

CLARKE COUNTY
Conservation Easement Authority
THURSDAY – 18 March 2021 – 10:00 am
A/B & Main Conference Room, 2nd Floor Government Center

AGENDA

1. Approval of Agenda
2. 2020 Land Conservation Award Ceremony – Gene Lewis, Shenandoah University & Tom Gilmore, American Battlefield Trust for preservation of the Cool Spring Battlefield
3. Approval of Minutes of the meeting of 21 January 2021
4. Bank Account balances
5. Campaign for the Authority
6. Easement Donation/Purchase
 - a. Doris Stimpson – new application – easement donation
 - b. Lowell Pratt – donation – draft deed provided, approved by BOS
 - b. Wiseman – donation – approved by BOS
 - c. RSP Enterprises – deed sent to NRCS for final approval
 - d. Blue Ridge Hunt – should close this year
 - e. Staley – attorney reviewing deed
7. Discussion
 - a. Suzanne Piscitelle – request for easement donation
 - b. 2021 Easement Solicitation
 - c. VOF new deed template
8. Adjournment - next meeting – Thursday April 15th 10 am

CLARKE COUNTY
Conservation Easement Authority
Minutes – 21 January 2021

A regular meeting of the Conservation Easement Authority was held at 10:00 am on Thursday 21 January 2021, in the A/B/Main conference room, 2nd Floor Government Center.

Present: P. Engel, R. Buckley R. Bacon, M. Jones, Terri Catlett
Absent: G. Ohrstrom, W. Thomas
Staff: A. Teetor, R. Couch Cardillo

Call to Order: Alison Teetor, Clerk to the Easement Authority, called the meeting to order at 10:00 a.m.

Election of Chairman, Vice Chairman, and Treasurer

Ms. Teetor asked for nominations of Chairman to the Authority. Ms. Jones nominated Mr. Buckley for the position of Chairman for 2021, Ms. Bacon seconded. The Authority voted unanimously to elect Mr. Buckley as Chairman of the Authority for 2021.

Mr. Buckley asked for nominations of Vice Chairman to the Authority. Ms. Bacon nominated Mr. Ohrstrom for the position of Vice Chairman of the Authority for 2021, Ms. Jones seconded. The Authority voted unanimously to elect Mr. Ohrstrom as Vice Chairman of the Authority for 2021.

Mr. Buckley asked for nominations of Secretary/Treasurer to the Authority. Ms. Bacon nominated Mr. Engel for the position of Secretary/Treasurer for the Authority for 2021, Ms. Jones seconded. The Authority voted unanimously to elect Mr. Engel as Secretary/Treasurer of the Authority for 2021.

Agenda On motion of Ms. Jones, seconded by Mr. Engel, the Authority unanimously approved the agenda with the addition of a discussion of the proposed changes to the Virginia Outdoors Foundation minimum deed terms.

Minutes On motion of Ms. Jones, seconded by Ms. Bacon, the Authority unanimously voted to approve the minutes of December 22, 2020 with corrections.

Bank Account: Ms. Teetor reviewed the financial spreadsheets. Current fund balances show a total fund balance of \$342,236 consisting of \$96,205 in the donations account, \$222,515 in stewardship/restricted, and \$23,515 in local funds. Ms. Teetor stated that the attorney's fees and the publication of the year end news appeal letter were the major expenses in December. Mr. Buckley commented that there was significant revenue from roll back tax in 2020 – nearly \$30,000. This could be attributed to an increase in land sales.

Public Relations: Ms. Cardillo stated there was a total of \$35,098 in donations from 199 donors. Mr. Buckley commended Ms. Cardillo on her great work at fundraising and keeping the Authority and the program in the public eye. Ms. Cardillo also discussed the 2020 Conservation Award. Members agreed to the awarding the American Battlefield Trust (formally the Civil War Trust) and Shenandoah University for their preservation of the Cool Spring Battlefield, Shenandoah University River Campus. Staff has contacted Gene Lewis, Manager for the Cool Spring Campus, and Tom Gilmore, Chief Real Estate Officer, for the American Battlefield Trust, who was instrumental on acquiring the River campus property and the Holy Cross Abbey portion of the Battle. A representative from the University and the Trust will be present at the February meeting to receive the award. Regarding the photo contest, approximately 25 persons submitted photos, Ms. Cardillo will schedule the judging and it is hoped that the winning photographs can be displayed in some fashion. Members suggested an article in Clarke Monthly as event

centers or other venues are still limited due to COVID. An article in the Clarke Monthly can provide good PR for the program. She is also working on the winter newsletter. Articles will include the Land Conservation Award, potentially the policy on retaining DUR's and the summer internship.

