

CLARKE COUNTY
Conservation Easement Authority
THURSDAY – 17 MARCH 2016 - 10:00 AM
A/B Conference Room, 2nd Floor Government Center

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes of the meetings of 18 February 2016
4. Bank Account balances – see attached spreadsheets
5. Stewardship Fund – balance as of
29 February 2016 \$91,217.89 Bank of Clarke County
6. Campaign for the Authority – to be distributed prior to meeting
7. Discussion
 - a. Mesilla pond
 - b. Digges Boundary Line Adjustment
 - c. Proposed revision of income criteria for easement purchase
 - d. County Fair ad
 - e. PDR managers meeting
8. Easement Donation/Purchase
 - a. Johnny Hardesty – easement donation – final approval
 - b. Moore & Dorsey – DUR purchase – closed session
 - c. George Greenhalgh – DUR purchase
 - d. Cool Spring Farm, LLC – grant application
 - e. Tavenner – easement donation - final approval, DUR purchase
 - f. Susan Digges – ALE grant application
 - g. Ken Bell – easement donation
9. 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.
10. Adjournment - next meeting – Thursday April 21st 10 am

CLARKE COUNTY
Conservation Easement Authority
Minutes – 18 February 2016

draft

draft

A regular meeting of the Conservation Easement Authority was held at 11:00 am on Thursday, 18 February 2016, at the Camino Real Restaurant, 16 Crow St., Berryville, VA. The annual award luncheon will follow immediately after the meeting.

Present: R. Buckley, G. Ohrstrom, B. Byrd, P. Engel
Absent: L. Wallace, M. Jones, W. Thomas
Staff: A. Teetor, B. Stidham, R. Couch Cardillo
Others present: Val Van Meter, David Weiss

Call to Order : Mr. Buckley, Chair, called the meeting to order at 11:00 a.m.

Agenda On motion of Mr. Ohrstrom, seconded by Mr. Engel, the Authority unanimously approved the agenda with the addition of a discussion item 7.d, Daviot structure footprint and an easement donation, Hardesty, item 8.f.

Minutes On motion of Mr. Engel, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve the minutes of January 21, 2016, Ms. Byrd abstained.

Bank Account: Ms. Teetor stated that the finance department is still working to establish the appropriate authority accounts which include donations, Board appropriations, and state and federal grants. Ms. Cardillo will provide an update on the donations.

Stewardship Fund: The stewardship fund has a balance of \$91,188.91 as of January 31, 2016.

Public Relations: Due in part to a \$30,000 donation at the end of the year, Ms. Cardillo reported that the 2015 was a banner year for the Authority in terms of donations, nearly doubling the previous year's total. She continues to work with Kelly Hart, at the Barns on the photo exhibit, we are hoping to have a display in early March. Ms. Cardillo also stated that she had emailed a spreadsheet to Mr. Buckley with the names of the major donors thinking it might be nice to give them a personal acknowledgement for their generous donation. The notecards have been selling well; Berryville Farm Supply has requested additional packets as has the Firehouse Gallery. She is also working on the winter newsletter; the annual land conservation award will be one of the top stories. Ms. Cardillo reminded members to be thinking of 5 names they would consider sharing to help increase the donor base.

Discussion Items

a. Adding railroad to property resource scoring

At a recent site visit, several members suggested that additional points should be given for parcels that have frontage on railroads. Of particular interest is the Norfolk Southern Railroad which roughly parallels Route 340. Members were concerned that the track could be widened to two tracks which could increase train traffic. This item was postponed from the last meeting to get additional input from Mr. Ohrstrom. Mr. Ohrstrom explained his concern that the property resource score is intended to reflect the conservation values of a property and he didn't see how a transportation corridor such as the railroad fit in with those values. Mr. Engel responded that he was looking at the long range view, considering that if the line were abandoned it could be repurposed as a greenway in which case having the corridor protected by easements would be advantageous. Mr. Buckley pointed out that if the railroad decided to expand to double tracks and had to condemn eased land, the Authority might have a say in what land is purchased in an exchange. On motion of Mr. Ohrstrom, seconded by Mr. Engel members unanimously recommended approval to the Board of Supervisors the addition of railroads to the property resource score.

b. Transfer Fee

Ms. Teetor provided a memo in the packet explaining some developments with regards to the voluntary Transfer Fee Program. The Authority adopted a policy whereby grantors of conservation easements are requested to include

in the Deed of Easement language that provides payment to the Authority of a Transfer Fee, one percent (1%) of the purchase price, upon any future sale of the subject property, payable by the purchaser at the closing on any such future sale. It is strictly voluntary. Approximately 20 persons have included the language in their deeds. James Turner was one such landowner. He purchased 3 parcels on the mountain side above Shenandoah Farms placed them in easement and subsequently sold them providing for approximately \$4,000 in fees to the Authority. Though all deeds state that sellers must notify the Authority of pending sales, this rarely happens, and staff general learns of a transfer from the land transfer records provided by the Clerk's office. Recently one of Mr. Turner's original properties sold again but no transfer fee was paid. Staff contacted the seller and buyer requesting the fee but neither party responded. Subsequently, staff contacted Mr. Mitchell to determine whether the fee could be recovered. Mr. Mitchell's response was that it is probably not within the authority of the County or the Authority to impose this fee. For that reason, this has not been imposed, but rather used when the owner agrees. Accordingly, he recommends not trying to enforce this where it is resisted.

