

Approved Minutes
Conservation Easement Authority
2003

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
8 January 2003

The seventh regular meeting of the Conservation Easement Authority was held at 5:00 p.m. on Wednesday, 8 January 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; Tom McFillen, Vice-Chair; John Bieschke, Randy Buckley, Michael Hobert, and David Weiss
Absent: Jane Radford
Staff: Charles Johnston

Call to Order

Vice-Chair McFillen called the meeting to order.

Agenda

On motion of Mr. Bieschke, seconded by Mr. Weiss, the Authority unanimously approved the agenda as presented.

Approval of Calendar

Mr. Johnston suggested that the Authority set its regular meeting schedule as the second and fourth Wednesdays of each month at 5:00 pm, with the understanding that the meetings could be canceled if there was no business. The Authority agreed by consensus.

Minutes

On motion of Mr. Weiss, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the meetings of 20 November and 21 December 2002.

Review of First Round Applicants

On motion of Mr. Hobert, seconded by Mr. Buckley, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

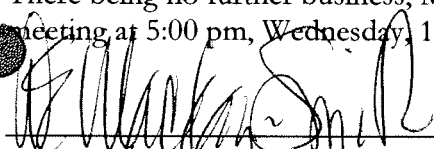
Chairperson Mackay-Smith entered the meeting.

On motion of Mr. Hobert, seconded by Mr. Bieschke, the Authority unanimously approved reconvening in Open Session. Mr. Hobert moved, seconded by Mr. Bieschke, to certify that to the best of the member's knowledge:

- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye
Mr. Buckley	Aye
Mr. Hobert	Aye
Mr. McFillen	Aye
Mr. Weiss	Aye

There being no further business, Mr. Hobert moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 15 January 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chairperson


 C. Johnston

Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
15 January 2003

The eighth regular meeting of the Conservation Easement Authority was held at 5:00 p.m. on Wednesday, 15 January 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, Randy Buckley, Michael Hobert, Jane Radford, and David Weiss
Absent: John Bieschke and Tom McFillen, Vice-Chair
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. Buckley, seconded by Mr. Weiss, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Mr. Weiss, seconded by Mr. Buckley, the Authority unanimously approved the minutes of the meeting of 9 January 2003.

Review of First Round Applicants

The authority discussed the finalists in the first round of applicants.

Status of Easement Appraiser

Mr. Johnston stated that the appraiser he had initially anticipated for this work now indicates he could not have it completed until the end of March. A second and third appraiser were contacted. One of these appraisers indicated he could complete the work by the end of March for \$4500, the second indicated he could do it by the end of February for \$1000. The Authority agreed that the second appraiser would be the most appropriate.

There being no further business, Mr. Hobert moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 29 January 2003. The motion was approved unanimously.



Wingate Mackay-Smith, Chairperson



Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
29 January 2003

The ninth regular meeting of the Conservation Easement Authority was held at 4:30 p.m. on Wednesday, 29 January 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, Tom McFillen; Vice-Chair, Randy Buckley, Michael Hobert, and Jane Radford
Absent: John Bieschke and David Weiss
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. Buckley, seconded by Mr. Hobert, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Mr. Hobert, seconded by Mr. Buckley, the Authority unanimously approved the minutes of the meeting of 15 January 2003.

Virginia Department of Historic Resources

David Edwards, Director of the Winchester Region of the VDHR, met with the Authority and discussed the characteristics of an easement on historic property.

Review of First Round Applications

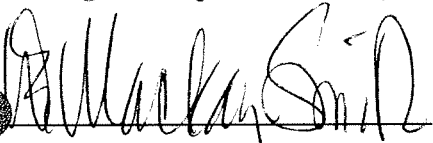
On motion of Mr. Hobert, seconded by Mr. McFillen, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.


On motion of Mr. Hobert, seconded by Mr. McFillen, the Authority unanimously approved reconvening in Open Session. Mr. Hobert moved, seconded by Mr. McFillen, to certify that to the best of the member's knowledge:

- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye	
Mr. Bieschke		Absent
Mr. Buckley	Aye	
Mr. Hobert	Aye	
Mr. McFillen		Aye
Mr. Weiss		Absent

There being no further business, Mr. Hobert moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 12 February 2003. The motion was approved unanimously.


Wingate Mackay-Smith, Chairperson



Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
12 February 2003

The tenth regular meeting of the Conservation Easement Authority was held at 5:00 p.m. on Wednesday, 12 February 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, Tom McFillen; Vice-Chair, John Bieschke, Randy Buckley, Michael Hobert, Jane Radford, and David Weiss
Absent: No one
Staff: Charles Johnston

Call to Order

Mr. McFillen called the meeting to order.

Agenda

On motion of Ms. Radford, seconded by Mr. Weiss, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Ms. Radford, seconded by Mr. Weiss, the Authority unanimously approved the minutes of the meeting of 15 January 2003.

Ms. Mackay-Smith entered the meeting and assumed the Chair.

Review of First Round Applications

On motion of Mr. Buckley, seconded by Mr. Bieschke, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

Mr. Hobert entered the meeting.

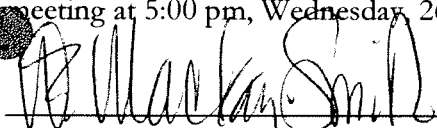
Ms. Radford left the meeting.

On motion of Mr. Bieschke, seconded by Mr. McFillen, the Authority unanimously approved reconvening in Open Session. Mr. Bieschke moved, seconded by Mr. McFillen, to certify that to the best of the member's knowledge:

- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye
Mr. Buckley	Aye
Mr. Hobert	Aye
Mr. McFillen	Aye
Ms. Radford	Absent
Mr. Weiss	Aye

There being no further business, Mr. Hobert moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 26 February 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chair



Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
25 February 2003

The eleventh regular meeting of the Conservation Easement Authority was held at 5:00 p.m. on Wednesday, 25 February 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, Tom McFillen; Vice-Chair, John Bieschke, Randy Buckley, Michael Hobert, and David Weiss
Absent: Jane Radford
Staff: Charles Johnston

Call to Order

Ms. Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. McFillen, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Mr. Bieschke, seconded by Mr. McFillen, the Authority unanimously approved the minutes of the meeting of 12 February 2003.

Review of First Round Applications

On motion of Mr. Bieschke, seconded by Mr. McFillen, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

Mr. Weiss entered the meeting.

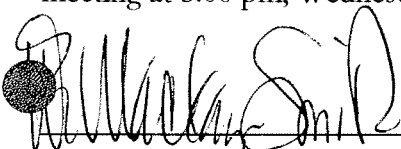
Mr. Buckley entered the meeting.