Report on Applications for Easement Purchase/Donation

a. Lowell Pratt – Mr. Pratt has applied to the easement authority for approval of an easement donation. The properties are located at 2683 Mt. Carmel Road approximately 6/10 of a mile north of the intersection with Calmes Neck Lane. There are 4 parcels totaling 148 acres with 11 DURs. At the December meeting staff was directed to encourage the applicant to retain 2 DURs considering the size of the property and the potential need for a caretakers house or other such secondary dwelling. Ms. Teetor reported that the applicant would like to retain 2 DUR's therefore retiring 9 of the 11 remaining DURs. A site visit was conducted January 19th. On motion of Ms. Jones, seconded by Ms. Bacon members gave final approval for the easement donation and recommended approval to the Board of Supervisors.

b. Tom Wiseman – applied to the easement authority for approval of an easement donation. The property consists of approximately 29 acres. The property is the point of land where Millwood Road meets Route 50. The parcel has an existing house built in 2007 and 1 remaining DUR. The applicant would like to retire the remaining DUR. A site visit was conducted on January 19th. On motion of Mr. Engel, seconded by Ms. Bacon members gave final approval for the easement and recommended approval to the Board of Supervisors.

c. RSP Enterprises – deed sent to NRCS for final approval

d. Blue Ridge Hunt – Anne McIntosh stated that they plan to record in 2021.

e. Kohn property update – Ms. Teetor reported that well has been installed and Broy and Son has completed the waterline installation and connection. To date \$24,726 has been spent on the well and septic improvements. Ms. Teetor explained that the only other thing that might be needed is a hot water heater as the one there is very old. Ms. Jones suggested a tankless hot water heater be considered. Mr. Engel suggested that a sediment filter be added to the waterline. Members also suggested that the Clarke County Easement Authority be recognized in any literature placed in the Cabin as a partner. Ms. Teetor said she would suggest this to the PATC.

Discussion – VOF Deed Template change – Ms. Teetor explained that she had received an email from the Piedmont Environmental Council stating that the VOF board was considering changing their deed template to mandate protection for conservation values identified by the Conserve Virginia database. She went onto explain that the Conserve Virginia database was an initiative developed by Governor Northam to help identify conservation values of properties statewide. The deed template would then mandate protection of these values by requiring stream fencing, repairs to historic homes would need to follow secretary of the interior standards for renovation or additions, and other such requirements. Though these are reasonable ideas in practice these restrictions may deter people from placing land in easement reducing the amount of protected open space. In addition, the database itself has errors including misclassification of important farmland and scenic byways. Ms. Teetor asked member to make a motion allowing her to submit a comment to oppose the incorporation of Conserve Virginia minimum deed terms

into the VOF deed template. On motion of Ms. Bacon, seconded by Mr. Engel members approved the request.

Adjournment There being no further business, Ms. Bacon moved and Mr. Engel seconded that the Authority adjourn the meeting. The next meeting is scheduled for Thursday February 18th at 10:00 am. The motion was approved unanimously.

Randy Buckley, Chair

Alison Teetor, Clerk to the Authority

Fund 235 - Conservation Easement Balances

	Total Fund Balance	Donations	Stewardship/Restricted Funds Account	Local Funds
SOY FY20 -	278,893	83,736	195,156	1
Fiscal Year 2021				
July Rev/AR		1,025	166	0
July Exps/AP		0	0	0
Aug Rev/AR		325	166	-2,058
Aug Exps/AP		-730	-2,045	5,039
Sept Rev/AR		4,562	121	0
Sept Exps/AP		-2,551	-675	0
Oct Rev/AR		1,060	-2,625	-790
Oct Exps/AP		-1,868	46,938	803
Nov Rev/AR		6,255	-880	-208
Nov Exps/AP		-880	0	22,496.74
Dec Rev/AR		7,302	-14,399	-1,150
Dec Exps/AP		-1,983	-11,277	1,177
Jan Rev/AR		7,585	-11,277	0
Jan Exps/AP		-320	0	0
Feb Rev/AR		140	0	0
Feb Exps/AP		-705	0	0
YTD Rev/AR	105,160	28,253	47,390	29,516
YTD Exps/AP	44,882	9,036	31,021	4,825
Adjustments	0	0	0	0
YTD FUND BALANCE (AR & AP)	339,171	102,953	211,526	24,692