c. Mesilla Pond

William Truban, attorney for Mr. Elsea contacted staff requesting a letter stating that filling in a pond on Mesilla (TM# 28-A-44) would not be in violation of the terms of the Conservation Easement. I conducted a site visit of the property on February 10, 2016. On site I observed a large amount of fill material (dirt) which looked to be acceptable for fill. Upon inspection of the pond, I observed a large amount of trash and debris in the pond area, including mattresses and household trash. Photos were included in the packet. In accord with the deed; "Accumulation or dumping of trash, refuse, or junk is not permitted on the Property." In addition, "the dumping into, or filling in of, any pond, wetland, or waterway is prohibited, except as may be permitted by applicable laws for the purpose of combating erosion." Based on this information it would appear as though Mr. Elsea is in violation of the terms of the easement as there has been dumping of trash in the pond, and that he would not be permitted to fill the pond. Members discussed the issue and questioned whether the pond was identified on the USGS topographic map or delineated as a wetland. If not, it would seem reasonable to allow the area to be filled provided the trash is removed. Staff will review the maps and provide additional information at the next meeting.

d. Daviot – structure footprint

Ms. Teetor explained that she had been contacted by the contract purchaser for the property identified as Daviot (TM# 30-A-50) which is held in easement by the Authority. The purchaser, Mr. George Williams, had read the deed and questioned the limit of a 1% of the total area of the property for the collective footprint of all buildings. The parcel is just over 10 acres which would limit the collective footprint to approximately 4,500 square feet. The current collective footprint and the one which existed when the easement was recorded is closer to 7,700 square feet. Mr. Williams was concerned that he was already in violation of the terms of the easement and questioned whether the deed should be amended to reflect current conditions. In addition, he was concerned that he would be prohibited from building any additional structures or adding on to the house. The Authority discussed the issues and agreed that the Deed did not need to be amended as the owner and the Authority had signed off on the current conditions as outlined in the Baseline Documentation Report. As for any additions, the Authority suggested the owner request an onsite review of any proposed changes and that perhaps unused buildings could be removed to allow for new structures.

Easement Donation/Purchase

Johnny Hardesty – easement donation

Ms. Teetor described the application for the 53 acre parcel owned by Johnny Hardesty. Mr. Hardesty would like to donate 1 DUR leaving 1 DUR and an existing pre-1980 house. He would like to retain the right to subdivide one lot. The parcels met 3 of the 4 criteria for acceptance, larger than 40 acres, retiring 1 DUR and scoring 63.98. Since the last meeting, the applicants' attorney provided a revised draft of the deed that eliminated much of the Authority's standard template; a revision was requested but not yet received.

Ms. Teetor updated the Authority on the status of pending easement applications. Ms. Teetor spoke with Mr. Greenhalgh's attorney who stated that some progress has been made but the issue with the title has not been resolved. The Cool Spring Farm grants have tentatively been approved but have to go through final approval by the Department of Historic Resources board. Susan Digges deed of easement is being prepared it is hoped that the

easement will be recorded by June 2016. Ken Bell is having plats drawn up for the merger of the properties. The Board has approved the purchase for Bill Tavenner and closing should occur within the next couple of months.

Adjournment There being no further business, Ms. Byrd moved and Mr. Engel seconded that the Authority adjourn to the award luncheon honoring the Holy Cross Abbey with the 2016 Wingate Mackay-Smith Land Conservation Award. The next regular meeting is scheduled for Thursday March 17th at 10:00 am. The motion was approved unanimously.

Randy Buckley, Chair

Alison Teetor, Clerk to the Authority

Fund 235 - Conservation Easement Balances

	ACTIVITY THROUGH 2/29/2016				Local Funds
	Total Fund Balance	Donations	Stewardship Account		
EOY 2015	311,938	129,081	72,636	110,221	
Fiscal Year 2016					
July Rev/AR		660	25	-500	
July Exps/AP		-80			
Aug Rev/AR		1,250	25		
Aug Exps/AP		-4,484	-199		
Sept Rev/AR		685			
Sept Exps/AP		-1,655	-2,188		
Oct Rev/AR		252			
Oct Exps/AP		-1,381			
Nov Rev/AR		30,517	18,378		
Nov Exps/AP		-2,146			
Dec Rev/AR		4,100		5,501	
Dec Exps/AP		-1,890		-1,535	
Jan Rev/AR		13,276		5,187	
Jan Exps/AP		-785		-908	
Feb Rev/AR		275		-1,530	
Feb Exps/AP		-2,285			
Mar Rev/AR					
Mar Exps/AP					
YTD Rev	80,130	51,016	18,427	10,688	
YTD Exps	21,566	14,706	2,388	4,473	
Adjustments	0		-2,450	2,450	
ACTUAL YTD BALANCE	370,502	165,391	86,226	118,886	
Anticipated Easement Closings:					
Greenhalgh (Appropriated 11/2015)				-100,000	
Tavener (Appropriated 2/2016)				-18,886	
Cool Spring Farm, LLC - Not Appropriated				-3,375.00	
Diggs Farm LLC - Not Appropriated				-20,000.00	
Susan Diggs - Not Appropriated				-20,000.00	
ESTIMATED YTD BALANCE	207,127	120,902	86,226	(0)	

