

Approved Minutes
Conservation Easement Authority
2012

CLARKE COUNTY
Conservation Easement Authority
Minutes – 18 January 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 18 January 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, R. Buckley, P. Engel, D. Weiss, W. Thomas, L. Wallace

Absent: G. Ohrstrom

Staff: A. Teetor

Call to Order : Alison Teetor, Clerk to the Easement Authority, called the meeting to order at 4:00 p.m.

Election of Chairman, Vice Chairman, and Treasurer

Ms. Teetor asked for nominations of Chairman to the Authority. Mr. Buckley nominated Wingate Mackay-Smith for the position of Chairman for 2012. Mr. Weiss seconded. Mr. Buckley requested the nominations be closed. The Authority voted unanimously to elect Wingate Mackay-Smith as Chairman of the Authority for 2012.

Ms. Mackay-Smith asked for nominations of Vice Chairman to the Authority. Mr. Engel nominated Mr. Ohrstrom for the position of Vice Chairman of the Authority for 2012. Mr. Buckley seconded. Mr. Buckley requested that the nominations be closed. The Authority voted unanimously to elect Mr. Ohrstrom as Vice Chairman of the Authority for 2012.

Ms. Mackay-Smith asked for nominations of Secretary//Treasurer to the Authority. Mr. Weiss nominated Mr. Engel for the position of Secretary//Treasurer for the Authority for 2012, Ms. Thomas seconded. Mr. Weiss requested that the nominations be closed. The Authority voted unanimously to elect Mr. Engel as Secretary//Treasurer of the Authority for 2012.

Agenda On motion of Mr. Weiss, seconded by Ms. Wallace, the Authority unanimously approved the agenda.

Minutes On motion of Ms. Wallace, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$16,067.29 as of 31 December 2011. The Local Government Investment Pool (LGIP) account balance was \$25,448.26 as of 31 December 2011. On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously voted to approve payment of \$1,890 to Kate Petranech for her quarterly fee. Ms. Teetor also stated that 20 signs used for posting properties in easement had been ordered and the cost was \$488.60. On motion of Ms. Thomas, seconded by Mr. Engel, the Authority unanimously voted to approve payment for the signs.

Report on status of the Campaign for the Authority

Ms. Petranech reviewed the fund-raising results from 2011. She stated that total amounts of donations were down from last year but certain activities such as the year end donor appeal yielded significantly larger dollar amounts, \$11,305 compared to \$8,376 last year. Each year some new approaches are tested regarding fund-raising. This year it was apparent that people responded more favorably to letters with original signatures rather than form letters. This year Ms. Petranech suggested that we invite land donors to the annual Reception and encourage people to bring a friend or neighbor. As was done last year, Ms. Petranech suggested that sub group of the Authority meet for a planning session to discuss the newsletter

contents for the year and the format of the donor reception. Several dates will be proposed to see who can attend.

Discussion – Cool Spring Battlefield Park proposal

Ms. Teetor briefed the Authority on the Park proposal. In December, the Northern Virginia Regional Park Authority (“The Authority”) Director Paul Gilbert approached the County with a proposal to create a Civil War Battlefield Park on the Virginia National Golf Course. A non-profit organization, the Civil War Trust has a contract to purchase the 194 acre property, which is part of the Cool Spring Battlefield. The Civil War Trust is considering placing the parcel in Conservation Easement with the Department of Historic Resources and then donating the property to the Authority to create and administer a Battlefield Park commemorating the Battle of Cool Spring. In order for the property to be part of the Park Authority, the County must join as a member, through adoption of a resolution, and agreement to an annual membership fee of \$65,000 (based on a per capita formula).

The Authority is being asked to endorse the project and consider whether a portion of their annual budget could be used to help offset the cost of the annual membership fee to the Regional Park Authority. Mr. Engel suggested that staff review this as an application to the Authority to see how it would score and what a likely purchase price would be. Regarding the budget, the members opined that it would be more appropriate for the Board of Supervisors to ask for a certain amount rather than the Authority offer an amount. On motion of Ms. Thomas, seconded by Ms. Wallace, the Authority unanimously voted to endorse the proposal and encourage the Board of Supervisors to pursue the establishment of the Cool Spring Battlefield Park on the Virginia National Golf Course property and send a letter to the Chair stating such.

Easement Donation

Wiedower: James & Rebekah Wiedower applied to the easement authority for approval of an easement donation. The parcel, Tax Map# 21-((A))-21E, is 46.52 acres located on the north side of Route 50 on the border with the Opequon Creek on the west edge of the County. The Authority voted to give preliminary approval at the meeting on December 7, 2011. When contacted to schedule the site visit, the Wiedowers stated that they had decided to withdraw the application at this time.

Georgetown: All necessary plats and plans have been approved and the easement will be recorded after the Board of Supervisors approves the Deed of Easement.

Ken Bell: Mr. Bell is requesting approval for an easement donation of 3 parcels consisting of just under 46 acres. At the October 2011 meeting the donation was preliminarily approved. A site visit was conducted November 21st. Ms. Teetor reported that the applicant was still working on the sketch of the proposed observation tower and has requested postponement of any action until next year. This will be discussed in more detail at the February meeting.

Easement Purchase

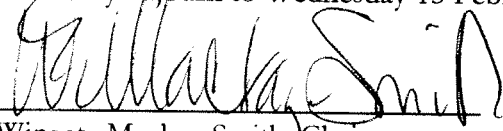
On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Engel, seconded by Mr. Weiss, the Authority unanimously approved reconvening in Open Session. Mr. Buckley moved, seconded by Ms. Thomas, to certify that to the best of the member’s knowledge:

(xxiii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and

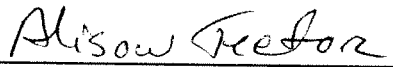
(xxiv) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye	
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye	Mr.
Ohrstrom	Absent					

Adjournment There being no further business, Mr. Ohrstrom moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 15 February 2012 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 February 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 15 February 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, P. Engel, D. Weiss, L. Wallace

Absent: G. Ohrstrom, R. Buckley, W. Thomas

Staff: A. Teetor

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

Agenda On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously approved the agenda.

Minutes On motion of Ms. Wallace, seconded by Mr. Engel, the Authority unanimously voted to approve the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$17,371.96 as of 31 January 2012. The Local Government Investment Pool (LGIP) account balance was \$25,451.62 as of 31 January 2012.

Report on status of the Campaign for the Authority

Ms. Petranech reviewed the fund-raising results from 2011. She stated that donations from the year-end request continue to come in. In spite of the poor economy people have continued to give generously. Part of Ms. Petranech's analysis is to evaluate the effectiveness of each of the Campaign initiatives. For 2011, the spring newsletter generated 11 respondents compared to 4 in 2010. In addition, the fall newsletter also had a significant increase in respondents when compared to 2010.

