

Approved Minutes
Conservation Easement Authority
2007

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 24 January 2007

A regular meeting of the Conservation Easement Authority was held at 4:30 pm on Wednesday, 24 January 2007, in the Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, M. Hobert, R. Buckley, G. Ohrstrom, P. McKelvy, J. Radford

Absent: J. Bieschke

Staff: A. Teetor

Call to Order Alison Teetor, Clerk to the Easement Authority, called the meeting to order at 4:30 p.m.

Election of Chairman, Vice Chairman, and Treasurer

Ms. Teetor asked for nominations of Chairman to the Authority. Ms. McKelvy nominated Wingate Mackay-Smith for the position of Chairman for 2007. Mr. Ohrstrom seconded. Mr. Hobert requested the nominations be closed. The Authority voted unanimously to elect Wingate Mackay-Smith as Chairman of the Authority for 2007.

Ms. Teetor asked for nominations of Vice Chairman to the Authority. Ms. Radford nominated Mr. Bieschke for the position of Vice Chairman of the Authority for 2007. Mr. Buckley seconded. Mr. Hobert requested that the nominations be closed. The Authority voted unanimously to elect Mr. Bieschke as Vice Chairman of the Authority for 2007.

Ms. Teetor asked for nominations of Secretary/Treasurer to the Authority. Ms. Radford nominated Mr. Hobert for the position of Secretary/Treasurer for the Authority for 2007. Ms. McKelvy seconded. Ms. McKelvy requested that the nominations be closed. The Authority voted unanimously to elect Mr. Hobert as Secretary/Treasurer of the Authority for 2007.

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

Minutes On motion of Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously voted to table approval of the minutes with minor corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$9,698.12 as of 31 December 2006. The Local Government Investment Pool (LGIP) account balance was \$14,539.21. Considering the amount of funds in the checking account, Mr. Ohrstrom suggested that \$5,000 be shifted to the LGIP account. Authority members approved payments of \$829 to Shenandoah Title Services for title research for the Sipe easement and payment of \$1,387.40 to Kate Petranec for printing letterhead, envelopes, donation response forms and design of the newsletter and donation reply forms. Mr. Hobert suggested that staff research the requirement of Virginia Outdoors Foundation for title insurance to determine if the County should consider such a requirement.

Report on status of the Campaign for the Authority

Ms. Petranec reported on the success of the 2006 fund raising efforts. Her report is included in the packet. To date \$7,740 was raised with an expenditure of \$892.50. Next steps are to develop a newsletter for a February mailing to send to individuals who have donated monies to the Authority. Ms. Petranec suggested that a subcommittee develop the content of the newsletter for presentation to the Authority at the February meeting.

Ms. Petranec also discussed the status of the PowerPoint presentation being developed to describe the purpose and work of the County Easement Authority. She asked the Authority to consider review and assistance from Ed Barks, a private public relations consultant, to strengthen the presentation. Members agreed that Ms. Petranec should contact Mr. Barks to see if he would be interested in assisting the Authority.

Easement Donation/Purchase

Ms. Teetor report on preliminarily approved easements for donation as follows:

Chandler – recorded 12/14/06, 54 acres retired 1 DUR, 1 DUR remains

Houck – recorded 12/27/06, 259 acres retiring 6 DUR's, retaining 1 DUR and 3 exemptions

Willow Lake/Bob Wade – postponed action pending deed revision and additional applicants

Lamphier – postponed action pending Deed language from Bob Mitchell concerning trailer

Harding – waiting for Bank approval

Moberly - on hold indefinitely

In addition, Ms. Teetor reported on the status of applications for Easement Purchase:

Russell – site review with Barry Harris January 24th

Sipe – recorded 12/19/06, a co hold purchase with VOF on the River, they retired 3 DURs, retaining 1 DUR and 1 exemption on 74 acres; we paid \$114,075 and VOF paid \$228,150 + \$5,000 for the survey and appraisal

Stenning – recorded 12/29/06; the County paid \$133,267; the Stennings retired 3 DURs, retaining 1 DUR and the existing house

Status of Easement Properties

Staff reported that Allegheny Power approved the powerline placement suggested by the Authority. The plat is included in the Greenway Court file.

Report on new applications

Ms. Teetor reported that she received 3 new requests for consideration for easement purchase. Dale Sours, owns 30 acres on the southwest corner of Pyletown and Salem Church roads. He would consider retiring 2 DURs. Mr. Sours has also contacted VOF for consideration. Ms. Teetor explained that the parcel in question has a high percentage of prime soils and may qualify for use of the Farm and Ranchland Protection Program funds that were not used for purchase on the Stenning Farm. After discussion, members requested staff to determine how much money the Sours are anticipating from the County as a result of this sale, and what if any involvement VOF would have. The second application was from Diane McClure, who owns 96.58 acres on Fishpaw Road. The parcel has no remaining development rights. As no development rights are being extinguished Authority members directed staff to contact Ms. McClure to determine if she would consider donating an easement. The final request was from Bill Davis. Mr. Davis owns a farm that borders the Opequon Creek just south of Senseny Road. The parcel consists of 40 acres in Clarke County and 100 acres in Frederick County. Mr. Davis has also contacted VOF for consideration. No action on this request was taken.

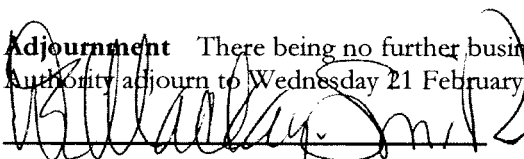
2007 Priorities

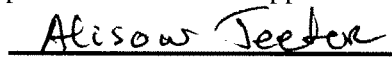
Staff suggested that the Authority develop priorities for soliciting easements for purchase, such as parcels that border the Shenandoah River. Ms. Radford also suggested that individual watersheds be considered for priority as possible water recharge areas. Mr. Hobert directed staff to develop a list of potential areas with reasons as to why these areas should be considered for protection.

Other

Mr. Hobert suggested that a schedule of easement inspections be developed to insure that all inspections are completed in a timely manner.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. McKelvy seconded, that the Authority adjourn to Wednesday 21 February 2007 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 21 February 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 21 February 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, M. Hobert, R. Buckley, G. Ohrstrom, P. McKelvy, J. Radford, John Bieschke
Absent: No one
Staff: A. Teetor
Call to Order Ms. Mackay-Smith called the meeting to order at 4:05 p.m.
Agenda On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously approved the agenda.
Minutes On motion of Mr. Hobert, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve the minutes of 24 January 2007 with minor corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$13,152.44 as of 31 January 2007. The Local Government Investment Pool (LGIP) account balance was \$14,604.51. On motion of Mr. Ohrstrom, seconded by Mr. Buckley, the Authority unanimously approved payment to Kate Petranec for the forth quarter (Feb., Mar., Apr.).

Report on status of the Campaign for the Authority

Ms. Petranec reported on the success of the 2006 fund raising efforts. Her report is included in the packet. In addition, Ms. Petranec provided an update on the proposed winter newsletter. A subcommittee consisting of Mr. Buckley, Ms. Radford, and Ms. Teetor met to discuss the content February 15th. The main focus will be on a landowner who has donated an easement to the County Easement Authority. Bob and Terry Chandler were suggested for interview. Mr. Buckley indicated he had asked the Chandlers if they would be willing to participate and they have agreed. Ms. Petranec will work toward providing a draft letter for approval by the subcommittee. Additional topics for discussion were an education/social as an outreach approach to old and new donors. Work also continues on development of the PowerPoint presentation describing the purpose and work of the County Easement Authority.

Easement Donation/Purchase

Ms. Teetor report on new applications for easement:

Mesilla – 2 parcels consisting of 95 acres. A site visit was scheduled for Thursday March 8th at 4:30pm.

Daugherty – 2 parcels consisting of 54 acres. A site visit was scheduled for Saturday March 3rd at 10:00am.

Report on preliminarily approved easements for donation as follows:

Willow Lake – staff explained that draft deeds had been sent to the homeowner's association and Mr. Bob Wade. The Authority discussed holding the Lake parcel only if the at least one of the adjoining parcels was donated for easement postponed action pending deed revision and additional applicants and asked staff to contact the property owners to discuss this with them.

Lamphier – staff reported that Mr. Lamphier had been sent a draft deed and he responded by withdrawing his application stating that his personal situation had changed and he felt that the Deed was too restrictive.

In addition, Ms. Teetor reported on the status of applications for Easement Purchase:


Russell – Deed being reviewed by the Office of General Council in Richmond.

Sours – a site visit with Barry Harris is scheduled for March 14th.

Status of Easement Properties: Inspections for the Zambaninis were conducted in February.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. McKelvy seconded, that the Authority adjourn to Wednesday 21 March 2007 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 21 March 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 21 March 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, R. Buckley, J. Bieschke, M. Hobert (arrived 4:20pm), G. Ohrstrom (arrived 4:40pm), J. Radford

Absent: P. McKelvy

Staff: A. Teetor

Call to Order Ms. Mackay-Smith called the meeting to order at 4:05 p.m.

Agenda On motion of Mr. Bieschke, seconded by Mr. Buckley, the Authority unanimously approved the agenda with amendments to add a discussion of online banking and a report by Ms. Radford on activities at Blandy Farm.