Brenda Bennett:
\$5,500.98-Land Use Rollback Tax

Brenda Bennett:
\$5,186.62-Land Use Rollback Tax

VDACS	Expires 12/31/2016 (FY2014)	Expires 12/31/2017 (FY2015)	Expires 12/31/2018 (FY2016)
	77,654.28	146,778.54	42,319.18
	266,752.00	-100,000.00	-20,000.00
	-100,000.00	-20,000.00	-3,375.00
	-20,000.00	-20,000.00	-20,000.00
	103,377.00	AVAILABLE YTD BALANCE-VDACS	

FY16 Expenditure	Local Funds	Actual Expenses	Balance Remaining
Appropriations			
General Expenses	30,000	21,566	8,434
Greenhalgh	100,000		
Tavener	20,000		

Brenda Bennett:
Includes all expenses not specifically designated to an easement purchase (including stewardship)

Conservation Easement Expense Detail - FY16

	Donations	Stewardship	Local Funds
<u>July</u>			
<u>August</u>	80 Advertisement-2015 Fair Catalog 1,202.11 photo contest 25.00 Downstream domain name registration 1,762.98 Robin couch Cardilla-photo contest 601.58 3 ea \$200 gift cards 301.58 3 ea \$100 gift cards 108.44 Mat and labels 481.95 Items for CEA - reimburse A Teetor 4,484	199.00 Mileage	500 Appraisal Rpt of Cool Springs
<u>Sept</u>	12.05 FedEx to Elizabeth Vehmeve 230.40 Summer 2015 Newsletter 960.00 Summer Newsletter Prep 28.00 Take a Hike Poster 425.00 Production of Summer '15 newsletter 1,655	1,000.00 Christian Thomas 1,000.00 Macson McGuigan 188.16 Mileage 2,188	
<u>Oct</u>	1,120.00 Robin Couch Cardilla Svcs 197.07 Postage 64.15 Petty Cash 1,381		
<u>Nov</u>	475.00 Fall 2015 Newsletter 791.28 Printing & folding Fall newsletters 880.00 fall newsletter 2,146		
<u>Dec</u>	382.55 Cards Printed 960.00 Robin Couch Cardilla - misc Svcs 150.00 Gloria Marconi Illustration Svcs 397.15 Postage 1,890		1,535 Hall Monahan - Legal Svcs Nov 2015 908 Hall Monahan - Legal Svcs Dec 2015
<u>Jan</u>	785 Winchester Printers, annual appeal ltr.		
<u>Feb</u>	1,002.14 Robin Couch Cardilla-prep work, data maint. 880.00 Robin Couch Cardilla-finalize year end 402.80 Postage 2,285		1,030.00 Hall Monahan - Legal Svcs Jan 2016 500.00 Myers & Woods-Appraisal Digges Farm 1,530
<u>Mar</u>			
<u>Apr</u>			
<u>May</u>			
<u>June</u>			
YTD Totals	Donations 14,706	Stewardship 2,387	Local Funds 4,473

Starting Tax Year: 5514 Ending Tax Year: 5514 Starting Date: 02/01/2016 Ending Date: 02/29/2016

DATE	DEPT	CL	TICKET/SEQ.	DISTRICT NO./NAME	TAX AMT	PEN. AMT	INT. AMT	ADJ. AMT
2/02/2016	CONRAD		1890001	CONSERVATION EASEMENT	25.00	.00	.00	.00
2/08/2016	CONRAD		1900001	CONSERVATION EASEMENT	150.00	.00	.00	.00
2/12/2016	CONRAD		1910001	CONSERVATION EASEMENT	100.00	.00	.00	.00

CLASS TOTAL					275.00	.00	.00	.00
DEPT TOTAL					275.00	.00	.00	.00
FINAL TOTAL					275.00	.00	.00	.00
TOTAL ITEMS BY YEAR								
5514					3			
ALL ITEMS					3			



2 East Main Street
Berryville, VA 22611

February 2016

Reporting Activity 02/01 - 02/29

Page 1 of 4

ADDRESS SERVICE REQUESTED

COUNTY OF CLARKE VIRGINIA
CONSERVATION EASEMENT STEWARDSHIP
101 CHALMERS CT STE B
BERRYVILLE VA 22611-1387

Managing Your Accounts

- Phone (540) 955-2510
- Toll-Free 1-800-650-8723
- EAGLE-24 Banking 1-888-378-1881
- Online Access www.bankofclarke.com
- Mailing Address P.O. Box 391
Berryville VA 22611

Summary of Accounts

Account Type	Account Number	Ending Balance
NOW-Public Fund	XXX2089	\$91,217.89

Enjoying the benefits of e-Statements have never been easier! Enroll today and start experiencing e-Statements for yourself – quicker receipt of your statement, securely delivered to you without worry. Simply log on to Online Banking, and enroll under the options tab > e-Statements.