A committee consisting of Ms. Wallace and Ms. Mackay-Smith met with Ms. Petranech on January 31st to discuss topics for the upcoming newsletters. A main theme was discussed: "When it's gone it's gone forever" with two avenues for getting the concept across – illustrating the impact of community actions on land use and focusing on how land conservation can positively impact groundwater resources. In addition, the stories of families who have placed land in easement will continue starting with a story on the Briars Farmstead, donated by Harry Benham.

Discussion

- i) **Garden Fair** – Ms. Teetor reported that she had received the application for a booth at the Blandy Garden Fair in May. A \$50 registration fee is required to reserve a booth. Don Loock of PEC was in attendance to say that they would like to cosponsor the booth as we had done last year. On motion of Mr. Engel, seconded by Ms. Wallace, Authority members approved participation in the Garden Fair and requested staff to submit the application and registration fee.
- j) **VOF Easement Template** – staff provided a copy of the new easement template that has been developed by VOF. Changes include the addition of farmstead areas similar to what the Farm and Ranchland Program requires, wherein all structural improvements must be located within a predetermined area. Members discussed whether the Easement Authority template should be altered to mimic the VOF changes. After discussion, members agreed that the farmsteads were more restrictive than they were comfortable with and they would prefer to work within our existing template.

Easement Donation

Ken Bell: Mr. Bell is requesting approval for an easement donation of 3 parcels consisting of just less than 46 acres. At the October 2011 meeting the donation was preliminarily approved. A site visit was conducted November 21st. The applicant has requested approval for construction of wildlife observation platforms and provided slides detailing the types of towers he is considering. A variety of stone and wood examples were shown. After discussion, members stated that they preferred an open wood frame similar to fire tower construction. Ms. Teetor will relate this to the applicant.

Easement Purchase

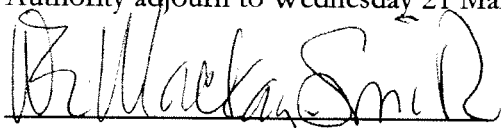
On motion of Mr. Engel, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Engel, seconded by Mr. Weiss, the Authority unanimously approved reconvening in Open Session. Mr. Engel moved, seconded by Ms. Wallace, to certify that to the best of the member’s knowledge:


- (xxi) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (xxii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye	
Mr. Engel	Aye	Ms. Thomas	Absent	Mr. Buckley	Absent	Mr. Ohrstrom
	Absent					

Other – Ms. Teetor was pleased to announce that the Authority has been selected to receive a Governor’s Environmental Excellence Award – Gold Medal, in the Land Conservation Program category. The award will be presented at the Environment Virginia Symposium in Lexington on April 11th.

Adjournment There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 21 March 2012 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 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 21 March 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, D. Weiss, L. Wallace, W. Thomas
Absent: G. Ohrstrom, R. Buckley, P. Engel
Staff: A. Teetor
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

Agenda On motion of Ms. Thomas, seconded by Ms. Wallace, the Authority unanimously approved the agenda as amended to include a discussion on the inspection and monitoring schedule.

Minutes On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously voted to approve the minutes with corrections.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$17,549.96 as of 29 February 2012. The Local Government Investment Pool (LGIP) account balance was \$25,455.08 as of 29 February 2012. Due to the large cash balance in the Bank of Clarke account, Ms. Teetor suggested transferring funds from the Bank to the LGIP account. On motion of Mr. Weiss, seconded by Ms. Thomas, the Authority unanimously voted to approve transferring \$10,000. On motion of Ms. Wallace, seconded by Ms. Thomas, the Authority unanimously voted to approve payment of \$1,030.35 to Kate Petranec for reimbursement for the winter newsletter and printing additional letterhead.

Report on status of the Campaign for the Authority

Ms. Petranec provided a status report in the packet. As indicated, the winter newsletter was mailed to all donors on Friday March 2. She stated that there were 3 donations of \$500 and she was pleased with the response. The Authority discussed the format for the spring newsletter and agreed to do a story on the Longwood easement purchase in addition to the continued series on groundwater protection. Also included will be a save the date for the donor receptions which will be held on Saturday June 23rd at Greenwood.

Discussion

- g) **Priority Area Designation** – staff included a draft submission to the Virginia Outdoors Foundation for consideration of a special projects area, the groundwater recharge area. The Authority had discussed the concept of priority area designation last year but had not prepared a package for submission. Ms. Teetor suggested that now would be a good time to request consideration due to the emphasis on groundwater protection in the newsletter. Staff reported that VOF was contacted to determine if this area would be eligible and their staff agreed that it would meet their criteria. On motion by Ms. Wallace, seconded by Ms. Thomas, the members authorized staff to prepare and application package for submission and requested that a letter be drafted for the Board of Supervisors to indicate their support of the request.
- h) **Inspection and Monitoring** – Ms. Teetor reported that she has been working on developing the monitoring schedule for this year. In prior years Ms. Page Mitchell had volunteered to help with the scheduling and monitoring visits, however due to time constraints she is unable to help this year. The members thanked her for the many hours of work she had volunteered on behalf of the Authority. An additional setback is the layoff of Ms. Nancy Olin, with the Planning Department,

who had conducted the monitoring and filed the reports. Based on the potential impact on staff the Authority agreed to discuss the personnel matter in closed session.

Easement Purchase/Personal

On motion of Ms. Walker, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and §2.2-3711-A4 Privacy of individuals in personal matters; to discuss personal matters. On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously approved reconvening in Open Session. Mr. Weiss moved, seconded by Ms. Wallace, to certify that to the best of the member's knowledge:

- (xix) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and §2.2-3711-A4 Privacy of individuals in personal matters; to discuss personal matters, and
- (xx) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

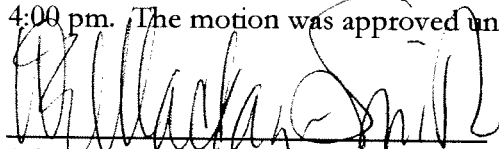
Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Absent	Ms. Thomas	Aye	Mr. Buckley	Absent
Mr. Ohrstrom	Absent				

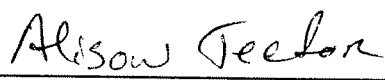
The following actions were taken subsequent to the Closed Session:

On motion of Ms. Wallace, seconded by Ms. Thomas, the Authority unanimously voted to give preliminary approval for the easement purchase and of the Moore and Dorsey, Inc. Dorsey Orchard Tract, Tax Map# 16-((A))-16, consisting of 131 acres, and retiring 5 DUR's.

Staff was requested to set up a meeting with David Ash, Mr. Weiss, and Ms. Mackay-Smith for the purpose of discussing personal issues with regards to the monitoring and inspection.

Adjournment Based on low attendance at the last couple of meetings, staff was asked to poll members to determine if another day and time would be better for monthly meetings. There being no further business, Ms. Thomas moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 18 April 2012 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 – 18 April 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 18 April 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith (arr. 4:10), D. Weiss, L. Wallace, W. Thomas, G. Ohrstrom, R. Buckley, P. Engel
Absent: No one
Staff: A. Teetor
Call to Order: Mr. Ohrstrom called the meeting to order at 4:00 p.m.