Minutes On motion of Mr. Bieschke, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes of 21 February 2007 with minor corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$13,879.00 as of 28 February 2007. The Local Government Investment Pool (LGIP) account balance was \$14,664.50.

To facilitate the transfer of funds between the checking account and the LGIP account, staff suggested amending the Bank of Clarke account to allow online banking transfers. On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously approved allowing online banking transfers by staff. In addition, members decided as policy that two signatures must still authorize checks written by the Authority.

Purchase of additional Easement signs

All signs used to indicate parcels under easement with the County have been posted. Staff requested approval to purchase additional signs. On a motion by Mr. Bieschke, seconded by Mr. Ohrstrom, the Authority unanimously voted to authorized purchase of additional signs up to \$400.

Report on status of the Campaign for the Authority

Newsletter: Ms. Petranech provided two versions of the spring newsletter for review. She explained that one, without a donation request would be sent to past donors, the second, distributed County wide in the tax bills, would contain a donation request.

Donor Reception: A letter will be sent with the newsletters to donors indicating that a reception will be held to thank them for their contribution. Ms. Mackay-Smith has again offered to host the reception, which will be held June 22. A second reception, with the emphasis on education, would be held in mid-October and be open to a larger audience. Ms. Radford suggested Virginia Outdoors Foundation director, Bob Lee, as a potential speaker. Staff will contact Mr. Lee to see if he would be willing to attend.

PowerPoint Presentation: Ms. Petranech discussed the need to review the current draft of the PowerPoint presentation. She has offered to host an informal get together at her house in April to finalize the presentation.

Easement Donation/Purchase

Ms. Teetor reported on new applications for easement:

Mesilla – 2 parcels consisting of 95 acres. A site visit was completed March 8th. At the site visit, members identified the potential viewscape to be protected from development. Staff reported that in conversation with Bill Truban, attorney for the Stuart family, he indicated the family wished to make several changes to the draft Deed of Easement. Specifically they wish to have all reference to the historic nature and potential renovation of the historic structures on the parcel removed. They would also like additional clarification with regards to use of the existing trailers, to insure that the current occupants could use the trailers as living quarters for as long as they live. Finally, Mr. Truban wanted to clarify that a road could be constructed within the viewscape if so desired. After discussion, members asked staff to contact Mr. Truban and have him send a final draft of the easement for review, prior to signature.

Daugherty – 2 parcels consisting of 54 acres. A site visit was completed March 3rd. Staff sent the Daugherty's a package containing the draft easement and names of appraisers. The Daugherty's are working to obtain approval from their lender, a title opinion, and appraisal prior to completing the donation.

Report on preliminarily approved easements for donation as follows:

Willow Lake – Mr. Wade would like to obtain additional information from staff before deciding if he will proceed with the easement donation. A meeting has not been scheduled.

In addition, Ms. Teetor reported on the status of applications for Easement Purchase:

Russell – Deed being reviewed by the Office of General Council in Richmond.

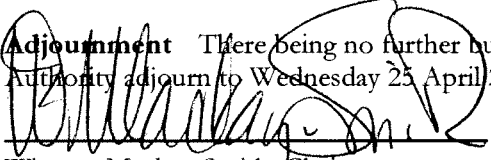
Sours – a site visit with Barry Harris, NRCS, was completed March 14th. The next step is to obtain an appraisal. Based on Mr. Sours reported income, the Authority would authorize payment of 94% of the appraisal cost. Mr. Hobert suggested a letter be drafted indicating his agreement to return the money should he decide not to proceed with the easement. Staff was directed to work with Archana McLoughlin in the Commonwealths Attorney office to draft the letter.

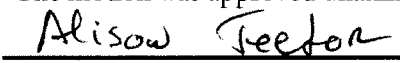
Status of Easement Properties: Inspection of the Banks property was completed. Mr. Williams parcel is scheduled for tomorrow.

Other: Ms. Radford reported that a meeting is being organized to discuss the distribution of legacy tree seedlings. The seeds will be sprouted at Blandy and could be given to easement donors. She will let members know when the meeting is scheduled for anyone who would like to participate.

A paper was submitted by Tom Nolan discussing carbon balancing and use of conservation easements to enhance the potential to pursue this concept. Staff will forward the paper to the Authority members next week.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. Radford seconded, that the Authority adjourn to Wednesday 25 April 2007 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 25 April 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 25 April 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, J. Bieschke, M. Hobert, P. McKelvy, G. Ohrstrom, J. Radford

Absent: R. Buckley

Staff: A. Teetor, C. Johnston

Call to Order Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

Agenda On motion of Mr. Bieschke, seconded by Ms. McKelvy, the Authority unanimously approved the agenda with amendments to add an update of Ms. Mackay-Smith's work with the Monastery.

Minutes On motion of Mr. Ohrstrom, seconded by Mr. Bieschke, the Authority unanimously voted to approve the minutes of 21 March 2007 with minor corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$7,905.54 as of 31 March 2007. The Local Government Investment Pool (LGIP) account balance was \$19,732.70. On motion of Mr. Hobert, seconded by Ms. Radford, the Authority unanimously voted to approve a request by Alison Teetor, to be added to the persons authorized to access the LGIP account information for the purpose of transferring funds as needed.

On motion of Ms. McKelvy, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve payment to Kate Petranec for \$1,185.00, to cover design and mailing of the Spring Newsletter.

Report on status of the Campaign for the Authority

Ms. Petranec provided a progress report and proposal for her contract renewal. Authority members discussed the cost benefit of retaining Ms. Petranec's services based on the annual fee of \$7,200. Staff described the revenue generated from the newsletters and mailings to be close to \$14,000, more than covering the contract fee. Mr. Hobert requested staff to keep a detailed budget describing expenses and revenues associated with fund raising for periodic review. On motion of Ms. McKelvy, seconded by Mr. Hobert, the Authority unanimously voted to approve renewal of Ms. Petranec's contract for an additional year.

Report on PDR managers meeting/Priorities for Easement Purchase solicitation

Ms. Teetor reported the Office of Farmland Preservation is currently in the process of developing the applications and certification criteria for allocating state matching funds to local PDR programs for FY 2007-2008. The office has \$4.25 million available to provide matching funds to certified local Purchase of Development Rights (PDR) programs. Based on the number of currently active PDR programs in the State, each could potentially receive up to \$303,000 in matching funds. Members discussed how the local match might be supplemented to insure maximum funding. Staff was asked to research funding sources and discuss informally the funding opportunity with the Board of Supervisors.

Staff further described some ideas on prioritizing easement purchases based on proximity to the Shenandoah River, groundwater recharge areas, and historic structures. Members requested staff to develop overlays depicting these areas and summarizing the location of existing easements in relation to these features.

Easement Donation/Purchase

Ms. Teetor reported on new applications for easement:

McKenney - The 15.05 acre parcel is located on the corner of Rt 50 and Swift Shoals Rd. The parcel has several significant features including 1,000 feet of frontage on a scenic byway, 1,000 feet frontage on a Scenic River, and 800 feet on a primary highway. The parcel also contains 2 historic structures. On motion of Mr. Ohrstrom, seconded by Ms. Radford, the Authority unanimously voted to preliminarily approve this donation. A site visit is scheduled for May 12th at 9:00 am. Staff was asked to research the DUR allocation to insure that 2 DURs remain with this parcel.

Holscher - The property is located on the west side of Kimble Road approximately 2 miles north of Route 7. It has

a property resource score of 60.15. Mr. Holscher would retain the exemptions and retire three (3) of the four (4) remaining DURs. It meets 3 of the 4 criteria established by the Easement Authority for donation – It is over 40 acres, retiring DURs, and scoring above 35. It is not adjacent to an existing easement. On motion of Mr. Ohrstrom, seconded by Ms. Radford, the Authority unanimously voted to preliminarily approve this donation. A site visit is scheduled for May 3rd at 5:00 pm.

Dimmel - The property is located on the north side of Swimley Road at the very northwest corner of the County adjacent to West Virginia. A property resource score has not been calculated, as the individual parcels do not currently exist, pending Planning Commission approval. The applicant would not be retiring any DURs but would protect the parcels from future development. There are sinkholes on 2 of the 3 parcels and one is over 40 acres. Based on previous scores I am certain that each parcel will score over 35 points. If the 40-acre parcel is recorded first, then the other 2 will be adjacent to an existing easement and therefore meet the Authorities criteria for donation. Authority members postponed action on this easement pending investigation of the private access easement that will traverse the property. A site visit is scheduled for Thursday May 3rd at 5:30pm.

Kohn - The property is located on the west side of Ebenezer Road approximately ½ mile north of the intersection with Morgans Mill Road. It has a property resource score of 52.62. Mr. Kohn would retain the exemptions and retire all of the three (3) remaining DURs. It meets 3 of the 4 criteria established by the Easement Authority for donation – over 40 acres, retiring DURs, and scoring above 35. It is not adjacent to an existing easement. On motion of Mr. Ohrstrom, seconded by Ms. Radford, the Authority unanimously voted to preliminarily approve this donation. A site visit is scheduled for May 12th at 9:30 am.

