till next,
4 by then it could be too late to order
5 seedlings.

6 I'm only going to plant loblolly,
7 because for my clients, that's what's
8 best for them and their management
9 decision from an economic standpoint.
10 You guys are going to want longleaf for
11 the diversity and what you're all about.
12 That's fine. But you have to order
13 these trees well in advance. So in
14 order for us to do this, we kind of need
15 to know.

16 And I know this -- you guys have a
17 big decision to make and you can't --
18 you know, you're not going to change
19 that based on what I'm saying
20 necessarily right now. But this would
21 be a great time based on, you know,
22 moving forward -- be beneficial for
23 everybody if you could.

1 So I just wanted to bring that up.
2 And thank you for your time, and, again,
3 thank you for the first appraisal. And
4 I hope you guys decide to move forward
5 with the second. Thank you so much.

6 CHAIRMAN BLANKENSHIP: Thank you, sir.

7 Any questions?

8 (No response.)

9 CHAIRMAN BLANKENSHIP: No questions. Thank
10 you.

11 The next speaker is Reba Hicks on
12 Natural Bridge Park. That's Tab 4-B,
13 page 17. 4-B, 17.

14 MS. HICKS: I'm really just here to represent
15 the Denton family on the Natural Bridge
16 Park. They really wanted to be here but
17 were unable to because of health issues.
18 But I wanted to make --

19 MS. McCURDY: I'm sorry. Could you speak more
20 into the microphone?

21 MS. HICKS: Anyway, they were unable to attend
22 but are really wanting to talk. And any
23 questions that any of the Board members

1 might have, if you have any, then I
2 could take them back to them and then
3 certainly get back in touch with you.

4 But I just really wanted to
5 represent them. And I knew that the
6 Board and some of the -- Patti had sent
7 some workers and that they had viewed
8 the park -- and just make sure that you
9 know that there is interest.

10 CHAIRMAN BLANKENSHIP: Any questions?

11 MS. HICKS: If anybody has any questions, I'll
12 be glad to get the questions to them and
13 answered back to you.

14 CHAIRMAN BLANKENSHIP: Any questions?

15 (No response.)

16 CHAIRMAN BLANKENSHIP: All right. I don't see
17 any. Thank you.

18 The next speaker is Mr. Jimmy Lanier
19 from CRATA. It's Tab 5-E with a memo,
20 but it's about the land at the Yates
21 WMA.

22 Yes, sir. Go ahead.

23 MR. LANIER: At the February Forever Wild

1 Board Meeting I made a request that the
2 Cherokee Ridge Alpine Trail Association
3 be allowed to purchase two small parcels
4 of property near the Yates WMA parking
5 lot. As I stated in February, CRATA, or
6 the Cherokee Ridge Alpine Trail
7 Association, needs an information
8 outpost for hikers --

9 We have trails in four different
10 locations. Most of them are fairly well
11 close to each other.

12 -- to be able to consolidate all the
13 information in one location. Hikers
14 will have the ability to ask questions
15 about the length and difficulty and
16 description of each location of our
17 trails, plus review large maps of each
18 trail. And adjacent to the outpost, we
19 propose to erect a fire lookout tower as
20 a viewing platform that will be one of
21 the most scenic views in the state of
22 Alabama.

23 Most Forever Wild Board members at

1 that meeting had some concerns as to
2 what would happen to the property should
3 CRATA cease to assist as a 501(c)(3). I
4 stated in the February meeting that
5 CRATA -- at CRATA's January 27th board
6 meeting we passed a resolution that
7 states that if CRATA fails to complete
8 the proposed building project within ten
9 years of purchase of the property or if
10 CRATA ceases to exist at any time as a
11 nonprofit 501(c)(3) organization, the
12 property would revert back to Forever
13 Wild as a donation and be so stated in
14 any purchase agreement made with Forever
15 Wild or any resulting deed.

16 Some of the Forever Wild Board
17 members voiced concern as to what type
18 building we would build for the hiker
19 outpost. Some stated they didn't want
20 to see a so-called tarpaper shack.
21 Well, you have been provided floor plans
22 and elevations for the proposed hiker
23 information outpost.

1 CRATA has built a reputation for
2 building quality trails for the public
3 enjoyment that are some of the most
4 scenic in the state and has been
5 recognized by the Alabama Trails
6 Commission as one of the most successful
7 501(c) (3) nonprofits in the state.

8 CRATA owns Smith Mountain near Lake
9 Martin. And the fire tower atop the
10 mountain has been recognized by the
11 National Lookout Association as the best
12 restored Aermotor LS-40 in the nation,
13 especially safety features, and there
14 are hundreds of towers nationwide. The
15 Smith Mountain Fire Tower also has been
16 recognized by a prominent national
17 outdoor organization as the number four
18 out of six outstanding towers in the
19 nation that you must climb.

20 CRATA is again asking for your
21 support in approving the request that
22 will help create an outstanding addition
23 to what CRATA has already established

1 for the citizens of Alabama. We will be
2 glad to take you to Smith Mountain and
3 other CRATA sites and show you what
4 we've established.

5 We thank you for your consideration,
6 and I will be happy to try to answer any
7 questions that you may have.

8 CHAIRMAN BLANKENSHIP: Any questions?

9 Mr. Lanier, I really appreciated the
10 opportunity to come out and you and
11 Steve and Walt to take me around and
12 show me some of the ideas that you have
13 down there. I appreciate the work y'all
14 have done. Any day that I can get out
15 of the office and spend it in the woods
16 is a good day. So thank you for your
17 hospitality and sharing your thoughts
18 and ideas and your passion for that area
19 down there to really make more
20 opportunities for outdoor recreation.

21 I know we've talked about some
22 options internally inside the
23 Department. Would you like to cover

1 Is there anybody else that wanted to
2 speak that didn't have a chance to fill
3 out the card? Anybody?

4 (No response.)

5 CHAIRMAN BLANKENSHIP: All right. Well,
6 appreciate the speakers we've had. Now
7 it's time to recess for an Executive
8 Session to discuss tract values.

9 By regulation, appraisal values are
10 confidential during periods of
11 negotiation. Accordingly, in order to
12 discuss tract appraisal values, the
13 Board will need to go into recess for an
14 Executive Session.

15 Is there a motion for the Board to
16 now recess to attend the Executive
17 Session?

18 MR. JONES: So moved.

19 DR. McCLINTOCK: Second.

20 CHAIRMAN BLANKENSHIP: So moved by Mr. Jones
21 and seconded by Dr. McClintock.

22 As I call your name, please state
23 your position on this motion to recess.

1 back a little bit after 10:30.

2 **(Recess for Executive Session was**
3 **taken at approximately 10:13 a.m.**
4 **and the meeting was called back to**
5 **order at approximately 10:44 a.m.)**

6 CHAIRMAN BLANKENSHIP: All right. We have
7 everybody back from Executive Session.
8 We're back in regular session at 10:44.

9 So the next item of business are the
10 program status reports.

11 Ms. McCurdy, are you going to cover
12 that?

13 MS. McCURDY: I am. And it's hard for me to
14 see everybody sort of spread out. So if
15 I miss your hand go up and you have a
16 question, please do speak up.

17 For the benefit of those here at the
18 meeting, I'm Patti McCurdy, Director of
19 the State Lands Division. And this is
20 the portion of the meeting where we run
21 through some updates on the financial
22 status and give the Board that feedback
23 and, also, for the benefit of the

1 public.

2 What I'd first like to do is run
3 through the tracts that are currently in
4 some form or some stage of the closing
5 process due to a Board motion for staff
6 to proceed to closing. So I want to
7 update the Board on where we are on
8 those closings. That also helps us
9 understand what the available balance is
10 for further actions if the Board desires
11 to take them. So I will run through
12 those now.

13 Cedar Creek SOA-Elm Bluff Addition.
14 And actually we are hoping that that one
15 is able to close May 10th. That's a
16 little tentative, but we're working
17 toward May 10th. So that one is very
18 close.