Agenda On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously approved the agenda.
Minutes On motion of Ms. Thomas, seconded by Ms. Wallace, the Authority unanimously voted to approve the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$19,633.44 as of 31 March 2012. The Local Government Investment Pool (LGIP) account balance was \$25,458.65 as of 31 March 2012. Ms. Teetor reported that \$10,000 was transferred from the Bank of Clarke to the LGIP account on April 10th and these statements do not reflect the transfer.

Report on status of the Campaign for the Authority

Ms. Petranechs' contract is up for renewal so she was not present but did provide a Campaign recap and contract proposal for the coming year. As indicated, the winter newsletter has matched the all-time high number of donors while exceeding previous year's dollars donated by more than \$700.

The contract proposal summarizes the past activities including newsletter publication, the donor thank you reception, garden fair participation, and establishment of a Facebook page. She has suggested that these activities continue but proposes to re-launch the Facebook page as staff has not had time to keep this current. Ms. Petranech also proposed several new endeavors including the development of a one hour teaching model that could be used in schools to educate students about conservation easements. She also suggested trying different approaches for generating donations and increasing applications for easement recordation.

Her contract renewal includes a 4% increase in her fee. After discussion, on motion by Mr. Ohrstrom, seconded by Ms. Thomas, the members the Authority unanimously agreed to renew Ms. Petranech's contract. On motion by Mr. Engel, seconded by Mr. Buckley, the Authority voted to approve payment of Ms. Petranech's first quarter fee of \$1,952.

Discussion

- c) **Garden Fair** – members agreed previously to participate in the Garden Fair at Blandy. The event will be held May 11-13th so a schedule was developed to staff the booth. The Authority is sharing the booth with PEC again and will raffle a photo and provide literature describing the Authority and conservation easements in general.
- d) **Environment Virginia Symposium** – Ms. Mackay-Smith, Mr. Ohrstrom, and Ms. Teetor attended the symposium on April 11 and 12. At the banquet on the evening of the 11th Ms. Mackay-Smith accepted the Gold Medal Award for a Land Conservation Program. The award

consisted of a beautifully framed medal and accompanying resolution from the Governor. On Thursday, Ms. Teetor gave a presentation on the successful efforts of the Authority to leverage funding for easement purchase. At the end of the session there was discussion about funding stewardship. Ms. Mackay-Smith explained that there was potential to obtain insurance that would cover legal expenses in the event that the terms of an easement were challenged. After discussion, staff was asked to review potential options for insurance purchase and report back at the next meeting.

- e) **Inspection and Monitoring** – Ms. Teetor reported that Ms. Mackay-Smith, Mr. Weiss, and she had met with David Ash, County Administrator, to discuss options for conducting inspections. Mr. Ash suggested that Mr. Gary Pope, Building Inspector, could complete the work as he is in the field on a regular basis. Staff suggested that she could work with Mr. Pope to schedule and provide background material to him and if there were issues with a particular easement a member of the Authority could be called to meet with the property owner. After discussion members agreed that this was a reasonable approach to complete the inspections.
- f) **Application Solicitation** – members discussed options for this year’s solicitation round. Ms. Mackay-Smith suggested that properties meeting the criteria within the proposed VOF Special Projects Area, the Groundwater Recharge Area could be included in addition to the properties adjacent to existing easements. Staff will work with Ms. Petranech to develop letter for mailing to prospects.

Easement Purchase/Personal

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and §2.2-3711-A4 Privacy of individuals in personal matters; to discuss personal matters. On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Ms. Wallace, to certify that to the best of the member’s knowledge:

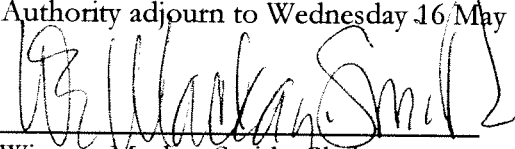
- (xvii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (xviii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

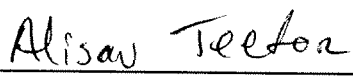
Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Buckley, seconded by Mr. Ohrstrom, the Authority unanimously voted to amend the Deed of Easement for Playgarden Properties, LLC as discussed.

Adjournment There being no further business, Ms. Thomas moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 16 May 2012 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 – 16 May 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 16 May 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith (4:05 pm), L. Wallace, G. Ohrstrom, R. Buckley, P. Engel

Absent: D. Weiss, W. Thomas

Staff: A. Teetor, B. Stidham

Call to Order: Mr. Ohrstrom called the meeting to order at 4:00 p.m.

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

Minutes On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously voted to approve the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,867.49 as of 30 April 2012. The Local Government Investment Pool (LGIP) account balance was \$35,463.03 as of 30 April 2012. On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously voted to approve payment of \$1,377.07 to Kate Petranech for reimbursement for the spring newsletter.

Report on status of the Campaign for the Authority

Ms. Petranech provided a financial statement detailing the fund raising results since the campaigns' startup in 2006. She detailed the increased response to the spring newsletter and noted that contributions continue to rise. She also stated that the new and improved facebook page has been launched. She intends to put a video of David Weiss taken at the Garden Fair on as it is a good synopsis of the Authorities mission. Ms. Petranech has ordered and will mail the invitations for the Donor Reception scheduled for Saturday June 23rd at 5:30pm at Greenwood. Members were asked to arrive early if possible to help set up.

Discussion

- a) **Land Trust of Virginia – Newsletter** – staff provided a copy of the May 2012 newsletter from the Land Trust of Virginia. Ms. Teetor highlighted that the Land Trust has an annual dinner or Garden Party each year. The event is hosted by different farms held in easement to showcase the Land Trusts successes. Members agreed that it was an interesting idea but felt that the donor reception had a different focus that was currently more manageable for the Authority to host. This type of event could be organized to encourage and educate land owners to the benefits of easements and will be considered at a future time.
- b) **Garden Fair** – members discussed their thoughts on the Garden Fair and what improvements could be made in the future. All agreed that it was worthwhile to attend the fair in that it provides an opportunity for outreach even if no additional donors were recruited. Suggestions for improving the effort included a larger map, better signage, and different prizes for the raffle. The raffle winners this year were Anna Dees and Tom Gilpin. In all, \$101 were raised from the raffle, this amount was split with PEC.

Easement Purchase

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Ms. Wallace, to certify that to the best of the member's knowledge:

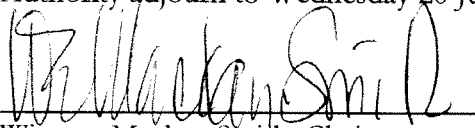
- (xv) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (xvi) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Absent	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

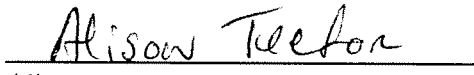
The following actions were taken subsequent to the Closed Session:

On motion of Mr. Buckley, seconded by Mr. Ohrstrom, the Authority unanimously voted conduct a second site visit for Playgarden Properties, LLC to review the proposed Deed changes requested by the applicant.

