

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 16 January 2013**

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 16 January 2013, in the A/B Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** W. Mackay-Smith, G. Ohrstrom, P. Engel, D. Weiss, W. Thomas, L. Wallace, R. Buckley (arr. 4:30)  
**Absent:** No one  
**Staff:** A. Teetor, B. Stidham  
**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. Weiss nominated Mr. Ohrstrom for the position of Chairman for 2013. Ms. Thomas seconded. Mr. Weiss requested the nominations be closed. The Authority voted unanimously to elect Mr. Ohrstrom as Chairman of the Authority for 2013.

Mr. Ohrstrom asked for nominations of Vice Chairman to the Authority. Ms. Thomas nominated Ms. Mackay-Smith for the position of Vice Chairman of the Authority for 2013. Mr. Engel seconded. Ms. Thomas requested that the nominations be closed. The Authority voted unanimously to elect Ms. Mackay-Smith as Vice Chairman of the Authority for 2013.

Mr. Ohrstrom asked for nominations of Secretary/Treasurer to the Authority. Ms. Mackay-Smith nominated Mr. Engel for the position of Secretary/Treasurer for the Authority for 2013, Mr. Weiss seconded. Ms. Mackay-Smith requested that the nominations be closed. The Authority voted unanimously to elect Mr. Engel as Secretary/Treasurer of the Authority for 2013.

**Agenda** On motion of Mr. Weiss, seconded by Ms. Wallace, the Authority unanimously approved the agenda.  
**Minutes** On motion of Ms. Wallace, seconded by Ms. Mackay-Smith, the Authority unanimously voted to approve the minutes as corrected.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,214.30 as of 31 December 2012. The Local Government Investment Pool (LGIP) account balance was \$40,508.48 as of 31 December 2013. On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously voted to approve payment of \$1,952 to Kate Petranec for her quarterly fee and \$34.50 for reimbursement for expenses related to the year-end appeal. Ms. Teetor also suggested that since the balance of the checking account was above \$10,000, that \$5,000 be transferred to the LGIP account. On motion of Mr. Buckley, seconded by Ms. Mackay-Smith, the Authority unanimously voted to approve transfer of \$5,000 from the checking account to the LGIP account.

**Stewardship Fund:** The stewardship fund balance as of 31 December 2012 was \$36,592.26

**Report on status of the Campaign for the Authority**

Ms. Petranec reviewed the fund-raising results from 2012. She stated that total amounts of donations were down from last year but still coming in so it is too early to tell if the overall results will be lower. Regarding the 10 year anniversary, Ms. Petranec stated that David Willard a reporter for the Observer would like to write an article about our success, perhaps highlighting when the acreage held in easement by

the Authority tops 5,000. Other articles should be discussed and she suggested that the Authority hold a worksession to discuss new ideas. She will send out an email with prospective dates prior to the next regular meeting.

**Discussion – Revised Five Year Summary**

Ms. Teetor detailed the changes made to the report since the draft was submitted last month. An executive summary was added to the front of the document, a section detailing our fiscal impact analysis, and the VOF priority area was also included. On motion by Mr. Engel, seconded by Ms. Wallace, members approved the report as amended for submission to the Board of Supervisors. Mr. Weiss abstained.

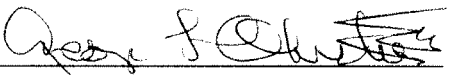
**Easement Donation**

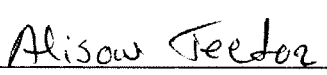
Ms. Teetor reported that the Turner and Hetzel easements were recorded in December retiring a total of 11 DURs and protecting 355 acres.

**Other**

The application for the annual Mother’s Day Garden Fair at Blandy is due in March. Staff asked if the Authority wanted to have a booth again this year. After discussion, members decided not to participate and focus outreach efforts elsewhere where they might be more effective in reaching County residents.

**Adjournment** There being no further business, Mr. Ohrstrom moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 20 February 2013 at 4:00 pm. The motion was approved unanimously.

  
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George Ohrstrom, Chair

  
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Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 20 February 2013**

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 20 February, in the C Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** W. Mackay-Smith, G. Ohrstrom, W. Thomas, L. Wallace, R. Buckley

**Absent:** P. Engel, D. Weiss

**Staff:** A. Teetor, B. Stidham

**Call to Order :** Mr. Ohrstrom called the meeting to order at 4:20 p.m.

**Agenda** On motion of Mr. Buckley, seconded by Ms. Mackay-Smith, the Authority unanimously approved the agenda, with the addition of item 7d. Greenway Court.

**Minutes** On motion of Ms. Mackay-Smith, 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 \$14,074.22 as of 31 January 2013. The Local Government Investment Pool (LGIP) account balance was \$40,513.75 as of 31 December 2013. Ms. Teetor noted that the balances do not reflect the transfer of \$5,000 from the Bank of Clarke to the LGIP account.

**Stewardship Fund:** The stewardship fund balance as of 31 January 2013 was \$36,597.02

**Report on status of the Campaign for the Authority**

Ms. Petranech reviewed the fund-raising results from 2012. She stated that total amounts of donations were off a bit from last year but anticipates a check from the Farm Bureau to help with the final tally. The Authority held a special editorial meeting February 12<sup>th</sup> to discuss the articles and theme for the upcoming year. Ms. Petranech will provide a summary of the meeting at the next meeting. Work continues on the flyer which will be included in the 2013 application solicitation. This year property owners adjacent to existing easements will be targeted.

**Discussion**

**a. Review of Policy & Procedures** – Mr. Stidham provided a summary of the issues and concerns discussed at the work session held January 16<sup>th</sup> prior to the regular meeting. Members agreed to discuss one item at each upcoming meeting until the issues are resolved.

**b. Review Purchase Agreement** – Members reviewed the current purchase agreement signed by applicants engaged in purchases. Wording changes were made to reflect that a variety of grant sources will pay 50% or more of the purchase price. One concern expressed at the work session was the need to ensure that there are limits in regard to what the Authority will pay in legal fees and how fees will be reimbursed should the applicant decide not to go through with the easement. Mr. Don Loock of the Piedmont Environmental Council was present and stated that PEC uses a termination agreement that could be modified for use by the Authority. He will email staff the form.

**c. Powhatan School** – Ms. Teetor described a request from the school for consideration of several improvements to the easement property. Specifically they are interested in construction of an amphitheater, ropes course, and mountain bike trail. Members agreed that it would be helpful to have an overall plan of the proposal to include location, size, access, and other information about the proposed activities. Ms. Teetor stated she would discuss this with the school personnel.

**d. Greenway Court** – Ms. Teetor updated the Authority on the efforts to continue with the stabilization efforts at Greenway Court. She stated that Ms. Kalbian, Julie Langdon of DHR, Jeff

Digges (landowner) and Ms. Teetor had met to discuss potential amendments to the Deed of Easement to insure maintenance of the buildings. Mr. Digges was willing to continue mowing but did not want to make any changes to the Deed that might make it more restrictive. Ms. Teetor also asked members if they would be willing to provide funds to help match a CLG grant. Members discussed whether stabilization should include a metal roof instead of wood shingles to save money. They also stated that it might be good to place gravel around the buildings to prevent vegetation from growing. The idea of establishing a long term lease was also brought up again, members opining that potential donors might be more likely to donate funds if an entity such as the Authority or Department of Historic Resources had responsibility for the maintenance. Regarding the use of Authority funds, members were concerned about the potential precedence of providing funds for improvements on private land. Ms. Teetor will continue to work with the landowner and others to resolve the issues.

