

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**THURSDAY – 19 MAY 2016 - 10:00 AM**  
**A/B Conference Room, 2<sup>nd</sup> Floor Government Center**

**AGENDA**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes of the meetings of 21 April 2016
4. Bank Account balances – see attached spreadsheets
5. Stewardship Fund – balance as of  
30 April 2016                      \$91,286.50      Bank of Clarke County
6. Campaign for the Authority
7. Discussion
  - a. Summer internship
  - b. Request for funding appropriation
  - c. Bird bath - monastery
8. Easement Donation/Purchase
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 June 16<sup>th</sup> 10 am

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**draft Minutes – 21 April 2016 draft**

A regular meeting of the Conservation Easement Authority was held at 10:00 am on Thursday, 21 April 2016, in the A/B Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** R. Buckley, G. Ohrstrom, B. Byrd, L. Wallace, P. Engel, W. Thomas

**Absent:** M. Jones

**Staff:** A. Teetor, B. Stidham, R. Couch Cardillo

**Call to Order :** Mr. Buckley, Chair, called the meeting to order at 10:00 a.m.

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

**Minutes** On motion of Mr. Ohrstrom, seconded by Ms. Thomas, the Authority unanimously voted to approve the minutes of March 17, 2016.

**Bank Account:** The spreadsheets indicate a total fund balance of \$345,829 consisting of, \$159,603 in the donations account, \$86, 226 in stewardship, and \$100,000 in local funds.

**Stewardship Fund:** The stewardship fund has a balance of \$91,252.75 as of March 31, 2016.

**Public Relations:** Ms. Cardillo reported that there have been 32 donations totaling \$2,228 so far in 2016. The spring newsletter has been sent to be included in the tax bills. A revised "Take a Hike" flyer was sent to the Winchester Star in hopes of getting some earth day publicity. The photo exhibit at the barns of Rosehill will remain for two weeks; the opening reception was not well attended. Several single prints and the notecards did sell. The 2016 annual donor reception is scheduled for June 17<sup>th</sup> from 6:30 to 8:30 at Camden. Regarding the gift for the Monastery, there were no bird baths similar to the one given to Ms. Mackay-Smith at Nall's. Members agreed that a search for a similar bath should be conducted at other nurseries prior to looking for another style of bird bath.

**Discussion Items**

**a. Mesilla Pond**

Ms. Teetor included a letter that was sent to Mr. Elsea and his attorney regarding the removal of the trash in the pond and the process for gaining approval from DEQ to fill the pond.

**b. Digges Boundary Line Adjustment**

The Board of Supervisors approved the BLA for Eric and Kyle Digges that will correct a survey error for the Greenway Court property. Mr. Mitchell will prepare the Deed of Correction.

**c. Proposed revision of income criteria for easement purchase**

The Board of Supervisors also approved the change to the income criteria for appraisal purchases would require that the local share not exceed 25% of the appraised value. This would allow the property owner to receive the maximum appraisal value without overspending local funds.

**d. Draft policy square footage for structures**

Ms. Teetor briefed the Authority on a proposed change to the collective footprint allowance for eased properties. Currently the deed template allows for 1% which for small properties is unreasonably limiting. Members reviewed staff's proposal that would set limits of 10,000 sq. ft. for properties < 10 acres, 15,000 sq. ft. for properties between 10 and 30 acres, and 20,000 sq. ft. for parcels between 30 and 50 acres. Parcels over 50 acres would remain at 1%. On motion of Mr. Engel, seconded by Ms. Wallace members approved the proposed change, with appropriate verbiage for the deed template and recommended approval to the Board of Supervisors.

**Easement Donation/Purchase**

Ms. Teetor provided an update on the several outstanding easement applications. A site visit was conducted for the Moore and Dorsey properties located on either side of Shepherds Mill Road on April 12. Mr. Dorsey is waiting for appraisals to determine his course of action. Mr. Greenhalgh is still working toward getting a clear title for title insurance purposes but hopes to have the matter resolved within a few weeks. All grant applications with the Park Service and the Department of Historic Resources have been approved. DHR is drafting the deed of easement. The Tavenner's recorded both the DUR purchase and donation easements on April 20<sup>th</sup>. Mr. Mitchell is reviewing another draft of the Digges easement in hopes of gaining approval from VDACS. Mr. Bell is still waiting for the survey plat detailing the BLA and merger.

**Report on Applications for Easement Purchase**

On motion of Mr. Engel, seconded by 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 Ms. Wallace, seconded by Ms. Thomas, the Authority unanimously approved reconvening in Open Session. Ms. Wallace 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. Thomas	Aye	Mr. Ohrstrom	Aye
Ms. Jones	Absent				

The following action was taken subsequent to the Closed Session:

On motion of Mr. Ohrstrom, seconded by Ms. Wallace, the Authority unanimously voted to give final approval for the request of Kenneth Pitta to retire the 1 remaining DUR on the property identified by Tax Map# 32-A-34 for the DUR purchase price of \$30,000.