On motion of Mr. Weiss, seconded by Mr. Buckley, the Authority unanimously approved reconvening in Open Session. Mr. Weiss moved, seconded by Mr. Bieschke, to certify that to the best of the member's knowledge:


- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye
Mr. Buckley	Aye
Mr. Hobert	Aye
Mr. McFillen	Aye
Ms. Radford	Absent
Mr. Weiss	Aye

There being no further business, Mr. Hobert moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 12 March 2003. The motion was approved unanimously.



 Wingate Mackay-Smith, Chair



 Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
2 April 2003

The twelfth regular meeting of the Conservation Easement Authority was held at 4:30 p.m. on Wednesday, 2 April 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Tom McFillen; Vice-Chair, John Bieschke, Randy Buckley, Jane Radford, Michael Hobert, and David Weiss
Absent: Wingate Mackay-Smith; Chair
Staff: Charles Johnston

Call to Order

Mr. McFillen called the meeting to order. He stated for the record that the meeting scheduled for 5:00 pm, Wednesday, 12 March 2003 was rescheduled for 4:30 pm on April 2nd.

Agenda

On motion of Mr. Weiss, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Ms. Radford, seconded by Mr. Buckley, the Authority unanimously approved the minutes of the meeting of 12 February 2003.

Review of First Round Applications

Mr. McFillen reported that members of the Authority met with the Board of Supervisors in Closed Session on February 27th (Mackay-Smith, McFillen, Weiss) and March 13th (Bieschke, McFillen, Weiss) to discuss a proposed easement agreement.

On motion of Mr. Weiss, seconded by Mr. Hobert, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

Ms Radford left the meeting.

On motion of Mr. Hobert, seconded by Mr. Bieschke, the Authority unanimously approved reconvening in Open Session. Mr. Hobert moved, seconded by Mr. Weiss, to certify that to the best of the member's knowledge:

3. only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, and
4. only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Absent
Mr. Bieschke	Aye
Mr. Buckley	Aye
Mr. Hobert	Aye
Mr. McFillen	Aye
Ms. Radford	Absent
Mr. Weiss	Aye

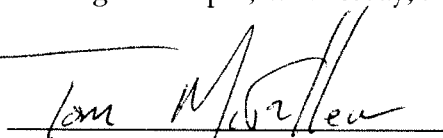
2 April 2003


Mr. Johnston briefly reviewed status of other easement purchase programs in Virginia and Virginia Farmland Protection program. On motion of Mr. Hobert, seconded by Mr. Weiss, the Authority unanimously requested staff prepare a draft of memo comparing the advantages/disadvantages of the Clarke County Conservation Easement Program with the other similar programs in Virginia. This draft memo is to be discussed at the next meeting of the Authority.

Mr. McFillen said that as result of the experience garnered with the current round of easement purchase(s), modifications to the criteria and procedures for easement purchase may be necessary. He suggested that this be discussed at a future meeting after work on the current round has been completed.

Mr. Johnston reminded the Authority that they had last discussed criteria and procedures for easement donation and the development of private funding sources in the Fall of 2002 and that these issues needed to be addressed. Mr. Weiss suggested a joint meeting of the Authority with the Board of the Clarke County Chapter of the Piedmont Environmental Council to discuss these issues. It was the consensus of the Authority that this was a good idea. Mr. McFillen asked Mr. Johnston to contact Dana Storm, staff to the PEC board, to set up such a meeting.

There being no further business, Mr. Hobert moved and Mr. Bieschke seconded, that the Authority adjourn to its next meeting at 4:30 pm, Wednesday, 9 April 2003. The motion was approved unanimously.


Tom McFillen, Vice Chair


Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
9 April 2003

The thirteenth regular meeting of the Conservation Easement Authority was held at 4:30 p.m. on Wednesday, 9 April 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, Tom McFillen; Vice-Chair, John Bieschke, Randy Buckley, Jane Radford, and David Weiss

Absent: Michael Hobert

Staff: Charles Johnston

Call to Order

Ms. Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. McFillen, seconded by Ms. Radford, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Mr. Weiss, seconded by Ms. Radford, the Authority unanimously approved the minutes of the meeting of 2 April 2003.

Review of First Round Applications

On motion of Mr. McFillen, seconded by Mr. Buckley, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

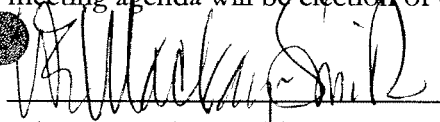
On motion of Ms. Radford, seconded by Mr. Weiss, the Authority unanimously approved reconvening in Open Session. Mr. McFillen moved, seconded by Mr. Weiss, to certify that to the best of the member's knowledge:


1. only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et seq., of the Code of Virginia, as amended, pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
2. only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye
Mr. Buckley	Aye
Mr. Hobert	Absent
Mr. McFillen	Aye
Ms. Radford	Aye
Mr. Weiss	Aye

Mr. Johnston presented a draft memo comparing the advantages/disadvantages of the Clarke County Conservation Easement Program with the other similar programs in Virginia. After discussion by the Authority, it was agreed that the members would Email their thoughts on the memo to Mr. Johnston who would work with Ms. Radford on a revised memo.

There being no further business, Mr. Weiss moved and Mr. McFillen seconded, that the Authority adjourn to its next meeting at 4:30 pm, Wednesday, 9 April 2003. The motion was approved unanimously. One of the items on the next meeting agenda will be election of officers.


 Wingate Mackay-Smith, Chair


 Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
16 April 2003

The fourteenth regular meeting of the Conservation Easement Authority was held at 4:30 p.m. on Wednesday, 16 April 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Randy Buckley, Michael Hobert, Jane Radford, and David Weiss
Absent: Tom McFillen; Vice-Chair
Staff: Charles Johnston

Call to Order

As clerk to the Authority, Mr. Johnston called the meeting to order.

Election of Officers

Mr. Johnston opened the floor for nominations to the office of Chair. On motion of Ms. Radford, seconded by Mr. Weiss, Ms. Mackay-Smith was nominated for Chair. There being no other nominations, the floor was closed, and Ms. Mackay-Smith was elected unanimously.

Mr. Johnston opened the floor for nominations to the office of Vice-Chair. On motion of Mr. Weiss, seconded by Mr. Buckley, Mr. McFillen was nominated for Vice-Chair. There being no other nominations, the floor was closed, and Mr. McFillen was elected unanimously.

Mr. Johnston opened the floor for nominations to the office of Secretary-Treasurer. On motion of Ms. Mackay-Smith, seconded by Ms. Radford, Mr. Hobert was nominated for Secretary-Treasurer. There being no other nominations, the floor was closed, and Mr. Hobert was elected unanimously.

Mr. Bieschke entered the meeting.

Ms. Mackay-Smith reassumed the Chair.