Adjournment There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 20 June 2012 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 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 20 June 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, D. Weiss, W. Thomas, G. Ohrstrom, R. Buckley, P. Engel
Absent: L. Wallace
Staff: A. Teetor, B. Stidham
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

Agenda On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously approved the agenda with an amendment to add an easement donation request by WR Thompson, under item 7.

Minutes On motion of Mr. Ohrstrom, seconded by Ms. Thomas, the Authority unanimously voted to approve the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,173.47 as of 31 May 2012. The Local Government Investment Pool (LGIP) account balance was \$35,468.08 as of 31 May 2012. On motion of Mr. Ohrstrom, seconded by Ms. Wallace, the Authority unanimously voted to approve payment of \$391.29 to Kate Petranech for reimbursement for the spring newsletter, easement photo sales, and the Donor Reception.

Report on status of the Campaign for the Authority

Ms. Petranech provided an updated financial statement detailing the fund raising results since the campaigns' startup in 2006. She stated that again, the spring newsletter continues to generate donations well above last year's spring newsletter. She is also trying to get the raffle prizes distributed, hoping to hear back from Ms. Dees this week. In addition, she is still waiting to see if the video of David Weiss can be edited up enough to post on Facebook. Bill Howard of the Downstream Project has offered to help with the editing. Approximately 60 people responded favorably to the Donor Reception invitation. Members were asked to arrive early if possible to help set up. Mr. Ohrstrom agreed to take photographs at the reception.

Discussion

Tax Benefits fact sheet – Ms. Teetor included a copy of a fact sheet prepared by Josh Kerr-Hobert of the accounting firm Yount, Hyde, Barbour in Middleburg. The fact sheet summarizes the state and federal tax benefits of conservation easements. Members stated that they thought the sheet was very informative. Staff will use the document to provide information to potential applicants. Mr. Ohrstrom thought that the section on estate benefits could be expanded. Ms. Teetor will ask Mr. Kerr-Hobert to revise the sheet if he has time. Ms. Teetor was also asked to provide a copy of the document to Ms. Petranech for use in upcoming newsletters.

Easement Donation/Purchase

a. Donation

1. Daviot Properties, LLC, Charlie McIntosh, manager, has applied to the easement authority for approval of an easement donation. The property consists of a total of approximately 10.54 acres and is located on the west side of Kennel Road approximately 1/2 mile south of Route 50. The current configuration is a 5 acre parcel with a house, a vacant 4.6 acre parcel, and a vacant .94 acre parcel. The vacant parcels each have 1 DUR. Immediately following easement recordation, the applicant would like to

merge the 3 parcels, retiring 2 DURs and creating one 10.54 acre parcels. On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority voted unanimously to give preliminary approval and schedule a site visit prior to the next meeting.

2. WR III and Laura Thompson have applied to the easement authority for approval of an easement donation. The property consists of 106.9 acres and is located on the north side of Berry's Ferry Road and southeast of Route 340 just outside the village of White Post. The property has an existing house that was built in 2009 and 4 DUR's. The applicant would like to retire 3 of the 4 remaining DURs. On motion of Mr. Buckley, seconded by Mr. Engel the Authority voted unanimously to give preliminary approval and schedule a site visit prior to the next meeting.

b. Purchase

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Mr. Engel, to certify that to the best of the member's knowledge:

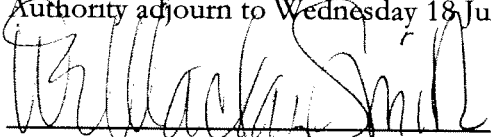
- (xiii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (xiv) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

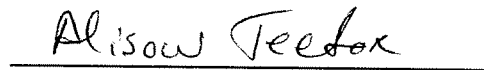
Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Absent
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously voted to amend the conditions for accepting an easement on the Playgarden property as discussed in closed session. Staff was directed to contact the applicant to relay the final determination.

Adjournment There being no further business, Mr. Engel moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 18 July 2012 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 – 18 July 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 18 July 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Thomas, G. Ohrstrom, R. Buckley, P. Engel, L. Wallace
Absent: W. Mackay-Smith, D. Weiss
Staff: A. Teetor, B. Stidham
Call to Order: Mr. Ohrstrom called the meeting to order at 4:00 p.m.

Agenda On motion of Mr. Engel, seconded by Mr. Buckley, the Authority unanimously approved the agenda.
Minutes On motion of Ms. Thomas, seconded by Mr. Buckley, the Authority unanimously approved the minutes, with corrections.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$12,212.48 as of 30 June 2012. The Local Government Investment Pool (LGIP) account balance was \$35,472.84 as of 30 June 2012. On motion of Ms. Wallace, seconded by Mr. Buckley, the Authority unanimously voted to approve payment of \$1952.00 to Kate Petranech for her quarterly payment, and \$457.44 to Lockes Store for catering the Donor Reception.

Report on status of the Campaign for the Authority

Ms. Petranech provided an updated financial statement detailing the fund raising results since the campaigns' startup in 2006. She is beginning work on the summer newsletter and detailed the stories being considered. Ms. Wallace will provide the 3rd in the series of articles on water resources, focusing on surface waters. Another effort will be to contact persons that previously applied to place land in easement but never followed through, letters will be sent with follow up phone calls to determine their interest level at this time.

Discussion

a. Powhatan Bridge – Mr. Ryan Royston and Mr. Tupper Dorsey were present, representing Powhatan School, to request approval to convert one of the pedestrian bridges crossing Roseville Run to one that could be used for vehicular access. Ms. Teetor explained that the Deed of Easement specifies that the two existing bridges can only be used as foot bridges and any change will require an amendment. A site visit was conducted yesterday to see where the proposed bridge would be located and to discuss concerns with regard to impact to the riparian buffer. Mr. Royston explained that the school needs access for tractors and other such equipment in order to construct the permitted trails so that the students have more access to the eased property. In addition the school expressed concerns regarding safety and the ability to extract students or other persons who might be injured on the property. At the site visit Authority members expressed concerns regarding the road surface, amount of potential disturbance and the type of equipment that would be using the bridge. Mr. Royston presented a sketch detailing the proposed bridge construction, essentially 12 feet wide with oak planks for the base. After discussion, staff was instructed to draft language for the amendment permitting the conversion of the bridge as specified in the sketch and to restrict the access road to pervious surface. On motion of Mr. Engel, seconded by Ms. Thomas, members approved the bridge conversion and allow construction to begin on condition that an engineer review and approve the design.

b. Wyatt Boundary Line Adjustment (BLA) – Ms. Teetor briefed the Authority on a potential BLA that Mr. Jim Wyatt has requested. The property next to the Wyatt’s was recently surveyed and the survey showed a portion of the Wyatt’s driveway on the other property. Mr. Wyatt spoke to the owner, Mr. Downs, and they agreed to complete a BLA in order to trade approximately 2 acres so that the Wyatt’s driveway would be on their property. A BLA is potentially problematic in that the transferred property cannot be taken out of easement. Staff has contacted Mr. Downs to see if he would be interested in placing his land in easement, but has not heard back. Staff will work with the Wyatt’s and report back at the next meeting.