19 MTD-The Cutoff Tract, Baldwin
20 County. Thigpen Hill Option A Phase II,
21 Butler County. Red Hills-Parris Trust
22 Addition, Monroe County. And Cedar
23 Creek SOA Addition, Dallas County.

1 And we recently got some additional
2 title work on the Cedar Creek SOA
3 Addition. So that one should be moving
4 a little faster now.

5 Right now, with all of those
6 totalled, including the 15 percent
7 stewardship transfer that must accompany
8 any Forever Wild purchase that goes into
9 the stewardship account, you are at a
10 total of approximately -- you have a
11 little over \$8 million currently in
12 closing leaving an unencumbered balance
13 of about \$17 million. You are within --
14 still at that amount within the
15 budgetary spending authority. So we
16 don't have to go into that discussion
17 for this meeting. We are good.

18 And so the reason, also, that that
19 amount is a little higher this time is
20 due to some declinations that we had
21 from offers that the Board asked us to
22 present. So -- and I'm sorry. I forgot
23 to say that was in Tab 2-A.

1 If you'll look at the second page of
2 Tab 2-A, this is where we detail and I
3 recap at each meeting for this fiscal
4 year, which began October 1st, the
5 status of offers -- excuse me --
6 properties closed and offers that were
7 declined. So basically this tells you
8 whether or not that a property closed or
9 we now know that it will not close for
10 one reason or another.

11 So this fiscal year transactions
12 that have closed or have been declined
13 include Coldwater Mountain-Young
14 Addition, which was declined; D'Olive
15 Bay, which has closed; Joe Wheeler State
16 Park-Page Branch Addition, declined;
17 Little River State Forest Addition,
18 closed; Mill Creek, declined; Perdido
19 WMA-McNeill Addition, closed; and
20 Thigpen Hill Option A Phase I, closed.

21 So that's the status of the tracts
22 that are either known closed or known
23 declined at this time. Are there any

1 questions on Tab 2-A?

2 (No response.)

3 MS. McCURDY: Okay. If you'll now look at
4 Tab 2-B. This is the information that
5 we provide to the Board on the
6 stewardship account.

7 The Board had authorized spending
8 from this account at \$1.5 million to
9 date. You'll see that there's still
10 about a million available within that
11 authority. However, this is the time of
12 year, both as we move into spring but
13 also now that hunting season has
14 passed -- you know, we have over
15 90 percent of our acreage that is in
16 some form of public hunting, and so we
17 do try not to -- and sometimes it can't
18 be helped -- but we do try not to overly
19 disturb the public while they're hunting
20 with the various maintenance and
21 roadwork and various other projects we
22 need to conduct. So you're going to see
23 that balance drop, I'm pretty confident,

1 by the next meeting.

2 But we're still in good shape.

3 We're not aware of any reason currently
4 that we will not -- that we'll have any
5 need that we can't fulfill from that
6 \$1.5 for this fiscal year.

7 The net assets of the account -- or
8 the stewardship account is valued at
9 just over \$46 million. That is a figure
10 as of March 31st. Our State Treasurer's
11 office helps us with that reporting, and
12 you'll see some additional detail on
13 that in Tab 2-C.

14 Any questions from the Board on the
15 stewardship account?

16 (No response.)

17 MS. McCURDY: All right. If there are no
18 questions, I will go ahead and move into
19 Tab 3 and go to Tab 3-A.

20 This is the portion of the meeting
21 which I report back on the status of
22 whether or not we have received
23 appraisals from the various motions for

1 first appraisals that the Board has made
2 at past meetings. These properties that
3 have appraisals in are the properties
4 that would be available to the Board if
5 they desire for a motion for second
6 appraisal and to proceed to purchase.

7 And so I will -- I'm going to run
8 through those now. Again, please do
9 speak up if you have a question along
10 the way.

11 The appraisals that have been
12 received by staff include Coldwater
13 Mountain-Carroll Addition, Calhoun
14 County; Coldwater Mountain-McVey
15 Addition; D'Olive Bay Addition, Baldwin
16 County.

17 We have received an appraisal report
18 on D'Olive Bay-Barnhill Addition, but I
19 need to let the Board know that I'm
20 still working with the appraiser on that
21 one. I had some questions that have
22 come up, and so I don't really -- I
23 don't consider that appraisal final but

1 obviously very close. We have it in
2 hand, but we're doing some additional
3 work on that one.

4 We have received the Hollins WMA
5 Addition 2020. That's Clay County.

6 And we have the appraisal work
7 completed on the Oak Mountain State
8 Park-Belcher Lake Addition. As we've
9 talked about before, that tract is -- we
10 have a grant application pending on that
11 tract that could impact basically if we
12 get an award and, if so, how much the
13 Forever Wild contribution if the Board
14 wanted to proceed.

15 So I mention that because taking
16 into account -- oh, I'm sorry. Let me
17 also mention an additional appraisal
18 that the Board did not motion on but
19 that DCNR proceeded obtaining due to a
20 grant award we received on the Styx
21 River Wetlands Tract after our last
22 meeting. Went ahead with that to have
23 position for the grant should the Board

1 elect to continue so we would know for
2 sure how much of that money and that we
3 had enough grant money for that tract.

4 So with all of that taken into
5 account, just in sort of round numbers,
6 you're over \$7 million currently as we
7 figure, but, again, that is with Oak
8 Mountain State Park conservatively
9 estimated, the best case scenario, 75/25
10 on that grant. So I just want to note
11 to the Board, it doesn't sound as high
12 as it sometimes has in the past, but
13 it's also a little bit of a moving
14 target number right now. But, anyway,
15 so you've got a range on that.

16 Any questions on the appraisals that
17 we've received and that I've just run
18 through?

19 (No response.)

20 MS. McCURDY: Okay. Well, we'll move out of
21 Tab 3 and move on to our grants status
22 report. That will be Tab 5-A in your
23 packet. I'll give you a second to get

1 there and you can follow along.

2 And for the benefit of the public
3 here today, this is the portion of the
4 meeting that we detail the various
5 grants that either we have received or
6 that we have specific tracts identified
7 that we are seeking grant funds on or
8 sometimes just partnership and
9 leveraging-fund-type transactions. So I
10 want to run through the status of all
11 those for the Board.

12 Of the tracts that are already in
13 the closing process, we've mentioned the
14 two Cedar Creek transactions. Those are
15 75/25 approximate splits with the
16 federal Pittman-Robertson money that our
17 Wildlife and Freshwater Fisheries
18 Division receives and that Forever Wild
19 provides the required
20 state-funding-source match on those.
21 But those that I just detailed are in
22 the process of closing and are moving
23 along fine.

1 We also have the MTD-Cutoff Tract
2 that I mentioned in closing. The grant
3 award on that one would be approximately
4 52 percent offset of the acquisition.

5 We had previously talked about the
6 use of PR funds to support acquisition
7 of the Mill Creek Tract. As I
8 mentioned, the landowners have declined
9 that one. So it's no -- Chuck was not
10 able to be here today, but he is -- he
11 may talk to you at the next meeting
12 about some additional opportunities
13 looking forward with the PR money that
14 had not been utilized then. But he's
15 having to reshift that analysis, but I'm
16 sure he'll tell you more at the next
17 meeting.

18 I mentioned the appraised
19 nominations that have some grant
20 leveraging funds.

21 I mentioned Oak Mountain before.
22 There's a U.S. Forest Service grant,
23 Forest Legacy Program, that the -- I

1 We'll now go backwards just a hair
2 to Tab 4. And what I'd like to do now,
3 if you'll go to Tab 4-B, is run
4 through -- similar to how I did with the
5 appraisal tracts, I want to run through
6 the tracts that have been through our
7 nomination process, meaning we have a
8 confirmed "willing seller" letter. The
9 tracts have each been scored in the four
10 programmatic categories set forth in the
11 Constitutional Amendment 543, and those
12 are state park, wildlife management
13 areas, recreation, and habitat/nature
14 preserve categories.