**Easement Donation**

**a. Donation**

1) Tom Wiseman applied to the easement authority for approval of an easement donation. The property consists of approximately 98 acres on the west side of Tilthammer Mill Road approximately .4 miles north of Route 723. The property consists of 2 parcels. Tax Map# 30-((A))-75A is 3 acres with 1 DUR. Tax Map# 30-((A))-75B is 95.55 acres with 3 DURs. Mr. Wiseman would like to merge the two lots, creating a 98.55 acre parcel with 2 DURs and no subdivision. He would retire 2 DUR's. The property resource score is 57.95. Points were given for retiring two of the four remaining DURs, frontage on a scenic byway (Tilthammer Mill Rd.). It meets all 4 of the criteria by being over 40 acres, scoring over 35, being next to an adjacent easement, and giving up more than 1 DUR. On motion of Ms. Mackay-Smith, seconded by Ms. Thomas the Authority unanimously voted to give preliminary approval and schedule a site visit.

**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. Buckley, 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:

- (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:

Ms. Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Absent	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 Ms. Mackay-Smith, the Authority unanimously voted to give preliminary approval to the easement purchase request of Gary Crim and schedule a site visit.

**Adjournment** There being no further business, Ms. Wallace moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 20 March 2013 at 4:00 pm. The motion was approved unanimously.

  
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 George Ohrstrom, Chair

  
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 Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 20 March 2013**

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 20 March, in the C Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** W. Thomas, L. Wallace, R. Buckley, P. Engel, D. Weiss

**Absent:** 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. Thomas, seconded by Ms. Wallace, the Authority unanimously approved the agenda.

**Minutes** On motion of Mr. Buckley, seconded by Ms. Thomas, 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 \$11,397.94 as of 28 February 2013. The Local Government Investment Pool (LGIP) account balance was \$45,518.88 as of 28 February.

**Stewardship Fund:** The stewardship fund balance as of 28 February 2013 was \$36,601.23

**Report on status of the Campaign for the Authority**

Ms. Petranec has not had a chance to compile the final numbers for 2012 but will provide a detailed report at the April meeting. She did note that the Farm Bureau had made a very generous donation of \$2,000 last month. Previously the Authority had discussed participating in the Conservation Fair held at Powhatan School for 4<sup>th</sup> graders in April. Typically, students are involved in hands on exercises such as water sampling or tree identification. After discussion, members agreed that this might not be the best venue to share information on conservation easements. Ms. Petranec then provided a summary of the meeting held February 12<sup>th</sup> to discuss the theme and topics for the upcoming newsletters. The winter newsletter to donors will be sent out this coming Saturday. The spring newsletter needs to be at the tax bill distributor by April 19<sup>th</sup>. Originally it was hoped that the main story would be on the easement purchase of Tupper Dorsey land, but the closing has been delayed due to budget requirements. Members discussed options for lead stories and agreed to focus on the grant sources and the contribution grants have made to stretch local dollars. Another article will be provided by Ms. Wallace that follows the theme of “When its gone...”. The spring newsletter will focus on river protection and the Virginia bluebell. The 2013 application solicitation will be sent the end of April pending the publication of the 1-panel brochure that will be included in the mailing. This year’s targeted properties are those properties adjacent to existing easements.

**Discussion**

**a. Review of Policy & Procedures** – As discussed at the last meeting, one issue from the memo summarizing the issues and concerns discussed at the work session held January 16<sup>th</sup> will be presented to the Authority for review and discussion. This month, Ms. Teetor provided a revised map which includes the rural historic districts in addition to the easements and groundwater recharge area. Members approved the map with the suggestion that roads be limited to the primary highways.

**b. Vault Conference** – Ms. Teetor asked if members would be willing to sponsor the annual Virginia Land Trust Conference. The conference provides an opportunity for networking and attending

informative sessions on a range of topics relating to conservation easements. After discussion, members agreed to provide a \$250 sponsorship.

**c. FRPP Certification** – Ms. Teetor reported that the Authority had received approval as a certified program under the Farm and Ranchland Protection Program. The certification streamlines review procedures and should simplify the acquisition process for easement purchases using FRPP funds.

**d. Website revamp** – Included in the packet was a proposal from the Downstream Project to redo the Easement Authority website. The projected cost is \$2,000. Staff explained that neither she nor Ms. Petranec had been successful at keeping the Authority website or Facebook page current. According to the proposal the website would be transferred to an easier to use platform that can automatically link with Facebook and twitter to keep all social media current. After discussion members agreed to table the discussion until the next meeting when Mr. Ohrstrom and Ms. Mackay-Smith would be present to discuss.

**e. Budget** – Ms. Teetor and Mr. Weiss described the proposed FY14 budget. Mr. Weiss explained that the Board had elected not to fund the Authority for the coming fiscal year as there is a surplus of more than \$170,000 in the current budget after all obligated funds are spent. A second budget related issue is a problem with the appropriation of the grant funds earmarked for distribution at upcoming closings for Moore & Dorsey and Arkfeld. In speaking with Mr. Judge, Finance Director for the County, the grant funds were not included in the budget and therefore must be appropriated by the Board. Due to the amount of funds requested, a public hearing must be held. The hearing is scheduled for Tuesday April 16<sup>th</sup> at 6:30 pm. Approval of the funding is anticipated but will delay closing on the easement purchases.

**f. Greenway Court** – A draft agreement was included in the packet outlining a proposed maintenance agreement by the owner. The agreement was drafted at the suggestion of the Historic Preservation Commission for the purpose of providing assurance for private donors and grant applications that the owner is willing to contribute to the oversight of the historic structures. After discussion, member agreed to modify the document to remove reference to the Authority obtaining funding for stabilization of the buildings. On motion of Ms. Wallace, seconded by Mr. Weiss members approved the proposed agreement as amended.

## **Easement Donation**

### **a. Donation**

1) Tom Wiseman applied to the easement authority for approval of an easement donation. The property was for sale and a purchase contract worked out that did not provide for an easement, therefore Mr. Wiseman asked to withdraw the application

### **b. Purchase**

On motion of Ms. Wallace, 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 Ms. Wallace, seconded by Mr. Buckley, 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:

(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

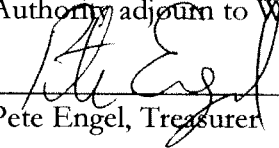
(ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:


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

The following actions were taken subsequent to the Closed Session:

On motion of Ms. Wallace, seconded by Mr. Buckley, the Authority unanimously voted to authorize staff to provide a written offer of \$40,000 per DUR retired to Gary Crim with the following conditions: Discuss with the applicant his desire to subdivide, if he would like to subdivide the parcels wait to provide offer until the Authority has an opportunity to discuss at the next meeting, if he does not wish to subdivide send the offer letter.