Easement Donation/Purchase

a. Donation

1. Daviot Properties, LLC, Charlie McIntosh, manager, has applied to the easement authority for approval of an easement donation. The property consists of a total of approximately 10.54 acres and is located on the west side of Kennel Road approximately 1/2 mile south of Route 50. The current configuration is a 5 acre parcel with a house, a vacant 4.6 acre parcel, and a vacant .94 acre parcel. The vacant parcels each have 1 DUR. Immediately following easement recordation, the applicant would like to merge the 3 parcels, retiring 2 DURs and creating one 10.54 acre parcels. A site visit was completed on July 17th. On motion of Ms. Thomas, seconded by Mr. Buckley, the Authority voted unanimously to give final approval for the easement donation. Staff will work with the applicant to complete the necessary paperwork for recordation.

2. WR III and Laura Thompson have applied to the easement authority for approval of an easement donation. The property consists of 106.9 acres and is located on the north side of Berry’s Ferry Road and southeast of Route 340 just outside the village of White Post. The property has an existing house that was built in 2009 and 4 DUR’s. The applicant would like to retire 3 of the 4 remaining DURs. A site visit was completed July 17th. The applicant is retaining one DUR but has not requested a subdivision. After discussion members requested that staff discuss the subdivision option with the landowner to insure that they understand the implications. Final approval was postponed to the next meeting.

b. Purchase

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Mr. Engel, to certify that to the best of the member’s knowledge:

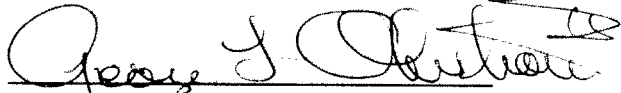
- (xi) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (xii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Absent	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously voted to amend the conditions for accepting an easement on the Playgarden property as discussed in closed session.

Adjournment There being no further business, Mr. Engel moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 15 August 2012 at 4:00 pm. The motion was approved unanimously.



George Ohrstrom, Vice-Chair



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
Conservation Easement Authority
Minutes – 22 August 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 22 August 2012, in the A/B Conference Room, 2nd Floor Government Center. This meeting was originally scheduled for Wednesday August 15, but not enough members were available for a quorum.

Present: W. Mackay-Smith, G. Ohrstrom, R. Buckley, L. Wallace
Absent: W. Thomas, D. Weiss, P. Engel
Staff: A. Teetor, B. Stidham
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

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

Minutes On motion of Mr. Ohrstrom, seconded by Mr. Buckley, the Authority unanimously approved the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,341.22 as of 31 July 2012. The Local Government Investment Pool (LGIP) account balance was \$35,478.00 as of 31 July 2012. There were no bills for payment.

Report on status of the Campaign for the Authority

Ms. Petranech provided an update on her outreach activities. The summer newsletter will be mailed this week and includes an article on the Crocker Conservancy (Powhatan School). In speaking with the School Head Sue Scarborough, Ms. Petranech thought that there might be an opportunity to work with the school to present the Authority's slideshow, teaching the children about conservation easements and why they are important to the community. In addition, she suggested that the school be added to the newsletter mailing list. She also encouraged the Authority to think about possible articles for the Fall newsletter.

Discussion

a. Powhatan Bridge – Ms. Teetor provided an update on the proposed bridge construction. She stated that she met with Powhatan staff to review the proposed access to the bridge. The existing footpath is winding and descends down a steep slope that would not allow for vehicle access. The proposed access is located on the south side of the existing gymnasium along a gradual slope that is perpendicular to the stream. In addition, language was prepared for the Deed amendment allowing the proposed bridge. Mr. Ohrstrom suggested that the language be reviewed by Mr. Mitchell and that staff ask whether language should be included that insures the construction meets engineering standards.

b. Wyatt Boundary Line Adjustment (BLA) – Ms. Teetor provided an update on the potential BLA that Mr. Jim Wyatt has requested. Ms. Teetor had contacted Mr. Downs, the adjacent property owner to see if he would be interested in placing his land in easement, but has not heard back. Mr. Wyatt came in last week and stated that he had spoken to Mr. Downs and indicated that he may consider placing his land in easement. Mr. Wyatt stated that he would try to set up a meeting with staff and Mr. Downs to further discuss the easement opportunity.

Easement Donation/Purchase

a. Donation

1. Daviot Properties, LLC, Charlie McIntosh, manager – staff stated that she had requested Board of Supervisors approval for this easement at their last meeting. It was approved but Mr. Hobert brought up the concern that a small parcel not in landuse was being accepted. Members discussed the existing criteria noting that they had been recently modified to increase standards for parcels not in landuse. The Authority contended that the parcels met the criteria and that elimination of 2 building rights more than justified the acceptance of the easement.

2. WR III and Laura Thompson – At the last meeting members requested that staff discuss the potential for a subdivision with the landowner to insure that they understand the implications if a subdivision is not included in the Deed. Staff spoke with Laura Thompson and Ms. Thompson requested that a subdivision be permitted with no size restriction. On motion of Mr. Buckley, seconded by Mr. Ohrstrom, the Authority unanimously voted to give final approval for an easement donation by the Thompson's.

3. Fred Hetzel, Glen Poe, Agent, has applied to the easement authority for approval of an easement donation. The property consists of approximately 70 acres on the east side of Blue Ridge Mountain Road, off of Ashley Woods Lane, approximately 3.7 miles south of Route 7. The property was subdivided in 2005. The lots remain vacant. The owner has decided to reconfigure the lots. He would like to merge 4 of the lots, each with one DUR, so as to create the 70 acre parcel with 1 DUR. The merger would occur immediately after the easement recordation so that the applicant can get tax credits for retiring 3 DURs. The property meets the criteria for consideration by being over 40 acres, scoring over 35, and giving up more than 1 DUR. The property resource score is 62.49. Points were given for retiring three of the four remaining DURs and frontage on Appalachian Trail Property. On motion of Mr. Buckley, seconded by Mr. Ohrstrom, the Authority unanimously voted to give preliminary approval for the easement donation. A site visit will be scheduled after the applicant submits a survey of the area proposed for donation.