Anticipated Easement Closings:
Smithfield Farm TBD

ESTIMATED YTD FUND BALANCE

339,171

102,953

211,526

24,692

FY21 Expenditure Appropriations	Appropriated	Actual Expenses	Appropriated Balance Remaining
General Expenses	45,000	44,882	118
Smithfield Farm	569,029		569,029
	614,029	44,882	0

Clarke County:
Includes expenses not specifically designated to an easement (including donation, stewardship and monthly Hall, Monahan expenses).

Emily Johnson:
Land Use Rollback Tax- \$5,039.31

Emily Johnson:
CE Stewardship annual state funds 803

Emily Johnson:
Land Use Rollback Tax- \$802.74

Emily Johnson:
Land Use Rollback Tax- \$22,496.74

VDACS
75,738.77 Expires 06/30/2021 (FY2019)
58,333.00 Expires 12/31/2021 (FY2020)
134,071.77
-61,827.10
72,244.67 AVAILABLE Estimated YTD BALANCE-VDACS

Donations

Stewardship

Local Funds

	Donations	Stewardship	Local Funds
July	0.00	0.00	0.00
August	250.00 Ellen Shepard - Annual VA Land Conservation 480.00 Robin Cardillo Services for CEA July	1,400.00 Jessica Crandell-Inspections 158.70 Jessica Crandell-Mileage 136.68 Jessica Crandell-Mileage 350.00 Larry Royston Septic Service - Labor	2,057.50 Hall, Monahan, Engle-Legal svcs for July 2020
Sept	730.00 450.00 Gloria Marconi Summer newsletter 960.00 Robin Cardillo Services for CEA August 195.00 Winchester Printers - envelopes 936.07 Winchester Printers Summer printing newsletter 9.50 Purchase Power Postage	2,045.38 675.00 Dunn Land Surveys - Service	2,057.50 620.00 Hall, Monahan, Engle-Legal svcs for Aug 2020
Oct	2,550.57 560.00 Robin Cardillo Services for CEA September 350.00 Gloria Marconi Design&Prod 2020 CEA Photo 450.00 Gloria Marconi Fall newsletter 507.71 Winchester Printers CEA printing services	675.00 1,550.00 Greenway Engineering Services 1,075.00 Clarke County HD Permits	620.00 790.00 Hall, Monahan, Engle-Legal svcs for Sept 2020
Nov	1,867.71 880.00 Robin Cardillo Services for CEA October	2,625.00	790.00 207.50 Hall, Monahan, Engle-Legal svcs for Oct 2020
Dec	880.00 200.00 Gloria Marconi end of year letter 960.00 Robin Cardillo Services for CEA 822.92 Winchester Printers CEA printing services	0 2,500.00 Martins Pumping Service Septic 11,299.00 Sinhas and michael Corp Well 600.00 Ben Sprouse Easement Insp	207.50 1,150.00 Hall, Monahan, Engle-Legal svcs for Nov 2020
Jan	1,982.92 320.00 Robin Cardillo Services for CEA	14,399 7,277 Broy&son Pump Service-Water 4,000 Myers & Woods Appraisal Kohn	1,150.00
Feb	320.00 704.90 Robin Cardillo Services for CEA	11,277	0.00
YTD Totals	Donations 9,036	Stewardship 31,021	Local Funds 4,825



R O B I N C O U C H C A R D I L L O

March 12, 2021

Clarke County Conservation Easement Authority
Fundraising Report
March 2021 meeting

Donor Statistics

See attached Master Report

- Revised year-end total: \$36,822 from 209 donations (added PayPal and early Jan donations)
- 2021 total: \$1,709 from 14 donations

Ongoing

-Wingate Mackay-Smith Land Conservation Award

- Cool Spring Battlefield to be recognized at March Authority meeting, with guests Gene Lewis from Shenandoah University and Tom Gilmore from American Battlefield Trust (interviewed and photographed Gene at Cool Spring for winter newsletter)

-Update on Snapshot in Time Photo Contest – Pandemic Photography

- Ken Garrett selected 3 top winners and 15 Honorable Mentions; in the process of releasing names and photos (will show slide show of photos at meeting if time allows)
- Ken asked if we were planning an opening to showcase the winners; let's discuss

-Spring newsletter

- Time to feature Smithfield Farm?