**Adjournment** There being no further business, Ms. Wallace moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 17 April 2013 at 4:00 pm. The motion was approved unanimously.

  
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Pete Engel, Treasurer

  
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Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 17 April 2013**

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 17 April, in the County Administrators Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** W. Thomas, L. Wallace, R. Buckley, P. Engel, D. Weiss, W. Mackay-Smith, G. Ohrstrom  
**Absent:** No one  
**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 Ms. Thomas, the Authority unanimously approved the agenda with the addition of discussion of a Boundary Line Adjustment request by Anne McDonald, and to move item 7b to item 4 as Mr. Bill Howard was present to answer questions about the website proposal.  
**Minutes** On motion of Ms. Mackay-Smith, seconded by Mr. Weiss, the Authority unanimously voted to approve the minutes.

**Discussion**

**b. Website revamp – Downstream Project proposal** Ms. Teetor provided background stating that she had discussed with Mr. Howard the staff's struggles with keeping the website up to date and working with social media. Mr. Howard submitted a proposal to transfer the existing site to a platform called Wordpress. This platform has an advantage of seamless integration with Facebook and Twitter accounts which greatly reduces the amount of time spent keeping sites current. Members asked Mr. Howard a variety of questions regarding the proposal specifically wondering if a new site would require less staff time and how much additional management would cost. Mr. Howard stated that the annual hosting on the server would be free and if management were needed it would be \$50/hour and he estimated it wouldn't take more than a couple of hours a month to maintain the site. Staff was asked to review procurement rules and determine if there would be any conflicts of interest as Mr. Ohrstrom owns the company. On motion of Mr. Engel, seconded by Ms. Thomas, the Authority voted to approve a contract with Downstream to host the website subject to review of the procurement policies and conflict of interest. Mr. Ohrstrom and Ms. Mackay-Smith abstained.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$14,404.04 as of 31 March 2013. The Local Government Investment Pool (LGIP) account balance was \$45,524.76 as of 31 March 2013.

**Stewardship Fund:** The stewardship fund balance as of 31 March 2013 was \$36,605.98

**Report on status of the Campaign for the Authority**

Ms. Petranech was not present at the meeting since her contract was up for renewal. She did provide a summary of the contract deliverables which includes the newsletter publication, organization of the donor reception, promotion of Authority activities, fundraising, and application solicitation. Members agreed Ms. Petranech continues to do an excellent job. Additional deliverables that were discussed was continued outreach presence using social media and revamping the powerpoint presentation to update material. They also discussed the idea of encouraging estate planning as a fund raising tool. On motion of Mr. Engel, seconded by Mt. Thomas, the Authority unanimously voted to extend Ms. Petranech's contract for another year.



**Discussion**

**a. Review of Policy & Procedures** – no report.

**c. Shenandoah Forum** – Mr. Ohrstrom was asked to present information about the Clarke County Easement program at meeting hosted by the Shenandoah Forum. Farmers, the Commissioner of Virginia Department of Agriculture and Consumer Services, Matt Lohr, and other persons affiliated with easement programs were invited to share their experiences with Conservation Easements. Mr. Ohrstrom stated the event was well received with a lot of good information about conservation easements disseminated.

**d. Georgetown University Monitoring and Inspection 2013** – Ms. Teetor reported that she had completed an inspection of the Georgetown University easement. A lot of construction activity has been occurring on the non-eased property and grading for a stormwater detention facility extended into the eased property. Ms. Teetor suggested that remediation could include reseeded the area with a wildflower mix and posting the property with Authority signage. Mr. Buckley suggested staff look into the cost of making some small signs (4”x4”) that could be used for boundary marking. Members agreed that the University could have the option of fencing or posting the property. Ms. Teetor was directed to send a letter describing the remediation and indicating that a certificate of occupancy would not be issued until the remediation was complete.

**e. Anne McDonald – Boundary Line Adjustment** – Ms. Teetor provided a map detailing the McDonald property, located outside of White Post, and land owned by Donna Hayes. Both properties are in easement. Ms. McDonald is interested in purchasing 50 acres and a dwelling unit right from Ms. Hayes. Several options were described to the Authority, one of which entailed Ms. McDonald purchasing the 50 acres and merging it into the County easement and retiring the DUR. After discussion, members agreed that they could not accept an additional DUR even if it were retired at closing, due to the restrictions on the current easement. In addition, they did not see any advantage to transferring land held in VOF easement to the Authority.

**Easement Donation**

**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 Ms. Thomas, seconded by Mr. Buckley, the Authority unanimously approved reconvening in Open Session. Mr. Engel moved, seconded by Mr. Weiss, 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:


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

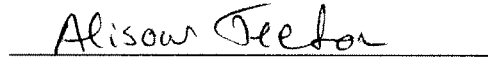
The following actions were taken subsequent to the Closed Session:

On motion of Mr. Ohrstrom, seconded by Mr. Weiss, the Authority unanimously voted to authorize staff to provide a written offer of \$40,000 per DUR retired to Gary Crim for the three DURs being retired on the 122 acre property (8-((A))-11) with no further subdivision; and \$25,000 for the retirement of one DUR with a one lot 3 acre subdivision on the parcel identified as Tax Map# 8-((A))-13A. Staff was also directed to provide contact information for persons familiar with the tax implications of conservation easements.

**Other** Mr Engel asked staff to provide an update as to the activities at Greenway Court. Ms. Teetor explained that a CLG grant application was submitted to the Department of Historic Resources requesting funds to finish the roofs on the land office and smokehouse, in addition to replacing the windows in the land office. Part of the grant application was a requirement that the landowner sign a letter indicating he will maintain the structures. This document in addition to the agreement approved by the Authority last month was sent to the owner, Jeff Digges. To date there has been no response from Mr. Digges.

**Adjournment** There being no further business, Ms. Wallace moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 15 May 2013 at 4:00 pm. The motion was approved unanimously.

  
George Ohrstrom, Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 15 May 2013**

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

**Present:** G. Ohrstrom, W. Mackay-Smith (arr. 4:10pm), W. Thomas, L. Wallace, R. Buckley, P. Engel, D. Weiss,  
**Absent:** No one  
**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 Mr. Buckley, 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 \$18,767.14 as of 30 April 2013. The Local Government Investment Pool (LGIP) account balance was \$45,530.35 as of 30 April 2013. On motion of Mr. Buckley, seconded by Ms. Wallace, the Authority unanimously voted to approve payment of \$1,421.03 to Kate Petranec for reimbursement of expenses related to publication of the Spring Newsletter and \$411.41 for reimbursement for expenses related to the solicitation mailing.

**Stewardship Fund:** The stewardship fund balance as of 30 April 2013 was \$36,610.46.

**Report on status of the Campaign for the Authority**

Ms. Petranec provided an updated spreadsheet detailing the fund-raising efforts. Her report stated that the winter newsletter has generated the largest number and amount of donations compared to any other winter newsletter. She listed several potential reasons in the report including the article about Ms. Mackay-Smith stepping down as chair. In addition, she reported that the Spring Newsletter will be mailed in the tax bills. The summer newsletter will include a story about the grant received from the Virginia Land Conservation Foundation for \$158,857. A “Big Check” ceremony was held April 16<sup>th</sup> at which the Secretary of Natural Resources Doug Domenech presented David Weiss of the Authority with the check. The annual donor reception is scheduled for June 22<sup>nd</sup> at the Mackay-Smiths. A solicitation mailing targeting properties adjacent to existing easements was mailed to approximately 175 landowners on March 4<sup>th</sup>. To date 3 calls and one application have been received in response.