15 So the list available to you is in
16 alphabetical order in Tab 4-A, but Tab
17 4-B gives a brief description of the
18 property and a map of that property for
19 the Board to review. So these are the
20 properties that would be available for a
21 first appraisal.

22 So we have the Bon Secour River
23 Addition, Baldwin County. Coldwater

1 Mountain-Robertson Addition, Calhoun.
2 Coosa WMA-Hatchet Creek Addition.
3 Cypress Creek Tract, Lauderdale County.
4 Lowndes WMA-Fuzzell Addition, Lowndes
5 County. Martin Slough Tract, Hale
6 County. Minamac Wildflower Bog, Baldwin
7 County. Natural Park Bridge, Winston
8 County. Perdido Headwaters-Brushy
9 Creek, Baldwin County. Perdido
10 WMA-Snowden Branch Addition, Baldwin
11 County. Saginaw Swamp in Shelby County.
12 Sedgefield Tract, Dallas County. Styx
13 River Wetlands, Baldwin County. Walls
14 of Jericho-Woodall Addition, Jackson
15 County.

16 So, again, those are the tracts that
17 are available to the Board for first
18 appraisal due to their ranking on the
19 short list -- putting them on the short
20 list after the scoring process. Any
21 questions on the short list tracts?

22 (No response.)

23 MS. McCURDY: Commissioner, that's all of the

1 normal, routine scheduled reports. So
2 I'll turn it back to you for the general
3 discussion session of the agenda.

4 CHAIRMAN BLANKENSHIP: All right. Thank you.

5 So now we'll enter the general
6 discussion. It's the part where the
7 Board, at their pleasure -- if they want
8 to make any motions for first or second
9 appraisals or move to purchase, this is
10 where that generally occurs. And so
11 I'll give the Board a minute if they
12 have any motions they would like to make
13 or discussion on any of the parcels.

14 MR. WRIGHT: Mr. Chairman?

15 CHAIRMAN BLANKENSHIP: Mr. Wright.

16 MR. WRIGHT: I'd like a motion for a second
17 appraisal and move to purchase on the
18 Coldwater Mountain-Carroll Addition
19 which is 43 acres that is an inholding
20 within Forever Wild property already.

21 CHAIRMAN BLANKENSHIP: So that's a motion by
22 Mr. Wright. Is there a second?

23 MR. HOLLOWAY: Second.

1 CHAIRMAN BLANKENSHIP: Seconded by

2 Mr. Holloway.

3 So the motion is for a second
4 appraisal and move to purchase on the
5 Coldwater Mountain-Carroll Addition. Is
6 there any discussion or questions?

7 (No response.)

8 CHAIRMAN BLANKENSHIP: All those in favor say

9 "aye."

10 (All Board members present respond

11 "aye.")

12 CHAIRMAN BLANKENSHIP: All those opposed say

13 "no."

14 (No response.)

15 CHAIRMAN BLANKENSHIP: The motion carries.

16 Just a reminder today since we do
17 have only nine of us here and it takes
18 nine affirmative votes for us to conduct
19 business, just please make sure that you
20 voice your vote, please, so I can make
21 sure that everyone voted. Y'all did
22 good. I just wanted to remind you of
23 that as we move forward. Thank you.

1 Anybody else?

2 DR. McCLINTOCK: Mr. Commissioner, I'd like to
3 do a nomination of the Styx River
4 Wetlands. And I'll read the language:
5 I made a motion -- I make a motion for
6 the Board to adopt the appraisal
7 obtained by DCNR as the first appraisal
8 and for staff to proceed with the second
9 appraisal and purchase of the Styx River
10 Wetlands nomination.

11 CHAIRMAN BLANKENSHIP: Is there a second?

12 DR. TOLLEY-JORDAN: Second.

13 CHAIRMAN BLANKENSHIP: Seconded by
14 Dr. Tolley-Jordan.

15 This is for the Styx River, to
16 accept the first appraisal and then move
17 for a second appraisal and move to
18 purchase the Styx River parcel.

19 Is there any discussion, any
20 questions?

21 MR. WRIGHT: Commissioner?

22 CHAIRMAN BLANKENSHIP: I saw Mr. Jones first
23 and then Mr. Wright.

1 MR. JONES: I was just curious about -- I see
2 this has a homeowner easement. It has a
3 house that's there, an access easement.
4 This seems like a fairly complex piece
5 of property. And we also -- I don't
6 know what else is going on around it.
7 And, you know, it seems -- seems kind of
8 small for what we're doing. And so I'm
9 just curious about how we're handling
10 all that.

11 MS. McCURDY: And I can let -- the
12 Commissioner may want to add something
13 about the Department plans. I will add,
14 too, you know, that's one thing we can
15 do with the Board is any additional
16 information or any questions that anyone
17 has, you know, we can take those back
18 after today.

19 From a management standpoint for us,
20 we have other acreage in the area, so
21 it's not as complex as some. We have
22 resolved the concern we had as to the
23 access to the tract.

1 But it is -- but at any time you
2 have -- that house is like any tract
3 with an inholding and you do have a
4 homeowner on it. And so, yes, that is
5 additional coordination and
6 additional -- us also trying to be a
7 good neighbor to that landowner.

8 But I'll be happy to answer any
9 questions. And we've got time on that
10 grant. I will say, Commissioner, the
11 deadline -- that is a recently awarded
12 grant. So we have time for follow-up
13 for anything the Board would like to
14 know.

15 MR. JONES: Well, what's the deal with -- I'm
16 sorry. But on Old Spanish Road, you've
17 got this odd cutout on the -- that's not
18 part of the --

19 CHAIRMAN BLANKENSHIP: I think that's a DOT
20 right of way. There's a bridge there.

21 MR. JONES: Okay.

22 CHAIRMAN BLANKENSHIP: I think that's a DOT
23 right of way on both sides of that

1 with an intermediate owner that is like
2 an inholding except we have access to --
3 it's an inholding, but we do have
4 access. But, yes, it is a different --
5 a little different tract than we
6 normally see.

7 CHAIRMAN BLANKENSHIP: Mr. Wright, did you
8 have anything?

9 MR. WRIGHT: Yes.

10 MS. McCURDY: Just speak into the microphone,
11 if you would, Mr. Wright. Your
12 microphone. Speak up a little.

13 MR. WRIGHT: Yes. I'm just concerned, and I
14 don't see enough information here to
15 move on this motion today. I didn't say
16 next meeting, now.

17 MS. McCURDY: Sure.

18 MR. WRIGHT: But I would like to see it tabled
19 for today and let's do a little bit -- I
20 would like to do some more research on
21 it.

22 MS. McCURDY: And, again, if the Board
23 ultimately wants to move forward and

1 utilize the grant funds on this tract,
2 we have plenty of time on this award.

3 It was just received.

4 MR. WRIGHT: That's what I would like to do.

5 MS. McCURDY: That's no problem whatsoever.

6 CHAIRMAN BLANKENSHIP: All right. So we do
7 have a motion and a second.

8 DR. McCLINTOCK: I can amend my motion to
9 gather further information about this
10 property.

11 CHAIRMAN BLANKENSHIP: If you would do that
12 and Dr. Tolley-Jordan is okay with that,
13 then we'll -- we can just --

14 DR. TOLLEY-JORDAN: I second that.

15 CHAIRMAN BLANKENSHIP: We can just set this
16 aside for today and bring some more
17 information back to the next meeting in
18 August.

19 DR. McCLINTOCK: Sounds good.

20 CHAIRMAN BLANKENSHIP: Thank you.

21 MS. McCURDY: And, also, we'll get a little
22 additional information. But I will say,
23 also, if Mr. Wright or anyone would like

1 to, you know, go with staff to the
2 tract --

3 MR. WRIGHT: I would like to.

4 MS. McCURDY: -- at any time -- and I will say
5 this: Anytime any Board member would
6 like to go onto the tract, you know,
7 we'll coordinate access or obviously
8 staff can go with you. So that is --
9 I'd much rather you be comfortable with
10 the tracts and have the information that
11 you need than us proceed just because
12 there's grant funding available. We
13 need to want the tract regardless of
14 grant money. Thank y'all for your
15 questions and input.