**Adjournment** There being no further business, Ms. Wallace moved and Mr. Engel seconded that the Authority adjourn to the next regular meeting is scheduled for Thursday May 19<sup>th</sup> 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 5/09/2016				
Total Fund Balance	Donations	Stewardship Account	Local Funds	
311,938	129,081	72,636	110,221	
<b>Fiscal Year 2016</b>				
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	1,261		-745	
Mar Exps/AP	-2,756			
Apr Rev/AR	1,453		20,255	
Apr Exps/AP	-2,103		-1,528	
Apr Exp Tavenner Purchase	-3,642		-36,868	
May Rev/AR	125			
May Exps/AP	-4,500			
YTD Rev/AR	53,855	18,427	30,943	
YTD Exps/AP	27,707	2,388	43,613	
Adjustments	0	-2,450	2,450	
<b>ACTUAL YTD BALANCE</b>	<b>155,228</b>	<b>86,226</b>	<b>100,000</b>	

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

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

**Brenda Bennett:**  
Anticipated VDACS revenue from Tavenner purchase. Requested, not received yet

**Brenda Bennett:**  
Appraisal rpts for Susan Digges & Digges Farm properties. \$2,250 each

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			
<b>266,752.00</b>			

-100,000.00			
-20,255.00			
-3,375.00			
-20,000.00			
-20,000.00			
<b>103,122.00</b>			

AVAILABLE YTD BALANCE-VDACS

-100,000			
86,226			
0			

**Brenda Bennett:**  
includes all expenses not specifically designated to an easement purchase (including stewardship). Digges appraisals included here since not appropriated as of this date

Anticipated Easement Closings:	Local Funds	Actual Expenses	Balance Remaining
Greenhalgh (Appropriated 11/2015)			
Tavenner (Appropriated 2/2016)-ACTUAL EXPS Recorded above			
Cool Spring Farm, LLC - Not Appropriated		-3,375	
Digges Farm LLC - Not Appropriated		-20,000	
Susan Digges - Not Appropriated		-20,000	
<b>ESTIMATED YTD BALANCE</b>	<b>198,079</b>	<b>111,853</b>	<b>86,226</b>

FY16 Expenditure Appropriations	Local Funds	Actual Expenses	Balance Remaining
Greenhalgh	30,000	33,198	-3,198
Greenhalgh - pending	200,000		200,000
Tavenner - closed in Apr	40,000	40,510	-510

Through May 9, 2016

Conservation Easement Expense Detail - FY16

	Donations	Stewardship	Local Funds
July	80 Advertisement-2015 Fair Catalog		500 Appraisal Rpt of Cool Springs
August	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 <u>4,484</u>	199.00 Mileage	
Sept	12.05 FedEx to Elizabeth Vehmeye 230.40 Summer 2015 Newsletter 960.00 Summer Newsletter Prep 28.00 Take a Hike Poster 425.00 Production of Summer '15 newsletter <u>1,655</u>	1,000.00 Christian Thomas 1,000.00 Macson McGuigan 188.16 Mileage <u>2,188</u>	
Oct	1,120.00 Robin Couch Cardilla Svcs 197.07 Postage 64.15 Petty Cash <u>1,381</u>		
Nov	475.00 Fall 2015 Newsletter 791.28 Printing & folding Fall newsletters 880.00 fall newsletter <u>2,146</u>		
Dec	382.55 Cards Printed 960.00 Robin Couch Cardilla - misc Svcs 150.00 Gloria Marconi Illustration Svcs 397.15 Postage <u>1,890</u>		1,535 Hall Monahan - Legal Svcs Nov 2015 908 Hall Monahan - Legal Svcs Dec 2015
Jan	785 Winchester Printers, annual appeal Ltr.		
Feb	1,002.14 Robin Couch Cardilla-prep work, data maint. 880.00 Robin Couch Cardilla-finalize year end 402.80 Postage <u>2,285</u>		1,030.00 Hall Monahan - Legal Svcs Jan 2016 500.00 Myers & Woods-Appraisal Digges Farm <u>1,530</u>
Mar	450.00 Gloria Marconi Illustration Svcs 1,440.00 Robin Couch Cardillo-Award Luncheon, etc 182.04 BB&T - Lunch CEA Camino Real 109.00 Crown Trophy-CEA 575.00 Winchester Printers, CEA Winter '16 newsltr <u>2,756</u>		745 Hall Monahan - Legal Svcs Feb 2016
Apr	1,362.50 Robin couch Cardillo- services & supplies 215.90 Purchase Power - postage 75.00 Gloria Marconi Illus. Svcs (Updates to Take a Hike flier) 450.00 Gloria Marconi Illus. Svcs -Spring 2016 Newsletter <u>2,103.40</u>		1,528 Hall Monahan - Legal Svcs Mar 2016 36,868 Tavenner Purchase
May	3,642 Tavenner Purchase 2,250 Appraisal Group Inc-appraisal Susan Digges Property 2,250 Appraisal Group Inc-appraisal Digges Farm LLC Property <u>4,500</u>		
June			