Agenda

On motion of Mr. Bieschke, seconded by Mr. Buckley, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Mr. Weiss, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the meeting of 9 April 2003 with amendments (Mr. Hobert abstained).

Review of First Round Applications

On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.


On motion of Mr. Hobert, seconded by Mr. Radford, the Authority unanimously approved reconvening in Open Session. Mr. Hobert moved, seconded by Mr. Bieschke, to certify that to the best of the member's knowledge:

- (iii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (iv) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye

Mr. Buckley	Aye
Mr. Hobert	Aye
Mr. McFillen	Absent
Ms. Radford	Aye
Mr. Weiss	Aye

There being no further business, Mr. Weiss moved and Mr. Bieschke seconded, that the Authority adjourn to its next meeting at 5:30 pm, Wednesday, 30 April 2003. The motion was approved unanimously.


Wingate Mackay-Smith, Chair

C. Johnston
Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
30 April 2003

The fifteenth regular meeting of the Conservation Easement Authority was held at 5:30 p.m. on Wednesday, 30 April 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Michael Hobert, Jane Radford, and David Weiss
Absent: Tom McFillen; Vice-Chair; Randy Buckley,
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. Bieschke, seconded by Ms. Radford, the Authority unanimously approved the agenda as presented.

Minutes

On motion of Ms. Radford, seconded by Mr. Weiss, the Authority unanimously approved the minutes of the meeting of 9 April 2003 with amendments.

Review of First Round Applications

On motion of Mr. Hobert, seconded by Mr. Bieschke, the Authority unanimously approved going into Closed Session pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property.

On motion of Mr. Hobert, seconded by Ms. Radford, the Authority unanimously approved reconvening in Open Session. Mr. Hobert moved, seconded by Mr. Bieschke, to certify that to the best of the member's knowledge:

- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.23711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye
Mr. Bieschke	Aye
Mr. Buckley	Absent
Mr. Hobert	Aye
Mr. McFillen	Absent
Ms. Radford	Aye
Mr. Weiss	Aye

Mr. Johnston presented a proposed Easement Purchase Agreements, signed by James H. Digges, for his approximate of and known as Greenway Court. Mr. Johnston outlined the terms of the agreements, dated April 22, 2003, that are attached to these minutes.

Chair Mackay-Smith asked for comments on this proposal. Mr. Hobert reviewed the development of the Easement Purchase Program in Clarke County and stated that he believed this proposal was consistent with the Program and its goals and objectives as established by the Board of Supervisors. Mr. Bieschke stated that he supported approval of the proposed easement agreements, as they would protect a National Historic Landmark and one of most historic properties in the Mid-Atlantic Region. Mr. Weiss said that he also supported the proposed agreements as they encompassed a sufficient amount of land to ensure a viable base for farming activities and that the easement would provide a buffer around the community of White Post. Ms. Radford stated that she supported the proposal, as this was a gem of a

property that was an important component to the beginnings of our nation and would be a fitting beginning for the efforts of the County Easement Authority. Chair Mackay-Smith stated that Clarke County was a leading county in Virginia with the highest percentage of its land in open space easement and that the Easement Purchase Program was now allowing lower and middle income property owners to join in adding to Clarke County's easement base. She called for a motion on the proposal.

On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously authorized the Chair of the County Easement Authority to accept and sign, on behalf of the Authority, the proposed Easement Agreements for the approximate 145 acres comprised of Tax Map Parcels 28-A-52 & 53 and owned by Jim Digges.

On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously recommended to the Board of Supervisors the approval of these proposed Easement Agreements.

Chair Mackay-Smith stated the Clarke County Easement Purchase Program was created to preserve and protect Clarke County's resources. Properties already under easement in Clarke County carry specific permanent restrictions to protect natural and historic features and limit the number of allowable parcels for residential use. Clarke County's zoning regulations have effectively addressed rural residential sprawl, especially when compared to development activity in adjoining counties. As approved by the Board of Supervisors in June 2002, the Clarke County Easement Program does not only retire dwelling unit rights, but selects properties that contain outstanding natural and cultural features to restrict in perpetuity in accordance with the wishes of property owners. The Program offers compensation to lower and middle-income property owners in exchange for these permanent limitations as well as the retirement of their valuable development rights.

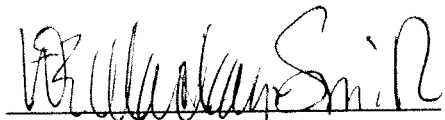
Today, the Clarke County Easement Authority is pleased to accept the offer by Jim Digges to place a conservation easement on two nationally significant historic parcels of land of approximately 145 acres, located one mile southwest of White Post, Virginia. The first parcel contains 4.9 acres and encompasses the 1747 site of Greenway Court, originally the colonial seat of Thomas Lord Fairfax. When Lord Fairfax inherited the 7,800 square mile grant of Northern Neck from his mother, a daughter of Thomas Lord Culpeper, he became the proprietary owner of all the land between the Potomac and Rappahannock Rivers. In 1747, when he was 54, Lord Fairfax started construction of Greenway Court and lived there until he died in 1781. From 1749 to 1751, Lord Fairfax engaged the young George Washington as a surveyor. Greenway Court is significant for several reasons. Lord Fairfax, Baron Cameron, was the only member of the British aristocracy to actually occupy a permanent residence in the American colonies. As proprietor of the Northern Neck, Lord Fairfax received rents and carried out land sales at the 18th-century stone land office still standing at Greenway Court. Lord Fairfax's estate and resources educated and enlightened the young George Washington while he surveyed the area. In 1975, Greenway Court was listed as a National Historic Landmark by the National Park Service. The National Historic Landmark designation is only given to places: 1. where significant historical events occurred, 2. where prominent Americans worked or lived, 3. that represent those ideas that shaped the nation, 4. that provide important information about the nation's past, or, 5. that are outstanding examples of design or construction. Fewer than 2,500 sites in the United States have been given the NHL designation. Under the terms of the proposed easement, archeological research will be allowed on the Greenway Court property, as well as work to stabilize and rehabilitate the 18th-century Land Office and Arsenal.

The second parcel is just under 140 acres and has been farmed by the Digges and Kennerly families for more than 150 years. It contains a perennial stream and has five dwelling unit rights. Mr. Digges has agreed to extinguish three dwelling unit rights. In addition, the two remaining dwelling unit rights must be located beyond a ridge line 750 feet west of the parcel containing the historic landmark. This restriction places any future residences effectively out of sight of the existing 18th-century buildings.

Mr. Digges has agreed to the restrictions placed on both properties in exchange of \$225,000 in compensation. The recommended purchase price is based on an independent appraisal by a licensed appraiser, combined with the value of the additional restrictions on the National Historic Landmark parcel and the view shed and subdivision restrictions on the adjoining 140 acre parcel. Today, the Clarke County Easement Authority has unanimously and

enthusiastically recommended the purchase of the Greenway Court easements to the Board of Supervisors. This is a significant milestone for Clarke County.