16 Yes, sir.

17 CHAIRMAN BLANKENSHIP: Mr. Childers.

18 MR. CHILDERS: We had a motion and an
19 amendment on the motion and a second on
20 the amendment.

21 CHAIRMAN BLANKENSHIP: Well, I think we
22 just -- sure. From what I understood,
23 we just --

1 MR. CHILDERS: And we had a motion on the
2 table, so where do we go?

3 CHAIRMAN BLANKENSHIP: So my -- how I
4 interpreted that was that Dr. McClintock
5 was just making a motion to withdraw
6 that motion and the seconder agreed with
7 that --

8 MR. CHILDERS: Okay.

9 CHAIRMAN BLANKENSHIP: -- just to pull that
10 motion.

11 MR. CHILDERS: I just wanted a point of
12 clarification. Thank you.

13 CHAIRMAN BLANKENSHIP: Yes, sir.

14 Any other discussion or any other
15 motions?

16 MS. TOLLEY-JORDAN: Mr. Chairman?

17 CHAIRMAN BLANKENSHIP: Yes, ma'am.

18 DR. TOLLEY-JORDAN: I'd like to motion for a
19 first appraisal of the Perdido Wildlife
20 Management Area-Snowden Branch Addition
21 in Baldwin County.

22 MS. McCURDY: And that is 4-B, page 21.

23 Perdido WMA-Snowden Branch Addition, Tab

1 4-B, page 21.

2 CHAIRMAN BLANKENSHIP: All right. Is there a
3 second?

4 DR. McCLINTOCK: I'll second that.

5 CHAIRMAN BLANKENSHIP: All right.

6 Dr. McClintock seconded.

7 Any discussion on that?

8 (No response.)

9 CHAIRMAN BLANKENSHIP: All right. All those
10 in favor of the first appraisal on the
11 Perdido-Snowden Branch Addition, please
12 say "aye."

13 (All Board members present respond
14 "aye.")

15 CHAIRMAN BLANKENSHIP: Any opposed?

16 (No response.)

17 CHAIRMAN BLANKENSHIP: None opposed. The
18 motion carries.

19 MR. WRIGHT: Mr. Chairman?

20 CHAIRMAN BLANKENSHIP: Yes, sir, Mr. Wright.

21 MR. WRIGHT: I'd like to make a motion for
22 second appraisal and move to purchase on
23 the Coldwater Mountain-McVey Addition

1 which is 56 acres that is also an
2 inholding within Forever Wild's existing
3 properties.

4 CHAIRMAN BLANKENSHIP: Is there a second?

5 DR. TOLLEY-JORDAN: Second.

6 CHAIRMAN BLANKENSHIP: Seconded by

7 Dr. Tolley-Jordan.

8 So it's a motion for a second
9 appraisal and move to purchase on the
10 Coldwater Mountain-McVey Addition. Any
11 questions or discussion?

12 (No response.)

13 CHAIRMAN BLANKENSHIP: All those in favor say

14 "aye."

15 (All Board members present respond

16 "aye.")

17 CHAIRMAN BLANKENSHIP: Any opposed?

18 (No response.)

19 CHAIRMAN BLANKENSHIP: None opposed. Motion

20 carries.

21 MR. McCLINTOCK: Mr. Commissioner, I would

22 like to make a first -- a motion to get

23 a first appraisal on the Bon Secour

1 River Addition. It's on page 3. It's
2 87 acres in Baldwin County.

3 MS. McCURDY: It's Bon Secour River Addition.
4 It's the first property in 4-B. 4-B,
5 page 3.

6 CHAIRMAN BLANKENSHIP: All right. So there's
7 a motion for first appraisal on Bon
8 Secour River Addition. Is there a
9 second?

10 DR. TOLLEY-JORDAN: Second.

11 CHAIRMAN BLANKENSHIP: Seconded by
12 Dr. Tolley-Jordan.

13 Any questions or discussion on that?

14 MR. CHILDERS: Is this the first appraisal?

15 CHAIRMAN BLANKENSHIP: Yes, sir, first
16 appraisal.

17 All those in favor say "aye."

18 (All Board members present respond
19 "aye.")

20 CHAIRMAN BLANKENSHIP: Any opposed?

21 (No response.)

22 CHAIRMAN BLANKENSHIP: None opposed. Motion
23 carries.

1 Any other discussion?

2 (No response.)

3 CHAIRMAN BLANKENSHIP: All right. Seeing
4 none, we'll move into miscellaneous
5 reports.

6 Ms. McCurdy.

7 MS. McCURDY: If the Board would turn to -- it
8 will be Tab 5-B of your packet. There
9 will also be a couple of green-folder
10 items that I'll refer to. I'll prompt
11 you, but have your green folder ready
12 and your Tab 5 ready.

13 The first is really more of a
14 procedural matter. Pursuant to previous
15 motions by the Board, I wanted to alert
16 the Board that we do have a short-list
17 nomination that will roll off due to
18 lack of Board action unless there's a
19 request by a Board member to keep it on
20 the list. And this time there's only
21 one. It's on the short list, Coosa
22 WMA-Hatchet Creek Addition, Coosa
23 County.

1 So unless I hear otherwise from the
2 Board now, that one will roll off.

3 (No response.)

4 MS. McCURDY: All right. Consider it rolled
5 off.

6 Okay. And then if you will move to
7 Tab 5-C -- you should have a packet 5-C
8 and then you will also see a green
9 folder 5-C that is just some additional
10 information that I received after
11 mailing of the packet. And this is a
12 request related to the Beaver Swamp
13 Tract actually up in our area now.

14 That tract was purchased previously
15 by the Board and in large part due to
16 additive protection in that area to the
17 Spring Pygmy Sunfish -- and this is an
18 area right by the Mazda-Toyota
19 facility -- in an effort on their part,
20 the Land Trust of North Alabama, and
21 also Forever Wild to ensure adequate
22 coverage in that area and protection for
23 the habitat of that species.

1 We've recently received a request
2 from Mazda-Toyota. And if you'll look
3 in Tab 5-C, you'll see -- and you might
4 want to look at your -- the maps
5 attached to your packet 5-C sort of
6 detail the location of the tract but
7 also give you some habitat orientation
8 and information.

9 The map attached to 5-C will show
10 you a road, Powell Road, that runs
11 adjacent to our property, down the side
12 basically of our property, and has
13 previously served as a significant
14 access route for Mazda-Toyota during its
15 construction. Now that those activities
16 have come close to ceasing and the heavy
17 traffic on there -- it's no longer
18 needed for the certain equipment that
19 needed to go in that direction,
20 Mazda-Toyota contacted us about their
21 desire to do two things: One, they
22 would like to move -- work with local
23 governments to have vacation of the

1 road, and then they would like also to
2 enter into a shared road agreement with
3 Forever Wild over that vacation should
4 it occur.

5 Toyota-Mazda -- excuse me.

6 Mazda-Toyota has done the survey or is
7 in the process of completing the survey
8 work that would be necessary for that
9 road. And their request to us is for a
10 shared road reciprocal easement
11 agreement.

12 Under the agreement, there's no
13 obligation to Forever Wild to take on
14 any road maintenance. We have the right
15 to do so at our cost just as
16 Mazda-Toyota would have it at their cost
17 if they want to make any improvements on
18 the road. Their other interest is
19 putting an access gate up for security
20 purposes for control of that road and
21 that area and potential traffic.

22 State Lands is also in favor -- and
23 that would be Mazda-Toyota doing that at

1 their cost down the road. We would be
2 in favor of that. Due to the
3 configuration of this property, our best
4 access point actually runs east to west
5 at the top of the property. And we
6 would actually -- similarly, for safety
7 and enforcement purposes, would be in
8 favor of that gate down the road.