**Discussion**

**a. Georgetown University Monitoring and Inspection 2013** – At the last meeting staff was directed to send a letter to the University detailing the corrective actions required to restore the graded area on the easement property. Ms. Teetor shared the response letter that she received that stated that the University agrees to replant the area as a wild flower meadow and post signs to insure there will be no further encroachment. Members directed staff to send an additional letter stating that the terms are acceptable and a sign will be provided.

**b. Website revamp – Downstream Project proposal** Ms. Teetor stated that the procurement requirements have been fulfilled and the Downstream Project proposal approved. Work will begin once the purchase order has been issued

**c. Comprehensive Plan** – As part of the Comprehensive Plan update a new objective focusing on Conservation Easements was developed. The Authority was asked to review the proposed objective. Several changes were suggested and will be incorporated into the proposed objective prior to the public hearings and adoption.

**d. Monitoring and Inspection** – At the previous meeting, Mr. Engel had asked about the proposed Inspection and Monitoring schedule for this year. Ms. Teetor provided a spreadsheet detailing the properties that require inspection. She will be contacting land owners and completing inspections throughout the summer.

**e. Holscher off-site drainfield** – Ms. Teetor explained the request as outlined in the staff report. Mr. Holscher placed his property in conservation easement with the County in 2005. He later purchased an adjacent 1 acre lot with 2 existing structures, a trailer and a smaller dwelling. He would like to remove the trailer and replace the current dwelling with a house. The current septic disposal system is a cesspool. Due to the size of the property, there is no space for a drainfield that meets current County requirements. Mr. Holscher is requesting the Easement Authority to allow an offsite drainfield to be located on the easement property. Members discussed the proposal and on motion of Ms. Wallace, seconded by Ms. Thomas, the Authority unanimously voted to give preliminary approval for an off-site drainfield on condition that the location and utility easement be reviewed and accepted prior to final approval.

### **Easement Donation/Purchase**

**Donation** – Richard Dimmel applied to the easement authority for approval of an easement donation. The property located on the north side of Route 50 across from Blandy. The property has an existing house built in 1965 and 1 additional DUR. Mr. Dimmel has applied for the easement in order to qualify for a maximum lot size exception. Section 3-A-1-b-1-(3) allows for the subdivision of lots greater than 3 acres if the parcel is in Conservation Easement. Mr. Dimmel would like to allow for 1 subdivision so as to create a 73 acre parcel with one existing house and a 33 acre parcel with 1 DUR. The 33 acre parcel also contains a cell tower accessed from Rose Airy Lane. These properties are proposed to be sold to the adjacent property owners. Mr. Dimmel has agreed to place a building restriction setback of 500' from Route 50. Members discussed the proposal and expressed concern that the applicant was using the easement donation to create a maximum lot size without retiring a DUR. On motion of Ms. Mackay-Smith, seconded by Mr. Buckley, members voted to give preliminary approval and conduct a site visit (Mr. Weiss – no).

Ms. Wallace left at 5:00pm.

### **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. Engel, seconded by Ms. Thomas, the Authority unanimously approved reconvening in Open Session. Mr. Engel moved, seconded by Mr. Weiss, 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:

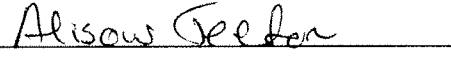
Ms. Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Absent
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Aye				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously voted to authorize staff to approve paying \$750 to Wesley Woods for a preliminary appraisal for the Chapman Farm.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 19 June 2013 at 4:00 pm. The motion was approved unanimously.

  
George Ohrstrom, Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 19 June 2013**

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

**Present:** W. Mackay-Smith, W. Thomas, L. Wallace, R. Buckley  
**Absent:** G. Ohrstrom, P. Engel, D. Weiss  
**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. Wallace, seconded by Mr. Buckley, the Authority unanimously approved the agenda.  
**Minutes** On motion of Ms. Thomas, seconded by Mr. Buckley, the Authority unanimously voted to approve the minutes of May 15, 2013.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$10,951.03 as of 31 May 2013, this balance reflects the transfer of \$5,000 of the \$10,000 authorized for transfer last month. The Local Government Investment Pool (LGIP) account balance was \$50,535.34 as of 31 May 2013, again reflecting and addition \$5,000 of 10,000 transferred from the Bank of Clarke account. On motion of Ms. Wallace, seconded by Ms. Thomas, the Authority unanimously voted to approve payment of \$1,750 to Wesley Woods for the appraisal update of Moore and Dorsey (TM 15-((A))-65) and preliminary appraisal for Chapman, \$455.93 to Kate Petranech for reimbursement of expenses related to the donor reception, and \$250 for payment to Ms. Mackay-Smith for expenses related to the donor reception.

**Stewardship Fund:** The stewardship fund balance as of 31 May 2013 was \$36,614.38.

**Report on status of the Campaign for the Authority**

Ms. Petranech provided a report that was included in the packet. The spring newsletter was mailed in the tax bills. Donations have leveled off as compared to the winter newsletter. She did report that the transfer tax option has raised \$4,200 thanks to property sales by James Turner.

The annual Donor Reception is scheduled for Saturday June 22<sup>nd</sup> more than 50 people have indicated they will attend. Ms. Teetor stated that Pru Anderson had stopped in to say she could no longer put signs up for the Authority. She has voluntarily posted all eased properties for a number of years. Members agreed she should be recognized for her significant contribution at the reception. Ms. Teetor also reported that the application solicitation resulted in 5 responses for the 175 letters sent out. Finally, the summer newsletter will be mailed in late July.

**Discussion**

**a. Text amendment – Maximum Lot Size Exception, DUR retirement** – At the last meeting staff was directed to draft an ordinance amendment that would require the retirement of at least one DUR in order to qualify for a maximum lot size exception when placing property in easement. A draft proposal was included in the packet. Since several members were absent from the meeting on motion of Ms. Wallace, seconded by Mr. Thomas, members voted to postpone action until the next meeting.

**b. Website revamp – Downstream Project proposal** Ms. Teetor included an update as to the status of the website from Bill Howard. He included a request for members to consider a domain name and provided several suggestions. After discussion members agreed by consensus to use

“clarkelandconservation.org” for the domain name. A demonstration of the new site will be provided at the July meeting.

**d. Holscher off-site drainfield** – Ms. Teetor provided an update regarding the request by Mr. Holscher for an off-site drainfield on his easement property. She explained that since the last meeting the Health Department had found a drainfield near the rear property line of the 1 acre lot. It is a conventional 3 bedroom drainfield and will not require any mechanical pumps or tanks to be located on the easement property. On motion by Ms. Wallace, seconded by Ms. Thomas, the Authority voted to give final approval for an off-site drainfield to be located on the easement property identified as tax Map# 8-((A)-14, on condition that a utility easement document is recorded that County Septic Ordinance requirements are met, and that the Conservation Easement Deed is amended if necessary.