NOW-Public Fund - XXX2089

Account Summary

Date	Description	Amount
02/01/2016	Beginning Balance	\$91,188.91
	0 Debit(s) this period	\$0.00
	1 Credit(s) this period	\$28.98
02/29/2016	Ending Balance	\$91,217.89

Interest Summary

Description	Amount
Interest Earned From 02/01/2016 Through 02/29/2016	
Annual Percentage Yield Earned	0.40%
Interest Days	29
Interest Earned	\$0.00
Interest Paid This Period	\$28.98
Interest Paid Year-to-Date	\$57.33
Interest Withheld Year-to-Date	\$0.00
Minimum Balance	\$91,188.91

Deposits

Date	Description	Amount
02/29/2016	Accr Earning Pymt Added to Account	\$28.98

Daily Balances

Date	Amount	Date	Amount
02/01/2016	\$91,188.91	02/29/2016	\$91,217.89



MEMORANDUM

TO: Conservation Easement Authority
FROM: Alison Teetor
DATE: March 9, 2016
SUBJECT: Request for Boundary Line Adjustment – Eric Digges

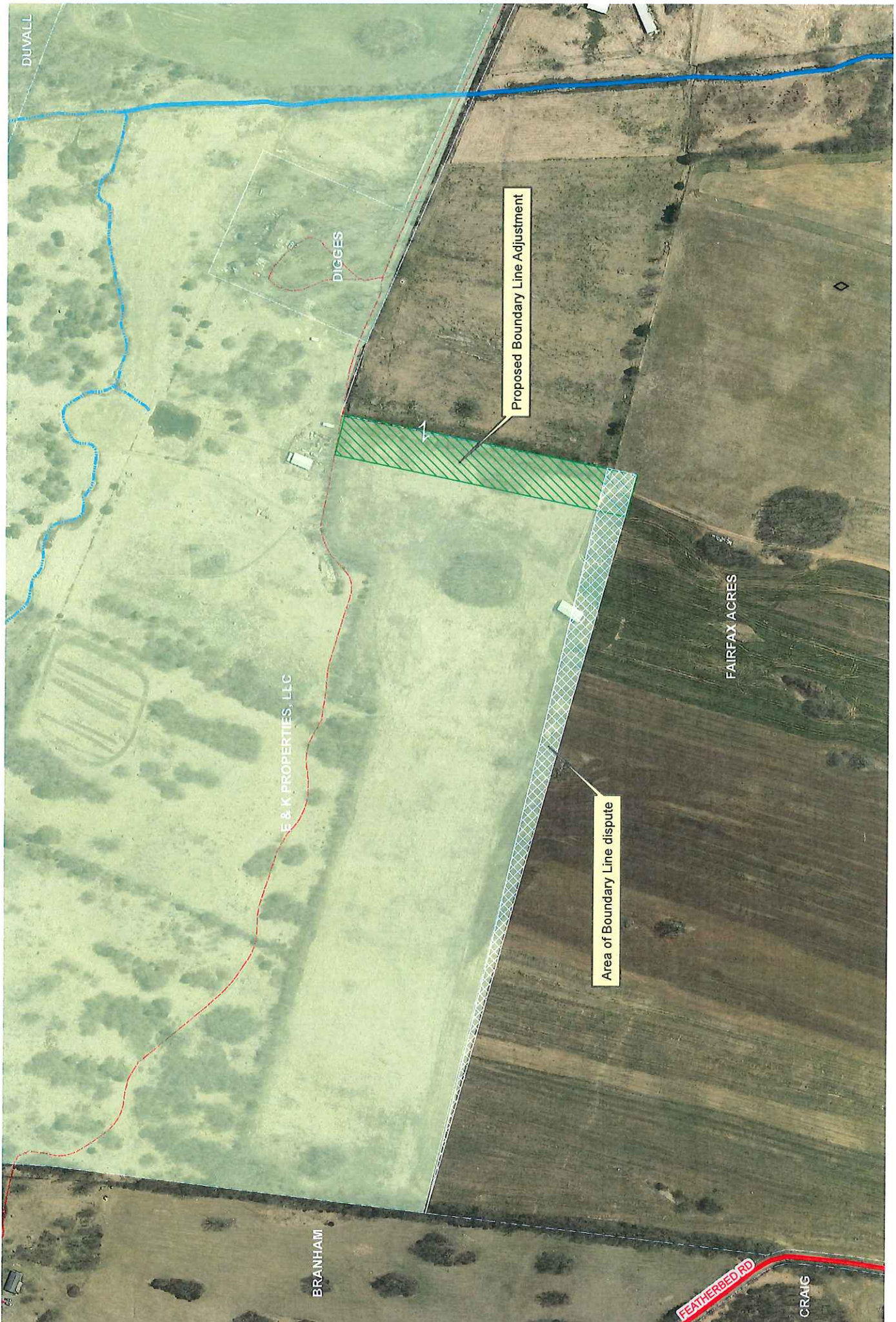
Eric and Kyle Digges are owners of 139 acres of the Greenway Court property (Tax Map# 28-A-52). The parcel was placed in easement with the County in 2003. A discrepancy between a neighboring property survey has come up that requires a boundary line adjustment to resolve (attached). The attached plat shows a difference of 1.9957 acres between the original survey completed when the easement was recorded, and a 2014 survey of Fairfax acres (Tax Map# 28-A-51). In order to resolve the difference, the Digges would like to complete a Boundary Line Adjustment to the southern property line as shown on the attached aerial map (green hashed area).

