



Baxter State Park Authority Meeting Minutes
Burton Cross Building, Augusta, ME
2:00 pm, March 2, 2023

Approved by Authority Vote (Date): _____ Chair Signature: _____

Attendees:

Baxter State Park Authority: Chair and MFS Director Patty Cormier, IF&W Commissioner Judith Camuso, Attorney General Aaron Frey

Assistant Attorney General: Lauren Parker

BSP Staff: Director of Administrative Services Lori Morrison, District Ranger Kevin Adam

BSP Advisory: Chair Tom Goetz, Anne Huntington

Friends of Baxter: President Ellen Baum, Ginger Jordan-Hillier, Jill Ippoliti, Jerry Bley

BPWF Trustees: John Loyd

Other guests: Brian Colleran

Chair Cormier called the meeting to order at 2:10 pm with a welcome and introductions.

Approval of the December 2, 2022 minutes: AG Frey moved to approve the minutes, and Commissioner Camuso seconded the motion. No discussion. Motion carried, 3-0.

Update on Director Hiring: Interviews for the Park Director position are scheduled for next week.

L.D. 294 (131st Legis. 2023): Director Cormier opened the meeting with an overview of the public hearing held on 2/13/2023 before the Joint Standing Committee on Agriculture, Conservation and Forestry. Approximately 22 people testified (oral and written).

- Attorney General Frey referenced his written testimony, which is in opposition to L.D. 294, and explained that Baxter State Park is unique because of the way it was originally contemplated by the donor (former Governor Baxter) and how it was accepted by the legislature.
- Director Cormier invited input from guests:
 - John Loyd stated that adding another member to the Authority is not an appropriate means of redress because it is contrary to Percival Baxter's trust and the way in which it was accepted by the State of Maine.
 - Ellen Baum stated that Friends of Baxter State Park (Friends) would welcome increased Wabanaki engagement without breaking the Deeds of Trust. Friends suggested several possibilities for doing this, whether it be through staff or representation on committees, and is prepared to help. Ginger Jordan-Hillier added that Friends has always included significant Native American information, both in their leadership program and now in their trails program. There are cultural differences, and conversations can be more productive if there's someone to help bridge those differences.
 - Director Cormier stated the Advisory Committee had a robust discussion at their last meeting. There are ongoing outreach efforts and collaborations between Tribes and the Park.

- Ellen Baum asked if there was any action toward changing this bill to a Resolve to somehow give a directive that would not be in a statute.
- AG Frey stated that a Resolve is not needed to take action; there are ways to act now. Groups such as the Advisory Committee and Friends provide resources to the Authority and Baxter Park. The Advisory Committee would benefit from having a permanent member from the Wabanaki Nation and other inclusive practices.
- John Loyd reflected on discussions 20 years ago when the Penobscots reserved a location for their K100 event. Park staff and advisors learned to appreciate the significance of that event and came to a solution that was mutually acceptable, and a favorable outcome for everyone - this can be built upon that by involving the Tribes on the Advisory Committee.
- Assistant AG Parker explained that the Park advisory committees exist at the will of and to serve the Authority, and the Authority could make a motion/vote to direct staff to reach out to the appropriate Tribal representative to discuss involvement on the Advisory Committee.
- Anne Huntington suggested that this seat may be similar to the existing Baxter family member seat, which is reserved for a family member and has no set term.

Motion: Commissioner Camuso made two complementary motions: 1) to allocate one of the vacant seats on the Advisory Committee for a Wabanaki Tribal member, and 2) to direct the Park staff to reach out to Ambassador Dana or the appropriate representative in Tribal leadership to discuss term limits, representative(s), and how that representative(s) would be selected (e.g., selected by the Tribes and presented to the Authority for a vote). Seconded by AG Frey. Discussion: Permanence was again mentioned. Allocating a seat will foster discussion between Park Staff and the Tribes and the Advisory regarding term limits/permanence and then the results of that discussion would be brought back to the Authority. **All in favor. 1st motion passed 3-0. AG Frey seconded the 2nd motion. No further discussion. All in favor. 2nd motion passed 3-0.**

AAG Parker noted that Baxter State Park is a charitable trust and all aspects of government such as Park staff, the Authority, and the legislature act as trustees of Baxter State Park. When a particular issue surfaces, it is helpful for people to know what the Authority considers to be the terms of the Trust. The Authority has not yet taken a formal position on whether the makeup of the Authority is a term of the Trust, and it would be helpful to take a formal vote.

Motion: Commissioner Camuso moved that the Authority considers the makeup of the Authority to be a term of the Trust for the reasons set forth in AG Frey's testimony and Staff memorandum. Motion seconded by AG Frey. Discussion: The Authority considered whether would be helpful for the motion to be more specific. **Amended Motion: Commissioner Camuso moved that the Authority considers the makeup of the Authority, which consists of the State's principal officers in the professions of law, forestry, and fish and wildlife management, to be a term of the Trust for the reasons set forth in AG Frey's testimony and the BSP Staff Memorandum. Motion seconded by AG Frey.** Discussion: AG Frey stated that as a fiduciary to the Trust, he must follow its terms. There is consternation in that there is great interest in improved recognition of the sovereignty of the Wabanaki Tribes and Nation and there are important conversations happening about how to do that. It is hoped the other work of the Authority will be seen as a very positive and

constructive step forward within the confines of the Trust as it has been entrusted to us to administer. **All in Favor. Motion carried 3-0.**

Jill Ippoliti asked if the budget hearing tomorrow was a public hearing or a work session and if the budget included a position earmarked for a staff member to work with the Wabanaki. Director Cormier noted this budget was submitted before LD 294 and doesn't include such a new position.

- It was clarified that Park Staff are State of Maine Employees and subject to headcount. Although no General Fund dollars are used, all dollars spent require Legislative approval.
- John Loyd added that the Investment Committee provides advice to the Authority and administrative staff and the Investment Committee is careful; there is adequate funding for staffing and adding a position would not be a budgetary problem, from the standpoint of the advice the investment committee provides to the Authority in that regard. The Park is careful to ensure it can be independent.

Next Authority meeting: The next Authority meeting is on 3/24/2023. **The Authority directed the BSP Advisory Committee to report back to the Authority, at the May meeting, ideas for better engagement and involvement with Tribal leadership and the makeup of the dedicated tribal member seat. Anne Huntington confirmed she would share this direction with the Advisory Committee.**

Adjourn: **AG Frey motioned to adjourn at 3 pm. All in favor.**