9 So the agreement doesn't obligate
10 the Board to do anything other than to
11 allow the usage and the maintenance that
12 Mazda-Toyota may want to perform with
13 their own money and us all agreeing to
14 installing the gate. And it's no cost
15 to the program, but I did want to bring
16 it to the Board for approval.

17 You see attached to Tab 5-C in your
18 green folder the current draft
19 agreement. This agreement is frankly, I
20 think, final in its negotiations. We're
21 comfortable with it. Mazda-Toyota is
22 comfortable with it. But we do not yet
23 have from them the legal description

1 that would be needed for Exhibit C.

2 And so I wanted to see if the Board
3 had any questions about the requested
4 agreement. If not or if you're ready to
5 proceed with working toward finalizing
6 that agreement with Mazda-Toyota, I
7 would need a motion from the Board, and
8 you have one in Tab 5-C.

9 MR. JONES: Mr. Chairman?

10 CHAIRMAN BLANKENSHIP: Mr. Jones.

11 MR. JONES: I would like to make a motion that
12 the Board approve staff proceeding with
13 efforts to finalize a shared road
14 reciprocal easement agreement with
15 Mazda-Toyota in a form substantially
16 similar to the draft agreement described
17 in the memo dated May 6, 2021.

18 CHAIRMAN BLANKENSHIP: All right. Is there a
19 second?

20 MR. CHILDERS: Second.

21 DR. SIMS: Second.

22 CHAIRMAN BLANKENSHIP: Seconded by
23 Mr. Childers.

1 Any questions for Patti?

2 MR. WRIGHT: I have a question.

3 DR. McCLINTOCK: Who decides who has access to
4 the road?

5 MS. McCURDY: It would be Mazda-Toyota and
6 Forever Wild. The agreement states and
7 already provides for employees, agents,
8 contractors, and also for the Land Trust
9 of North Alabama. And there would be
10 some other usage. There were certain
11 restrictive covenants that also include
12 other entities that would be allowed to
13 come on for research purposes and
14 habitat-protection purposes. But it
15 provides what we need for the access.
16 It just controls the uncontrolled public
17 access down the road.

18 DR. McCLINTOCK: Thank you.

19 CHAIRMAN BLANKENSHIP: Mr. Wright.

20 MR. WRIGHT: We are talking about the west
21 road on this; right?

22 CHAIRMAN BLANKENSHIP: Yes. Yeah. The
23 western side of the property.

1 MR. WRIGHT: The whole west road?

2 MS. McCURDY: Yes.

3 CHAIRMAN BLANKENSHIP: Any other questions?

4 (No response.)

5 CHAIRMAN BLANKENSHIP: All those in favor say

6 "aye."

7 (All Board members present respond

8 "aye.")

9 CHAIRMAN BLANKENSHIP: Any opposed?

10 (No response.)

11 CHAIRMAN BLANKENSHIP: None opposed. Motion

12 carries.

13 MS. McCURDY: If you will look at Tab 5-D, we
14 have received a request --

15 And, Evan, is it Boddie?

16 Okay. I got worried after looking
17 at two Ds that I've been saying it
18 wrong. But it is Boddie.

19 So Mr. Warren Boddie contacted us,
20 and he has requested an access easement
21 that would impact the Forever Wild's
22 Lauderdale and Freedom Hills WMA tracts.
23 And you will see there is a map attached

1 showing you those tracts and location
2 that they're requesting easement.

3 Historically Mr. Boddie has worked
4 with our Wildlife and Freshwater
5 Fisheries Division and has accessed his
6 property with no issue through a WMA
7 road. The change in circumstances that
8 Mr. Boddie is currently in the process
9 of trying to sell his property and the
10 potential buyer that he has secured, the
11 mortgage lender is requiring Mr. Boddie
12 to demonstrate that there is an easement
13 securing access to that property.

14 And we did talk with Mr. Boddie, and
15 we tried to work through an agreement to
16 have some type of evidence of a permit,
17 that a permit is revokable, and the
18 mortgage lender was not comfortable with
19 a revokable permit, so hence the request
20 for an easement.

21 It's approximately a little over
22 half a mile by 30 feet -- would be the
23 length and width of the easement. There

1 is a portion of it that goes -- before
2 you get to our property, there's also a
3 third party, a Packaging Corporation of
4 America, that Mr. Boddie will have to
5 cross. He does have written permission
6 from them and provided that to us. So
7 they have agreed with this.

8 Mr. Boddie has -- well, back up. I
9 think the total acreage would be
10 approximately 1.92 acres. Mr. Boddie
11 has agreed to pay for the appraised
12 value of the interest that would be
13 transferred and the associated appraisal
14 and survey work that would be necessary.

15 And he has also agreed at staff
16 request to restrictions providing that
17 parking would not be allowed along the
18 easement and that, also, in the future
19 if the tract is subdivided in any manner
20 or there's any commercial use of the
21 property, that that will not be allowed.
22 So basically the easement will be
23 related to residential purposes access

1 only.

2 And so I wanted to also let the
3 Board know that State Lands has reviewed
4 the request. We reviewed it also in
5 consultation with Chuck's division. And
6 with the restrictions that we have noted
7 to Mr. Boddie, we are comfortable with
8 the easement. But I would like to
9 answer any questions from the Board.
10 And I'll call Keith up if there are any
11 detail area questions. But anything
12 additional the Board would like to know
13 or any questions?

14 Mr. Oates.

15 MR. OATES: Patti, we're looking at something
16 similar to this on one of our Little
17 River properties and doing an easement
18 like this for a landowner. And it may
19 not work at all with Forever Wild with
20 our process, but we're actually putting
21 a first right of refusal if that
22 landowner ever sells the property to
23 give us the first right of refusal of

1 that. Would that be something that we
2 might want to include in here?

3 MS. McCURDY: So let me be sure I understand.
4 So for what I'm going to call the
5 residential property, including in your
6 easement transaction a right for first
7 right of refusal?

8 MR. OATES: Yeah. So if he ever wants to sell
9 it, we get the first right to purchase
10 it. Because it's surrounded by our
11 property on three sides, so --

12 MS. McCURDY: And we can inquire if the -- if
13 Mr. Boddie and the lender would accept
14 that. Let me first ask if that is an
15 option -- is a possibility that one
16 might would be interested in.

17 And Keith is telling me "yes."

18 Oh, I forgot. He's here. He told
19 me he would be here, and I totally
20 forgot.

21 So let's see what the other question
22 is. But, Mr. Boddie, if you would, come
23 on up. So let's hold that. I think I

1 saw another hand.

2 Okay. We'll cover this question.
3 Come on up here just so they can hear
4 you.

5 CHAIRMAN BLANKENSHIP: So the question was
6 would he -- would you entertain the
7 thought of giving the Forever Wild
8 Board -- or the Department of
9 Conservation the first right of refusal
10 on the property if it was sold after --
11 but it --

12 MR. BODDIE: My 149 acres.

13 CHAIRMAN BLANKENSHIP: Yes.

14 MR. BODDIE: If the current person that's
15 interested doesn't want it at the
16 current price -- I mean, she's
17 offering --

18 MS. McCURDY: I think what you would be
19 contemplating would be in the future if
20 you proceed with the purchase -- or the
21 sale as you currently have planned but
22 that -- as part of the easement
23 transaction would require of the new --

1 the purchaser a right of first refusal
2 to the program. If your new purchaser
3 then sells in the future -- obviously
4 it's going to have to be, also, a
5 question of whether the buyer would and
6 whether the lender is okay with that.

7 But let's -- but the first step is
8 would that be something that you would
9 consider. And let me first raise it as
10 in if your potential buyer accepted
11 that, the lender accepted that, would
12 you be willing to further restrict and
13 include that first -- right of first
14 refusal.

15 MR. BODDIE: Okay. If I understand this, I
16 mean, if they backed out, I would be
17 more than willing to put that in
18 writing. I'm hesitant at this stage to
19 include that to my potential buyer. I
20 don't know how that would affect them
21 because they have family and stuff like
22 that.