Monastery – Ms. Mackay-Smith reported that she had spoken with Brother Benedict regarding placement of an easement on the 200-acre parcel owned by the Monastery. A packet of information was sent including a draft deed application.

Report on preliminarily approved easements for donation as follows:

Mesilla – Mr. Truban, attorney for the Stuart family, provided a revised draft to the Authority for review. Authority members reviewed the revision in detail. Of specific concern is the deletion of the standards for rehabilitation of the historic structures. Staff was directed to write a letter to Mr. Truban detailing the Authorities recommendations for additional revisions.

Daugherty – applicant is waiting on an appraisal

Willow Lake – Mr. Wade has reviewed the Deed for Lot# 10 and accepted it as presented. Final approval is anticipated at the next meeting.

Nelson – Mr. Nelson has reviewed the Deed and has accepted it as presented. Final approval is anticipated at the next meeting.

In addition, Ms. Teetor reported on the status of applications for Easement Purchase:

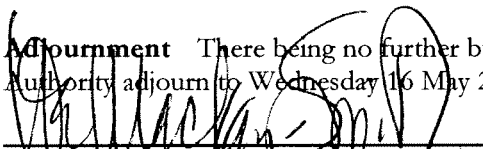
Russell – Deed being reviewed by the Office of General Council in Richmond.


Sours – a letter was drafted indicating Mr. Sours agreement to refund the Authority the cost of appraisal should he decide not to proceed with the easement. An amendment to the contract with NRCS will be discussed at the next Board meeting to approve transfer of funds from Stenning to Sours.

Status of Easement Properties: Inspection of the Williams, Senytiko, and Clowser properties were completed. Leiser, Hickey, and Sullivan inspections will be completed in May.

Other: Members were provided with a copy of a letter from Audley Farm stating their opposition to the proposed Luckstone Quarry.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. Radford seconded, that the Authority adjourn to Wednesday 16 May 2007 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 21 May 2007

The regular meeting of the Clarke County Easement Authority had been scheduled for Wednesday May 16th at 4:00pm. This meeting was cancelled due to lack of a quorum and rescheduled for 4:00 pm on Monday, 21 May 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, J. Bieschke, P. McKelvy, J. Radford, R. Buckley

Absent: M. Hobert, G. Ohrstrom

Staff: A. Teetor

Call to Order Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

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

Minutes On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously voted to approve the minutes of 25 April 2007 with minor corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$9,711.61 as of 30 April 2007. The Local Government Investment Pool (LGIP) account balance was \$19,732.70 as of March 31, 2007.

On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously voted to approve payment to Kate Petranec for \$1,800.00, to cover her quarterly payment for May, June & July.

Report on status of the Campaign for the Authority

Ms. Petranec provided a revised draft of the power point presentation but was unable to attend the meeting so Authority members decided to delay discussion until the next meeting.

Report on Funding State/Federal

Ms. Teetor reported that the Natural Resource Conservation Service representative, Barry Harris, had called to request the Easement Authority to submit applications for the Farm and Ranchland Protection Program (FRPP) Grant funds. Staff solicited applications last week in an effort to identify potential qualifying farms. Three property owners with greater than 50% prime or statewide important soils responded. The Authority discussed the applications and on motion of Mr. Bieschke, seconded by Ms. Radford, the Authority unanimously voted to authorize staff to submit all three applications for consideration. Staff explained one advantage of receiving the Federal Grant is that it can be used to match the State Office of Farmland Preservation funds that will be available to local PDR programs for easement purchase later this year.

Consideration change to Property Resource

Based on discussion at the last meeting regarding priority areas staff proposed that a the Property Resource Score sheet be amended to include the Groundwater Recharge area as identified by David Nelms, principle investigator, for the Clarke County Groundwater Study. This is comprised of the area in the valley encompassed within the 620-foot elevation contour line and having slopes less that 5%. On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously voted to amend the Property Resource Score to add Groundwater Recharge for 5 points.

Easement Donation/Purchase

Ms. Teetor reported on new applications for easement:

Crim - Phillip and Mary Crim have requested the easement authority to consider acceptance of their property for easement donation. The parcel is 14.8 acres and located off of Kimble Rd. between Stringtown and Crums Church Roads. In reviewing the parcel, only one of the criteria has been met. The Property Resource Score is 38.97, no DUR's are being extinguished, the parcel is close to the Holscher parcel but not adjacent to any existing easement, and is less than 40 acres in size. After discussion Authority members agreed that the parcel does not meet the established criteria, and therefore cannot be accepted for donation. Staff was directed to draft a letter thanking the Crims for their interest and explaining why the application was denied. On motion by Mr. Bieschke, seconded by Ms. Radford, the Authority unanimously voted to deny the donation request.

Darley - Charles Darley has requested the easement authority to consider acceptance of his property for easement donation. The parcel is .77 acres and located off of Howelsville Rd. just north of Shenandoah Farms. In reviewing the parcel, two of the criteria have been met. The Property Resource Score is 44.8, 1 DUR is being extinguished, the parcel is close to existing easements but not adjacent to any easements, and is less than 40 acres in size. The Authority discussed this proposed donation at length, conflicted because even though it technically meets the criteria, it is very small as an individual donation. Members discussed whether in the future a minimum lot size of 5 acres should be required unless there are unusual circumstances that would provide open space values. On motion by Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously voted to postpone action until staff could solicit additional applications from adjoining property owners.

Dimmel - The property is located on the north side of Swimley Road at the very northwest corner of the County adjacent to West Virginia. A property resource score has not been calculated, as the Planning Commission only recently approved a subdivision of the parcel. The applicant would not be retiring any DURs but would protect the parcels from future development. There are sinkholes on 2 of the 3 parcels and one is over 40 acres. Mr. Bieschke suggested that scores be generated to insure that the parcels meet the required criteria. In addition, staff was directed to determine what circumstances would require the access easement to meet public road standards. On motion by Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously voted to preliminarily approve donation of the easements contingent on the scores being above the 35-point cutoff.

Report on preliminarily approved easements for donation as follows:

McKenney - The 15.05 acre parcel is located on the corner of Rt 50 and Shift Shoals Rd. The parcel has several significant features including 1,000 feet of frontage on a scenic byway, 1,000 feet frontage on a Scenic River, and 800 feet on a primary highway. The parcel also contains 2 historic structures. A site visit was conducted May 12th. The draft Deed is being prepared. Authority members directed staff to insert language to protect the old roadbed which once connected the house to the River crossing.

Holscher - The property is located on the west side of Kimble Road approximately 2 miles north of Route 7. It has a property resource score of 60.15. Mr. Holscher would retain the exemptions and retire three (3) of the four (4) remaining DURs. A site visit was completed May 3rd. An access easement traverses the property for access to an adjoining property. Staff was directed to talk to Mr. Holscher to determine how to identify this access easement in the Deed of Easement.

Kohn - The property is located on the west side of Ebenezer Road approximately ½ mile north of the intersection with Morgans Mill Road. It has a property resource score of 52.62. Mr. Kohn would retain the exemptions and retire all of the three (3) remaining DURs. A site visit was conducted May 12th. Staff is preparing the draft deed and will mail to Mr. Kohn later this week.

Mesilla – Mr. Truban, attorney for the Stuart family, is finalizing this Deed.

Daugherty – applicant is waiting on an appraisal

Willow Lake – Mr. Wade has reviewed the Deed for Lot# 10 and accepted it as presented. Final approval is anticipated at the next meeting.

Nelson – Mr. Nelson has reviewed the Deed and has accepted it as presented. As the Authority has not yet conducted a site visit approval was postponed pending a visit May 30th at 5:00pm.

Wade – On motion by Mr. Buckley, seconded by Ms. Radford, the Authority unanimously voted to approve the donation of an easement and authorized the Chair to sign the completed Deed.

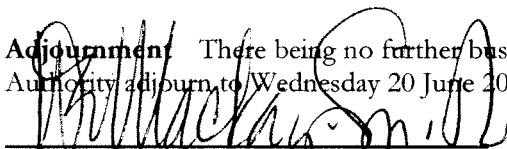
In addition, Ms. Teetor reported on the status of applications for Easement Purchase:

Russell – Title insurance is being prepared by Mr. Smalley for submission to NRCS in Richmond.


Sours – the County Administrator signed the amended contract with NRCS. Mr. Sours received a preliminary appraisal and will speak to his accountant to determine if he wants to proceed.

Status of Easement Properties: Inspection of the Leiser, Hickey, and Sullivan inspections will be completed in May and June. Members discussed the condition of the oaks at Boyce Crossing, several are dead and members directed staff to determine how to best manage the woodland.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. Radford seconded, that the Authority adjourn to Wednesday 20 June 2007 at 4:00 pm. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 20 June 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 20 June 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: J. Bieschke, M. Hobert, P. McKelvy, J. Radford, R. Buckley, G. Ohrstrom arrived at 4:50pm

Absent: W. Mackay-Smith

Staff: A. Teetor

Call to Order Mr. Bieschke called the meeting to order at 4:15 p.m.

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

Minutes On motion of Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously voted to approve the minutes of 21 May 2007 with corrections. Mr. Hobert abstained.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,057.79 as of 31 May 2007. The Local Government Investment Pool (LGIP) account balance was \$19,907.76 as of May 31, 2007.