**Easement Donation/Purchase**

**Donation** – Richard Dimmel applied to the easement authority for approval of an easement donation. A site visit was conducted on May 22<sup>nd</sup>. On motion of Ms. Mackay-Smith, seconded by Ms. Wallace, members voted to give final approval allowing for 1 subdivision of the property.

**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 Ms. Thomas, 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:

- (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.

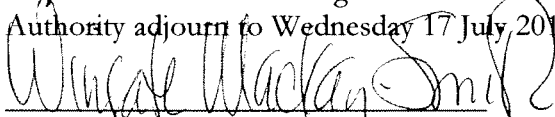
The vote on the above motion was:

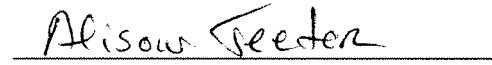
Ms. Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Absent	Ms. Thomas	Aye	Mr. Buckley	Aye
Mr. Ohrstrom	Absent				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Buckley, seconded by Ms. Thomas, the Authority unanimously voted to authorize staff to request development of a full appraisal from Wesley Woods for the Chapman Farm.

**Adjournment** There being no further business, Mr. Buckley moved and Ms. Thomas seconded that the Authority adjourn to Wednesday 17 July 2013 at 4:00 pm. The motion was approved unanimously.

  
Wingate Mackay-Smith, Vice-Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 17 July 2013**

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

**Present:** G. Ohrstrom, W. Mackay-Smith (arr. 4:15), W. Thomas, L. Wallace, P. Engel

**Absent:** R. Buckley, 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 Ms. Wallace, 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 of June 19, 2013.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$8,849.11 as of 30 June 2013. The Local Government Investment Pool (LGIP) account balance was \$55,539.75 as of 30 June 2013, reflecting the addition of the remaining \$5,000, from a pre-approved transfer request, for a total of \$10,000 transferred from the Bank of Clarke account since May. On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously voted to approve payments of \$3,000 to Wesley Woods for the full appraisal for the Chapman Farm, \$1,952.00 to Kate Petranec for her quarterly payment, and \$50.94 for payment to Ms. Teetor for reimbursement for the books purchased as a gift for Pru Anderson acknowledging her tremendous volunteer effort on behalf of the Authority, and \$646.50 to Lockes Store for expenses related to the donor reception.

**Stewardship Fund:** The stewardship fund balance as of 30 June 2013 was \$36,617.41.

**Report on status of the Campaign for the Authority**

Ms. Petranec provided a report that was included in the packet. Donations continue to decline as expected this time of year. The Donor Reception was a huge success yet again and the bottle of Vodka was auctioned off for a 4<sup>th</sup> year for \$500. The summer newsletter will be mailed the week of July 22<sup>nd</sup>. Ms. Teetor reported that about 7 calls had been received as a result of the application solicitation and Ms. Petranec suggested that this be mailed again in September as a follow-up.

**Discussion**

**a. Text amendment – Maximum Lot Size Exception, DUR retirement** – At the last meeting action was postponed as several members were not in attendance. Ms. Teetor reviewed the proposed change to amend the zoning ordinance so as to require the retirement of at least one DUR in order to qualify for a maximum lot size exception when placing property in easement. A draft proposal was included in the packet. On motion of Ms. Mackay-Smith, seconded by Mr. Thomas, members voted to recommend that the Planning Commission set public hearing for recommend adoption of the proposed amendment at their September meeting.

**b. Website revamp – Downstream Project proposal** Ms. Teetor gave a demonstration of the new website being created by the Downstream Project. Authority members reviewed the content and had several questions and suggestions. They discussed the proposed logo of the picture under bolted glass and suggested that the mountains could be more distinct and wondered if the old SOS logo could be incorporated into the page as well. Ms. Petranec opined that the new logo would most likely be used



exclusively for the web page as integration into the newsletter would require a more involved and expensive print process. They suggested changing CCCEA to CEA. Regarding the ability for people to comment on articles there was a lengthy discussion on how the comments would be vetted and whether guidelines could be developed on what content would be published. Mr. Ohrstrom opined that staff or the Authority should have the ability to moderate comments and respond. For the tab on who serves on the CEA, members agreed that they preferred just names and emails rather than addresses and phone numbers. On accomplishments, members discussed the ability to add videos of testimonials of property owners who have placed land in easement and show videos of properties, highlighting the conservation values. Another idea was to put a powerpoint or slideshow that could highlight individual properties. All agreed that permission would need to be obtained from landowners prior to placing anything on the website. Ms. Teetor asked that members look at the site on their own and provide additional feedback on the content.

**c. Holscher off-site drainfield** – Ms. Teetor provided an update stating that the health department had approved the drainfield location requested by Mr. Holscher. Mr. Mitchell, County Attorney, suggested that the Deed of Easement be amended to reflect the addition of the drainfield and that he review the proposed Deed of Easement for the drainfield. This will be completed in September.

**Easement Donation/Purchase**

**Donation** – Staff reported that the Board of Supervisors approved the easement donation at their meeting yesterday. Recordation will likely take place in mid-August.

**Purchase**

On motion of Ms. Mackay-Smith, 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 Ms. Mackay-Smith, seconded by Mr. Engel, the Authority unanimously approved reconvening in Open Session. Ms. Mackay-Smith moved, seconded by Ms. Wallace, to certify that to the best of the member’s knowledge:

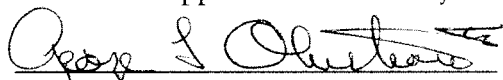
- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
- (ii) only such public business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


Ms. Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Aye	Mr. Buckley	Absent
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 authorize staff to request development of a full appraisal from Wesley Woods for the Chapman Farm.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Thomas seconded that the Authority cancel the August meeting and adjourn to Wednesday 25 September 2013 at 4:00 pm. The motion was approved unanimously.

  
 George L. Ohrstrom II, Chair

  
 Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 25 September 2013**

A regular meeting of the Conservation Easement Authority was held at 4:00 pm on Wednesday, 25 September, in the A/B Conference Room, 2<sup>nd</sup> Floor Government Center.

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

**Absent:** G. Ohrstrom, W. Thomas

**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 Ms. Wallace, the Authority unanimously approved the agenda.

**Minutes** On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously voted to approve the minutes of July 17, 2013 as amended.

**Discussion: Powhatan School Crocker Conservancy future improvements**

Kit McGinnis, Development Director at Powhatan School was in attendance and gave a powerpoint presentation that described where the school was in the management plan process and future plan ideas for the easement property. A copy of the Natural Resource Management Plan developed by Brian Morse with the Virginia Forestry Management Group was included in the packet. Authority members commended the school for developing such a detailed and forward thinking plan. Ms. McGinnis explained that the school has cleared a 6 acre area to plant a warm season grass and wildflower meadow and created trails throughout 20 acres of the property. Additional improvements include restoration of the wetlands with federal grant funds and clearing the scrubby understory in the one mature hardwood area on the property. In addition to the habitat improvement the school would like to build structures to increase the educational value of the property. She explained that the school wanted to discuss these proposed improvements with the Authority in order to insure compliance with terms of the easement. These improvements include:

- 1) adding gravel to the new road
- 2) entrance signs to the trail and along the trail
- 3) one to two pavilions
- 4) an equipment shed
- 5) a wetlands board walk for scientific study
- 6) a natural amphitheater
- 7) a small set of stairs into the Roseville Run as a point of entry for students
- 8) a low ropes course and a potential zip line, which would have minimal impact on existing trees.