23 CHAIRMAN BLANKENSHIP: I understand.

1 MR. BODDIE: And I will say this: Seven or
2 eight years ago I let Freedom Hills come
3 out there and survey it because I
4 thought about I might have to sell it
5 because my dad went in assisted living
6 and didn't have to sell it.

7 But, anyway, don't know about that.
8 That's scary to me, that part.

9 CHAIRMAN BLANKENSHIP: Yes, sir.

10 MR. JONES: I understand.

11 MR. BODDIE: I would want to think about that
12 a little bit.

13 MR. OATES: It was just a question.

14 CHAIRMAN BLANKENSHIP: Okay. Mr. Childers.

15 MR. CHILDERS: Is this going to open that
16 property up for development?

17 MS. McCURDY: I'm sorry. I was talking and
18 missed your questions.

19 MR. CHILDERS: It looks on the map like this
20 land is landlocked.

21 MR. BODDIE: Yes, sir.

22 MR. CHILDERS: This would be the only access?

23 MR. BODDIE: It is.

1 MR. CHILDERS: Is this going to be developed
2 into housing developments and all?

3 MR. BODDIE: No, sir. I've had it for 23
4 years to hunt on, and the person that's
5 buying it is -- and it's like a
6 checkerboard in its northeast corner.
7 And they've recently purchased that
8 property, and they want it to hunt on.
9 They're hunters.

10 MR. CHILDERS: I would just be concerned about
11 opening up a four-lane highway to
12 housing development in the future.

13 MS. McCURDY: And that's a restriction in
14 there. The easement would be -- would
15 not allow access to a subdivision of any
16 type -- subdivided period.

17 MR. CHILDERS: All right.

18 MS. McCURDY: I say subdivision.

19 MR. CHILDERS: All right. That's good.

20 CHAIRMAN BLANKENSHIP: All right. Are there
21 any other questions?

22 (No response.)

23 CHAIRMAN BLANKENSHIP: If there's not any

1 questions, there is a draft motion if
2 somebody is interested in moving forward
3 with that.

4 MR. CHILDERS: I make the motion that we adopt
5 the draft motion as written in the book.
6 Do I need to read it?

7 CHAIRMAN BLANKENSHIP: Yes, sir, please.

8 MR. CHILDERS: Oh.

9 MS. McCURDY: We're making you work today.

10 MR. CHILDERS: The Board approves staff
11 proceeding with granting an easement
12 related to the Lauderdale and Freedom
13 Hills WMA Tract Additions requested by
14 Warren Boddie as described in the memo
15 dated May 6, 2021, pursuant to the
16 conditions that Mr. Boddie agrees to use
17 restrictions related to parking and
18 single-family residential usage and also
19 pays for appraisal and survey costs in
20 addition to the appraised value of the
21 interest to be transferred.

22 CHAIRMAN BLANKENSHIP: All right. So that's
23 the motion. Is there a second?

1 DR. TOLLEY-JORDAN: Second.

2 CHAIRMAN BLANKENSHIP: Seconded by
3 Dr. Tolley-Jordan.

4 Any other questions on that? Is
5 that clear in what we're doing?

6 (No response.)

7 CHAIRMAN BLANKENSHIP: All right. All those
8 in favor say "aye."

9 (All Board members present respond
10 "aye.")

11 CHAIRMAN BLANKENSHIP: Any opposed?

12 (No response.)

13 CHAIRMAN BLANKENSHIP: None opposed. Motion
14 carries.

15 MS. McCURDY: Commissioner, we have some
16 additional sort of more routine matters.
17 Would you like to move on to the CRATA
18 discussion, or would you like --

19 CHAIRMAN BLANKENSHIP: Yeah. Let's go ahead
20 and do CRATA in order here. That would
21 be fine.

22 MS. McCURDY: All right. For everyone, if you
23 will look in your packet and in your

1 green folder -- this is another -- you
2 should have two 5-Es. And your packet
3 5-E kind of details, again, the
4 request -- copies -- gives you another
5 copy of the information that has been
6 provided by CRATA to the Board such as
7 the site plan -- I'm sorry -- the site
8 plan that you'll see attached, the
9 minutes, and the offer by CRATA to allow
10 a reversion. You'll see the copy of the
11 minutes that Mr. Lanier referred to.
12 And you will see several maps.

13 The request relates to a parcel for
14 a visitor outpost that would have a
15 portion that provides public access and
16 the exhibits and the amenities that
17 Mr. Lanier described. Another portion
18 of the building would be privately used
19 by CRATA as a headquarters and also to
20 store some equipment. There's also the
21 fire tower transfer and installation on
22 the second parcel. So 5-E details that
23 as well as, again, the site plans.

1 Your green folder Tab 5-E contains
2 some additional information about a
3 process that evolved. You know, in our
4 last meeting staff said that we would
5 work to develop some potential purchase
6 and sale agreement terms for the Board
7 to consider -- for CRATA to consider,
8 the Board to consider, and kind of a
9 bullet-point listing of what it would
10 include in a purchase and sale
11 agreement, almost like a term sheet.

12 In working with Legal on that and in
13 discussing, also, the offer of the
14 reversionary clause, the more detail
15 that we got into, there was concern that
16 has been expressed regarding the
17 difficulty of enforcing reversionary
18 clauses and increased difficulty from
19 the court. They are disfavored. And
20 we've had on some other transactions not
21 related to this one some discussions
22 also with the Attorney General's office
23 on reversionary provisions and whether

1 they can be relied on to accomplish the
2 goals. So that led to a further
3 analysis of, you know, how to both serve
4 the interests of the group, allow them
5 to proceed, but also provide the Board
6 with a mechanism -- agreement type with
7 the most flexibility possible.

8 And so DCNR's Legal section -- you
9 know, I'm a lawyer, but in our -- DCNR's
10 Legal section is who is reviewing this
11 with us. And they recommend entering
12 into, if the Board would like to proceed
13 with CRATA, a license agreement. That
14 is a revokable license that would allow
15 them the access and allow them
16 construction with certain restrictions.
17 But if the Board did at some point elect
18 to terminate either due to construction
19 not being completed in the time frame
20 agreed upon or for another reason, then
21 CRATA would be reimbursed the costs or,
22 if construction has been completed, the
23 fair market value of the interest.

1 This is a -- kind of some new
2 information and new recommendation from
3 Legal. So I know this is coming to the
4 Board -- this is new to the Board, new
5 to CRATA. And so I know there will be
6 several questions. But I wanted to
7 mention those aspects, note those items
8 in your packet.

9 I think I'll pause for a second
10 before going into great detail. Let me
11 pause for a minute to see what questions
12 you might have, and then I can continue
13 with some additional discussion. But
14 let me pause for a second.

15 DR. McCLINTOCK: I have a question.

16 So under insurance, CRATA is going
17 to carry general liability insurance.
18 Is there any special type insurance the
19 tower requires? I mean, I imagine with
20 people going up hundreds of feet --

21 MS. McCURDY: Yeah. And let me pause you
22 there for a couple of things.

23 What is in the overview of these

1 potential terms do not necessarily
2 represent what CRATA has agreed to yet.
3 They are a 501(c)(3), but in our
4 transactions, especially a construction
5 project, we generally do require general
6 liability and some other types of
7 insurance.

8 As to any particulars for a fire
9 tower, I would have to ask, you know,
10 Mr. Lanier if they've done anything like
11 that in the past. I do think that all
12 of our properties, you know, have
13 certain -- certain aspects of recreation
14 that just -- you know, whether it be on
15 a mountain and hiking or being careful
16 not to fall off a -- you know, a cliff
17 or whatever -- there are certain
18 inherent dangers in recreation.

19 But I will -- but it would be our
20 request that would be consistent with
21 past requests to non-profits to obtain
22 general liability insurance. But I
23 don't know that there's anything special

1 as to the fire tower, but I will -- and
2 I don't believe, Mr. Lanier, that CRATA
3 has in the past pursued specific
4 insurance on fire towers.