MEMORANDUM

TO: Conservation Easement Authority
FROM: Alison Teetor
DATE: February 8, 2021
SUBJECT: Application for Donation – Doris Stimpson – TM# 29-3-8

Doris Stimpson has applied to the easement authority for approval of an easement donation. The property consists of approximately 25 acres. The property is located at 304 Nelson Road directly across from Long Branch. The parcel has an existing house built in 1997 and 1 remaining DUR. The applicant would like to retire the remaining DUR.

The parcel is zoned AOC and is in land use. Therefore the following guidelines for accepting properties for easement purchase are used:

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

The Authority requires that a property meet at least two of the four guidelines for acceptance.

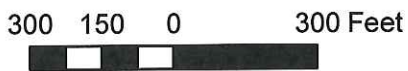
The property meets 3 of the 4 criteria by scoring over 35, being next to an adjacent easement, and giving up 1 DUR. The parcel is less than 40 acres. The property resource score is 50.56, points were given for retiring 1 DUR, being next to an existing easement (Long Branch, Wally Brewer), and having frontage on a scenic byway.

Recommendation: Give preliminary approval for the easement donation and schedule a site visit.



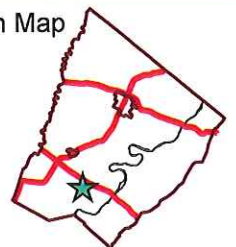
Doris Stimpson
 TM# 29-3-8
 24.848 acres, 1 ext. dwl., 1 DUR