On motion of Mr. Hobert, seconded by Mr. Buckley, the Authority unanimously voted to transfer \$7,000 from the Bank of Clarke checking account to the LGIP account.

On motion of Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously voted to approve payment to Winchester Business Services for \$295.05 for signs.

Report on status of the Campaign for the Authority

Ms. Petranech discussed the format for the upcoming donor reception at Ms. Mackay-Smith's. She suggested Ms. Mackay-Smith could thank the donors, provide an update on the program, introduce Authority members and volunteers, and let people know about the next event scheduled at Blandy in October with Bob Lee as speaker. Ms. Petranech also provided a summary of the fund raising efforts to date; her report is in the file. She had provided a draft of the powerpoint presentation and is still waiting for feedback. Members agreed to discuss the powerpoint presentation at the next meeting.

Easement Donation/Purchase

Due to the attendance of Maral Kalbian, Architectural Historian, the authority agreed to discuss the Mesilla Easement donation prior to item 6. A final version of the Mesilla Deed of Easement was presented to the Authority. Ms. Kalbian reviewed the final draft and reported her concerns regarding the language pertaining to the maintenance and rehabilitation of the Mesilla Manor House. Mr. Truban, attorney for the Stuart family, has inserted a disclaimer statement releasing any legal obligation for the family to use the Secretary of Interior Standards for Rehabilitation. Ms. Kalbian provided revised language to paragraph 7C, the section that discusses the Buildings and Structures. The language provided by Ms. Kalbian outlines only the most important features of three of the buildings, and only four of the ten exterior alteration guidelines from the Secretary of Interior Standards, again only the most important to maintain a minimal level of historic integrity for these structures. After a lengthy discussion, the Authority determined that the need to protect the historical significance of Mesilla was too important, and decided that the language proposed by Ms. Kalbian must be included in the deed in order to be approved for donation. Members were particularly concerned about setting precedent for future easements if historic preservation language were not included. In addition, this was determined specifically important for Mesilla, as the structure is eligible for the National Register District. On motion by Mr. Buckley, seconded by Mr. Ohrstrom the Authority unanimously voted to approve donation of the easement contingent on the language drafted by Ms. Kalbian being included in the final deed.

Report on Funding State/Federal

Ms. Teetor provided a copy of the Certification of PDR Matching Funds the County sent to the State requesting matching funds. The total amount approved was \$392,710. This is the amount appropriated in the current budget

as a result of unexpended Farm and Ranchland Protection Program grant funds. In addition Mr. Tom Judge, Finance Officer for the County, indicated that an additional \$150,000 would likely be appropriated after the County determines the availability of unexpended funds. The Authority was also successful in obtaining an additional \$585,601 from the 2007 FRPP grant application.

Discussion - Cost of Community Service Studies- update

Ms. Mackay-Smith requested the Authority to direct staff to work on updating the 1997 Community Services Study. The purpose of the study is to show the expenditures of taxes relative to those received from agricultural versus residential properties. Mr. Hobert suggested that any work completed be reviewed by Tom Judge, Finance Director, to insure accuracy. The Authority agreed that staff should work on the update.

Discussion – Revised Donation Criteria

Based on a number of inquiries regarding the acceptance of smaller (5acre) parcels for donation, the Chair suggested the Authority consider revising the donation criteria to require small parcels to have additional requirements in order to be accepted. These requirements might include that they would protect exceptional historic or natural features. One concern is making small parcels eligible for reduced land use taxation that would ordinarily be taxed at the higher residential rate. After discussion, members agreed to table this item to allow staff to develop several concepts for discussion at the next meeting.

Easement Donation/Purchase (continued)

Dimmel - The property is located on the north side of Swimley Road at the very northwest corner of the County adjacent to West Virginia. The applicant is requesting easement donations for 3 parcels; Lot 7 - 44.45 acres 1 DUR, Lot 3 - 39.17 acres 1 DUR, and Lot 2 - 32.96 acres 1 exemption, 0 DURs. After completing a property resource score, only lots 7 and 3 scored above 35 points. The criteria met for lot 7 are scoring above 35, 44.51 and being over 40 acres, lot 3 scored 43.63 and will be adjacent to an existing easement, provided lot 7 is recorded first. Therefore on motion by Ms. Radford, seconded by Ms. McKelvy the Authority unanimously voted to approve donation of the two easements that meet the donation criteria. Mr. Hobert abstained.

Nelson – The property is located on the south side of Russell Road approximately ½ mile east of the intersection with Pierce Road. It has a property resource score of 38.12. The Nelsons have agreed to retire the one remaining DUR and retain their existing house as the only residence. A site visit was conducted May 30th. The Nelsons have reviewed the Deed and have accepted it as presented. On motion by Ms. McKelvy, seconded by Mr. Hobert the Authority unanimously voted to approve donation of the easement.

Darley - Charles Darley has requested the easement authority to consider acceptance of his property for easement donation. The parcel is .77 acres and located on the west side of Howellsville Rd. just north of Shenandoah Farms. In reviewing the parcel, two of the criteria have been met. The Property Resource Score is 44.8, 1 DUR is being extinguished, the parcel is close to existing easements but not adjacent to any easements, and is less than 40 acres in size. At the last meeting members asked staff to solicit additional applications from adjoining property owners. Letters were sent to the three adjoining properties but no response was received. On motion by Ms. Radford, seconded by Mr. Buckley, the Authority unanimously voted to postpone action until the next meeting.

Thomas - Philip Thomas has applied to the Easement Authority for approval of his parcel for easement donation. The property is located on the east side of Howellsville Road south of Lions Lane approximately 4 miles south of the intersection Route 50/17. The parcel is 34.97 acres and has 2 DURs. It has a property resource score of 45.25. Mr. Thomas would like to retire both of the 2 DURs. It meets 3 of the 4 criteria established by the Easement Authority for donation – retiring DURs, and scoring above 35, and at least partly adjacent to an existing easement, it is less than 40 acres. The draft Deed of easement provides for a one-lot subdivision of 10 acres that would be given to the Burgesses, and subsequently merged with an adjacent parcel they currently own. This parcel is part of a 64-acre tract that was “found” acreage that was not taxed to any one individual. A court order decided how DURs would be allocated and how the parcel should be subdivided between interested parties. These parties include Gloria and Harold Burgess, Philip Thomas, Susan Hamilton/Brian McCarthy, and the Northern Virginia Youth Lions Club.

Part of the Order requires the parcels to be placed in Conservation Easement. A plat was recorded as Exhibit 1 of the Order. The subdivision and DUR allocation does meet with current County Zoning and Subdivision requirements, with the exception of requiring parcel merger for those properties not assigned a DUR.

After receiving the application from Mr. Thomas, the County has been contacted by several of the attorneys involved in the case. The attorney for the Hamilton/McCarthy's, Ty Lawson, has requested that the County not accept the easement at this time. No reason was given. Mr. Mitchell will provide a letter in response to a request from Mr. Gilpin, Mr. Thomas's attorney as to the Authorities procedure with regards to this application. No action by the Authority was taken.

Report on preliminarily approved easements for donation as follows:

McKenney - The 15.05 acre parcel is located on the corner of Rt. 50 and Shift Shoals Rd. The parcel has several significant features including 1,000 feet of frontage on a scenic byway, 1,000 feet frontage on a Scenic River, and 800 feet on a primary highway. The parcel also contains 2 historic structures. A site visit was conducted May 12th. The draft Deed was sent to the applicant.

Holscher - The property is located on the west side of Kimble Road approximately 2 miles north of Route 7. It has a property resource score of 60.15. Mr. Holscher would retain the exemption and retire three (3) of the four (4) remaining DURs. A site visit was completed May 3rd. An access easement traverses the property for access to an adjoining property. A draft Deed was sent to the applicant.

Kohn - The property is located on the west side of Ebenezer Road approximately 1/2 mile north of the intersection with Morgans Mill Road. It has a property resource score of 52.62. Mr. Kohn would retain the exemption and retire all of the three (3) remaining DURs. A site visit was conducted May 12th. A draft Deed was sent to the applicant.

Daugherty – applicant is waiting on an appraisal

Willow Lake – The Home Owners Association is still reviewing the Draft Deed.

In addition, Ms. Teetor reported on the status of applications for Easement Purchase:

Russell – Title insurance is being prepared by Mr. Smalley for submission to NRCS in Richmond.

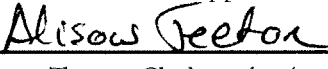
Sours – the County Administrator signed the amended contract with NRCS. Mr. Sours received a preliminary appraisal and will speak to his accountant to determine if he wants to proceed.

Status of Easement Properties: Inspections of the Leiser and Hickey properties were completed in May and June. Members discussed the condition of the oaks at Boyce Crossing, several are dead and members directed staff to determine how to best manage the woodland.

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. Radford seconded, that the Authority adjourn to Wednesday 15 August 2007 at 4:00 pm. The motion was approved unanimously.