4. David and Hope Stewart have applied to the easement authority for approval of an easement purchase using the DUR purchase option. The property consists of approximately 10 acres on Morgans Mill Road approximately 3/10 mile east of the intersection with Frogtown Road, zoned FOC. The property currently consists of two parcels. The Stewarts home is on 6+ acres. They are interested in buying the adjacent 4 acres and are determining how they could fund the purchase. The four acre lot has an existing house which is in poor condition. The Stewarts have indicated they would demolish the structure and retire the DUR if an easement purchase was an option. For this application, the parcel is not eligible for land use so three of the four criteria must be met. In this case, three of the four are met, the property resource score is 51.27, a DUR would be retired and the property has historic significance. The 4 acre property has the remains of the Morgan-Christler Mill. There are remnants of the stone foundation and the Mill has been surveyed with recommendations that further archeological studies be completed. On motion of Mr. Ohrstrom, seconded by Ms. Wallace, the Authority unanimously voted to give preliminary approval for the easement donation. A site visit will be scheduled prior to the next meeting.

b. Purchase

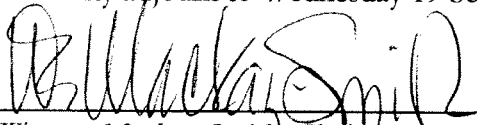
On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Ohrstrom, seconded by Mr. Buckley, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Ms. Wallace, to certify that to the best of the member's knowledge:

- (ix) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (x) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:


Chair Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Absent	Ms. Thomas	Absent	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

There were no actions were taken subsequent to the Closed Session.

Adjournment There being no further business, Ms. Wallace moved and Mr. Buckley seconded that the Authority adjourn to Wednesday 19 September 2012 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 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 19 September 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: R. Buckley (arr. 4:15 pm), L. Wallace, D. Weiss, P. Engel
Absent: W. Thomas, W. Mackay-Smith, G. Ohrstrom
Staff: A. Teetor, B. Stidham
Call to Order: Mr. Engel called the meeting to order at 4:00 p.m.

Agenda On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously approved the agenda.
Minutes On motion of Ms. Wallace, seconded by Mr. Buckley, the Authority unanimously approved the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$11,083.27 as of 31 August 2012. The Local Government Investment Pool (LGIP) account balance was \$35,483.68 as of 31 August 2012. There were no bills for payment. As the balance of the Clarke County account exceeds \$10,000, staff recommended that \$5,000 be transferred to the LGIP account. On motion by Mr. Weiss, seconded by Ms. Wallace, the Authority unanimously approved the transfer.

Report on status of the Campaign for the Authority

Ms. Petranech provided an update on her outreach activities. She provided an update for the fund raising results. She stated that the amounts raised from the summer newsletter were less than expected but due to the late mailing she thought additional donations would be coming in. Overall there has been a 9% increase in the amount donated over last year which is impressive. Ms. Petranech also detailed her discussions with Powhatan School Head, Sue Scarborough, stating that newsletters can be placed in the library at the school and a presentation given to the students by the Authority. She suggested that the existing outreach program could be modified to present the message to the younger audience. Members agreed that a committee should work on the revision. For the Fall newsletter, Ms. Petranech, hoped to write a story on Tupper Dorsey who has committed to place approximately 280 acres in easement using Farm and Ranchland Protection Program grants. In addition, members suggested including a story on our ability to leverage funds, highlighting the concept that minimal local dollars are used to purchase easements.

Discussion

a. Stewardship Fee – Ms. Teetor provided the legislative code section describing the stewardship fee. This was enacted last year and provides funds to easement programs for stewardship based on the amount of tax credits filed by property owners placing land in easement. Last year the easement authority received approximately \$2,400. This year it is anticipated to be closer to \$25,000. Members suggested that a separate account be established for these funds so that the use is targeted to stewardship and enforcement.

b. FRPP FY12 grant award – Staff updated the Authority on the recent approval of an addition \$500,000 in grant funds for easement purchase. Three farms owned by Moore and Dorsey totaling 190 acres and retiring 7 DURs are proposed for inclusion in the easement program.

c. **Virginia Land Conservation Fund** – Staff briefed members on the upcoming grant application for VLCF funds. She suggested the Chapman Farm and perhaps one of the Moore and Dorsey farms as good applicants. The state grant can be used as leverage against federal funds.

d. **VDACS funding** – the application for FY13 Virginia Department of Agriculture and Consumer Services funding is also coming up this month. This is non-competitive funding that is made available to local PDR programs that meet certification requirements. It is anticipated that approximately \$120,000 will be available for Clarke County.

Easement Donation/Purchase

a. Donation

1. Daviot Properties, LLC, Charlie McIntosh, manager – all County approvals have been obtained. The applicant’s attorney John Friant is working on the merger document and Deed review.

2. WR III and Laura Thompson – staff is waiting for the title search, all approvals and signatures have been obtained.

b. Purchase

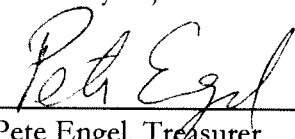
On motion of Mr. Buckley, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Buckley, seconded by Mr. Weiss, the Authority unanimously approved reconvening in Open Session. Mr. Buckley moved, seconded by Ms. Wallace, to certify that to the best of the member’s knowledge:

- (vii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (viii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:


Chair Mackay-Smith	Absent	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Absent	Mr. Buckley	Aye
Mr. Ohrstrom	Absent				

Staff was instructed to contact David and Hope Stewart with regards to their application for DUR purchase. Since the Stewart’s don’t currently own the property and there were several other variables complicating the application members did not wish to make a purchase offer.

Adjournment There being no further business, Ms. Wallace moved and Mr. Buckley seconded that the Authority adjourn to Wednesday 17 October 2012 at 4:00 pm. The motion was approved unanimously.



Pete Engel, Treasurer



Alison Teetor, Clerk to the Authority

CLARKE COUNTY
Conservation Easement Authority
Minutes – 17 October 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 17 October 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, G. Ohrstrom, R. Buckley, D. Weiss, P. Engel, W. Thomas
Absent: L. Wallace
Staff: A. Teetor, B. Stidham
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

Agenda On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved the agenda.
Minutes On motion of Mr. Buckley, seconded by Mr. Weiss, the Authority unanimously approved the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$12,527.32 as of 30 September 2012. The Local Government Investment Pool (LGIP) account balance was \$35,489.28 as of 30 September 2012. At the last meeting members approved a transfer of \$5,000 from the Bank account to the LGIP account; this was completed 10/9/12, but is not reflected in the balances shown. On motion of Mr. Buckley, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve payment of \$1952.00 to Kate Petranec for her quarterly payment, and \$1,021.50 to Kate Petranec for the summer newsletter. On motion of Mr. Ohrstrom, seconded by Ms. Thomas, the Authority unanimously voted to approve payment of \$750 to Wesley Woods for the appraisal revision for Moore and Dorsey, Inc.

Discussion- Powhatan Bridge – Ms. Teetor provided an update on the bridge construction at Powhatan. She stated that the bridge has been completed; pictures and a map of the access to the bridge were included in the packet. The draft language for the Deed of Amendment was reviewed and approved by Powhatan and the easement authority. One issue is that the draft language provided for an access road width of 12'. Ms. Teetor indicated that the clearing was closer to 30' with additional clearing within the riparian buffer area exceeding the amount of clearing anticipated by the Authority. After discussion the Authority directed staff to send a letter to Powhatan to insure that no additional clearing occur without written consent of the Authority and that the current clearing that exceeds the permitted amount be allowed to revegetate. Additional plantings are encouraged. In addition, the Authority asked that any legal expenses associated with the draft amendment be forwarded to the school.