In order to address this concern, Mr. Mitchell was consulted. He suggested a deed of correction could be recorded with a boundary line adjustment that would allow for no change in the net acreage but allow for the discrepancies in the surveys.

Laura Thurman, Easement Project Manager, at the Virginia Outdoors Foundation was consulted to determine how VOF handles similar situations. She agreed with Mr. Mitchell's approach.

Recommendation

Approve the proposed Boundary Line Adjustment and deed of correction to correct the discrepancy in the survey data.



DUVALL

DIGGES

Proposed Boundary Line Adjustment

E & K PROPERTIES, LLC

FAIRFAX ACRES

Area of Boundary Line dispute

BRANHAM

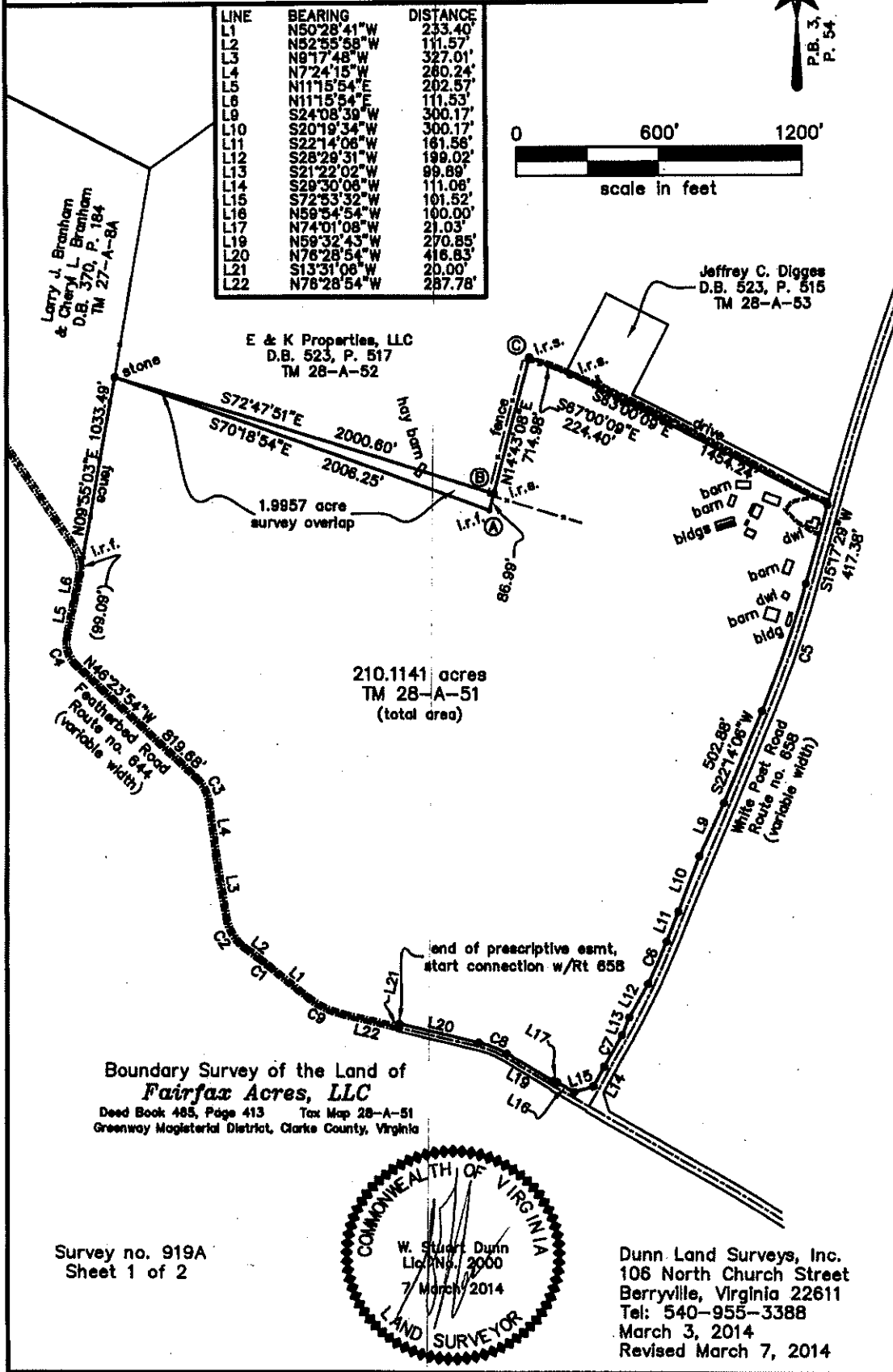
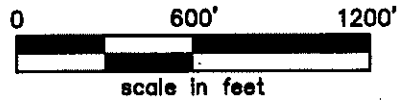
FEATHERBED RD