John Bieschke, Vice-Chair

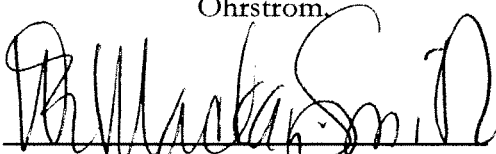


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 22 June 2007

The Authority held an adjourned meeting of the Conservation Easement Authority at the donor reception September 22, 2007 at Greenwood Farm, White Post. At the regular meeting held June 20th, the Authority discussed acceptance of a donation from Richard and Mary Dimmel for three parcels located off Swimley Road. Two of the parcels met the criteria for donation; one scored just under the required 35 points on the Property Resource Score and therefore was not included in the motion for approval. Subsequent discussions with the Dimmels revealed that contract purchasers for the two approved parcels refused to place their parcels in easement if all three were not included; therefore staff requested that the Authority reconsider acceptance of the third parcel. After discussion, members agreed to approve donation for the third parcel in order to provide protection to all three parcels totaling 115 acres.

Present: W. Mackay-Smith, J. Bieschke, M. Hobert, P. McKelvy, J. Radford, R. Buckley, and G. Ohrstrom.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 15 August 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 15 August 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, M. Hobert, P. McKelvy, R. Buckley, J. Bieschke arrived at 4:50pm
Absent: J. Radford, G. Ohrstrom
Staff: A. Teetor
Call to Order Ms. Mackay-Smith called the meeting to order at 4:15 p.m.
Agenda On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the agenda with additions to items 6, 8 and 9 as requested by staff.
Minutes On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes of 20 June 2007 with corrections.

Easement Donation/Purchase

Due to the attendance of a large number of individuals interested in the easement donation proposed by Mr. Philip Thomas, the Authority agreed to modify the agenda to discuss setting a site visit. Mr. Eric Fox, attorney, requested the Authority postpone setting the site visit due to pending mitigation. Staff detailed a conversation with Mr. Mitchell stating that following the process for acceptance of a donation did not constitute a recorded easement and until all signatures were obtained and the document was recorded there would be no easement. The Authority scheduled a site visit for Wednesday September 5th at 5:00pm. In addition, the Authority directed staff to provide a letter to the applicant detailing the process for easement acceptance. Mr. Hobert abstained from all Authority discussion regarding this easement.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$4,094.31 as of 30 June 2007. The Local Government Investment Pool (LGIP) account balance was \$19,994.43 as of June 29, 2007. On July 3, 2007, \$5,000 was transferred to the LGIP account from the Bank of Clarke. At the last meeting the Authority requested the transfer of \$7,000, but staff reduced the transfer amount due to a number of additional expenses. On motion by Mr. Hobert, seconded by Ms. McKelvy, the Authority unanimously voted to ratify the transfer of \$5,000 rather than \$7,000.

On motion of Mr. Hobert, seconded by Mr. Buckley, the Authority unanimously voted to approve the following payments:

Kate Petranech quarterly bill (August, September, October) \$1,800
Kate Petranech for late summer newsletter production \$508.50
Maral Kalbian \$200 for work on Mesilla Deed
Dunn Land Surveys \$350 for Mesilla viewscape survey
Wingate Mackay-Smith \$48.30 for glasswear rental for the donor reception
Never Enough Catering \$708.10 for food and wine at the donor reception
Never Enough Catering \$150.00 for catering staff at the donor reception

An anonymous donation of \$250 was received to mitigate the expense of the donor reception.

Report on status of the Campaign for the Authority

Ms. Petranech discussed her efforts over the past couple of months. Her report is available from the Planning Department. Key points include 1) the summer newsletter will be mailed next week; 2) the reception featuring Bob Lee as speaker at Blandy is ready to go November 4th; and 3) the power point presentation is being scripted with slides and will be ready in time for a presentation to the Lions Club October 18th.

Report to Board of Supervisors

Several items pertaining to the Easement Authority will be on the Board agenda next week. Staff summarized each item as follows:

- 1) Five year Summary of Accomplishments – per the County Code a summary of Easement Authority activities is to be provided to the Board of Supervisors on or about July 1, 2007. The Authority reviewed the report and approved its distribution to the Board with minor changes.
- 2) Deeds of Easement for approval – in an effort to insure that all easements approved by the Authority are approved or ratified by the Board the following steps were taken: 1) a memo describing the preliminarily approved easements was discussed and approved for submittal to the Board. The easements included, Kohn, McKenney, Wade Lot#5, Willow Lake, Holscher, and the easement purchase for Russell. 2) a memo listing easements that have been previously recorded include Houck, Dimmel (Swimley Road), Wiseman, Marks, Chandler, and Wade lot# 10 was approved for submission to the Board.
- 3) Proposed code amendment requiring Board signature on donated easements; and a resolution providing for Board signature in the event that recordation is required prior to the next regular meeting.
- 4) A memo detailing roll back tax as an obligated source of funding for the Authority. Staff will meet with Mr. Judge and Ash later this month to initiate the reimbursement.

Cost of Community Service Studies

Staff provided a copy of the revised Community Services Study. The purpose of the study is to show the expenditures of taxes relative to those received from agricultural versus residential properties. Mr. Hobert suggested that any work completed be certified and approved by Tom Judge, Finance Director.

Discussion Items

- 1) Revised Donation Criteria – on motion by Ms. McKelvy, seconded by Mr. Buckley, this item was tabled to allow for a complete discussion with all members present.
- 2) Application for Certification of Local Program – on motion by Mr. Hobert, seconded by Mr. Bieschke the Authority unanimously voted to approve submission of the application to the State.
- 3) Virginia Code Sections pertaining to Easement Enforcement – Mr. Hobert explained that these sections provide for third party enforcement by the state for any easements held by defunct charitable organizations but not local governments.
- 4) Conservation Easement Consent Form – on motion by Mr. Hobert, seconded by Mr. Buckley the Authority unanimously voted to approve use of the Consent Form for all future easements.
- 5) Deed of Easement amendments - on motion by Ms. McKelvy, seconded by Mr. Bieschke the Authority unanimously voted to table this item to allow staff additional time to compare the revised VOF deed with the current County deed.

Easement Donation/Purchase (continued)

Report on new Applications for Easement Donation

Dillon – A site visit was scheduled for 5:00pm Wednesday September 5th

Linda Thomas – Ms. Thomas and her family own 8 lots in Calmes Neck. They submitted an application for easement donation for all eight lots. A Natural Heritage site is located on a portion of the property. The Authority postponed action on the request to discuss the potential for easement acceptance with the Native Plant Society.

Clarke County Historical Association – requested approval for donation of five parcels containing and surrounding the Burwell/Morgan Mill. Authority members postponed action to determine if the Department of Historic Resources would hold an easement on these parcels due to the number of historic structures on the site.

Report on Preliminarily Approved Unrecorded Easements - Donation

Kohn – Mr. Kohn has expressed interest in donating his parcel to the County Parks and Recreation Department upon his death. His initial thought would be to allow for limited primitive camping, fishing and other such outdoor activities to County residents and youth groups. The Authority discussed this concept and agreed that the Deed of Easement does not preclude such uses and

therefore providing for those uses specifically in the Deed was not necessary. Staff was directed to relay this information to Mr. Kohn and his attorney.

Holscher – Mr. Holscher's attorney Joan Fine submitted a letter detailing specific changes her client requested for inclusion in the Deed. On motion by Mr. Hobert, seconded by Ms. McKelvy, authority members unanimously approved the proposed revisions, subject to approval by Mr. Mitchell.

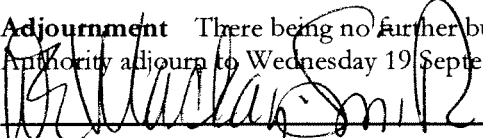
Final Approval for Unrecorded Easements

Willow Lake - on motion by Mr. Buckley, seconded by Mr. Bieschke, authority members unanimously approved acceptance of the donation and authorized the Chair to execute the Deed.

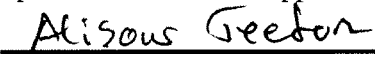
Wade Lot #5 - on motion by Ms. McKelvy, seconded by Mr. Hobert, authority members unanimously approved acceptance of the donation and authorized the Chair to execute the Deed.

Russell - on motion by Mr. Bieschke, seconded by Ms. McKelvy, authority members unanimously approved acceptance of the purchase and authorized the Chair to execute the Deed.

Adjournment There being no further business, Mr. Bieschke moved and Ms. McKelvy seconded, that the Authority adjourn to Wednesday 19 September 2007 at 4:00 pm. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 19 September 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 19 September 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, J. Radford, G. Ohrstrom, R. Buckley, J. Bieschke

Absent: M. Hobert, P. McKelvy

Staff: A. Teetor

Call to Order Ms. Mackay-Smith called the meeting to order at 4:10 p.m.

Agenda On motion of Mr. Ohrstrom, seconded by Ms. Radford, the Authority unanimously approved the agenda with the addition discussion of funding options by Ms. Mackay-Smith.

Minutes On motion of Mr. Bieschke, seconded by Ms. Radford, the Authority unanimously voted to approve the minutes of 15 August 2007 with corrections.

