

# CLARKE COUNTY

## Conservation Easement Authority

THURSDAY – 17 SEPTEMBER 2015 - 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 meeting of 20 August 2015
4. Bank Account Report Balance as of

31 July 2015	\$107,337.19	Bank of Clarke County
+ Donations	<u>\$ 1,250.00</u>	
Balance as of August 31, 2015	\$108,587.19	
5. Stewardship Fund – balance as of

31 August 2015	\$72,685.60	Bank of Clarke County
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6. Campaign for the Authority – see attached report
7. Easement Donation/Purchase
  - a. George Greenhalgh – DUR purchase
  - b. Cool Spring Farm, LLC – grant application
  - c. Tavenner – easement donation, DUR purchase
  - d. Susan Ross – easement donation
  - e. Linda Armbrust – easement donation
  - f. Susan Digges – ALE grant application
  - g. Jay Taylor – easement donation
  - h. Ken Bell – easement donation

### 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.*

8. Adjournment - next meeting – Thursday October 15<sup>th</sup> 10 am

**CLARKE COUNTY**  
**Conservation Easement Authority**  
**draft Minutes – 20 August 2015 draft**

A regular meeting of the Conservation Easement Authority was held at 10:00 am on Thursday, 20 August 2015, in the A/B Conference Room, 2<sup>nd</sup> Floor Government Center.

**Present:** R. Buckley, G. Ohrstrom, M. Jones W. Thomas, L. Wallace  
**Absent:** M. Hobert, P. Engel  
**Staff:** A. Teetor, B. Stidham  
**Others Present** J.T. Anderson, Powhatan School, Carolyn Sedgewick, PEC  
**Call to Order :** Mr. Buckley, Chair, called the meeting to order at 10:00 a.m.

**Agenda** On motion of Ms. Wallace, seconded by Mr. Ohrstrom, the Authority unanimously approved the agenda as amended to move the discussion of the Powhatan School site plan after the approval of the minutes, and to add review of a Forest Stewardship Management Plan for Bruce Brownson to discussion item c.

**Minutes** On motion of Mr. Ohrstrom, seconded by Ms. Jones, the Authority unanimously voted to approve the minutes of July 16, 2015, with corrections.

**Discussion – Powhatan School site plan**

JT Anderson was present to discuss the proposed construction of the gathering pavilion, wetland boardwalk and pavilion, and bird watching pavilion. He stated that the first structure to be built would be the Gathering pavilion, with the other 2 being built as funds become available. Ms. Teetor explained that the Deed of Easement requires approval of the Authority prior to construction. The Authority had met several times with Kit McGinnis of the School, to discuss the proposed plans for constructing these facilities as part of the ongoing environmental education program. After discussion, on motion of Mr. Ohrstrom, seconded by Ms. Jones, members unanimously approved the request to construct the previously mentioned structures.

**Bank Account:** Ms. Teetor provided an updated bank statement. The general fund balance as of July 31, 2015 is \$107,337.19. There were a total of \$860.39 donations in July. Ms. Teetor also stated that the expenditures have not been deducted from the bank account balance as the County is in a transition to new accounting software, so the actual balance is several thousand dollars less than reported. An accurate balance will be provided at the next meeting.

**Stewardship Fund:** The stewardship fund has a balance of \$72,660.92 as of July 31, 2015.

**Public Relations:** Ms. Cardillo reported that the winning photos from the contest were displayed in the Ruritan building at the fair and were well received. She discussed options for using the photos for fundraising efforts and suggested note cards, calendars and tote bags. Ms. Jones suggested the tote bags could be sold at the farmers market. Ms. Cardillo will research costs of production and report back at the next meeting. She also asked members if anyone would be available to work at the farmers market in September, several members thought they could make it either the 3<sup>rd</sup> or 4<sup>th</sup> Saturday. Ms. Cardillo also discussed pursuing Family Foundations as sources of donations. She mentioned several foundations that she knew of in the County and that she would continue to try to build on this idea.

## Discussion

**b. DUR purchases** – Ms. Teetor included a spreadsheet in the packet detailing the DUR purchases since the inception of that option in 2010. A total of 15 easements have been secured under the DUR purchase program. Mr. Buckley had requested the summary to refresh members on what the Authority had been offering based on property resource scores and income levels.

**c. Forest Stewardship Management Plan and Pre-Harvest – TM#’s 42-A-3 & 4.** Jeremy Clem, Blue Ridge Forestry Consulting submitted a Management Plan for approval for a select cut on the above referenced properties. The Deed of Easement requires submission of a plan for approval by the Authority 30 days prior to beginning any material timber harvest. On motion by Mr. Ohrstrom, seconded by Ms. Thomas members approved the Forest Stewardship Management Plan.

**d. Moore and Dorsey** – Ms. Sedgewick was present and reported that the PEC Board approved the payment request of \$25,000 toward the easement purchase of Moore and Dorsey property TM 16-((A))-16 which was recorded November 15, 2014.