There being no further business, Mr. Hobert moved and Mr. Bieschke seconded, that the Authority adjourn to its next meeting at 5:30 pm, Thursday, 15 May 2003. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
15 May 2003

The sixteenth regular meeting of the Conservation Easement Authority was held at 5:30 p.m. on Thursday, 15 May 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Randy Buckley Michael Hobert, and David Weiss
Absent: Jane Radford (one position vacant)
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order. She announced that Vice-Chair McFillen had resigned. All Authority members expressed their regret over his resignation.

Agenda

On motion of Mr. Weiss, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Mr. Hobert, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the meeting of 30 April 2003 with amendments (Mr. Buckley abstained).

Election of Vice-Chair

Chair Mackay-Smith opened the floor for the election of a new Vice Chair. On motion of Mr. Hobert, seconded by Mr. Weiss, the Authority unanimously elected Mr. Bieschke as Vice-Chair.

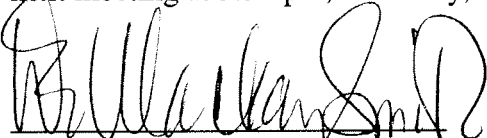
Discussion of presentation to Board of Supervisors of recommended easement purchase

Chair Mackay-Smith stated that at their May 13th meeting, the Board of Supervisors set a public meeting on the Authority's easement purchase recommendation for Tuesday, June 17th, at 10 am in the Board Room. Mr. Johnston and Maral Kalbian, the County's consulting architectural historian, presented an overview of the components of a presentation to the Board at their June 17th meeting. Authority members made several suggestions that Mr. Johnston and Ms. Kalbian said they would incorporate into the presentation for review by the Authority at their next meeting.

Private funding sources for easements

Dana Storm, Piedmont Environmental Council, presented a draft PEC document *Sources of Funding for Conservation*. Mr. Johnston said he would have the document copied and distributed to the Authority members.

There being no further business, Mr. Bieschke moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:30 pm, Thursday, 29 May 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chair

C. Johnston
 Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
29 May 2003

The seventeenth regular meeting of the Conservation Easement Authority was held at 5:30 p.m. on Thursday, 29 May 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Vice-Chair, Randy Buckley, Michael Hobert, Pat McKelvy, and David Weiss
Absent: Jane Radford
Staff: Charles Johnston; Maral Kalbian, consulting architectural historian

Call to Order

Vice-Chair Bieschke called the meeting to order. He introduced Pat McKelvy as the newly appointed member of the Authority from the Planning Commission.

Agenda

On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Mr. Hobert, seconded by Mr. Buckley, the Authority unanimously approved the minutes of the meeting of 15 May 2003 (Ms. McKelvy abstained).

Chair Mackay-Smith entered the meeting,

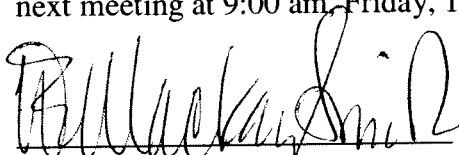
Discussion of presentation to Board of Supervisors of recommended easement purchase


Mr. Johnston and Ms. Kalbian presented an overview of the components of a presentation to the Board at their June 17th meeting. After discussion and identification of several changes, the Authority agreed to meet at 9:00 am on June 13th and have a dry run of the presentation.

Discussion of criteria and procedures for easement donation

Chair Mackay-Smith suggested that this discussion be postponed until after the June 17th meeting of the Authority.

There being no further business, Mr. Bieschke moved and Ms. McKelvy seconded, that the Authority adjourn to its next meeting at 9:00 am, Friday, 13 June 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chair


 Charles Johnston, Clerk to the Authority

**CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
13 June 2003
Board of Supervisors Room**

The eighteenth regular meeting of the Conservation Easement Authority was held at 9:00 am on Friday, 13 June 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Vice-Chair, Randy Buckley, Pat McKelvy, and Jane Radford
Absent: Michael Hobert and David Weiss
Staff: Charles Johnston; Maral Kalbian, consulting architectural historian

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as amended.

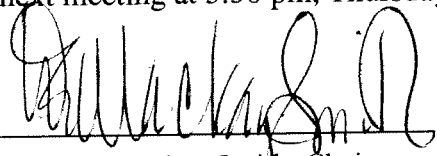
Minutes

On motion of Mr. Bieschke, seconded by Ms. McKelvy, the Authority unanimously approved the minutes of the meeting of 29 May 2003.

Discussion of presentation to Board of Supervisors of recommended easement purchase

Chair Mackay-Smith, Mr. Johnston, and Ms. Kalbian presented a draft of the presentation to the Board for its June 17th meeting. After discussion and identification of several changes by the Authority, the presenters agreed to meet at 10:00 am on June 16th for another dry run of the presentation.

There being no further business, Mr. Bieschke moved and Ms. Radford seconded, that the Authority adjourn to its next meeting at 5:30 pm, Thursday, 26 June 2003. The motion was approved unanimously.



 Wingate Mackay-Smith, Chair

C. Johnston

 Charles Johnston, Clerk to the Authority

**CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
26 June 2003
Board of Supervisors Room**

The nineteenth regular meeting of the Conservation Easement Authority was held at 5:30 pm on Thursday, 26 June 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith; Chair, John Bieschke, Vice-Chair, Randy Buckley, Michael Hobert, Pat McKelvy, and Jane Radford
Absent: David Weiss
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Mr. Bieschke, seconded by Ms. Radford, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the meeting of 13 June 2003.

Review Board of Supervisors action on recommended easement purchase and

Discussion of Easement criteria and valuation

Authority members expressed their appreciation of the Board of Supervisor's approval of Greenway Court easement at the Board's June 17th meeting. They commended the presenters for an excellent job. They noted the emphasis placed on the purchase of development rights (PDRs) expressed by Board members Staelin and Dunning. They agreed the Easement program should continue to focus on the protection of outstanding properties as it was originally established to do. They agreed that the Chair and staff should talk with Fauquier County staff about their easement program that emphasizes PDRs.

Donation of easements

By consensus, the Authority agreed that it should function as a clearing house and direct potential donees to appropriate entities (VOF, VDHR, S&W Conservation, etc) and be willing to accept donated easements only when no other entity is interested and the property achieves at least a minimal score on the Authority's criteria. The Authority agreed to ask staff to develop a work program to encourage the donation of easements.

Solicitation of financial contribution/Establishing checking account

Mr. Johnston stated that a member of the Planning Commission was donating their \$50/meeting stipend to the Easement Authority and a checking account was needed to receive these funds. On motion of Mr. Hobert, seconded by Ms. Radford, the Authority unanimously approved the establishment of a checking account for the Authority with the signature of two of the three officers (Chair, Vice-chair, Secretary-Treasurer) for checks of \$200 or more and the signature of one officer for checks of less than \$200.