On motion of Mr. Ohrstrom, seconded by Mr. Bieschke, the Authority unanimously approved the minutes of 22 June 2007.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$4,094.31 as of 30 June 2007. The Local Government Investment Pool (LGIP) account balance was \$19,994.43 as of June 29, 2007. On July 3, 2007, \$5,000 was transferred to the LGIP account from the Bank of Clarke. At the last meeting the Authority requested the transfer of \$7,000, but staff reduced the transfer amount due to a number of additional expenses. On motion by Mr. Ohrstrom, seconded by Ms. Radford, the Authority unanimously voted to ratify the transfer of \$5,000 rather than \$7,000.

Report on status of the Campaign for the Authority

Ms. Petranec did not attend the meeting but provided a draft of the power point presentation for discussion.

Authority members had several comments that were given to Ms. Radford for incorporation into the draft.

In addition, members were tasked with providing Fall Newsletter articles. Ms. Mackay-Smith provided a draft of the five-year anniversary article, Ms. Teetor will provide a 2007 summary, and Mr. Ohrstrom agreed to write an article on a topic of his choosing.

Easement Donation/Purchase

Due to the pending conference call scheduled for 5:00pm with Mr. Mel Kohn and his attorney, Ms. Tanya Harvey, members agreed to begin discussion of the wording changes proposed for Mr. Kohn's Deed of Easement. Of primary concern is inclusion of language specific to recreational activities. The Authority's position is that nothing in the Deed precludes future use of the property for primitive recreation, but that it is inappropriate to include specific language that might indicate approval of the proposed use prior to application for a Special Use Permit. Other concerns were regarding enforcement and the Authority's role in providing for recreational opportunities. Mr. Ohrstrom presented the Authorities concerns to Ms. Harvey, and further suggested that a State organization such as The Department of Game and Inland Fisheries might be better suited to hold an easement of this type. Ms. Harvey expressed concern that the Deed language needed to be specific in order to ensure that future easement boards interpreted the language in a similar manner. At the conclusion of the conference call staff was directed to redraft the Deed to incorporate the changes as discussed.

Discussion Item

Revised Donation Criteria – on motion by Mr. Bieschke, seconded by Mr. Buckley, this item was tabled to allow for a complete discussion with all members present.

Easement Donation/Purchase (continued)

Report on new Applications for Easement Donation

Hales – A site visit was scheduled for 5:00 pm Thursday October 4th.

Voytek - A site visit was scheduled for 5:00 pm Thursday October 4th.

Hill - A site visit was scheduled for 5:00 pm Thursday October 4th.

Lusk – the Authority voted to preliminarily approve the application and requested staff to prepare the Deed for review.

Linda Thomas – The Authority voted to approve the donation as presented.

Rohrer – Mr. Rohrer owns a parcel in the Willow Lake Subdivision. It is not adjacent to the Lake and did not meet any of the criteria for donation, therefore the Authority voted to deny the applicants request.

Kitchens – This application was presented after the packets were distributed. These parcels adjoin the parcels owned by Linda Thomas and therefore the Authority were familiar with the area and the Authority voted to preliminarily approve the application and requested staff to prepare the Deed for review.

Report on Preliminarily Approved Unrecorded Easements - Donation

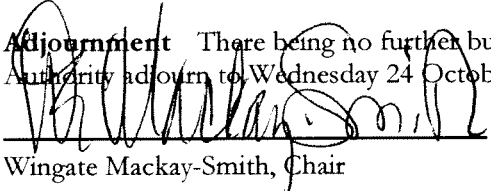
Dillon – the Authority voted to preliminarily approve the application and requested staff to prepare the Deed for review.


Philip Thomas - the Authority voted to postpone action until Bob Mitchell has had an opportunity to review the Deed and related material.

Discussion Item – Wingate Mackay-Smith – Funding Opportunities

Ms. Mackay-Smith attended a workshop sponsored by the Piedmont Environmental Council on financing conservation efforts. She described a couple of the ideas discussed at the workshop, which included a real estate transfer tax that could be earmarked for the Authority and a Business surcharge tax that businesses could agree to participate in at no cost to them. These and other fund raising suggestions are available in a book called a Field Guide to Conservation Financing, by Story Clark.

Adjournment There being no further business, Mr. Bieschke moved and Ms. Radford seconded, that the Authority adjourn to Wednesday 24 October 2007 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 1 October 2007

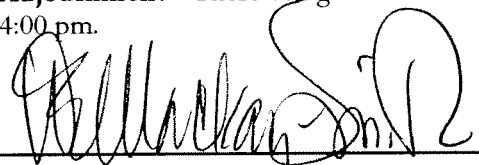
A special meeting of the Conservation Easement Authority was held at 5:00 pm on Monday October 1, 2007, in the Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, M. Hobert, P. McKelvy, J. Radford, G. Ohrstrom, R. Buckley, J. Bieschke
Absent: no one
Staff: A. Teetor
Call to Order Ms. Mackay-Smith called the meeting to order at 5:00 p.m.
Agenda The purpose of the meeting was to resolve issues concerning the proposed changes to the language in the draft Deed of Easement for Mel Kohn.


Easement Donation/Purchase

At the meeting September 19th, Authority members held a conference call with Mr. Mel Kohn and his attorney, Ms. Tanya Harvey to discuss wording changes requested by the applicant to specifically address the potential use of the parcel for a park at some future date. Authority members reiterated their opinion that the original draft used by the County does not preclude future use as a park and therefore requested staff to remove specific references to the type of facilities that could be built. Language changes that were kept included a statement specifically allowing the dock at the pond to be rebuilt if it could not be repaired, and a statement reflecting the owners desire to restrict hunting and trapping on the property. The paragraph addressing enforcement was altered to reflect current language in the Virginia Outdoors Foundation Deed template. Staff was directed to provide the changes to the applicant and his attorney with a reiteration of the Authority's position that nothing in the Deed precludes future use of the property for primitive recreation.

Adjournment There being no further business the Authority agreed to adjourn to Wednesday 24 October 2007 at 4:00 pm.



Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 24 October 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 24 October 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: J. Bieschke, M. Hobert, J. Radford, G. Ohrstrom, P. McKelvy, W. Mackay-Smith arrived 4:30pm
Absent: R. Buckley
Staff: A. Teetor
Call to Order Mr. Bieschke called the meeting to order at 4:10 p.m.
Agenda On motion of Ms. Radford, seconded by Ms. McKelvy, the Authority unanimously approved the agenda with the amendment to move the discussion of the Philip Thomas Deed of Easement to the front of the agenda.
Minutes On motion of Ms. Radford, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve the minutes of 19 September 2007 with corrections.
On motion of Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously approved the minutes of 1 October 2007.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$3,450.14 as of 30 September 2007. The Local Government Investment Pool (LGIP) account balance was \$25,239.37 as of 28 September 2007.

On motion of Ms. Radford, seconded by Mr. Hobert, the Authority unanimously voted to approve the following payments:

Kate Petranec quarterly bill (November, December, January) \$1,800
Kate Petranec for fall newsletter, invitations \$787.09

Easement Donation/Purchase

Due to the attendance of Tyson Gilpin, attorney for Mr. Philip Thomas, the Authority agreed to modify the agenda to discuss final approval for the easement donation. Staff stated that Mr. Mitchell had reviewed the Deed, and that the applicant had satisfied all requirements for easement donation. On motion by Mr. Ohrstrom, seconded by Ms. Radford, authority members unanimously authorized the chair to sign the Deed of Easement for Philip Thomas. Mr. Hobert abstained from all Authority discussion regarding this easement.

Report on status of the Campaign for the Authority

Ms. Petranec reported that the fall newsletter has been completed and mailed to the agency responsible for including the newsletter in the tax bills. She also indicated that blank note cards, leftover from the reception invitations were available to authority members.

Regarding the upcoming presentation at Blandy by VOF director, Bob Lee, Ms. Petranec requested approval for a spending budget to purchase snacks and beverages for the reception, Authority members agreed on \$50.

Members discussed options for a bumper sticker design and this was tabled until after the first of the year.

The powerpoint presentation to the Lions Club has been rescheduled to Thursday November 15. Ms. Petranec requested approval for expenses incurred for review of the presentation by Gloria Marconi, members agreed to allocate \$100.

Discussion Item

Revised Donation Criteria – Over the past several months the Authority has briefly discussed issues relating to donations of small (< 6 acres) lots. Of particular concern is removing residential parcels from full tax obligation by making them eligible for Open Space Use Value taxation, as a result of placing them in easement. The question for

discussion is should there be additional criteria required for acceptance of lots less than 6 acres. After discussion the proposed changes are as follows:

In order to be eligible for Easement donation or purchase the parcel must be located in the Agricultural-Open Space-Conservation (AOC) or Forestal-Open Space-Conservation (FOC) zoning district. If the parcel is currently in or eligible for use value taxation, in accord with the Commissioner of Revenue's requirements, then a donation or purchase may be considered if at least two of the following four guidelines are met:

- 9) the parcel's Property Resource Score is at least 35;
- 10) at least one dwelling unit right is extinguished by the donated conservation easement;
- 11) the parcel is adjacent to a parcel already under permanent conservation easement;
- 12) the property has a minimum area of 40 acres.