Ms. McGinnis specifically asked if concrete floors for structures would be permitted. Members discussed the proposals and asked staff to get an opinion from attorney Bob Mitchell to see what improvements would be in compliance with the terms of the easement.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$7,333.51 as of 30 August 2013. The Local Government Investment Pool (LGIP) account balance was \$55,550.02 as of 30 August 2013. On motion of Mr. Engel, seconded by Mr. Buckley the Authority unanimously voted to approve payment of \$1,193.89 to Kate Petranech for the summer newsletter production and data maintenance. On motion of Ms. Wallace, seconded by Mr. Weiss the Authority voted unanimously to approve payment of \$1,500 to the Downstream Project for the website redesign.

**Stewardship Fund:** The stewardship fund balance as of 30 August 2013 was \$36,624.18.

**Checking account audit – Tom Judge, Director of Finance**

Mr. Judge included a memo in the packet describing the need to close the Bank of Clarke County checking account and merge the proceeds with the Easement Authority County account. He explained that all county funds need to be included in the audit and purchases need to follow procurement rules, both of which will be easier to manage if all donated funds are incorporated into the County system. After discussion, on motion by Mr. Buckley, seconded by Mr. Weiss, the Authority voted to approve merging the assets of the Authority checking account with the Conservation Easement Fund managed by the County effective January 1, 2014. It was agreed that the LGIP accounts could be maintained as separate accounts.

Mr. Weiss left the meeting at 5:20 pm.

**Report on status of the Campaign for the Authority**

Ms. Petranec provided a report that was included in the packet. Highlights included the increase in donations by approximately 25% compared with this time last year. The BB&T credit card account was closed and replaced by the square reader. The square reader is a device that can plug into a computer or cell phone and you can swipe or enter credit card information directly and the donation is automatically transferred to the bank account. The charge is 2.75% of the transaction amount so it is expected to save approximately \$16/month as compared to the BB&T credit card account. The fall newsletter will be included in the tax bills as usual, since we will be closing on another Moore & Dorsey easement, Ms. Petranec is hoping to interview Tupper Dorsey for the lead story.

**Discussion**

**a. Text amendment – Maximum Lot Size Exception, DUR retirement** – Mr. Stidham reported that the Planning Commission will hold a Public Hearing on the proposed text amendment at their October 4 meeting. It will then move on to the Board of Supervisors and should be adopted at the November Board meeting.

**b. Website revamp – Downstream Project proposal** The new website is up and running, and to date Downstream has been updating and adding content. The next step is to have staff trained to add content. Training will occur in the next month.

**c. L. Thomas building envelope** - The easement authority accepted an easement donation on 4 parcels owned by Linda Thomas in Calmes Neck in 2007. Building envelopes were identified on 3 of the 4 properties to direct construction away from the river, a natural area, and steep slopes on the property. Ms. Thomas is selling property and a buyer has a contract on Parcel 31-((1))-81A that consists of 19 acres with 1 DUR. The building envelope was included on the plat recorded with the Deed of Easement, and in order to verify the location of this envelope the owner hired Stuart Dunn to survey and stake the building envelope location. When staking in the field the envelope extended down the slope and beyond the intent to locate the house on a knoll. As proposed the building footprint extends just beyond the envelope but in staff's opinion is within the intent of the Authority. On motion of Mr. Engel, seconded by Ms. Wallace the Authority voted to approve the location of the house and revise the building envelope to more accurately reflect the intent of the Authority to keep structures off of the slopes above the River. In addition, members discussed the need to develop a more formal policy regarding building envelopes that would include GPS locations and other recommendations as suggested by the Virginia Outdoors Foundation.

**d. Anne McDonald – request to cede easement to Virginia Outdoors Foundation**

The Clarke County Easement Authority accepted an easement donation from Anne McDonald in 2007. Donna Haynes is an adjacent property owner whose land is held in easement with the Virginia Outdoors Foundation (VOF). Ms. McDonald is interested in purchasing a 50 acre portion of Ms. Haynes property and merging it in with her existing property. Due to the amount of acreage, VOF would prefer to hold the easement on the McDonald property and then allow the boundary line adjustment. On motion of Ms. Wallace, seconded by Mr. Engel the Authority approved the reassignment of the Conservation Easement donated by Anne McDonald to the Virginia Outdoors Foundation.

**Easement Donation/Purchase**

**Donation – Huntfish Company, L.C. -** Huntfish Company L.C. (James Turner, president) has applied to the easement authority for approval of an easement donation. The properties are located on the west side of Mount Carmel Road in the 2500 block of Calmes Neck Lane. The property is vacant, consisting of 4 parcels totaling 472 acres with a total of 16 DUR’s. The applicant would retire 11 of the 16 DURs. On motion of Mr. Engel, seconded by Mr. Buckley the Authority gave preliminary approval of the donation request and will schedule a site visit prior to the next meeting.

**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 Ms. Wallace, 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:

- (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

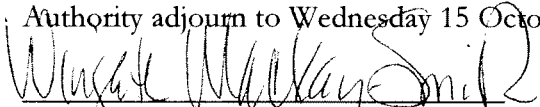
Meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

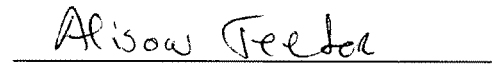
Ms. Mackay-Smith	Aye	Mr. Weiss	Absent	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Absent	Mr. Buckley	Aye
Mr. Ohrstrom	Absent				

The following actions were taken subsequent to the Closed Session:

On motion of Mr. Engel, seconded by Ms. Wallace, the Authority unanimously voted to give preliminary approval for the DUR purchase application of Frank Piepenhagen and schedule a site visit.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 15 October 2013 at 4:00 pm. The motion was approved unanimously.

  
Wingate Mackay-Smith, Vice-Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 15 October 2013**

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

**Present:** G. Ohrstrom, W. Mackay-Smith, L. Wallace, P. Engel (arr. 4:10), D. Weiss  
**Absent:** W. Thomas, R. Buckley  
**Staff:** A. Teetor  
**Call to Order :** Mr. Ohrstrom called the meeting to order at 4:00 p.m.

**Agenda** On motion of Ms. Mackay-Smith, seconded by Mr. Weiss, the Authority unanimously approved the agenda.  
**Minutes** On motion of Mr. Weiss, seconded by Ms. Wallace, the Authority unanimously voted to approve the minutes of September 25, 2013.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$6,423.56 as of 30 September 2013. The Local Government Investment Pool (LGIP) account balance was \$55,554.91 as of 30 September 2013. On motion of Ms. Mackay-Smith, seconded by Ms. Wallace the Authority unanimously voted to approve payment of \$1,952 to Kate Petranech for the quarterly fee.