The use of revolving funds and the brokerage of tax credits was discussed as ways enable easements. Mr. Hobert agreed to review the various aspects of these options and give a full report to the Authority.

The Authority agreed that a fund raiser should be held in the early Fall to begin the development of private cash donations to the Authority so as to match public money and give the Authority more resources to work with. Chair Mackay-Smith established a committee of Mr. Bieschke, Ms. Radford, and Ms. McKelvy (with Ms. Radford as chair)

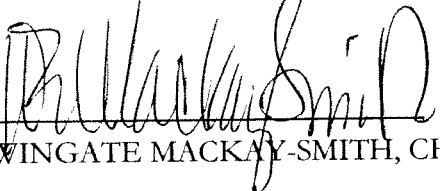
to develop a plan for this fund raiser. The committee agreed to meet at 4:30 on Tuesday, July 1st, at the Daily Grind on Main Street.

Mr. Johnston presented a draft memo from the Authority to the Board of Supervisors requesting the Board to appropriate additional funds to cover the Authority's expenses to date:

\$ 5,682.55 for the services of Bob Mitchell (attorney),
 \$ 2,137.00 for the Conservation Easement brochures,
 \$ 1,517.00 for the services of Maral Kalbian (architectural historian)
 \$ 1,000.00 for the services of Jimmy Racer (appraiser), and
 \$ 139.23 for miscellaneous (two books and training)
 \$10,475.78 TOTAL

and the estimated additional of expenses of \$1,000 for closing on the Greenway Court easement and \$500 for operations in FY04. On motion of Mr. Hobert, seconded by Ms. McKelvy, the Authority unanimously approved the memo with an alteration to the last paragraph.

There being no further business, Ms. McKelvy moved and Mr. Buckley seconded, that the Authority adjourn to its next meeting at 5:30 pm, Wednesday, 9 July 2003. The motion was approved unanimously.


 WINGATE MACKAY-SMITH, CHAIR

C. Johnston
 CHARLES JOHNSTON, CLERK TO THE AUTHORITY

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
9 July 2003
Board of Supervisors Room

The twentieth regular meeting of the Conservation Easement Authority was held at 5:30 pm on Wednesday, 9 July 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: John Bieschke, Vice-Chair, Randy Buckley, Michael Hobert, Pat McKelvy, and David Weiss
Absent: Wingate Mackay-Smith; Chair, Jane Radford
Staff: Charles Johnston

Call to Order

Vice Chair Bieschke called the meeting to order.

Agenda

On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Hobert, the Authority unanimously approved the minutes of the meeting of 26 June 2003.

Discussion of Easement criteria and valuation

Mr. Johnston reported that he and Ms. Mackay-Smith met with the Fauquier County Administrator, Attorney, and Agriculture Program Administrator on July 2nd. Mr. Johnston stated that all present agreed that the circumstances for the Fauquier and Clarke easement purchase programs were different and each program was tailored to each jurisdiction. The Authority agreed that as part of its request for funds for FY05, a method for determining the price of potential easements should be discussed with the Board of Supervisors. They also agreed that a program for additional sources of funding (grants and donations) should be developed.

Solicitation of financial contribution/Donation of easements

As a follow-up to above discussion, the Authority directed Mr. Johnston to prepare a draft brochure to address the procedures/criteria for the donation of easements and the donation of funds to the Authority. This draft is to be presented at the next meeting of the Authority.

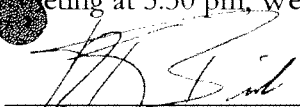
Mr. Hobert related his conversation with various parties concerning the brokerage and syndication of tax credits. Mr. Johnston stated that Ms. Mackay-Smith had been in contact with Taylor Cole who is establishing a brokerage program for easements in Virginia and who is willing to come to the next meeting of the Authority to discuss this activity. The Authority agreed to invite Mr. Cole to their next meeting to hear his presentation.

Mr. Johnston related that Ms. Radford has indicated that there had been some preliminary discussions regarding a funding raising social event, but that no fixed plan had been established. The Authority agreed that the committee established for this event (Radford-chair, Bieschke, McKelvy) should work with the Authority Chair and present a proposal at the next meeting of the Authority.

Establishing checking account

Mr. Johnston stated that a checking account for the Authority should be established by July 11th with \$700 from a member of the Planning Commission who was donating their \$50/meeting stipend to the Easement Authority.

There being no further business, moved Mr. Hobert and Ms. McKelvy seconded, that the Authority adjourn to its next meeting at 5:30 pm, Wednesday, 20 August 2003. The motion was approved unanimously.



 John Bieschke, Vice-Chair



Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
20 August 2003
Board of Supervisors Room

The twenty-first regular meeting of the Conservation Easement Authority was held at 5:30 pm on Wednesday, 20 August 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford
Absent: No one
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order. She recognized George Ohrstrom as the newest appointment to the Authority, replacing David Weiss.

Agenda

On motion of Mr. Hobert, seconded by Ms. Radford, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the 9 July meeting.

Greenway Court Easement

Mr. Johnston reported that the Greenway Court Easement closed on 11 July 2003, and that Maral Kalbian, the County's architectural historian, took photos of the property to establish the current conditions. The photos show that various vines are overtaking the Land Office and Smokehouse. The Chair appointed Mr. Bieschke and Mr. Ohrstrom to a Property Committee to address maintenance issues associated with properties under easement.

Discussion of proposed easement: Boyce Crossing Subdivision

Jim Vickers and Richie Wilkins, the applicants for the proposed Boyce Crossing subdivision, presented their proposal to place an easement on an approximate four acre area encompassing several mature oak trees. This area is on the south end of the proposed subdivision along East Main Street, Rt. 723, in Boyce. The proposed plan includes a public road through the 4 acres, as one of the access points for the subdivision, a pedestrian path connecting the subdivision to East Main, and rebuilding/stablizing the historic stone wall along East Main. The permanent owner of the property would be the subdivision's Home Owners Association.

Chair Mackay-Smith stated that at 4:00 the Authority visited the site of the proposed open space easement. The consensus of the Authority was that the site merited open space protection having a score of 79. The Authority agreed that except for the road, pedestrian path, and stone wall, the area should remain undisturbed. The Authority indicated that they would be willing to consider the easement proposal once a written easement document had been prepared and reviewed by the Authority's attorney. They further indicated that this document needed to specifically address property maintenance so that there would clear standards for the Home Owners Association.

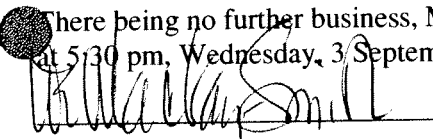
In the course of this discussion, Mr. Hobert left to attend another meeting.