Report on status of the Campaign for the Authority

Ms. Petranec stated that the Fall Newsletter was complete and will be included in the tax bills for mailing to all residents of the County. In addition, she is preparing a letter to be sent to all donors and land donors soliciting financial donations. Ms. Mackay-Smith asked about the progress on soliciting for new applications. Ms. Petranec stated that the letters were being prepared but it would be more effective to mail them in January. She also asked that members begin thinking about how they would like to celebrate the 10 year anniversary of the establishment of the Authority and what new goals could be set for the coming year.

Easement Donation/Purchase

a. Donation

James Turner - James Turner has applied to the easement authority for approval of three easement donations. Mr. Turner owns 3 parcels; two are listed under the corporation MFR Company, L.C. and the other he co-owns with his brother John Turner.

<u>County Tax Map#</u>	<u>Acres</u>	<u>DUR's</u>	<u>Property Score</u>
42-((A))-3	138	5	76.46
38-((A))-43A	93	3	61.05
42-((A))-4	54	3	51.51
Total	285 acres	11 DUR's	

The property is south of Route 50 near the Warren County line above Shenandoah Farms. The 3 parcels are currently vacant woodland and have a total of 12 DURs. The applicant wishes to retain 1 DUR on each parcel retiring a total of 8 DURs. The parcels are zoned FOC and are in land use. All 3 parcels meet 3 of the 4 criteria. All are larger than 40 acres, all scored over 35, and all will retire at least 1 DUR, non are adjacent to an existing easement. On motion of Mr. Engel, seconded by Ms. Thomas, the Authority unanimously gave preliminary approval for the donation and schedule a site visit. Due to steep slopes on the property, members also asked staff to identify building envelopes and determine if the applicant is willing to put these in place.

Daviot Properties, LLC, Charlie McIntosh, manager – Ms. Teetor relayed that the Deed of Merger had been prepared by Mr. Friant and accidently recorded prior to the Deed of Easement. The problem is the loss of a dwelling unit right due to the zoning regulations. Staff has contacted Mr. Mitchell in order to revise the Deed of Easement to provide a correction.

WR III and Laura Thompson – the title search has been received and the deed is scheduled for recordation tomorrow.

b. Purchase

On motion of Mr. Engel, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously approved reconvening in Open Session. Mr. Buckley moved, seconded by Mr. Ohrstrom, to certify that to the best of the member's knowledge:

- (v) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (vi) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

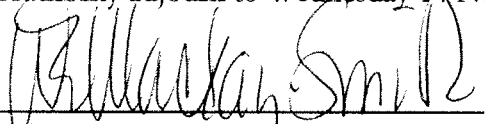
Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Absent
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				


The following actions were taken subsequent to the Closed Session:

On motion of Mr. Engel, seconded by Ms. Thomas, the Authority unanimously voted to request \$125,000 from the Piedmont Environmental Council for an easement purchase on land owned by Charles Chapman.

Other – Staff stated that a check for \$34,100 was received from the Virginia Department of Taxation for stewardship expenses. Mr. Weiss asked staff to identify if there is any accounting or other requirements associated with these funds.

Adjournment There being no further business, Ms. Thomas moved and Mr. Buckley seconded that the Authority adjourn to Wednesday 14 November 2012 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 – 14 November 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 14 November 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, G. Ohrstrom, R. Buckley, D. Weiss, P. Engel, W. Thomas, L. Wallace
Absent: No one
Staff: A. Teetor, B. Stidham
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

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

Minutes On motion of Mr. Ohrstrom, seconded by Mr. Buckley, the Authority unanimously approved the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$4,207.03 as of 31 October 2012. The Local Government Investment Pool (LGIP) account balance was \$40,495.85 as of 31 October 2012. On motion of Ms. Thomas, seconded by Ms. Wallace, the Authority unanimously voted to approve payment of \$1,392.85 to Kate Petranech for the fall newsletter.

Report on status of the Campaign for the Authority

Ms. Petranech stated that she is working on the year-end appeal which she intends to mail after Thanksgiving. Another campaign is recognition of the 10 year anniversary. Ms. Petranech suggested a work session at her home where members could discuss ideas on how best to use the 10 year anniversary to further the Authorities message. Members agreed to meet December 11th at 5:00pm for the planning session.

Discussion

a. Stewardship Fund- Based on a request by Authority members at the last meeting, Ms. Teetor provided information explaining reporting requirements for the stewardship fund monies provided by the Department of Conservation and Recreation. The County is in receipt of \$36,586.72 for the purpose of monitoring and providing for legal defense of County held easements. There are currently no reporting requirements, but it is anticipated that requirements will be forthcoming. In order to keep these funds separate from the general Authority accounts, Ms. Teetor suggested opening a separate interest bearing account. Ms. Sharon Keeler, the Treasurer suggested that there may be other investment options to the LGIP account. On motion by Mr. Engel, seconded by Ms. Wallace, members directed staff to research the potential investment accounts transfer the stewardship holdings to the account with the highest interest rate.

b. Policy and Procedures Review – At the last meeting, members discussed the need to review the policy and procedures directing the Easement Authority's acceptance and maintenance of Conservation Easements. Members discussed having a special work session but then agreed to begin the review at the regular meeting in December. Staff was directed to disseminate the current handbook prior to the meeting for review.

c. **Solicitation for FRPP FY13 grant** – Staff stated that the Natural Resource Conservation Service (NRCS) had released a request soliciting applications for the FY13 Farm and Ranchland Protection program grants. Ms. Teetor explained that there were currently no applications in hand for properties that meet the 50% prime soils requirement. She suggested that a direct mailing to the approximately 200 persons that own property qualifying for the grant, encouraging them to apply. Ms. Petranec agreed to help Ms. Teetor with the letter and mailing.

Easement Donation/Purchase

a. Donation

James Turner - James Turner has applied to the easement authority for approval of three easement donations. Mr. Turner owns 3 parcels; two are listed under the corporation MFR Company, L.C. and the other he co-owns with his brother John Turner. Ms. Teetor has been working with Mr. Turner to finalize the terms of the easement. At issue is the location and size of building envelopes. The easement authority is interested in establishing building envelopes to reduce the amount of clearing on steep slopes which may impact the scenic values of the property. After discussion, on motion by Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously voted to approve areas indicated on the attached map for the building envelopes. In addition, members stated that if clearing occurs at or above an elevation to be identified by staff, the clearing shall be limited to 2 acres.