YTD Totals 27,707

Donations 27,707

Stewardship 2,387

Local Funds 43,614



2 East Main Street  
Berryville, VA 22611

**April 2016**

Reporting Activity 04/01 - 04/30

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**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](http://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	\$91,286.50

It's Springtime and the loans are bloomin'! Stop into any branch location for that home improvement, vehicle or personal loan.

**NOW-Public Fund - XXX2089**

**Account Summary**

Date	Description	Amount
04/01/2016	Beginning Balance	\$91,252.75
	0 Debit(s) this period	\$0.00
	1 Credit(s) this period	\$33.75
04/30/2016	Ending Balance	\$91,286.50

**Interest Summary**

Description	Amount
Interest Earned From 04/01/2016 Through 04/30/2016	
Annual Percentage Yield Earned	0.45%
Interest Days	30
Interest Earned	\$0.00
Interest Paid This Period	\$33.75
Interest Paid Year-to-Date	\$125.94
Interest Withheld Year-to-Date	\$0.00
Minimum Balance	\$91,252.75

**Deposits**

Date	Description	Amount
04/30/2016	Accr Earning Pymt Added to Account	\$33.75

**Daily Balances**

Date	Amount	Date	Amount
04/01/2016	\$91,252.75	04/30/2016	\$91,286.50





ROBIN COUCH CARDILLO

May 13, 2016

Clarke County Conservation Easement Authority  
Fundraising and Public Relations Report  
May 2016 meeting

**Donor Statistics**

See attached Master Report

- 2016 total: \$2,903 from 40 donors

**Ongoing**

*-Publicity*

- After Apple Blossom media, repitched updated "Take a Hike" flyer to *Winchester Star Life* editor; awaiting feedback

*-Summer newsletter*

- Developing content: planned giving sidebar/stock donations; spotlight easement partner Virginia Department of Historic Resources; profile (Tavenner?)

*-Donor reception*

- Invitations to go out next week
- Friday, June 17, 6:30-8:30 pm

*-Easement road show*

- Revisiting educational PowerPoint
- Visibility at the Clarke County Fair?

# Fundraising Results: Clarke County Conservation Easement Authority

As of May 13, 2016

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016 YTD
Amount	\$13,345	\$19,090	\$20,871	\$25,649	\$26,396	\$25,843	\$23,530	\$42,266	\$36,260	\$57,356.00	\$2,903.00
# Donations	115	161	208	209	203	195	181	200	169	158	40
<b>YE Donor Appeal</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	2016
Donor Respondents	73	59	87	86	76	68	50	69	51	61	
YE Prospect Amount		\$2,115	\$425				\$40		\$1,650	\$104	
Prospect Respondents		24	7				1		3	2	
<b>Winter Newsletter</b>											
Dollar Amount			\$2,700	\$2,065	\$2,865	\$2,126	\$3,611	\$4,805	\$3,335	\$2,700	2016
Respondents			23	27	32	21	32	39	26	25	28
<b>Spring Newsletter</b>											
Donor: Dollar Amount	\$3,775	\$455	\$2,074	\$5,820	\$2,810	\$2,520	\$3,415	\$1,975	\$3,705	\$3,420	2016
Donor: Respondents	35	5	19	38	26	27	32	28	26	27	7
Daypayer Spring Newsletter: Dollar Amt		\$2,200	\$940	\$460	\$450	\$825	\$765	\$165	\$1,380	\$100	\$25
Daypayer Spring Newsletter: Respondents		16	19	10	4	11	5	4	9	1	1
<b>Summer Newsletter</b>											
Dollar Amount		\$2,370	\$2,020	\$1,330	\$1,883	\$2,735	\$1,580	\$5,040	\$3,215	\$1,927	2016
Respondents		20	27	22	33	26	21	22	27	22	
<b>Fall Newsletter</b>											
Donor: Dollar Amount		\$2,210	\$765	\$260	\$7,300	\$2,946	\$4,630	\$2,660	\$2,325	\$1,250	2016
Donor: Respondents		12	5	7	25	26	30	27	14	3	
Daypayer Fall Newsletter Dollar Amt		\$1,430	\$90	\$1,405	\$65	\$605	\$715	\$240	\$760		
Daypayer Fall Newsletter: Respondents		25	4	8	2	8	9	5	5		
<b>Over the Transom</b>											
Dollar Amount			\$3,380	\$4,175	\$1,900	\$868	\$1,457	10,500	\$1,550	\$257	2016
Donor Respondents			17	11	5	6	2	2	2	3	4
<b>Donor Thank-You Party</b>											
Dollar Amount	\$1,105										2016
Donor Respondents	6								\$705	\$595	14
<b>Photo Revenue</b>					\$747	\$57	\$67				
Gift-in-Kind (admin work donated by Kate Petranec)						\$346	\$473	\$469			



