

CLARKE COUNTY  
Conservation Easement Authority  
THURSDAY – 18 OCTOBER 2018 - 10:00 am  
A/B Conference Room, 2<sup>nd</sup> Floor Government Center

AGENDA

1. Approval of Agenda
2. Approval of Minutes of the meetings of 20 September 2018
3. Bank Account balances
4. Campaign for the Authority
5. Easement Donation/Purchase - update
  - a. Cabell Williams – new application easement donation
  - b. Randy Sprouse – new application, DUR purchase
6. Report on Applications for Easement Purchase  
Possible Closed Session to discuss real estate  
Motion to go into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and Section 2.2-3711(A)(7) for consultation with legal counsel regarding specific legal matters requiring the providing of legal advice.
7. Other
8. Adjournment - next meeting – Thursday November 15<sup>th</sup> 10 am

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**draft Minutes – 20 September 2018** **draft**

A regular meeting of the Conservation Easement Authority was held at 10:00 am on Thursday, 20 September 2018, in the A/B conference room, 2<sup>nd</sup> Floor Government Center.

**Present:** M. Jones, G. Ohrstrom, R. Buckley, W. Thomas, B. Byrd, P. Engel  
**Absent:** R. Bacon  
**Staff:** A. Teetor, B. Stidham  
**Other:** R. Couch-Cardillo

**Agenda** On motion of Ms. Jones, seconded by Ms. Thomas, the Authority unanimously approved the agenda.

**Minutes** On motion of Ms. Thomas, seconded by Ms. Jones, the Authority unanimously voted to approve the minutes of August 16, 2018 with corrections.

**Bank Account:** Ms. Teetor reviewed the financial spreadsheets. Current fund balances show a total fund balance of \$253,153 consisting of \$64,458 in the donations account, \$114,391 in stewardship, and \$74,304 in local funds. The expenses in August included payment to the summer interns out of the stewardship account.

**Public Relations:** Ms. Cardillo is working with Pam Letti for the “Clarke’s Great Outdoors Book signing and Art Show opening on October 5<sup>th</sup>. The winning photos from the Authorities photo contest will be on display as part of the exhibit. Ms. Cardillo will also order new gift cards featuring the photos from the 2018 photo contest. The rescheduled donor reception will be Friday October 12<sup>th</sup> from 6-8 pm. Ms. Cardillo will order catering from Boyd’s Nest in town. Mr. Ohrstrom will get mums and gourds or other such seasonal decorations. The fall newsletter is being developed and will include stories on the donor reception, lack of Virginia Land Conservation Funds that are used as match for federal grants. Mr. Ohrstrom explained that the funding was appropriated due to a misunderstanding with regards to how pipeline mitigation funds could be used. She also stated that two new banners have been picked up from Winchester Printers. She asked for suggestion for distribution. In addition, she has been working on revamping the website and should have a draft ready for review at the next meeting.

**Easement Donation/Purchase**

There are two new applications and Ms. Teetor provided an update on the active easement applications.

a. Cabell Williams has submitted applications for an easement donation for 2 parcels. The properties are vacant but are currently accessed through at 960 Bishop Meade Road (Apple Hill). The parcels are adjacent to Carter Hall and were recently purchased by Mr. Williams from Project Hope. The properties area as follows:

Tax Map#	acres	DURs	ext. dwl.	Property Res. Score	land use	#criteria
30-A-16A	22	2	0	60	yes	3
30-A-30	83	4	0	64	yes	4

Both properties meet the criteria for donation. Spout Run extends along or within both properties, TM# 30-A-30 is adjacent to Millwood Rd. that is a scenic byway, both are adjacent to existing easements. The applicant would like to retire 1 DUR on TM# 30-A-16A, leaving 1 remaining DUR and retire 3 of the 4 DURs on TM# 30-A-30. On motion of Mr. Engel, seconded by Ms. Jones members gave preliminary approval to the easement donation and asked staff to schedule a site visit.