If the parcel is not in or eligible for use value taxation then in addition to the above guidelines, the parcel may be considered if it meets at least two of the following three criteria:

- 9) ***It is adjacent to another easement;***
- 10) ***at least one dwelling unit right is extinguished by the donated conservation easement;***
- 11) ***the parcel offers protection of a locally significant natural or historic feature, as determined by the Easement Authority.***

Revision to Deed of Easement – Based on revisions by the Virginia Outdoors Foundation to their Deed of Easement template, the Authority agreed to revise the County Deed of Easement template. Staff provided a draft Deed that she stated had been reviewed by Bob Mitchell. Ms. McKelvy and Mr. Hobert provided written comments for incorporation. After discussion, members allowed for an additional review period of approximately one week, to provide staff with additional comments. Based on a recent inspection, members discussed problems related to easement violations. Of particular concern was enforcement of home sizes. A recent inspection revealed that a new home was built above the 4,500 square foot size limit. Staff was directed to contact VOF to determine what steps are taken if violations to the terms of an easement occur. In addition members discussed sending all County easement donors a postcard detailing some of the specific terms of the easement to insure compliance.

Easement Donation/Purchase (continued)

Report on new Applications for Easement Donation

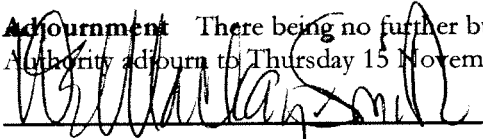
- Sipe – a site visit is scheduled for Nov. 11. In addition the Sipes have requested the Authority to cover all appraisal and legal expenses related to the Deed preparation and recording based on income. Members agreed provided the Sipes sign a letter indicating they will reimburse the Authority should they decide not to record the easement.
- Talley - a site visit is scheduled for Nov. 11.
- Hamer - a site visit is scheduled for Nov. 11.
- Bundy - a site visit is scheduled for Nov. 11.
- McDonald - a site visit is scheduled for Nov. 11. Authority members requested that the applicant be present to review house size and siting limitations.
- Linda Thomas – On motion by Ms. Radford, seconded by Mr. Ohrstrom the Authority voted to preliminarily approve the revised application and amend the draft deed to include the 2 additional lots.
- Frankford Farm – This application was submitted after the packets were sent. The applicant has requested an amendment to the Deed to allow for construction of two barns up to 10,000 square feet without approval. In addition, staff was directed to review the sizes of the existing dwellings. A site visit is scheduled for Nov. 11.

Report on Preliminarily Approved Unrecorded Easements - Donation

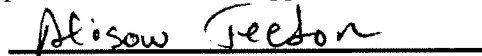
- Hales – Senseny Road – requested house size up to 6,000 sq. ft., Authority agreed to consider request after Jan 1
- Voytek – Bishop Meade Road - draft Deed sent to owner for review
- Hill – Old Winchester Road – requested house size up to 6,000 sq. ft., Authority agreed to consider request

after Jan 1. In addition the applicant would like to add a provision to allow for one subdivision
Lusk - Pioneer Lane – draft Deed sent to owner for review
Dillon – Kimble Road – owners would like to be considered for purchase rather than donation. The Authority agreed to add the Dillon’s to the list of parcels for purchase consideration.
Kohn – Ebenezer Road – Deed is complete and ready for signature; on motion by Mr. Hobert, seconded by Mr. Ohrstrom the Authority voted to authorize the chair to sign the Deed of Easement.
McKenney – River house – obtaining signatures from lender
Holscher – Kimble Road – will be available for signature this month
Daugherty – Swift Shoals Road – draft Deed being reviewed by attorney

Adjournment There being no further business, Mr. Bieschke moved and Ms. Radford seconded, that the Authority adjourn to Thursday 15 November 2007 at 4:00 pm. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 15 November 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Thursday, 15 November 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: J. Bieschke, J. Radford, R. Buckley, P. McKelvy, M. Hobert arrived 4:15pm, W. Mackay-Smith arrived 4:15pm
Absent: G. Ohrstrom
Staff: A. Teetor
Call to Order Mr. Bieschke called the meeting to order at 4:10 p.m.
Agenda On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the agenda.
Minutes On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes of 24 October 2007 with corrections.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$2,188.58 as of 31 October 2007. The Local Government Investment Pool (LGIP) account balance was \$25,239.37 as of 28 September 2007. Staff recommended shifting \$5,000 from the LGIP account to the Bank of Clarke County to cover impending expenses. On motion of Mr. Buckley, seconded by Ms. Radford, the Authority unanimously voted to approve the transfer of funds.

On motion of Ms. Radford, seconded by Ms. McKelvy, the Authority unanimously voted to approve the following payments:

Jack Conner – appraisal Koon \$3,000
Kate Petranech for -newsletter production \$836.45
Kate Petranech for –Bob Lee presentation \$96.00

Report on status of the Campaign for the Authority

Ms. Petranech reported that the presentation by Bob Lee at Blandy on November 4th was a success. There was an excellent article in the Winchester Star describing the event. A photo of Mr. Lee was also included with the article in the Clarke Courier.

Regarding the prospect year-end appeal, Ms. Petranech anticipates that the letter will be mailed the first week of December and will be distributed to 2,000 random residents. A similar letter will be sent to current donors.

Ms. Radford thanked Ms. Petranech for her efforts and asked Authority members to be progressive in thinking of new ideas for future newsletters.

The powerpoint presentation to the Lions Club will follow today's meeting and will be a test to see how the message is received.

Discussion Item

Revised Donation Criteria – Over the past several months the Authority has briefly discussed issues relating to donations of small (< 6 acres) lots. Of particular concern is removing residential parcels from full tax obligation by making them eligible for Open Space Use Value taxation, as a result of placing them in easement. The question for discussion is should there be additional criteria required for acceptance of lots less than 6 acres. After discussion the proposed changes are as follows:

In order to be eligible for Easement donation or purchase the parcel must be located in the Agricultural-Open Space-Conservation (AOC) or Forestal-Open Space-Conservation (FOC) zoning district. If the parcel is currently in or eligible for use value taxation, in accord with the Commissioner of Revenue's

requirements, then a donation or purchase may be considered if at least two of the following four guidelines are met:

- 5) the parcel's Property Resource Score is at least 35;
- 6) at least one dwelling unit right is extinguished by the donated conservation easement;
- 7) the parcel is adjacent to a parcel already under permanent conservation easement;
- 8) the property has a minimum area of 40 acres.

If the parcel is not eligible for use value taxation, then in addition to the above guidelines, then a donation or purchase may be considered if it meets at three of the four following criteria:

- 5) *the parcel's Property Resource Score is at least 35;*
- 6) *at least one dwelling unit right is extinguished by the conservation easement;*
- 7) *It is adjacent to another easement;*
- 8) *the parcel offers protection of a locally significant natural or historic feature, as determined by the Easement Authority.*

On motion by Mr. Bieschke, seconded by Ms. Radford, authority members unanimously approved the revised donation criteria.

Revision to Deed of Easement – Authority members reviewed a revised draft at last months meeting. Ms. McKelvy had a few additional corrections. On motion by Mr. Bieschke, seconded by Ms. Radford, authority members unanimously approved the revised Deed template.

Draft Information postcard to Easement Donors

Based on a recent inspection, members discussed problems related to easement violations. Of particular concern was enforcement of home sizes. Members discussed sending all County easement donors a postcard detailing some of the specific terms of the easement to insure compliance. A sample card was provided for discussion. Members agreed that a letter would be more appropriate and asked Ms. Petranech to work with staff on the wording. A draft letter will be discussed at the next meeting. In addition, members requested staff to work with the Building and Zoning departments to insure that they are aware of the limitations for house size and other conditions on easement parcels.

Easement Donation/Purchase

Due to the limited time left in the meeting discussions of the following easement applications were postponed until the December meeting; Clarke (new application), Bundy, Voytek, and Lusk.

Report on Preliminarily Approved Unrecorded Easements - Donation

Calhoun – this application had been submitted two years ago and the Authority was waiting for the applicant to finalize the Deed. The Deed is complete and ready for signature; on motion by Mr. Bieschke, seconded by Ms. McKelvy the Authority voted to authorize the chair to sign the Deed of Easement.

Sipe – a site visit was completed Nov. 11. On motion by Mr. Buckley, seconded by Ms. McKelvy the Authority voted to approve the application and requested staff to prepare the draft Deed for review.

Talley - a site visit was completed Nov. 11. On motion by Ms. Radford, seconded by Mr. Bieschke the Authority voted to authorize the chair to sign the Deed of Easement, provided a site for the proposed 2,500 square foot secondary dwelling is adequately described as an attachment to the Deed.

Hamer - a site visit was completed Nov. 11. On motion by Ms. Radford, seconded by Ms. McKelvy the Authority voted to authorize the chair to sign the Deed of Easement.

McDonald - a site visit was completed Nov. 11. On motion by Ms. Radford, seconded by Ms. McKelvy the Authority voted to authorize the chair to sign the Deed of Easement.

Linda Thomas – Authority members reviewed the plat identifying the building envelopes and protected natural area. Concern was voiced regarding a proposed access easement identified within the natural area, the applicant would allow for ATV access. The Authority was concerned that excessive disturbance would result from any access other than pedestrian. In addition concern was raised regarding any development of a boat landing on the parcels considered for easement. Staff was requested to work with the applicant to revise the deed to reflect these concerns.