CRAIG

CURVE	BEARING	CHORD	RADIUS	ARC	DELTA	TANGENT
C1	N51°42'20"W	59.97'	1400.00'	59.98'	2°27'17"	29.99'
C2	N31°06'53"W	174.88'	235.00'	178.98'	43°38'11"	94.08'
C3	N28°54'05"W	150.19'	225.00'	153.13'	38°59'39"	78.86'
C4	N17°34'00"W	183.98'	170.00'	171.09'	57°39'48"	93.58'
C5	S18°45'48"W	690.30'	5899.58'	690.73'	6°56'37"	345.79'
C6	S23°25'26"W	238.47'	5899.58'	238.48'	2°22'38"	118.28'
C7	S28°33'28"W	187.94'	5899.58'	187.95'	1°53'22"	93.98'
C8	N68°00'48"W	153.15'	520.00'	153.71'	18°56'11"	77.42'
C9	N63°28'48"W	202.48'	450.00'	204.23'	28°00'12"	103.90'



LINE	BEARING	DISTANCE
L1	N50°28'41"W	233.40'
L2	N52°55'58"W	111.57'
L3	N8°17'48"W	327.01'
L4	N7°24'15"W	280.24'
L5	N11°15'54"E	202.57'
L6	N11°15'54"E	111.53'
L8	S24°08'39"W	300.17'
L10	S20°19'34"W	300.17'
L11	S22°14'08"W	161.56'
L12	S28°29'31"W	199.02'
L13	S21°22'02"W	99.89'
L14	S29°30'08"W	111.06'
L15	S72°53'32"W	101.52'
L16	N59°34'54"W	100.00'
L17	N74°01'08"W	21.03'
L19	N59°32'43"W	270.85'
L20	N76°28'54"W	416.83'
L21	S13°31'06"W	20.00'
L22	N76°28'54"W	287.78'

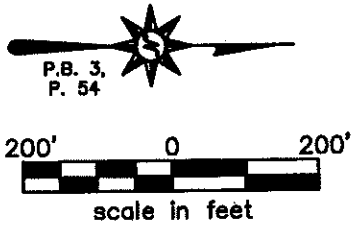


Boundary Survey of the Land of
Fairfax Acres, LLC
 Deed Book 485, Page 413 Tax Map 28-A-51
 Greenway Magisterial District, Clarke County, Virginia

Survey no. 919A
 Sheet 1 of 2



Dunn Land Surveys, Inc.
 106 North Church Street
 Berryville, Virginia 22611
 Tel: 540-955-3388
 March 3, 2014
 Revised March 7, 2014



BOOK 575 PAGE 59



Fairfax Acres, LLC
D.B. 465, P. 413
TM 28-A-51

line established in
Deed Book 340, Page 180
division line established in Deed
Book 12, Page 191

Notes:

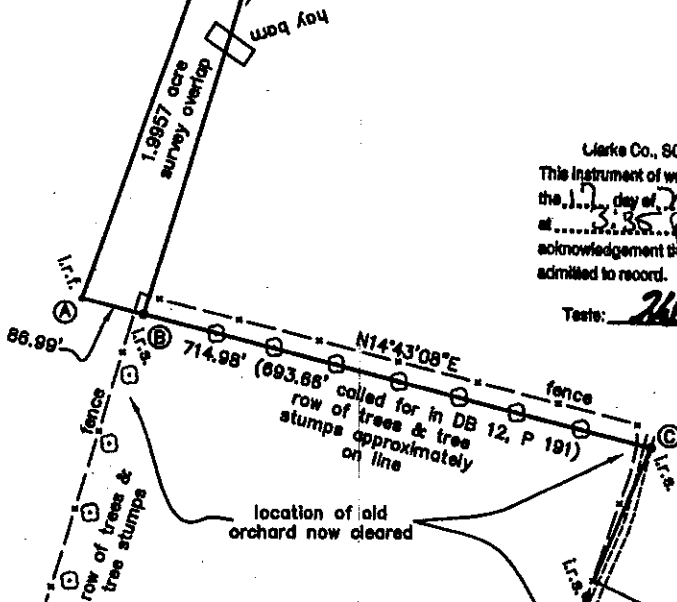
- (1) No Title Report furnished. Easements of record not shown may exist.
- (2) In deeds recorded in Deed Book 82, Page 338, and Deed Book 112, Page 699, the Commonwealth of Virginia acquired title to a portion of Route no. 844 and Route no. 858.
- (3) The line dividing TM 28-A-51 and TM 28-A-52 was established in a Deed of Partition recorded in Deed Book 12, Page 191. The monuments called for in said deed for the line shown hereon with a bearing of N14°43'08"E were a stake at orchard line at the South end and an old stone fence at the North end (Point C). Point A as shown is clearly beyond the orchard fences. Point B was established at the approximate intersection of two old tree rows. Additionally the distance from Point B to C is clearly more consistent with the distance called for in the Deed of Partition than that from Point A to C.