b. Randy Sprouse has applied to the easement authority for approval of an easement DUR purchase. The property is located at 470 Dearmont Hall Lane off Gun Barrel Rd. approximately 2/10 of a mile south of John Mosby Highway (Route 50). The property is identified by Tax Map# 20-1-8A & 8B. It consists of two parcels one vacant 5-acre parcel with 1 DUR and a 10 acre parcel with an existing house. The applicant proposes to retire the remaining DUR and merge the two parcels. The property meets 2 of the 4 criteria. The property resource score is 61. The applicant is retiring 1 DUR. It is not adjacent to an existing easement and it is less than 40 acres. Points were given for retiring 1 DUR, having frontage on the Opequon Creek, having a structure that is eligible as a contributing in a future rural historic district, and being within the groundwater recharge area. On motion of Mr. Engel, seconded by Ms. Jones members gave preliminary approval to the easement donation and asked staff to schedule a site visit.

c. RSP Enterprises – a ALE grant application for a 215 acre portion of Smithfield farm. Ms. Teetor submitted the ALE application at the end of August. Typically grant awards are announced in November.

c. Opequon Cattle Company – an approved ALE grant application, the draft deed has been submitted to NRCS for review.

d. Callander I & II – Ms. Teetor met with the Shockey's to discuss the requirements regarding preservation of many of the historic structures on the Walnut Hall tract (Callander II). The Authority had previously agreed that if protection was afforded to the main house and not the tenant houses, accessory structures, or barns they would approve the donation. The Shockey's agreed to those terms. The final question regarding the deed is the size and location of potential subdivisions and the building envelopes for dwellings up to 6,000 square feet. Ms. Teetor will continue to work with the Shockey's to prepare the final deeds of easement for recordation.

e. Rick Elrod – all signatures for the deed have been obtained. Ms. Teetor is waiting on a title search prior to recordation.

### **Report on Applications for Easement Purchase**

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

Ms. Wallace    Aye

Mr. Buckley

Aye

Mr. Engel Aye  
Ms. Jones Aye

Ms. Thomas Aye  
Ms. Bacon Absent

Mr. Ohrstrom Aye

There no action was taken subsequent to the Closed Session.

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

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Randy Buckley, Chair

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Alison Teetor, Clerk to the Authority

**Fund 235 - Conservation Easement Balances**

**FY18 NOT FINAL YET**

**SOY FY19 - Estimated**

Fiscal Year 2019

	Total Fund Balance	Donations	Stewardship Account	Local Funds
	260,067	69,237	116,526	74,304
July Rev/AR		1,425	85	
July Exps/AP		-1,115	0	0
Aug Rev/AR		125		
Aug Exps/AP		-1,200	-2,220	0
Sept Rev/AR		1,300		
Sept Exps/AP		-6,242	0	0
Oct Rev/AR		475		
Oct Exps/AP		-1,613	0	0
Nov Rev/AR		0	0	0
Nov Exps/AP		0	0	0
Dec Rev/AR		0	0	0
Dec Exps/AP		0	0	0
<b>YTD Rev/AR</b>	<b>3,410</b>	<b>3,325</b>	<b>85</b>	<b>0</b>
<b>YTD Exps/AP</b>	<b>12,390</b>	<b>10,170</b>	<b>2,220</b>	<b>0</b>
<b>Adjustments</b>	<b>0</b>			
<b>YTD FUND BALANCE (AR &amp; AP)</b>	<b>251,088</b>	<b>62,393</b>	<b>114,391</b>	<b>74,304</b>

**VDACS**

86,950.00 Expires 12/31/2018 (FY2017)

61,615.23 Expires 12/31/2019 (FY2018)

**148,565.23**

**Anticipated Easement Closings:**

	ESTIMATED YTD BALANCE	114,391	74,304	148,565.23 AVAILABLE Estimated YTD BALANCE-VDACS
<b>FY19 Expenditure Appropriations</b>	251,088	62,393	114,391	74,304
General Expenses				
	Local	Funds/Donations	Actual Expenses	Appropriated Balance
		45,000	12,390	Remaining
		45,000	12,390	32,610
		45,000	12,390	32,610