**Stewardship Fund:** The stewardship fund balance as of 30 August 2013 was \$36,627.42. Ms. Teetor was pleased to report that the Authority was awarded an additional \$18,513.59 from the Virginia Land Conservation Board for the stewardship fund.

**Report on status of the Campaign for the Authority**

Ms. Petranech stated that an increase in donations is anticipated with the mailing of the fall newsletter which was included in the County tax bills. The newsletter lead story is a great interview with Tupper Dorsey. She also stated that the Authority received another transfer tax payment of \$1,350 from the sale of land donated by James Turner.

**Discussion**

**a. Powhatan School Crocker Conservancy future improvements**

At the last meeting, Kit McGinnis, Development Director at Powhatan School was in attendance and gave a powerpoint presentation that described where the school was in the management plan process and future plan ideas for the easement property. Staff was asked to get an opinion from attorney Bob Mitchell to see what improvements would be in compliance with the terms of the easement. Ms. Teetor provided a summary of her discussion with Mr. Mitchell, which included his recommendations as to compliance with the easement. All requested improvements with the exception of the ropes course and zip line were determined compliant. After discussion members agreed to ask staff to discuss the approval with Ms. McGinnis and if agreeable place on the Board consent agenda for their approval.

**b. Text amendment – Maximum Lot Size Exception, DUR retirement** – The Board of Supervisors will hold a Public Hearing on the proposed text amendment at their November 17<sup>th</sup> meeting.

**c. L. Thomas building envelope** – no report

**Easement Donation/Purchase**

**Donation – Huntfish Company, L.C.** - Huntfish Company L.C. (James Turner, president) has applied to the easement authority for approval of an easement donation. The properties are located on the west side of Mount Carmel Road in the 2500 block of Calmes Neck Lane. A site visit was

completed on October 15<sup>th</sup>. The applicant submitted general information about potential building envelope locations. Members discussed the application and postponed further action until more specific information on the building envelopes is available.

**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. Ms. Wallace moved, seconded by Ms. Mackay-Smith, 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:

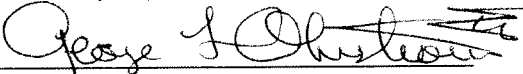
Ms. Mackay-Smith	Aye	Mr. Weiss	Aye	Ms. Wallace	Aye
Mr. Engel	Aye	Ms. Thomas	Absent	Mr. Buckley	Absent
Mr. Ohrstrom	Aye				

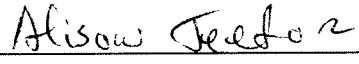
The following actions were taken subsequent to the Closed Session:

On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously voted to give final approval, and directed staff to offer \$25,000 for the DUR purchase application of Frank Piepenhagen.

<sup>Weiss</sup>  
**Other** Mr. ~~Weiss~~ asked if the meeting time could be changed to morning rather than afternoon beginning in January 2014. Staff was directed to poll all members to see if 10 am on the third Thursday of the month was agreeable.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 20 November 2013 at 4:00 pm. The motion was approved unanimously.

  
George L. Ohrstrom, II, Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 20 November 2013**

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

**Present:** G. Ohrstrom, W. Mackay-Smith, L. Wallace, P. Engel, D. Weiss, W. Thomas, R. Buckley  
**Absent:** No one  
**Staff:** A. Teetor, Brandon 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. Engel, seconded by Ms. Mackay-Smith, the Authority unanimously voted to approve the minutes of October 15, 2013, with corrections.

**Discussion - Powhatan School – proposed improvements – ropes course**

In September, Kit McGinnis, Development Director at Powhatan School was in attendance and gave a powerpoint presentation that described future plan ideas for the easement property. At the last meeting staff provided a summary of the recommendations of attorney Robert Mitchell as to compliance with the deed of easement. All requested improvements with the exception of the ropes course and zip line were determined compliant. Upon discussion with Ms. McGinnis, she requested another meeting with the authority to further explain the intent of the ropes course as it pertains to environmental education. Ms. McGinnis explained that the ropes course was intended to enhance environmental leadership and team building. Included with the course design would be a zip line and climbing wall. She also stated that the course would only be used for Powhatan students, parents, and benefactors of the school and would not be made available to the general public. Members discussed the proposal and agreed that the intent presented today appeared more in keeping with the easement objective of enhancing environmental education. Previous discussions had represented the course as an opportunity for generating revenue. On motion of Ms. Thomas, seconded by Mr. Engel members voted to amend the previous approval provided that the use was restricted to students, parents, and benefactors. Staff was directed to draft a letter outlining the requirements for the Chairs signature.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$5,077.67 as of 31 October 2013. The Local Government Investment Pool (LGIP) account balance was \$55,560.33 as of 31 October 2013. On motion of Ms. Mackay-Smith, seconded by Ms. Wallace the Authority unanimously voted to approve payment of \$2,140.10 to Kate Petranech for the reimbursement for production of the Fall newsletter, solicitation mailing, and stationary. On motion of Mr. Buckley, seconded by Ms. Thomas, approved payment of \$500 to Myers and Woods for the revision to the Arkfeld appraisal; and on motion of Ms. Wallace, seconded by Ms. Thomas, approved payment of \$200 to Shenandoah Title Services for a title search of the Playgarden property. Since an easement was never recorded on this property staff was directed to ask the property owner for reimbursement.

**Stewardship Fund:** The stewardship fund balance as of 31 October 2013 was \$36,631.02. This does not reflect the additional awarded of \$18,513.59 from the Virginia Land Conservation Board.

## **Report on status of the Campaign for the Authority**

Ms. Petranech provided an updated fund raising results. She stated that an increase in donations is anticipated with the mailing of the fall newsletter which was included in the County tax bills. She also stated that her contract is ending in April and she will not be renewing due to personal reasons. She thanked the Authority for the opportunity to work with them and everyone agreed that it had been very successful. She agreed to help identify people that would potentially take on the continued work. Members expressed gratitude for her years of service, professionalism, and expertise.

## **Discussion**

**d. Text amendment – Maximum Lot Size Exception, DUR retirement** – The Board of Supervisors approved the text amendment at their November 17<sup>th</sup> meeting.

**e. L. Thomas building envelope** – staff provided a plat showing the revised building envelope, Ms. Teetor will work with Mr. Mitchell to develop a deed of amendment for presentation to the Authority at the December meeting. Staff brought up another item related to this property. She had been contacted by the title company about another lot in this property. They had read the Deed provision that requires notification of the Authority in the event the property transfers. They requested the Chair to sign a short document acknowledging the notification of transfer. After discussion members directed staff to send the document as a template to all title companies to see if a similar notification could be provided.

**f. Change LGIP accounts to Bank of Clarke** – Ms. Teetor explained that the LGIP account is currently earning .115% interest. When the account was opened several years ago they had the best available interest rate. In speaking with the Treasurer, Sharon Keeler, she explained that the Bank of Clarke County was now offering a money market account with a .4% interest rate. Staff recommended that the LGIP accounts be transferred to the Bank of Clarke. On motion of Ms. Mackay-Smith, seconded by Ms. Thomas, the Authority approved the recommendation.