Hales – Senseny Road – requested house size up to 6,000 sq. ft. in a specific location identified on the plat provided. Based on the proximity to an existing easement coupled with the developer requesting the approval rather than the actual homebuilder, on motion by Ms. Radford, seconded by Ms. McKelvy, the Authority voted to deny the request to allow for a house up to 6,000 sq. ft. as proposed, however authorized the chair to sign should the applicant agree to the current house size limitation of 4,500 square feet. Mr. Hobert abstained.

Hill – Old Winchester Road – On motion by Mr. Hobert, seconded by Mr. Bieschke the Authority voted to authorize the chair to sign the Deed of Easement.

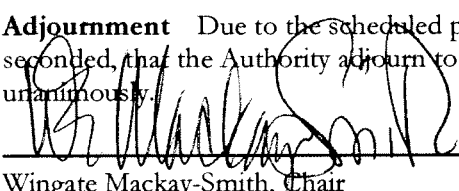
Frankford Farm – A site visit was completed for Nov. 11. The draft Deed provides for one subdivision, two secondary dwellings (existing) up to 2,500 square feet, and two primary dwellings up to 4,500 sq. ft. On motion by Ms. McKelvy, seconded by Ms. Radford the Authority voted to authorize the chair to sign the Deed of Easement. Mr. Hobert abstained.

Daugherty – Swift Shoals Road – the Authority reviewed the Boundary Line Adjustment plat. On motion by Ms. McKelvy, seconded by Ms. Radford the Authority voted to authorize the chair to sign the Deed of Easement.

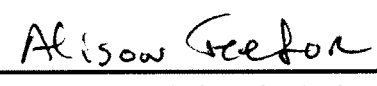
Kohn – Ebenezer Road – deed has been recorded.

Holscher – Kimble Road – deed has been recorded.

Adjournment Due to the scheduled presentation to the Lions Club, Mr. Bieschke moved and Ms. Radford seconded, that the Authority adjourn to Wednesday December 12 2007 at 4:00 pm. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Minutes – 12 December 2007

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 12 December 2007, Board of Supervisors meeting room, Clarke County Circuit Courthouse.

Present: W. Mackay-Smith, J. Bieschke, J. Radford, R. Buckley, P. McKelvy, M. Hobert
Absent: G. Ohrstrom
Staff: A. Teetor
Call to Order Ms. Mackay-Smith called the meeting to order at 4:00 p.m.
Agenda On motion of Ms. McKelvy, seconded by Mr. Bieschke, the Authority unanimously approved the agenda, amended to move discussion of the Frankford Farm and L. Thomas easement donations to item 4.
Minutes On motion of Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes of 15 November 2007 with corrections.

Easement Donation/Purchase

Linda Thomas – At the last meeting Authority members reviewed the plat identifying the building envelopes and protected natural area. Concern was voiced regarding a proposed access easement identified within the natural area; the applicant would allow for ATV access. Staff presented the revised Deed of Easement and Plat, which reflects changes addressing the Authority's concerns. Ms. Thomas was present for today's discussion. Members approved the revised language that precludes vehicular travel in the protected native plant area, precludes constructed boat landings, and requires Authority review of proposed tree clearing for views. On motion of Ms. McKelvy, seconded by Ms. Radford, the Authority unanimously voted to approve the Deed of Easement as amended.

Frankford Farm - Ms. Lisa Murphy and Ms. Marty Hope were present to request a change to the Deed as originally presented. At the last meeting, the draft as presented provides for one subdivision, two secondary dwellings (existing) up to 2,500 square feet, and two primary dwellings up to 4,500 sq. ft. The applicant is requesting approval to expand one of the existing dwellings up to 3,000 square feet. After discussion, the Authority agreed to amend the Deed to allow for expansion up to 3,000 square feet with review and written approval from the Authority. Members requested staff to check with the Virginia Outdoors Foundation and Mr. Robert Mitchell to determine the process for such written approval. On motion by Ms. McKelvy, seconded by Ms. Radford the Authority voted to authorize the chair to sign the amended Deed of Easement. Mr. Hobert abstained from any discussion regarding this donation.

Bank Account Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$7,289.18 as of 30 November 2007. The Local Government Investment Pool (LGIP) account balance was \$20,439.26 as of 31 October 2007. Five thousand dollars was transferred from the LGIP account to the Bank of Clarke to cover impending expenses.

On motion of Ms. Radford, seconded by Mr. Buckley, the Authority unanimously voted to approve the following payments:

Dunn Land Surveys – survey of Sipe Farm \$3,800
Tyson Gilpin, attorney – review of Sipe Easement \$600.00

Report on status of the Campaign for the Authority

Ms. Petranec discussed generally the success of the PowerPoint presentation for the Lion's Club at the Blue Ridge Fire Hall. She requested authorization from the Authority for payment of \$849.25 to cover the cost of preparation of the presentation by Ms. Gloria Marconi. Ms. Marconi agreed to an in-kind contribution of \$1,200 to reduce the final cost to the Authority. On motion of Ms. Radford, seconded by Mr. Bieschke, the Authority unanimously voted to approve the payment.

Ms. Petranec also presented an update regarding fundraising efforts. The response to date from the newsletter

mailing that was included in the December tax bills included 18 new donors. A prospect letter targeting 2,000 random residents was mailed Monday, December 10th, and the end of year donation request to the current 180 donors was mailed Friday, December 7th. Ms. Petranec agreed to present a financial report at the January meeting. Ms. Petranec requested authorization for payment of \$820.00 to cover postage for the prospect mailing.

Ms. Radford commended Ms. Mackay-Smith on the excellent job she did presenting the material to the Lions. All members agreed it was a good start to the educational campaign.

Discussion Item

Revised Donation Criteria – Over the past several months the Authority has briefly discussed issues relating to donations of small (< 6 acres) lots. Of particular concern is removing residential parcels from full tax obligation by making them eligible for Open Space Use Value taxation as a result of placing them in easement. After final review of the proposed language, and on motion by Mr. Buckley, seconded by Mr. Bieschke, authority members unanimously approved the revised donation criteria.

In order to be eligible for Easement donation or purchase the parcel must be located in the Agricultural-Open Space-Conservation (AOC) or Forestal-Open Space-Conservation (FOC) zoning district. If the parcel is currently in or eligible for use value taxation, in accord with the Commissioner of Revenue's requirements, then a donation or purchase may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the donated conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

If the parcel is not eligible for use value taxation, then a donation or purchase may be considered if it meets at least three of the four following criteria:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) It is adjacent to another easement;
- 4) the parcel offers protection of a locally significant natural or historic feature, as determined by the Easement Authority.

Draft Information letter to Easement Donors - For the last several meetings, members have discussed sending all County easement donors a letter detailing some of the specific terms of the easement to insure compliance. Ms. Petranec was asked to provide a draft; this was presented and on motion of Ms. Radford, seconded by Mr. Buckley, the Authority unanimously voted to approve the letter as drafted. Staff will prepare letters for distribution.

Summary of Easement Holdings – A summary spreadsheet of all County Easement holdings was prepared for distribution to the Zoning and Building Departments to insure they are aware of what limitations have been placed on eased properties.

Easement Donation/Purchase

Report on Preliminarily Approved Unrecorded Easements - Donation

- a. Report on new Applications for Easement Donation

Clarke – the applicant has some undecided issues regarding DURs and subdivision. After discussion, members requested staff to get back with the applicant to try to pin down the request.

- b. Report on Preliminarily Approved Unrecorded Easements – Donation

Bundy – On motion by Ms. McKelvy, seconded by Mr. Buckley, the Authority unanimously approved the easement for signature.

Voytek – The Voyteks had submitted a letter with several questions relating to building size and additions (see file). The Authority reviewed the letter and indicated that there was no problem with any of the issues raised by the Voyteks. On a motion by Ms. McKelvy, seconded by Mr. Buckley the Authority unanimously approved the easement for signature.

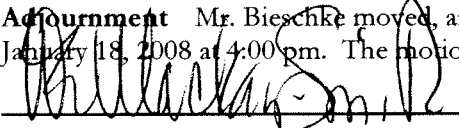
Lusk – Mr. Lusk is requesting approval to include language in the Deed that would permit construction

of a cell tower on the parcel. After discussion, members agreed that a tower would not be permitted as it is considered a commercial use.


Sipe – the Sipe's Deed was reviewed by the applicant's attorney, Tyson Gilpin. Several proposed wording changes were recommended by Mr. Gilpin (see file). After review, the Authority agreed to the proposed changes. On motion by Mr. Bieschke, seconded by Ms. Radford, the Authority voted to approve the easement for signature.

Talley – Mrs. Talley is requesting final approval of the Deed that includes a page described as Exhibit B, which details the secondary house location. Members agreed that the plat describing the house location was adequate. On motion by Ms. McKelvy, seconded by Mr. Bieschke the Authority voted to approve the easement for signature.

Adjournment Mr. Bieschke moved, and Ms. McKelvy seconded, that the Authority adjourn to Wednesday January 18, 2008 at 4:00 pm. The motion was approved unanimously.



Wingate Mackay-Smith, Chair



Alison Teetor, Clerk to the Authority