Daviot Properties, LLC, Charlie McIntosh, manager – Ms. Teetor relayed that the issues relating to the Deed of Merger being accidentally recorded prior to the Deed of Easement have been resolved by Mr. Mitchell and the documents should be ready for recordation prior to the next meeting.

b. Purchase

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously approved reconvening in Open Session. Mr. Engel moved, seconded by Mr. Ohrstrom, to certify that to the best of the member's knowledge:

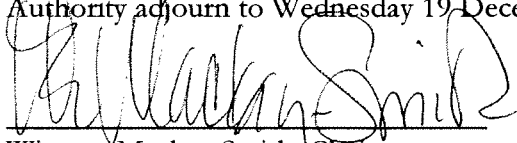
- (iii) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (iv) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

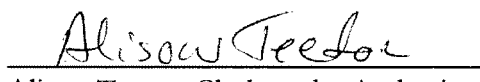
Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Weiss, seconded by Mr. Ohrstrom, the Authority unanimously voted to deny the request of Play Garden Properties to add an access from Tilthammer Mill Road.

Adjournment There being no further business, Ms. Thomas moved and Mr. Buckley seconded that the Authority adjourn to Wednesday 19 December 2012 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 December 2012

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 19 December 2012, in the A/B Conference Room, 2nd Floor Government Center.

Present: W. Mackay-Smith, G. Ohrstrom, R. Buckley, D. Weiss, P. Engel (arr. 4:40), W. Thomas, L. Wallace
Absent: No one
Staff: A. Teetor, B. Stidham
Call to Order: Ms. Mackay-Smith called the meeting to order at 4:00 p.m.

Agenda On motion of Ms. Thomas, seconded by Mr. Buckley, the Authority unanimously approved the agenda with the addition of Item 5a – Discussion of Greenway Court.
Minutes On motion of Mr. Ohrstrom, seconded by Mr. Weiss, the Authority unanimously approved the minutes.

Bank Account: Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$5,551.23 as of 30 November. The Local Government Investment Pool (LGIP) account balance was \$40,502.33 as of 30 November 2012. In addition, the first statement of the LGIP Stewardship account was available showing an initial balance of \$36,586.72 as of 30 November 2012. On motion of Mr. Ohrstrom, seconded by Ms. Thomas, the Authority unanimously voted to approve payment of \$372.32 to Kate Petranec for the year end appeal.

Report on status of the Campaign for the Authority

Ms. Petranec summarized the report included in the packet. She continues to be pleased with the response to the fall newsletter. The year-end appeal was mailed the 7th and a detailed report of the donations received will be provided at the January meeting. In addition, she plans to discuss the publicity opportunities surrounding the 10th year anniversary celebration at the January meeting.

Discussion

a. Greenway Court – Maral Kalbian, Architectural Historian, provided members with an update as to the activities related to the stabilization and long term maintenance of Greenway Court. She reported that the Land Office and Meat House have been stabilized. In addition, a recent finding has been the determination of the age of the third historic structure, the Carriage House. Originally the Carriage House was thought to have been built around the same time as the Land Office, but a recent dendrochronology study determined that it was probably built after Lord Fairfax's death.

A group called the Friends of Greenway Court has been actively fundraising to help pay for the restoration efforts. Currently there is approximately \$12,000 remaining funds. The next proposed project is to replace the roofs on the Land Office and Meat House, the cost is estimated at between \$50,000 and \$75,000.

At issue is the ability to raise additional funds when donors question the long term maintenance strategy for the structures. This is a somewhat unique problem as the land is in private ownership. The Department of Historic Resources has suggested amending the current Deed of Easement to strengthen the maintenance required by the owner. One idea is to remove the Carriage House from the list of structures needing stabilization, and add a requirement that the owner provide maintenance for the

remaining two structures. Additional changes to the Deed may include 1) and archeological study prior to any ground disturbance, 2) a no dog zone established around the two structures to prevent digging, 3) no electricity be permitted in the structures, 4) consider a lease arrangement with the buildings to insure maintenance. Julie Langdon, of DHR, is scheduled to visit the site January 22nd to discuss these ideas with the landowner. Members discussed the suggestions and asked Ms. Kalbian to keep the Authority informed as to potential changes to the Deed of Easement.

b. Policy and Procedures Review – Mr. Stidham reviewed the potential format for reviewing the policies and procedures manual that was mailed earlier in the month. Mr. Ohrstrom suggested that members take time to review the manual and be prepared to discuss at a special meeting. It was agreed to meet an hour before the regular meeting on January 16th to begin the review.

c. Solicitation for FRPP FY13 grant – Staff stated that the Natural Resource Conservation Service (NRCS) had released a request soliciting applications for the FY13 Farm and Ranchland Protection program grants. Approximately 200 letters were mailed to property owners with greater than 50% prime soils requirement. Unfortunately no one responded to the solicitation, so no grant application will be submitted for 2013.

d. Virginia Land Conservation Fund grant award – Ms. Teetor was pleased to report that the Authority was awarded to grants, one for \$98,604 for the Chapman Farm and a second for Moore and Dorsey, for \$60,203.

Easement Donation/Purchase

a. Donation

James Turner - James Turner has applied to the easement authority for approval of three easement donations. Mr. Turner owns 3 parcels; two are listed under the corporation MFR Company, L.C. and the other he co-owns with his brother John Turner. Ms. Teetor has been working with Mr. Turner to finalize the terms of the easement. At issue is the location and size of building envelopes. Members had agreed on several small envelopes at the last meeting but Mr. Turner determined the areas to be too restrictive. As a result several larger areas were negotiated by staff. After discussion, on motion by Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously voted to give final approval for the easement donations.

b. Daviot Properties, LLC, Charlie McIntosh, manager – Ms. Teetor relayed that the Deed had been recorded.

c. Fred Hetzel, Glen Poe, Agent - has applied to the easement authority for approval of an easement donation. The property consists of approximately 70 acres on the east side of Blue Ridge Mountain Road, off of Ashley Woods Lane, approximately 3.7 miles south of Route 7. The property was subdivided in 2005. The lots remain vacant. The owner has decided to reconfigure the lots. He would like to merge 4 of the lots, each with one DUR, so as to create the 70 acre parcel with 1 DUR. The easement donation was originally considered in August, and the applicant has been working to provide the necessary documents for recordation prior to January 1. On motion by Mr. Weiss, seconded by Ms. Thomas, the Authority unanimously voted to give final approval for the easement donation.

b. Purchase

On motion of Mr. Ohrstrom, the Authority unanimously approved going into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property. On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously approved reconvening


in Open Session. Mr. Engel moved, seconded by Mr. Ohrstrom, to certify that to the best of the member's knowledge:

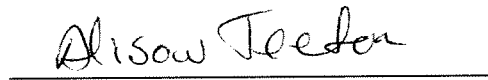
- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Chair Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

No action was taken after the closed session.

Adjournment There being no further business, Ms. Thomas moved and Mr. Buckley seconded that the Authority adjourn to Wednesday 16 January 2012 at 4:00 pm. The motion was approved unanimously.


Wingate Mackay-Smith, Chair


Alison Teetor, Clerk to the Authority