Presentation on the sales of tax credit to encourage the donation of easements

Taylor Cole, President of Conservation Easement Partners, LLC, provided a detailed description of the attributes of open space easement tax credits and how they can now be sold, thus allowing middle and low income property owners to take advantage of the benefits of tax credits. The Authority members discussed at length how it could market and manage the use and sale of tax credits. The Authority agreed that this matter should be discussed further at subsequent meetings.

Due to the prolonged discussion of the previous items, the Chair stated that the remaining items on the agenda would be held over to the next meeting.

There being no further business, Ms. McKelvy moved and Mr. Ohrstrom seconded, that the Authority adjourn to its next meeting at 5:30 pm, Wednesday, 3 September 2003. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


C. Johnston

Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
3 September 2003
Board of Supervisors Room

The twenty-second regular meeting of the Conservation Easement Authority was held at 5:30 pm on Wednesday, 3 September 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford
Absent: No one
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order

Agenda

On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the minutes of the meeting of 20 August 2003.

Discussion of proposed easement: Boyce Crossing Subdivision

Jim Vickers and Richie Wilkins, the applicants for the proposed Boyce Crossing subdivision, were present. The Authority reviewed in detail the easement document submitted by the applicants on August 29th. Several corrections and clarifications were proposed. Mr. Johnston stated that he had enlisted the assistance of Jay Banks, a professional arborist who is the Urban Forester for the Town of Leesburg. He indicated that they would be visiting the easement site at 5:30 on Thursday, September 4th and that Mr. Banks would be requested to certify the importance of the oak grove and help develop a management plan for the property. At the conclusion of the discussion, Chair Mackay-Smith said that she understood that a revised easement document and a resource management plan would be provided to the Authority at their next meeting, scheduled for September 17th.

Discussion of proposed easement: 90 Linden Lane in Millwood

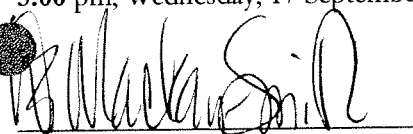
Robert and Evelyn Fortna, on behalf of Mrs. Fortna's family, submitted a letter proposing an easement on Tax Map Parcels 30A-A-87 and 88. Mr. Johnston stated that records state that parcel 87 contains five acres, although the County Tax Map shows a parcel of about 8 acres in area. He further stated that property contains the circa 1835 house: "Linden" and it is not in Millwood Sewer Service Area. Mr. Johnston reported that parcel 88 contains one acre (Tax Maps show a parcel of about 2 acres), is vacant, and is within the Millwood Sewer Service Area. He stated that both parcels are zoned Rural Residential, which has a one acre minimum lot size. The Authority discussed the proposed easement. On motion of Ms. Radford, seconded by Mr. Buckley, the Authority unanimously approved the concept of accepting an easement on the property, recommended that applicant have the property surveyed, and instructed staff to work with the applicants to develop an easement document.


Due to the prolonged discussion of the previous items, the Chair stated that the remaining items on the agenda would be held over to the next meeting.

Other

Mr. Johnston reported that he had scheduled a meeting on September 9th with the Digges family regarding the vegetation enveloping the Land Office and Smokehouse of Greenway Court. He also stated that he had contacted Calder Loth, Senior Historian at the Virginia Department of Historic Resources, and had requested on behalf of the Chair that the process be initiated to include the Virginia Board of Historic Resources as a co-holder on the Greenway Court easement.

There being no further business, Mr. Bieschke moved and Ms. McKelvy seconded, that the Authority adjourn to its next meeting at 5:00 pm, Wednesday, 17 September 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chair


 Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
17 September 2003
Board of Supervisors Room

The twenty-third regular meeting of the Conservation Easement Authority was held at 5:00 pm on Wednesday, 17 September 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford
Absent: No one
Staff: Charles Johnston

Call to Order

Vice-Chair Bieschke called the meeting to order

Agenda

On motion of Mr. Hobert, seconded by Ms. McKelvy, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Hobert, the Authority unanimously approved the minutes of the meeting of 3 September.

Discussion of proposed easement: Boyce Crossing Subdivision

Richie Wilkins, one of the applicants for the proposed Boyce Crossing subdivision, was present. The Authority reviewed the revised easement documents and associated materials submitted by the applicants on September 11th and 16th. The Authority agreed to hold a Work Session at 5:30 on Monday, September 22nd to discuss the proposed text in detail with the applicants and Authority's consulting arborist. Mr. Hobert requested that the applicant:

1. document the need for and the engineering limitations on the proposed road through the easement,
2. clarify the role of the proposed Home Owners Association in regard to the easement, and
3. address the need to possibly amend the easement document or an associated criteria at future date.

Ms. McKelvy asked what the impact on the trees would be from truck and construction equipment exhaust.

During discussion on the item above, Chair Mackay-Smith entered the meeting and assumed the chair.

Discussion of proposed easement: "Linden" 90 Linden Lane in Millwood

Mr. Johnston reported that the potential applicants: Robert and Evelyn Fortna would be contacting the members of Mrs. Fortna's family, as co-owners of the property, and soliciting their support for the proposed easement on Tax Map Parcels 30A-A-87 and 88. Mr. Johnston also reported that the Fortnas would pursue a survey of the property to determine its exact boundaries and area. Once family support had been obtained and a survey prepared, the Fortnas would return to Authority for their action. He further stated that the County's architectural historian has determined that the circa 1835 house was built for Eliza Nelson, George Burwell's mother-in-law.

Discussion on the sales of tax credits

Chair Mackay-Smith reviewed the possibility of the Authority serving as a clearing house for the transfer of easement tax credits and how this would potentially enable additional easements and could be a source of funding for the Authority. It was agreed that this idea should be discussed further.

Discussion of easement donation program

The Authority discussed a revised application and review criteria and development of a new brochure for donated easements. On motion of Mr. Bieschke, seconded by Ms. McKelvy, the Authority unanimously approved the revised application that includes appropriate references to donated easements and a change to review criteria to indicate that the same criteria used to evaluate easements proposed for sale would also apply to easements proposed for donation, but there would be no minimum score specifically set for donated easements. The Authority agreed that a brochure was not necessary at this time.

Solicitation of private financial contributions

After some discussion, Chair Mackay-Smith and Mr. Hobert agreed to ask John Staelin and A. R. Dunning, Jr., as members of the County Board of Supervisors, if they would be willing to co-host an event to raise funds for the Easement Authority.

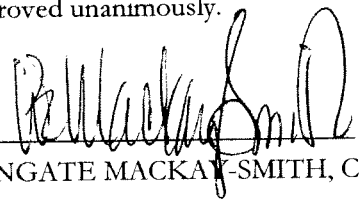
Discussion of budget request for easement purchase program

It was agreed to postpone discussion of this item until the next regular meeting.