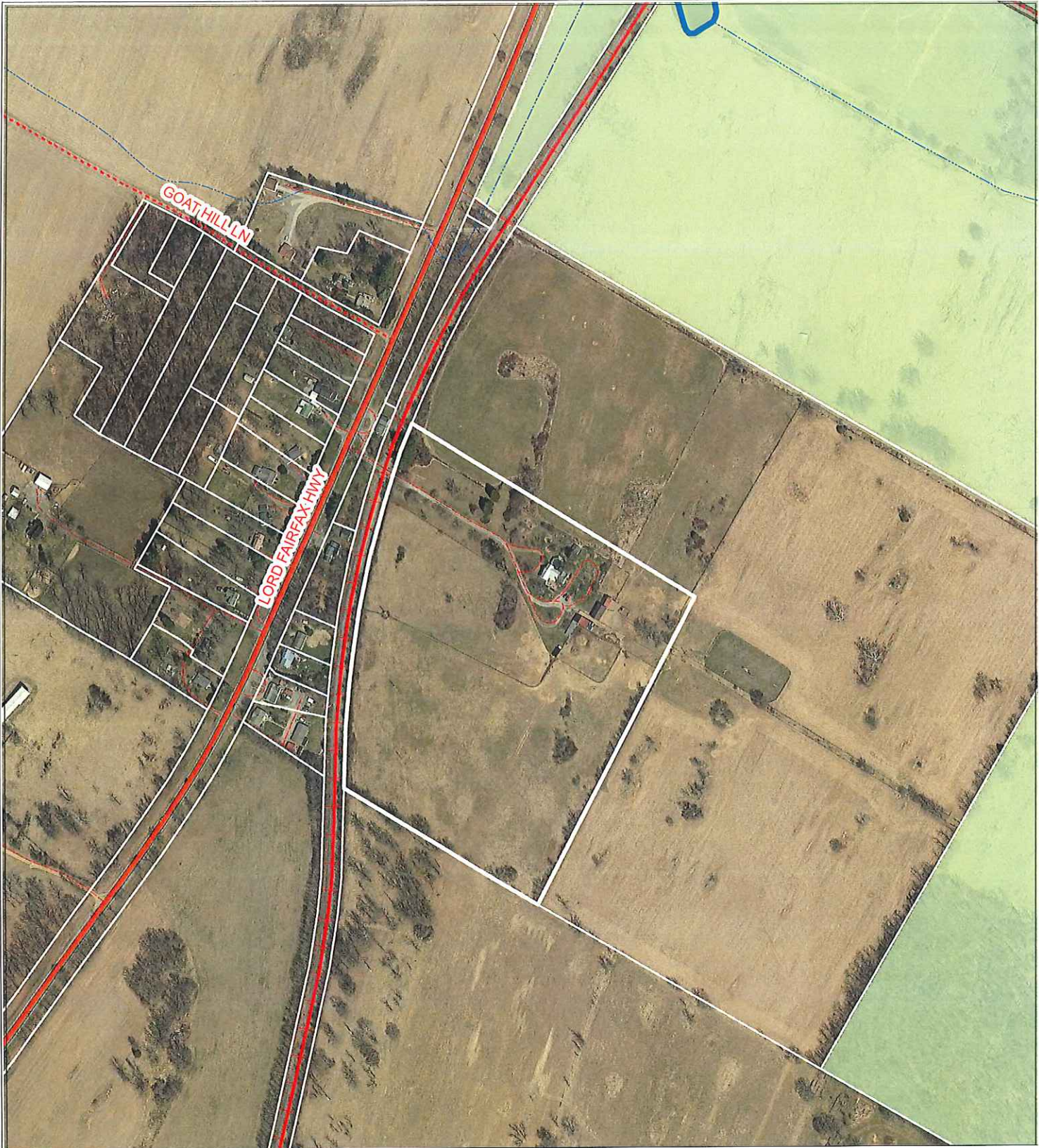
Clarke County GIS
 February 8, 2021



- | | |
|---------------------|--------------|
| Intermittent Stream | Public Road |
| Perennial Stream | Private Road |
| Scenic Byway | Railroad |

Location Map

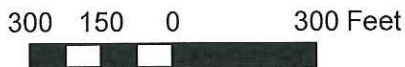




Suzanne Piscitelle
 TM# 23-A-1
 20.44 acres, 1 ext. dwl., 0 DURs



Clarke County GIS
 March 12, 2021



- Intermittent Stream
- Perennial Stream
- Scenic Byway
- Railroad
- Public Road
- Private Road

Location Map



CEP Scores				Piscitelle
Categories	Points	Max. Points	23-A-1	
Case Number				
Acres of Property				20.44
LESA	score/2	50		36.69
FLESA	score/2	50		
Nat. Scenic, Hist.		50		
1	DURs	5xDUR		0
2	PHS Drainage or NWI	1x2 acres		0
3	App Trail, Shen Riv, Opeq.	2x1/10 front		0
4	Peren. Stream	1x1/10 front		0
5	Peren. Spring, Sinkhole	10		0
6	End spp.	15		0
7	Prim. Hwy, scenic rd	1x1/10 front		1
8	Viewshed or slopes >25%	1x2 acres		0
9	Historic Resources			
9a	Nat'l Hist. LndMrk	20		0
9b	Nat'l Register	15		0
9c	Contrib Struct	12		12
9d	eligible structure Nat'l VDHR	9		0
9e	eligible structure CC	6		0
10	Preservation of Family Farm			
10a	> 50 yrs	10		0
10b	30-50 yrs	5		0
10c	20-30 yrs	3		0
	Total N/H/S Points Scored			13
	Total Max N/H/S Points			0
	Total with LESA/FLESA		100	49.69

Conservation Easement Authority

December 14, 2006

Karen Ewbank
6827 Lord Fairfax Highway
Berryville, VA 22611

Dear Ms. Ewbank,

I am writing on behalf of the Clarke County Conservation Easement Authority. As requested, the Easement Authority reviewed your proposal to donate an easement on your property at their meeting December 13th. Thank you for your interest in the County's program designed to promote the conservation of critical resources of the community. The Authority has established the following guidelines for evaluating and accepting properties for easement donation:

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

The Authority requires that a property meet at least two of the four guidelines for acceptance.

Unfortunately your parcel only met one, the Property Resource Score criteria of being above 35 points, and therefore the Authority was required to deny your request for donation. Should conditions change for your situation (such as an adjoining property placed in easement) or if there is a change in policy by the Authority, it would encourage you to apply for reconsideration.

I am sorry that we were not able to accommodate your request. If you have any additional questions or concerns regarding this matter please contact me at 955-5134. Again, thank you for your interest in this program.

Sincerely,

Alison Teetor
Natural Resource Planner