MEMORANDUM

TO: Board of Supervisors, David Ash  
 FROM: Alison Teetor  
 DATE: April 27, 2016  
 SUBJECT: VDACS funding – Conservation Easement Authority

The Clarke County Easement Authority receives funding from several different grant sources. The Virginia Department of Agriculture and Consumer Services (VDACS), is a state source, which has been providing funding to the County since FY08. The VDACS funds are allocated to local purchase of development right (PDR) programs (like the Easement Authority) that are certified based on VDACS criteria. The source of the grant funds is an annual appropriation by the General Assembly that is divided between the certified PDR programs. In general, for each \$1 in grant moneys awarded by the Office, the applicable local purchase of development rights program of the county or city shall be required to provide a \$1 match.

Each year the County is required to provide a Certification of Matching funds which determines the potential allocation of VDACS funding for that fiscal year. The matching funds must be appropriated to be considered matching.

Table 1. Allocation of VDACS funds from inception thru FY16

<u>Locality</u>	<u>Easements</u>	<u>Acres Protected</u>	<u>*Local Funding</u>	<u>*State PDR Funding</u>	<u>*Other Funding</u>
Albemarle County	11	2,148.42	\$2,186,720.05	\$1,627,061.44	—
City of Chesapeake	1	64.01	\$505,534.58	\$110,952.46	—
Clarke County	25	2,019.52	\$816,139.26	\$816,136.29	\$2,590,025.00
Fauquier County	8	2,494.41	\$1,822,428.09	\$1,491,808.91	\$100,000.00
Frederick County	1	89.75	\$5,000.00	\$130,027.00	\$260,000.00
Goochland County	1	500.93	\$155,623.50	\$155,623.50	—
Isle of Wight County	3	585.4	\$1,794,862.79	\$1,547,744.21	—
James City County	3	385.2	\$1,397,388.36	\$616,381.49	—
Northampton County	3	637.25	\$139,578.10	\$139,578.10	\$1,376,000.00
Rappahannock County	2	343.23	\$157,431.00	\$156,666.00	—
Shenandoah County	2	308.87	\$100,000.00	\$100,000.00	\$525,000.00
Spotsylvania County	2	115.7	\$93,072.65	\$93,072.65	\$147,500.00
Stafford County	4	303.1	\$820,945.65	\$814,233.35	—
City of Virginia Beach	5	308.64	\$1,197,700.34	\$925,543.66	—
Washington County	1	161.24	\$41,000.00	\$41,000.00	\$190,426.00
<b>TOTAL</b>	<b>72</b>	<b>10,465.67</b>	<b>\$11,233,424.37</b>	<b>\$8,765,829.06</b>	<b>\$5,188,951.00</b>

Table 1 summarizes the overall funding, Table 2 details the funding from VDACS per fiscal year for all counties with certified programs. This details the total allocated by the General Assembly (bottom line) and the share allocated to each locality. Clarke County has received full (\$150,000) appropriation through FY14. For FY15 and FY16 appropriations were \$15,000 and \$25,000 respectively. As can be seen from the FY 15 and FY16 columns Clarke received proportionately less than the other County's due to a lack of appropriated funds. As these funds are non-competitive grants that double the County's purchasing power I would urge the Board to renew the previous annual appropriation to \$150,000/ fiscal year.

I was asked to determine if VDACS would allow verbiage other than the word appropriate to provide matching funds. Here is the response from Andy Sorrell, Coordinator at VDACS:

Regarding your question, that form is what allows us to figure out how much each locality has available when we are doing the allocation calculations prior to the allocations. It is not a legally binding document, but one that allows us to figure out how much each locality is eligible to receive. If your Board prefers to appropriate fund at the time of easement purchase, then we still need something at the time of your application for state-matching funds that is confirmed by your fiscal officer as to how much you have available for local match that has not been previously committed. If your fiscal officer and county administrator are comfortable with striking through "appropriated" and using "by resolution" or something else, we are fine with considering something different since it is the IGA that is the binding document. Please let know what you think you desire to change it to, and we will review.

**Recommendation**

Re-establish the annual appropriation of \$150,000 per fiscal year to the Easement Authority in order to provide a maximum match for VDACS funds.