Other

Mr. Johnston reported that at their September 10th meeting the Virginia Board of Historic Resources agreed to be a co-holder on the Greenway Court easement and that staff to the Board would prepare the necessary documentation. He also stated that he had met with Jeff Digges on September 9th regarding the vegetation enveloping the Land Office and Smokehouse of Greenway Court and that Mr. Digges was very receptive to working with the Authority. Mr. Bieschke and Mr. Ohrstrom agreed to set a date for the work to occur.

There being no further business, Ms. McKelvy moved and Mr. Bieschke seconded, that the Authority adjourn to a work session at 5:30 pm, Monday, 22 September 2003 and to its next regular meeting at 5:00 pm, Wednesday, 1 October 2003. The motion was approved unanimously.


WINGATE MACKAY-SMITH, CHAIR

C. Johnston
CHARLES JOHNSTON, CLERK TO THE AUTHORITY

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
22 September 2003
Board of Supervisors Room

A work session of the Conservation Easement Authority was held at 5:30 pm on Monday, 22 September 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

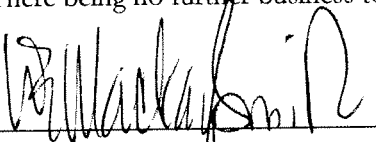
Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford
Absent: Randy Buckley
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the work session to order.

The Authority met to review the proposed conservation easement for a tree preserve in Boyce Crossing subdivision.

There being no further business to come before the Authority, the meeting was adjourned.



Wingate Mackay-Smith, Chair

C. Johnston

Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
1 October 2003
Board of Supervisors Room

The twenty-fourth regular meeting of the Conservation Easement Authority was held at 5:00 pm on Wednesday, 1 October 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Pat McKelvy, George Ohrstrom, and Jane Radford
Absent: Michael Hobert
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order

Agenda

On motion of Mr. Ohrstrom, seconded by Mr. Bieschke, the Authority unanimously approved the agenda as amended.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the minutes of the meetings of 17 September and 22 September 2003.

Discussion of proposed easement: Boyce Crossing Subdivision

Richie Wilkins and Jim Vickers, applicants for the proposed Boyce Crossing subdivision and easement, were present. The Authority reviewed the revised easement document dated September 25th and proposed Construction Plan and Maintenance Agreement submitted by the applicants on September 29th. On motion of Mr. Bieschke, seconded by Mr. Ohrstrom, the Authority unanimously accepted the proposed easement in principle contingent on the review and approval of the September 25th easement document by the County's attorney.

Ms. Radford entered the meeting.

The applicants and Authority members discussed the proposed Construction Plan and Maintenance Agreement and agreed that revisions were necessary and would be brought back to the Authority for further discussion.

Discussion on the sales of tax credits

Chair Mackay-Smith asked if Taylor Cole, a specialist in the area of easement tax credits would be reporting back to the Authority on program options. Mr. Johnston said he had been trying to reach Mr. Cole but had been unable to get through. He said he would try again and see if Mr. Cole could be present at the Authority's next meeting.

Solicitation of private financial contributions

Chair Mackay-Smith reported that Mr. Hobert had asked John Staelin and A. R. Dunning, Jr., as members of the County Board of Supervisors, if they would be willing to co-host an event to raise funds for the Easement Authority. She said she understood that they had agreed, but that the details had not been worked out.

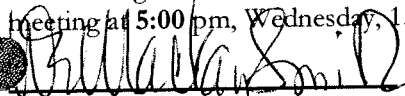
Discussion of budget request for easement purchase program

It was agreed to postpone discussion of this item until the next regular meeting.

Other

Mr. Johnston reported he and Mr. Ohrstrom and three of Mr. Ohrstrom's employees had spent about four hours that morning removing vegetation from the area around the three structures under easement at Greenway Court. Mr. Johnston said some large tree limbs remain over the Land Office and Smokehouse and a professional tree pruner would be contacted.

There being no further business, Ms. McKelvy moved and Mr. Bieschke seconded, that the Authority adjourn to its next regular meeting at 5:00 pm, Wednesday, 15 October 2003. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


C. Johnston

Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
5 November 2003
Board of Supervisors Room

The twenty-fifth regular meeting of the Conservation Easement Authority was held at 5:00 pm on Wednesday, 5 November 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford

Absent: No one

Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order. For the record, the Chair stated that due to scheduling conflicts, the October 15th meeting was cancelled.

Agenda

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the agenda.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the minutes of the meetings of 1 October 2003, as amended.

Discussion of proposed easement: Boyce Crossing Subdivision

Richie Wilkins, one of the applicants for the proposed Boyce Crossing subdivision and easement, was present. The Authority reviewed the revised easement document dated November 5th reflecting the comments of the County's attorney, Bob Mitchell. On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the proposed easement as described in the document dated November 5th. Mr. Hobert entered the meeting. The Authority commented on the proposed Tree Preserve Maintenance Agreement dated November 5th. The applicant agreed to revise the Agreement per the Authority's comments and submit this revised document along with the Tree Protection Specifications for action by the Authority at their November 19th meeting.

Discussion on the sales of tax credits

Taylor Cole, President of Conservation Partners, LLC, and Mark Botkin, an attorney with Wharton Aldhizer & Weaver of Harrisonburg, reported to the Authority on options for establishing a program for Clarke County residents and property owners to buy and sell tax credits resulting from the donation of open space easements. Mr. Botkin agreed to prepare a document describing the options for review by the County's attorney and for further discussion at the Authority's next meeting on November 19th. Ms. Radford entered the meeting during the discussion of the above item. Mr. Hobert left the meeting at the conclusion of the discussion of the above item.

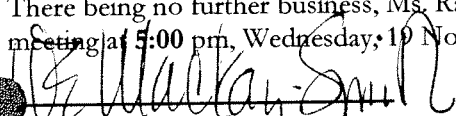
Solicitation of private financial contributions - Discussion of budget request for easement purchase program

Due to the hour, the Chair suggested the postponement of the discussion of these items until the next regular meeting.

Other

The Chair noted that Ms. Radford had a regular conflict on the first Wednesdays of each month and suggested that the Authority change its meetings to the second and fourth Wednesdays starting in December. By consensus, the Authority agreed with the suggestion of the Chair. Regarding the Greenway Court Easement, Mr. Johnston reported that Ron LeMarr of the pest control company, The LeMarr Group, visited the site and verbally agreed to treat the three historic structures in the Spring of 2004 at no cost to the Authority. Authority members expressed their appreciation of this offer. Mr. Johnston stated that the large tree limbs over the three structures had been removed. Finally, he reported that the Authority's checking account had a balance of \$978.50.