5 MR. LANIER: No.

6 MS. McCURDY: And he said "no."

7 DR. McCLINTOCK: Thank you.

8 MS. McCURDY: You're welcome.

9 MR. JONES: I'm assuming we would be named as
10 additional insureds.

11 MS. McCURDY: Correct. The program and
12 Department, our standard requirements on
13 that.

14 Commissioner, anything that you want
15 to ask Jimmy for any more details on the
16 potential agreement, or what do you --
17 tell me where you want to go next.

18 CHAIRMAN BLANKENSHIP: Well, I think with the
19 memo that's been provided today, it was,
20 you know, short notice right before --
21 just getting at the meeting. It would
22 be difficult, I think, for the Board to
23 make an informed decision today.

1 MS. McCURDY: Right.

2 CHAIRMAN BLANKENSHIP: What I would

3 recommend -- and I think Mr. Wright and

4 I have had some conversations, and I

5 think he is willing -- maybe willing to

6 talk with CRATA before the next meeting

7 and talk through the purchase --

8 fee-simple purchase versus a license and

9 what requirements would be needed and

10 see if CRATA would be in favor of that

11 and see if we can come back at the

12 August meeting with something --

13 MS. McCURDY: And some of the terms would be

14 the same regardless of the --

15 CHAIRMAN BLANKENSHIP: Yeah. Let's see if we

16 can come back to the August meeting with

17 a more hashed-out agreement working with

18 CRATA on whether the license aspect or

19 the fee-simple -- which they would be in

20 favor of and if we can work out some of

21 those terms and come back and bring that

22 to the August meeting, if that suits the

23 Board.

1 And, Mr. Wright, would you mind
2 taking an interest -- I know you have an
3 interest in it. Would you mind taking a
4 role in talking with Mr. Lanier and
5 Steve and --

6 MR. WRIGHT: Yes, I will do that.

7 CHAIRMAN BLANKENSHIP: -- and see if we can
8 help mediate a good agreement to come
9 back in August so we can either move
10 forward or not and the Board have all
11 the information they would need.

12 MS. McCURDY: And that would be great,
13 Mr. Wright. We appreciate that. That
14 would give us some real-time, you know,
15 Board feedback as -- because this is a
16 complex transaction and sort of a case
17 of first impression, so to speak, for
18 the Board. The prior purchases have
19 related to, you know, just easements or
20 access. You know, it's not been this
21 type of inholding.

22 So I think that would be great to
23 have some real-time Board feedback for

1 the staff. I welcome that, Mr. Wright.

2 Thank you.

3 CHAIRMAN BLANKENSHIP: All right.

4 MS. McCURDY: And if there's -- and I would
5 also ask if there are any Board members
6 that -- and I'm not saying it's going
7 to -- you'll think of it right now. But
8 as you think about this and have
9 particular questions or thoughts, if you
10 would let me know or let Mr. Wright know so
11 that we can anticipate -- try to cover
12 those questions and have information
13 ready for you.

14 So thank you, Mr. Wright.

15 CHAIRMAN BLANKENSHIP: Okay.

16 MS. McCURDY: Okay. So we'll move into some
17 of the, I guess, more routine procedural
18 type matters.

19 If you'll look in your packet, we'll
20 now move to Tab 5-F, and these are the
21 management plans that we would like
22 Board approval on. We're required by
23 the law to at least have a management

1 plan initiated on each tract within a
2 year of acquisition. We normally come
3 to you, if we can -- we prefer to come
4 to you a meeting in advance of the
5 meeting it would be required just in
6 case we don't have a quorum or that the
7 Board has any questions and would like
8 those answers before approval.

9 But for today, the management plans
10 that we're bringing forward, again, are
11 attached in 5-F. And they would include
12 taking action on the Perdido River
13 WMA-McNeill Addition. This would
14 actually be -- what we're referencing is
15 adding that tract to an existing
16 management plan related to Perdido due
17 to the location and similar use and
18 characteristics.

19 We then are recommending development
20 and adoption of a new management plan
21 for the D'Olive Forever Wild Tract in
22 Baldwin County. Due to its location and
23 its uniqueness, we think that an

1 individual plan for that tract would be
2 most beneficial.

3 So the plans were attached to the
4 memo provided in your packet. I will
5 pause and see if there are any questions
6 prior to Board motion. We would need a
7 motion for approval, but I want to be
8 sure there are no questions.

9 (No response.)

10 CHAIRMAN BLANKENSHIP: No questions.

11 Is there a motion to --

12 DR. McCLINTOCK: I move to approve it.

13 MR. HOLLOWAY: Second.

14 CHAIRMAN BLANKENSHIP: So the motion is to
15 approve -- make sure I have this for the
16 minutes.

17 The motion is to approve the State
18 Lands Division proceeding with the
19 inclusion of the Perdido River
20 WMA-McNeill Addition into an existing
21 management plan and development of a new
22 management plan for the D'Olive Forever
23 Wild Tract as set forth in the memo

1 making those expenditures. So it's
2 really a form of reimbursement to State
3 Lands. We also have to address the
4 stewardship account, and that's done
5 looking forward to the next fiscal year.
6 But I will get to that in a minute. We
7 used to do them at separate meetings,
8 and I never can decide if it's better to
9 do it separate or together.

10 But, nonetheless, the memo I
11 supplied to the Board is a request for
12 level funding to State Lands in the
13 amount of \$900,000 for the
14 administrative tasks with management of
15 the program and those tasks associated
16 with the approximately 280,000 acres
17 currently maintained by the program.
18 I did provide the Board just as context
19 from the prior fiscal year some
20 information on expenditures.

21 I'm happy to answer any Board
22 questions. This is level funding and,
23 again, the annual request that we make

1 for this. If the Board approves that, I
2 would need a motion from the Board, and
3 there is a motion set forth in 5-G to
4 assist.

5 MR. HOLLOWAY: Mr. Chairman?

6 CHAIRMAN BLANKENSHIP: Mr. Holloway.

7 MR. HOLLOWAY: I move that the Board approves
8 the State Lands Division staff to
9 proceed with the requested
10 administrative transfer in the amount of
11 \$900,000 for fiscal year 2021
12 administrative support provided by the
13 State Lands Division.

14 MR. CHILDERS: Second.

15 CHAIRMAN BLANKENSHIP: Seconded by
16 Mr. Childers.

17 Any questions on that?

18 (No response.)

19 CHAIRMAN BLANKENSHIP: All those in favor say
20 "aye."

21 (All Board members present respond
22 "aye.")

23 CHAIRMAN BLANKENSHIP: Any opposed?

1 (No response.)

2 CHAIRMAN BLANKENSHIP: None opposed. The
3 motion carries.

4 MS. McCURDY: Okay. If you will look at
5 Tab 5-H. And, again, this is looking
6 forward into the upcoming fiscal year.

7 By law, the Board is required to
8 approve expenditures from the
9 stewardship account in advance of a
10 fiscal year. And this memo details how
11 we try to work with both State Parks
12 staff, Wildlife and Freshwater Fisheries
13 Division staff, all of our State Lands
14 staff and try to anticipate what we
15 refer to as more routine land management
16 activities. And those can include many
17 things, but to give you a few examples,
18 you know, road repairs, maintenance on
19 the roads, additional access points,
20 boundary line maintenance,
21 recreation-type projects, and also the
22 ongoing invasive species work that we
23 have to do.

1 Then we may have
2 non-routine-tract -- what we call
3 tract-specific. Now, mainly because
4 they fall outside of those everyday-type
5 actions that we know we're going to
6 need, a lot of times what we consider
7 falling into this category are very
8 tract-specific forestry actions,
9 reforestation, reforest work --
10 reforesting work that we need to do.

11 So you'll see detailed in your memo
12 in an attachment that provides a
13 breakdown of that and also how we try to
14 estimate the tract-specific
15 reforestation activities.