E & K Properties, LLC
D.B. 525, P. 517
TM 28-A-52

Clarke Co., SCT.

This instrument of writing was produced to me on the 17 day of March, 2014 at 2:35 P.M. and with certificate of acknowledgement thereto attached was admitted to record.

Tests: *Albin Butts*, Clerk



Survey no. 919A
Sheet 2 of 2

Dunn Land Surveys, Inc.
106 North Church Street
Berryville, Virginia 22611
Tel: 540-955-3388
March 3, 2014
Revised March 7, 2014

MEMORANDUM

TO: Conservation Easement Authority
 FROM: Alison Teetor
 DATE: August 12, 2015
 SUBJECT: Income Criteria – easement purchase

In May 2006, the Easement Authority and Board of Supervisors adopted the Determination of Payment of Conservation Easement – Owner Income (attached). This was subsequently amended in 2008 and 2011. The policy outlines the process by which the adjusted gross income of the landowners is calculated and the 3 year average used to determine the percentage of the purchase offer amount paid to the landowners.

The purpose of adjusting the purchase price by income is to focus available funds to lower and middle income property owners who may be less likely to take advantage of tax credits.

This process works well with the DUR purchase offer as typically County funds are matched 50-50 with VDACS funds to purchase the easement. In the case of easement purchases where an appraised value is used staff has identified an issue for the Authority to consider.

When easements are purchased using an appraised value, the County applies for grants to supplement the local funding needed for the purchase. In all cases the agencies providing federal and state grants do not consider owner income when determining what is paid for an easement, the value is based solely on the appraisal. Typically federal grants pay 50% of the appraised value, the owner provides a 25% donation, and state and local funds are used to pay the remaining 25%. With the exception of easement purchases completed early in the Authorities tenure, the local share is typically a very small percentage of the overall easement cost.

COMPLETED APPRAISED VALUE PURCHASE SUMMARY									
YEAR	APPRAISED VALUE	OWNER SHARE	COUNTY SHARE	VCLF Grant	VDACS	Other (SRCD C/VOF/ PEC)	FRPP	Other	% County Share
2003	\$251,000	\$26,000	\$225,000	\$0		\$0	\$0		90%
2003	\$0	\$0	\$0	\$0		\$0	\$0		
2005	\$198,100	\$123,100	\$75,000	\$0		\$0	\$0		38%
2005	\$200,000	\$125,000	\$50,000	\$0		\$25,000	\$0	SRCDC	25%
2006	\$578,400	\$445,133	\$133,267	\$0		\$0	\$0		23%
2006	\$508,800	\$166,575	\$114,075	\$0		\$228,150	\$0	VOF	22%
2007	\$648,500	\$162,125	\$8,062	\$146,000	\$8,063	\$0	\$324,250		1%
2008	\$346,551	\$86,638	\$86,638	\$0		\$0	\$173,275		25%
2008	\$180,000	\$53,100	\$42,300	\$0		\$0	\$84,600		24%
2008	\$716,500	\$179,125	\$27,750	\$123,625	\$27,750	\$0	\$358,250		4%
2008	\$131,500	\$32,875	\$16,437	\$0	\$16,438	\$0	\$65,750		12%
2011	\$240,500	\$60,125	\$30,063	\$0	\$30,062	\$0	\$120,250		13%
2012	\$345,500	\$86,375	\$20,000	\$0	\$20,000	\$46,375	\$172,750	PEC	6%
2013	\$303,000	\$75,750	\$5,488	\$45,000	\$5,487	\$19,775	\$151,500	PEC	2%
2013	\$542,500	\$135,625	\$32,813	\$40,000	\$32,812	\$30,000	\$271,250	PEC	6%
2013	\$255,000	\$63,750	\$3,125	\$40,000	\$3,125	\$17,500	\$127,500	PEC	1%
2013	\$560,000	\$140,000	\$97,500	\$98,604	\$97,500	\$126,396	\$0	PEC	17%
2014	\$173,500	\$43,375	\$2,718	\$14,000	\$2,718	\$25,000	\$86,750	PEC	2%
2014	\$194,500	\$48,625	\$688	\$47,250	\$687	\$0	\$97,250		<1%
	\$6,373,851	\$2,053,296	\$970,924	\$554,479	\$244,642	\$518,196	\$2,033,375		

CLARKE COUNTY

CONSERVATION EASEMENT AUTHORITY

Determination of Payment for Conservation Easement – Owner Income

May 2006, Amended October 2008, March 2011

The Conservation Easement Authority has two programs for funding easement purchases. One form of purchase is based on the appraised value the other a DUR purchase value.

Once a property owner confirms in writing their interest in selling an easement, the Authority will make a determination of the value of the easement for purposes of a purchase of the easement. The Authority will ask the owner to provide their average annual adjusted gross income in each of the three most recent tax years. The amount **of local funds** to be paid for the easement is adjusted based on the income of the owner. Lowest-income owners may be offered up to the full value of the easement. Middle-income and higher-income owners are offered a progressively reduced (see following chart). All income information is kept confidential and the privacy of the owner respected.