There being no further business, Ms. Radford moved and Mr. Ohrstrom seconded, that the Authority adjourn to its next regular meeting at 5:00 pm, Wednesday, 19 November 2003. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


C. Johnston

Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
19 November 2003
Board of Supervisors Room

The twenty-sixth regular meeting of the Conservation Easement Authority was held at 5:00 pm on Wednesday, 19 November 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Pat McKelvy, George Ohrstrom,
Absent: Michael Hobert and Jane Radford
Staff: Charles Johnston

Call to Order

Chair Mackay-Smith called the meeting to order.

Agenda

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the agenda.

Minutes

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the minutes of the meetings of 5 November 2003, as amended.

Discussion of proposed easement: Boyce Crossing Subdivision

Mr. Johnston reviewed the revised Boyce Crossing documents identified in the Easement Agreement: the Tree Preserve Maintenance Agreement and the Tree Protection Specifications. The applicants Mr. Wilkins and Mr. Vickers were present. Authority members noted several minor editorial corrections. On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the Tree Preserve Maintenance Agreement as amended. On motion of Mr. Buckley, seconded by Ms. McKelvy, the Authority unanimously approved the Tree Protection Specifications as amended.

Ranch and Farmland Protection Program; USDA Natural Resources Conservation Service

Elison Teetor, County Natural Resource Planner, was scheduled to discuss the status of this program and how it applied to Clarke County. Mr. Johnston noted that Mr. Hobert suggested this presentation, however, he and Ms. Radford could not attend today's meeting so the Chair suggested the presentation be rescheduled for the next Authority meeting on December 10th.

Discussion on the sales of tax credits

Mr. Johnston distributed a letter received on November 18th from Mark Botkin, an attorney working with Taylor Cole, President of Conservation Partners, LLC, a firm brokering easement tax credits. The Authority asked the letter be forwarded to Bob Mitchell, attorney for the County, for his comments. The Authority discussed its role in promoting the purchase and sale of tax credits.

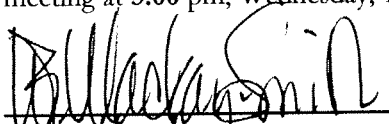
Solicitation of private financial contributions and Discussion of budget request for easement purchase program


The Chair said she understood Mr. Hobert was working with members of the Board of Supervisors on a social event as a fund raiser, as well as discussing next year's Board appropriation with Board members.

Status of Easement Properties

Mr. Johnston said he was working on some grant applications for rehabilitation work at Greenway Court.

There being no further business, Ms. McKelvy moved and Mr. Bieschke seconded, that the Authority adjourn to its next regular meeting at 5:00 pm, Wednesday, 10 December 2003. The motion was approved unanimously.


 Wingate Mackay-Smith, Chair


 Charles Johnston, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
MINUTES
10 December 2003 - Board of Supervisors Room

The twenty-seventh regular meeting of the Conservation Easement Authority was held at 5:00 pm on Wednesday, 10 December 2003, Board of Supervisors Room, Clarke County Circuit Courthouse.

Present: Wingate Mackay-Smith, Chair; John Bieschke, Vice-Chair; Randy Buckley, Michael Hobert, Pat McKelvy, George Ohrstrom, and Jane Radford

Absent: No one

Staff: Charles Johnston

Call to Order Chair Mackay-Smith called the meeting to order.

Agenda On motion of Mr. Bieschke, seconded by Ms. McKelvy, the Authority unanimously approved the agenda.

Minutes On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of the meeting of 19 November 2003.

Ranch and Farmland Protection Program; USDA Natural Resources Conservation Service - Mr. Johnston presented a memo from Alison Teetor, County Natural Resource Planner, outlining the Program. In her memo Ms. Teetor noted that this federal program has money available, as a 50/50 match, for the purchase of conservation easements on agriculturally valuable property. She reported that money can be requested only for specific farms, so she suggested the Authority consider initiating a second round of easement applications to take advantage of funds available in the current federal fiscal year ending 30 September 04.

Discussion on the sales of tax credits – Review of letter from Mark Botkin - Mr. Johnston reported that Mr. Botkin has submitted a revised letter, after conferring with the Authority's attorney, Robert Mitchell, clarifying his understanding that the Authority is enabled to hold easements, but reiterated his position that the Authority did not have an active role to play in the selling of tax credits except one of public information. Mr. Mitchell discussed the Authority's role in the selling of tax credits by a conference telephone call.

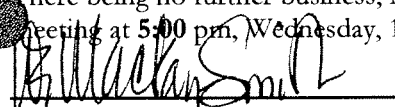
Solicitation of private financial contributions - Mr. Hobert stated that he understood that two members of the Board of Supervisors, John Staelin and Pete Dunning, were willing to host a fund raising event for the benefit of the Authority. In conjunction with this event, Ms. Radford suggested that the Authority contact Kate Petranec, a marketing consultant on retainer with Downtown Berryville, Inc. to develop a fund raising plan incorporating the above referenced fund event into a larger strategy. Mr. Johnston said he would contact Ms. Petranec and invite her to the next meeting.


Discussion of budget request for easement purchase program - The Chair said she would discuss next year's County budget with the Board of Supervisors and asked Mr. Ohrstrom and Ms. Radford to prepare an Authority budget to present to the Board.

Status of Easement Properties

- **Greenway Court** – Mr. Johnston reported he was applying for General Assembly funds for 25% of a \$200,000 project to renovate the historic structures and study the archeological resources at Greenway Court. He said he would be applying in May for 50% of the funds from a federal program for National Historic Landmarks, Save American's Treasures.
- **Boyce Crossing Tree Preserve** – Mr. Johnston reported that this proposed easement was scheduled to be considered by the Board of Supervisors as a co-holder at their December 16th meeting and as many members of the Authority should be present as possible. Mr. Ohrstrom and Ms. McKelvy said they planned to be attend the Board meeting.
- **Linden (proposed)** – Mr. Johnston reviewed the draft easement with the Authority. A conference telephone call was held with Robert Fortna, husband of one of the 6 family members that own the property. Mr. Johnston stated the Authority's willingness to consider the easement was based on being able to co-hold the easement with the Virginia Board of Historic Resources, having a survey of the property, and having the agreement of all property owners. Mr. Fortna said he understood the Authority's wishes and appreciated their consideration. Mr. Johnston said he would put the Authority's concerns in a letter to Mr. Fortna and that he would circulate this letter to the Authority before sending.
- **Dimmel** – Mr. Johnston reported that Rick Dimmel was still interested in an easement on a two acre property containing a log cabin near Millwood and he was working on the details of such an easement.

There being no further business, Mr. Bieschke moved and Ms. Radford seconded, that the Authority adjourn to its next regular meeting at 5:00 pm, Wednesday, 14 January 2004. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Charles Johnston, Clerk to the Authority