## **Easement Donation/Purchase**

### **Donation**

**c. Huntfish Company, L.C.** - Mr. Turner contacted staff to explain that due to a death in the family they would wait to complete the easement until after the first of the year.

**d. Barbara Schirmacher** - Barbara Schirmacher has applied to the easement authority for approval of an easement donation. The property located on the west side of Tilthammer Mill Road approximate ½ mile north of the intersection of Tilthammer Mill and Millwood Rd at 476 Tilthammer Mill Road. The property consists of 14.9 acres has an existing house and no additional DURs. The parcel is zoned AOC and is in use value taxation, therefore it is required to meet 2 of 4 criteria which it does, the property resource score was 43.77, points were given for being adjacent to an existing easement (Burwell-Van Lennep) and frontage on a scenic byway (Tilthammer Mill Rd). The property is not over 40 acres there are no additional DUR's to retire. The property owner has requested consideration for an easement donation primarily to be able to retain land use taxation should she decide to stop farming. On motion of Mr. Engel, seconded by Ms. Thomas members voted to give preliminary approval for the easement donation and schedule a site visit.

### **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. Ms. Wallace moved, seconded by Ms. Mackay-Smith, 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:


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

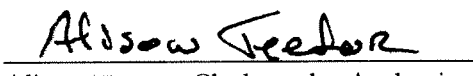
The following actions were taken subsequent to the Closed Session:

On motion of Ms. Wallace, seconded by Mr. Weiss, the Authority unanimously voted to give final approval, and directed staff to offer \$25,000 for the DUR purchase application of Frank Piepenhagen.

**Other** Mr. Wiess asked if the meeting time could be changed to morning rather than afternoon beginning in January 2014. After discussion members agreed to change the regular meeting time to 10 am on the third Thursday of the month.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Wednesday 18 December 2013 at 4:00 pm. The motion was approved unanimously.

  
George L. Ohrstrom, II, Chair

  
Alison Teetor, Clerk to the Authority

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**Minutes – 18 December 2013**

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

**Present:** G. Ohrstrom, W. Mackay-Smith, P. Engel, D. Weiss, W. Thomas, R. Buckley  
**Absent:** L. Wallace (by phone)  
**Staff:** A. Teetor, Brandon 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. Weiss, the Authority unanimously approved the agenda.  
**Minutes** On motion of Mr. Engel, seconded by Ms. Thomas, the Authority unanimously voted to approve the minutes of November 20, 2013, with corrections.

**Bank Account:** Ms. Teetor reported the monthly bank statement for the Bank of Clarke County showed a balance of \$4,512.57 as of 30 November 2013. The Local Government Investment Pool (LGIP) account balance was \$55,565.02 as of 29 November 2013. On motion of Mr. Buckley, seconded by Ms. Thomas, the Authority unanimously voted to approve payment of \$2,292.20 to Kate Petranech for her quarterly payment, reimbursement for the end of year appeal, and database maintenance.

**Stewardship Fund:** The stewardship fund balance as of 29 November 2013 was \$36,634.12. This does not reflect the additional awarded of \$18,513.59 from the Virginia Land Conservation Board.

**Report on status of the Campaign for the Authority**

Ms. Petranech provided a report detailing the fund raising results to date. She stated donations were down from last year at this time after the fall newsletter mailing. She is hopeful that end of year appeal letters will bring us up to previous year's levels. She told the Authority she would be away for the month of January, but if necessary, Jennifer Lee could provide a report as she has been compiling the donation data.

**Discussion**

- a. **L. Thomas building envelope** – staff is working with Mr. Mitchell to develop a deed of amendment but this was not available for today's meeting.
- b. **Letter to Powhatan School** – At the November meeting staff was directed to draft a letter outlining the requirements for the proposed improvements for the Chairs signature. A draft was prepared and distributed in the packet. Members discussed the need to strengthen the letter to indicate that improvements outlined in the letter would be the maximum development permitted on the easement property in order to protect the conservation values. On motion by Mr. Weiss, seconded by Mr. Engel, members voted to authorize the chair to sign a revised letter reflecting the discussion as outlined above.
- c. **Robina Bouffault – request for reassignment of easement** – Ms. Bouffault owns a 51 acre property that is currently held in Virginia Outdoors Foundation (VOF) easement. She would like to amend her Deed of Easement to strengthen the restrictions and is asking the Easement Authority to hold or co-hold the amended easement. She was in attendance at the meeting and expressed concern regarding another VOF easement where a commercial dog kennel is proposed and has been permitted by VOF. Mr. Ohrstrom stated that he had discussed the issue with the new VOF director who said that kennels are

permitted as so many of their eased properties have kennels that house fox hounds for the hunt. Ms. Bouffault opined that there should be a distinction between commercial and hunt kennels. After discussion, members directed staff to draft a letter for the Chair’s signature disagreeing with VOF’s opinion that the proposed kennel should be allowed on eased property. Members also agreed to consider a co-hold of Ms. Bouffault’s easement and asked her to prepare a draft for review at the next meeting.

**d. Solicitation Letter** - Ms. Teetor stated that a request for 2014 Farm and Ranchland Protection grant applications was received. In order to solicit applications, a letter was sent to approximately 150 landowners with properties that have a minimum of 50% important farmland soils. A copy of the letter was included in the packet.

**e. Letter to Jeff Digges** – The Easement Authority co-holds an easement on Greenway Court with the Department of Historic Resources. The Historic Preservation Commission has been working with Mr. Digges for many years to insure the stabilization of the carriage house, smoke house, and land office. Funding of these efforts has been provided in part by Certified Local Government (CLG) grants. Current grant applications require the land owner to sign the application and agree to maintenance. A grant application was submitted last year for to obtain funds for replacing the roofs on the land office and smokehouse, at that time Mr. Digges refused to sign off and stated that he would complete the work himself. Due to the estimated expense of replacing the roofs (\$30,000-50,000) a letter was sent to Mr. Digges from the Chair requesting his cooperation with future grant applications.

**Easement Donation/Purchase**

**Donation**

**a. Barbara Schirmacher** – The easement donation for Ms. Schirmacher was preliminarily approved at the last meeting and a site visit was conducted on December 4<sup>th</sup>. On motion of Mr. Engel, seconded by Mr. Buckley members voted to give final approval for the easement donation.

**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. Weiss, 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:

(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:

Ms. 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. Buckley, the Authority unanimously voted to give final approval, and directed staff to draft a purchase offer for the Chair’s signature, for \$27,500, less the amount deducted based on the adjusted gross income, for the DUR purchase application of Patricia Harper.

On motion of Mr. Buckley, seconded by Mr. Engel, the Authority unanimously voted to give preliminary approval, and schedule a site visit for the DUR purchase application of Susan Bailey.

**Other** Mr. Weiss had suggested at the last meeting that the time for the monthly meetings be changed to morning rather than afternoon beginning in January 2014. After discussion members agreed to change the regular meeting time to 10 am on the third Thursday of the month.

**Adjournment** There being no further business, Mr. Engel moved and Ms. Wallace seconded that the Authority adjourn to Thursday 16 January 2014 at 10:00 am. The motion was approved unanimously.

  
George L. Ohlstrom, II, Chair

  
Alison Teetor, Clerk to the Authority