The purpose of adjusting the amount purchase price by income is to focus the available **local** funds toward lower- and middle-income property owners. Higher-income owners who donate easements may benefit from a federal charitable tax deduction and a Virginia tax credit. Lower- and middle-income owners benefit less, or not at all, from a tax deduction of a donation because of their lower income. The following chart takes into account the relative financial benefits of easement donation for owners in the \$55,000 to \$205,000 and higher income range. The higher the owner's income, the greater financial benefit he or she would receive from the tax benefits by donating an easement. The lower the owner's income, the more money he or she would need to obtain a comparable financial benefit for conveying an easement.

The property owner is informed of the purchase price which will be offered for the easement. The remainder of the value of the easement may be eligible for a federal tax deduction (as a charitable donation) and a Virginia tax credit. Once a purchase price is agreed upon, the Authority then submits the proposed purchase to the Board of Supervisors for approval.

The **local share of the** purchase price of a conservation easement is calculated by multiplying the value by the applicable percentage set forth in the table below. The average annual adjusted gross income is based on the aggregate of the annual adjusted gross income of each owner of record and the members of each owner's household for each of the three most recently filed tax returns. In the case of a parcel owned by an entity such as a corporation, partnership, limited liability company, trust, or estate, the average annual adjusted gross income of the owner is based on the weighted average of the annual adjusted gross incomes of the shareholders, partners, members, grantor, beneficiaries, or decedent, as the case may be.

Average Annual Adjusted Gross Income	Percentage of Easement Value
\$ 0 - \$55,000	100%
\$55,001 - \$65,000	94%
\$65,001 - \$75,000	88%
\$75,001 - \$85,000	82%
\$85,001 - \$95,000	76%
\$95,001 - \$105,000	70%
\$105,001 - \$115,000	64%
\$115,001 - \$125,000	58%
\$125,001 - \$135,000	52%
\$135,001 - \$145,000	46%
\$145,001 - \$155,000	40%
\$155,001 - \$165,000	34%
\$165,001 - \$175,000	28%
\$175,001 - \$185,000	22%

62nd Clarke County Fair



February 26, 2016

Allison Teator
Conservation Easement Authority
101 Chalmers Ct.
Berryville VA 22611

Dear Allison:

The Clarke County Ruritan is proud to present the **62nd Annual Clarke County Fair** on August 14-20, 2016 at the Ruritan grounds in Berryville. The fair draws over 30,000 people from Clarke and surrounding counties. It is a fun week full of great entertainment, delicious food, 4-H animals & livestock shows, and of course, carnival rides. The much-anticipated fair is a huge community event in Clarke County!

We thank you for your continued support by advertising in the Fair Catalog. We are currently gathering advertisers for the 2016 Fair Catalog. The bound, 8 ½" X 5 ½" Catalog is available free-of-charge to the public in June. Over 2,000 copies are distributed around Clarke and the surrounding counties.

Attached is a copy of your full-page ad from last year's Fair Catalog. Please make any changes to your ad and email or mail it back by March 26, 2016. If you do not have any changes, please drop me an email or note to let me know to keep the ad the same by March 26, 2016.

2016 advertisement prices are as follows:

- \$45 for 1/3 page (4.25 X 2.5 black & white)
- \$60 for 1/2 page (4.25 X 3.5 black & white)
- \$80 for full page (4.25 X 7.5 black & white)

Payments can be made payable to "Clarke County Ruritan – Fair Catalog" and mailed to the address below.

Thank you again for your continued support of our community, the Clarke County Ruritan and the Annual Fair!

See you at the Fair,

Teri Gordon & Barbara Milleson
449 Laurel Wood Lane
Berryville, VA 22611
Home: 540-955-0718; Cell: 540-664-2124
tgordon12@hotmail.com



Worth keeping.

"We do not *inherit* the earth from our ancestors;
we *borrow* it from our children."
— *Wendell Berry, environmentalist*

Learn how you can help. | clarkelandconservation.org

MEMORANDUM

TO: Conservation Easement Authority
FROM: Alison Teetor
DATE: January 20, 2016
SUBJECT: Application for Donation – Johnny Hardesty

Johnny Hardesty has submitted an application for an easement donation. The property is located at 517 Longmarsh Road, ½ mile west of the intersection of Longmarsh Road and Crums Church Road. The parcel is identified as Tax Map# 7-A-119, consisting of 53 acres. The parcel has an existing house that was constructed in 1895 and numerous agricultural buildings. There are 2 remaining DURs. The applicant would like to retire 1 DUR and retain the right to subdivide the remaining DUR.

A site visit was conducted on February 25th.

The parcel has numerous outbuildings in addition to the existing house. The current structural footprint is approximately 12,500 square feet. The 1% limit for a 53 acre parcel is 23,100 sq. ft.. The property is under contract and the new owners have requested that the existing structures be omitted from the 1% thereby allowing up to 35,600 sq. ft. of structures. In addition, the deed provides for a 6 acre subdivision, staff is recommending a 10,000 sq. ft. cap for that parcel.

Recommendation

Give final approval for the easement donation.