16 As we've talked about before, 15
17 percent of each purchase is transferred
18 into this account. As the Board has --
19 we've discussed in more detail, this
20 account is being managed, you know, for
21 the value that we see and that we
22 discussed before. By law, if --
23 therefore the interest earnings are not

1 high enough to cover the routine --
2 these routine practices. So by law, we
3 have to have a designation made by
4 Commissioner that funds from the corpus
5 will need to be used to cover those
6 stewardship needs.

7 So you will see in the memo the
8 Commissioner's designation, as from last
9 year, designating that there are not
10 sufficient funds within the meaning of
11 the act to pull from interest and so we
12 would need it from the corpus.

13 Also, because we really cannot fully
14 anticipate a fiscal year in advance what
15 the needs will be, we have asked for
16 some flexibility. So despite the fact
17 that our best estimate at the
18 expenditures that we need would be about
19 \$1,483,000, we are requesting the
20 standard \$1.5 million to give us a
21 little room there in case we need it.

22 So if the Board -- I want to answer
23 any questions that the Board may have.

1 If there are no questions and the Board
2 desires to approve that expenditure for
3 the stewardship account, we would need a
4 motion as in the memo on the second
5 page. But first let me answer any
6 questions.

7 CHAIRMAN BLANKENSHIP: Any questions on that?

8 (No response.)

9 DR. SIMS: Mr. Chairman?

10 CHAIRMAN BLANKENSHIP: Dr. Sims.

11 DR. SIMS: I would like to make a motion that
12 the Board authorizes ADCNR, after
13 exhausting available interest income
14 from the stewardship account, to expend
15 funds from the corpus of the stewardship
16 account up to the amount that when added
17 to the available interest income does
18 not exceed \$1.5 million.

19 CHAIRMAN BLANKENSHIP: Thank you. Is there a
20 second?

21 MR. HOLLOWAY: Second.

22 CHAIRMAN BLANKENSHIP: Seconded by
23 Mr. Holloway.

1 Any discussion on that?

2 Just a reminder from -- since we
3 have changed the stewardship fund to a
4 diversified portfolio: The interest --
5 the investment income has been more than
6 the \$1.5 million, but because of the way
7 the constitutional amendment is wording
8 it, it says specifically "interest."
9 And so since it doesn't account for
10 investment income, that's why we do the
11 insufficiency. But I just wanted to
12 assure the Board that the stewardship
13 fund is appreciating at more than
14 \$1.5 million per year. Make sure that
15 was clear to everybody.

16 Any questions on that?

17 (No response.)

18 CHAIRMAN BLANKENSHIP: All right. Seeing
19 none, all those in favor say "aye."

20 (All Board members present respond
21 "aye.")

22 CHAIRMAN BLANKENSHIP: Any opposed?

23 (No response.)

1 CHAIRMAN BLANKENSHIP: None opposed. Motion
2 carries.

3 MS. McCURDY: Commissioner, I have one
4 miscellaneous item I'd just like to
5 mention.

6 You'll see in your packet -- this is
7 purely informational, but it's just a
8 memo. I wanted to just provide you an
9 update -- I get questions sometimes
10 about how our acreage is being managed
11 and I know you get questions sometimes
12 about is our acreage being managed.
13 Some people think Forever Wild means we
14 don't manage it, so -- but we actively
15 do between the fire work that we're
16 doing, the management of various
17 thinnings and clear-cuts and various
18 things.

19 So this isn't exhaustive, but I also
20 feel bad sometimes because I stand up
21 here and you don't see the work that
22 goes on behind the scenes very
23 diligently by my staff. So I've

1 included some information, just one
2 example from each district, detailing
3 all the work that goes on in the field,
4 including today while we're standing
5 here.

6 And I'm going to provide the usual
7 annual activity reports at the next
8 meeting as we always do in August. But
9 I just wanted to thank my staff,
10 especially my field staff, for the work
11 they do every day and wanted to let you
12 know a lot of burning has been going on
13 and a lot of work has been happening.

14 So you'll find that in your packet,
15 but it's not meeting related. It's just
16 information and an update to the Board.

17 CHAIRMAN BLANKENSHIP: And while we're talking
18 about it, I would like to express my
19 appreciation for the partnerships that
20 we have with the Alabama Forestry
21 Commission and The Nature Conservancy
22 and partnership with the State Lands
23 Division. We're doing a lot of activity

1 around the state and burning a lot more
2 than we could if it was just our staff.
3 And appreciate those partnerships.

4 And I think that's good government.
5 That's good work, working with NGOs and
6 with other state agencies to be as
7 efficient and effective as possible.
8 Don't want to miss an opportunity to
9 thank our friends. So thank you-all.

10 MR. HOLLOWAY: Mr. Chairman?

11 CHAIRMAN BLANKENSHIP: Yes, sir, Mr. Holloway.

12 MR. HOLLOWAY: If I could, I would just like
13 to follow up on Ms. McCurdy's statement
14 about the staff.

15 There's no way in the world that all
16 the work that we receive from the staff
17 and from Ms. McCurdy -- we know that
18 they are working very, very hard. It
19 just goes without saying that we know
20 what they're doing based on a lot of the
21 information that you're providing to us
22 and the accuracy of that as it's being
23 provided to us. So thank you and thank

1 your staff for all the work that they
2 do.

3 MS. McCURDY: Well, thank you very much.

4 I have a great staff.

5 MR. CHILDERS: I'll second that.

6 DR. McCLINTOCK: I'll second that.

7 MS. McCURDY: Thank y'all.

8 Unless somebody else has a
9 miscellaneous item, that's all.

10 CHAIRMAN BLANKENSHIP: All right. Thank you
11 for providing that information on some
12 of the work that's going on in each of
13 the districts.

14 The next order of business is to
15 approve the minutes from the
16 February 4th, 2021, meeting. Those were
17 in your packet. Is there a motion to
18 approve those minutes?

19 DR. SIMS: So move, Mr. Chairman.

20 CHAIRMAN BLANKENSHIP: Dr. Sims, a motion to
21 approve the minutes.

22 DR. McCLINTOCK: Second.

23 CHAIRMAN BLANKENSHIP: Seconded by

1 Dr. McClintock.

2 Any corrections, changes, additions?

3 (No response.)

4 CHAIRMAN BLANKENSHIP: Seeing none, all those
5 in favor of approving the minutes,
6 please say "aye."

7 (All Board members present respond
8 "aye.")

9 CHAIRMAN BLANKENSHIP: Any opposed?

10 (No response.)

11 CHAIRMAN BLANKENSHIP: None opposed. Motion
12 carries.

13 All right. The next meeting date
14 will be August the 8th. August the 8th.

15 MR. JONES: It says August 5th. The 8th is a
16 Sunday.

17 CHAIRMAN BLANKENSHIP: August 5th. Okay.

18 The next meeting will be on a
19 Thursday. I don't think we want to do
20 this on the Lord's day.

21 MS. McCURDY: I think we're blessed in many
22 other ways.

23 CHAIRMAN BLANKENSHIP: That's right.

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So with that, is there a motion to adjourn?

MR. JONES: So moved.

CHAIRMAN BLANKENSHIP: Is there a second?

DR. SIMS: Second.

CHAIRMAN BLANKENSHIP: All those in favor say "aye."

(All Board members present respond "aye.")

CHAIRMAN BLANKENSHIP: We are adjourned. Thank you.

(Meeting adjourned at approximately 11:35 a.m.)

* * * * *

REPORTER'S CERTIFICATE

* * * * *

STATE OF ALABAMA:

MONTGOMERY COUNTY:

I, Tracye Sadler Blackwell, Certified Court Reporter and Commissioner for the State of Alabama at Large, do hereby certify that I reported the foregoing proceedings of the Forever Wild Board Meeting on May 6, 2021.

The foregoing 86 computer-printed pages contain a true and correct transcript of the proceedings held.

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

This 19th day of July 2021.

Tracye S. Blackwell, CCR, RPR
ACCR No. 294
Expiration date: 9-30-2021
Certified Court Reporter
and Commissioner for the State
of Alabama at Large