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

	Donations	Stewardship	Local Funds
<u>JULY</u>	25 Downstream Pjt = Domain name renewal CEA 90 Clarke County Ruritan Club 1,000.00 CCHS - Program Ad, Athletic Dept <u>1,115.00</u>		<u>0.00</u>
<u>AUGUST</u>	800.00 Robin Couch Cardillo - Svcs for July 400.00 Clarke County Fair - Sponsorship/Pig Scramble <u>1,200.00</u>	1,000.00 Robert Bayne Gordon-inspections 1,000.00 Sophia Dorsey-inspections 220.18 Robert Bayne Gordon-mileage <u>2,220.18</u>	<u>0.00</u>
<u>SEPT</u>	1,440.00 Robin Couch Cardillo - Svcs for CEA photo contest 1,800.00 Ace Photo-Gift Certificates for photo contest 500.00 Gloria Marconi Illustration & Design 750.00 Rick Elrod-Reimbursement of commercial appraisal 136.00 Winchester Printers-CEA Banner 411.31 Winchester Printers-process mailing and postage 120.00 Winchester Printers-reception invite 1,084.53 Winchester Printers-Summer 2018 newsletter <u>6,241.84</u>	0.00	<u>0.00</u>
<u>Oct</u>	1,587.79 Robin Couch Cardillo - CEA Services 25.00 Bob Stieg-HPC Mtg <u>1,612.79</u>	<u>0.00</u>	<u>0.00</u>
Nov			
<u>Dec</u>			
		<u>0</u>	<u>0.00</u>
		<u>0</u>	<u>0.00</u>
<b>YTD Totals</b>	<u>10,170</u>	<u>2,220</u>	<u>0</u>

Donations  
 Stewardship  
 Local Funds



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

October 11, 2018

Clarke County Conservation Easement Authority  
Fundraising and Public Relations Report  
October 2018 meeting

**Donor Statistics**

See attached Master Report

- 2018 total to date: \$13,340.23 from 93 donations

**Ongoing**

*-Debrief on thank-you reception for donors and easement landowners*

*-Fall newsletter*

- Lead article on Cost of Community Services study, recap of donor reception, reference lack of grant funding from Virginia Land Conservation Fund (but do bigger push on this in Randy's EOY appeal letter)

*-Website*

- Upgraded WordPress package, \$8/month, billed annually; allows for polished look, more customization/control of features
- Working on second phase, loading information and photos

*-Wingate Mackay-Smith Land Conservation Award*

- Start mulling potential award winners



# Fundraising Results: Clarke County Conservation Easement Authority

As of October 11, 2018

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Amount	\$13,345	\$19,090	\$20,871	\$25,649	\$26,386	\$25,843	\$23,530	\$42,266	\$36,260	\$57,356.00	\$24,778.00	\$26,101.00	\$13,340.23
# Donations	115	161	208	209	203	195	181	200	169	158	164	169	93
<b>YE Donor Appeal</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
YE Donor Appeal Amount	\$8,465	\$8,310	\$8,477	\$10,134	\$8,376	\$12,815	\$7,250	\$15,706	\$17,635	\$47,003	\$15,665	\$7,577	
Donor Respondents	73	59	87	86	76	68	50	69	51	61	47	48	
YE Prospect Amount		\$2,115	\$425				\$40		\$1,650	\$104	\$25	\$325	
Prospect Respondents		24	7				1		3	2	1	3	
<b>Winter Newsletter</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Dollar Amount	\$2,700	\$2,700	\$2,700	\$2,065	\$2,865	\$2,126	\$3,611	\$4,805	\$3,335	\$2,700	\$2,228	\$2,815	\$4,920
Respondents	23	23	23	27	32	21	32	39	26	25	29	39	29
<b>Spring Newsletter</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Donor: Dollar Amount	\$3,775	\$455	\$2,074	\$5,820	\$2,810	\$2,520	\$3,415	\$1,975	\$3,705	\$3,420	\$2,725	\$2,810	\$1,600
Donor: Respondents	35	5	19	38	26	27	32	28	26	27	19	23	15
Spring Newsletter: Dollar Amount	\$2,200	\$940	\$940	\$450	\$450	\$825	\$765	\$165	\$1,380	\$100	\$75	\$1,150	\$550
Spring Newsletter: Respondents	16	16	19	10	4	11	5	4	9	1	3	8	3
<b>Summer Newsletter</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Dollar Amount	\$2,370	\$2,370	\$2,020	\$1,330	\$1,883	\$2,735	\$1,580	\$5,040	\$3,215	\$1,927	\$2,115	\$3,110	\$2,300
Respondents	20	20	27	22	33	26	21	22	27	22	28	20	26
<b>Fall Newsletter</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Donor: Dollar Amount	\$2,210	\$2,210	\$765	\$260	\$7,300	\$2,946	\$4,630	\$2,660	\$2,325	\$1,250	\$600	\$3,870	
Donor: Respondents	12	12	5	7	25	26	30	27	14	3	6	11	
Expayer Fall Newsletter: Dollar Amount	\$1,430	\$90	\$90	\$1,405	\$65	\$605	\$715	\$240	\$760		\$325	\$1,200	
Expayer Fall Newsletter: Respondents	25	4	4	8	2	8	9	5	5		5	4	
<b>Over the Transom</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Dollar Amount	\$3,380	\$3,380	\$3,380	\$4,175	\$1,900	\$868	\$1,457	10,500	\$1,550	-\$257	\$362	\$2,230.00	\$3,970
Donor Respondents	17	17	17	11	5	6	2	2	2	3	12	7	17
<b>Donor Thank-You Party</b>	<b>2006</b>												
Dollar Amount	\$1,105							\$1,175	\$705	\$595	\$638	\$710	
Donor Respondents	6							4	6	14	14	6	
<b>Photo Revenue</b>					\$747	\$57	\$67			\$	20		\$304
Notecards													
Gift-in-Kind (admin work donated by Kate Petranach)						\$346	\$473	\$469					



MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: October 11, 2018  
SUBJECT: Application for easement donation – Cabell Williams

Cabell Williams has applied to the easement authority for approval of an easement donation for 3 parcels. The properties are located at 960 Bishop Meade Road. The parcels surround Carter Hall and were recently purchased by Mr. Williams from Project Hope. The properties area as follows:

Tax Map#	acres	DURs	ext. dwl.	Property Res. Score	land use	#criteria
30-A-16A	22	2	0	60	yes	3
30-A-30	83	4	0	64	yes	4

The parcels are zoned AOC and are in use value taxation, therefore in accord with the Commissioner of Revenue's requirements, then an easement donation may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the 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.

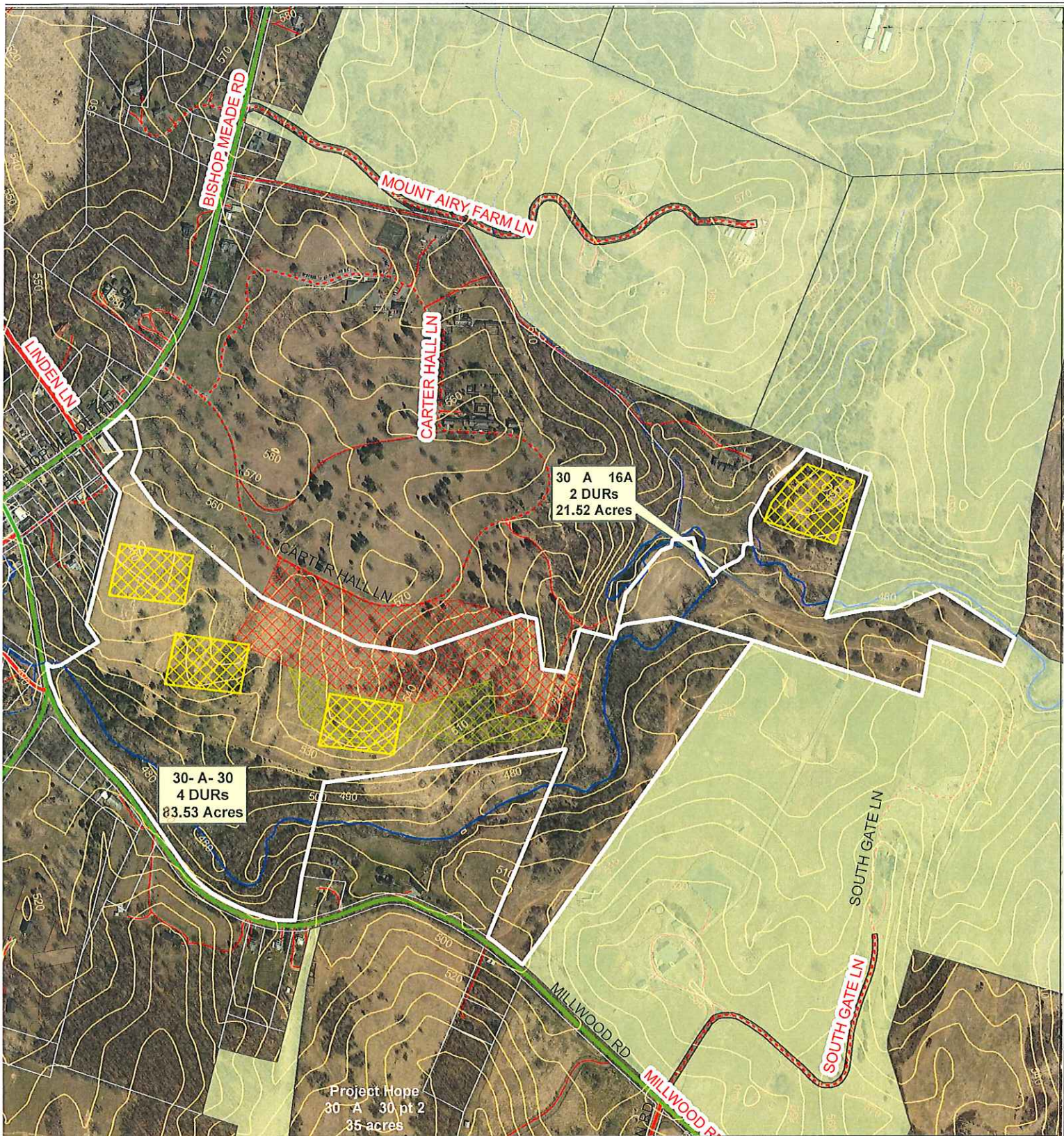
All the properties meet the criteria for donation. As shown on the attached map Spout Run extends along or within the parcels, TM# 30-A-30 is adjacent to Millwood Rd. which is a scenic byway, and both are adjacent to existing easements. The application just came in this week and it is anticipated that TM# 30-A-16A will retire 1 DUR, and TM# 30-A-30 has 4 DUR's and will retire 3. The applicant has identified building envelopes and has requested approval to build homes up to 6,000 square feet within these areas. A site visit was conducted October 11<sup>th</sup>.

Recommendation

Give final approval for the easement donation.



# EXHIBIT A Building Envelopes



George C. Williams



September 13, 2018  
Clarke County GIS

400 200 0 400 Feet



- No Build Zone
- 28' height restriction
- Conservation Easement
- Parcel Boundary

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

Location Map





## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: October 11, 2018  
SUBJECT: Application for easement DUR purchase – Randy Sprouse

Randy Sprouse has applied to the easement authority for approval of an easement DUR purchase. The property is located at 470 Dearmont Hall Lane off Gun Barrel Rd. approximately 2/10 of a mile south of John Mosby Highway (Route 50). The property is identified by Tax Map# 20-1-8A & 8B. It consists of two parcels one vacant 5-acre parcel with 1 DUR and a 10 acre parcel with an existing house. The applicant proposes to retire the remaining DUR and merge the two parcels.

The parcel is zoned AOC and is not currently in use value taxation, but is eligible for use value taxation, in accord with the Commissioner of Revenue's requirements, then a purchase may be considered if at least two of the following four guidelines are met:

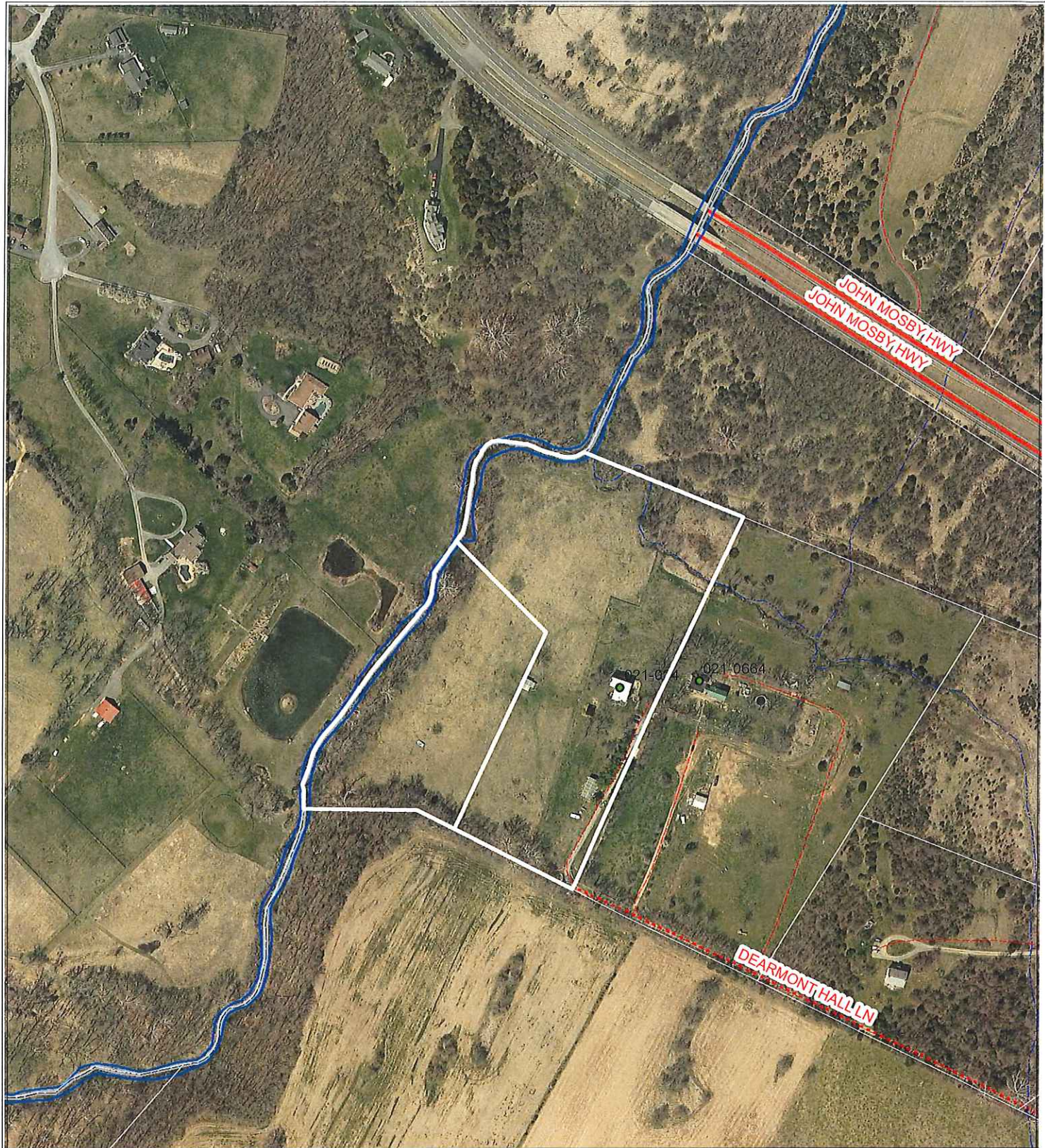
- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The property meets 2 of the 4 criteria. The property resource score is 61. The applicant is retiring 1 DUR. It is not adjacent to an existing easement and it is less than 40 acres. Points were given for retiring 1 DUR, having frontage on the Opequon Creek, having a structure that is eligible as a contributing in a future rural historic district, having a perennial spring, and being within the groundwater recharge area. A site visit was conducted on October 11<sup>th</sup>.

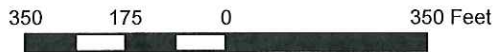
### Recommendation

Give final approval and authorize staff to prepare a purchase offer agreement.





Henry R. Sprouse  
 TM# 20-A-8B, 15 acres,  
 1 exempt., 1 DUR



Clarke County GIS  
 August 28, 2018



- Parcel Boundary
- Conservation Easement
- Public Road
- Private Road
- Intermittent Stream
- Perennial Stream

Location Map