## Easement Donation/Purchase

- a. George Greenhalgh – DUR purchase** – Ms. Teetor stated Mr. Greenhalgh has applied to place 2 properties (Tax Map#’s 22-((A))-123 & 22-((A))-123A) in easement using the DUR purchase option. The properties are located on the north side of Ellerslie Road at the intersection with Clay Hill Road. The 2 parcels consist of 94 acres with 4 DURs, and 41 acres with 3 DURs, for a total of 135 acres and 7 remaining DURs. The applicant would like to retire 5 of the remaining 7 DUR’s leaving 1 DUR per parcel. The application will be discussed further in closed session.
- b. Cool Spring Farm, LLC grant application** – Ms. Teetor stated that the state grant application has been submitted and we will be notified in September if we have been approved. The federal grant application is currently being prepared. A site visit was conducted on July 29<sup>th</sup>.
- c. Larry & William Tavenner – TM#’s 22-((A))-15 & 15A - easement purchase DUR** Ms. Teetor stated that since the last meeting the Tavenner’s would like the Authority to consider approval of retiring both of the remaining DUR’s. A site visit was conducted on July 29<sup>th</sup>. The item will be discussed further in closed session.
- d. Sue Ross – TM# 23-((A))-47 – easement donation** - Susan Ross has applied for an easement donation. The parcel is located at 804 Lockes Mill Road approximately ¼ mile west of the intersection with Springsbury Road. The parcel is 20 acres with an existing house and 0 remaining DUR’s. The property meets 2 of the 4 criteria. The property resource score is 59.92, it is next to an existing easement, no DUR is being retired and it is under 40 acres. Points were given for having frontage on a perennial stream (Lewis Run), and being within the Chapel National Register District. On motion of Mr. Ohrstrom, seconded by Ms. Wallace the Authority unanimously voted to give preliminary approval and schedule a site visit (Ms. Jones abstained).

**Report on Applications for Easement Purchase**

On motion of Mr. Ohrstrom, seconded by Ms. Jones 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. Buckley, the Authority unanimously approved reconvening in Open Session. Mr. Ohrstrom moved, seconded by Ms. Jones, 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:

Mr. Hobert	Absent	Ms. Wallace	Aye	Mr. Buckley	Aye
Mr. Engel	Absent	Ms. Thomas	Aye	Mr. Ohrstrom	Aye
Ms. Jones	Aye				

The following action was taken subsequent to the Closed Session:

On motion of Ms. Wallace, seconded by Mr. Ohrstrom, the Authority unanimously voted to give final approval for the DUR easement purchase of Larry and William Tavenner and authorized staff to prepare a purchase agreement for \$40,000 per DUR retired as adjusted for income.

On motion of Ms. Wallace, seconded by Mr. Ohrstrom, the Authority unanimously voted to approve the DUR easement purchase for George Greenhalgh and authorized staff to offer \$40,000 per DUR retired pending the site visit.

**Adjournment** There being no further business, Mr. Ohrstrom moved and Ms. Jones seconded that the Authority adjourn to the Thursday September 17<sup>th</sup> at 10:00 am. The motion was approved unanimously.

Starting Tax Year: 5514 Ending Tax Year: 5514 Starting Date: 08/01/2015 Ending Date: 08/31/2015

DATE	DEPT	CL	TICKET/SEQ.	DISTRICT NO./NAME	TAX AMT	PEN. AMT	INT. AMT	ADJ. AMT
8/03/2015	CONRAD		1480001	CONSERVATION EASEMENT	150.00	.00	.00	.00
8/04/2015	CONRAD		1490001	RITZENBERG G	1,000.00	.00	.00	.00
8/05/2015	CONRAD		1500001	MCLEAN WILLIAM & LESL	25.00	.00	.00	.00
8/10/2015	CONRAD		1510001	CONSERVATION EASEMENT	25.00	.00	.00	.00
8/12/2015	CONRAD		1520001	CONSERVATION EASEMENT	50.00	.00	.00	.00
				CLASS TOTAL	1,250.00	.00	.00	.00
				DEPT TOTAL	1,250.00	.00	.00	.00
				FINAL TOTAL	1,250.00	.00	.00	.00

TOTAL ITEMS BY YEAR  
5514 5

ALL ITEMS 5



2 East Main Street  
Berryville, VA 22611

**August 2015**

Reporting Activity 08/01 - 08/31

Page 1 of 2

**ADDRESS SERVICE REQUESTED**

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

**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	\$72,685.60

Our new One Loudoun branch is NOW OPEN! Stop by 44810 Saranac Street in Ashburn and meet our energetic staff. COMING SOON-our Leesburg branch at 504 East Market Street.

**NOW-Public Fund - XXX2089**

**Account Summary**

Date	Description	Amount
08/01/2015	Beginning Balance	\$72,660.92
	0 Debit(s) this period	\$0.00
	1 Credit(s) this period	\$24.68
08/31/2015	Ending Balance	\$72,685.60

**Interest Summary**

Description	Amount
Interest Earned From 08/01/2015 Through 08/31/2015	
Annual Percentage Yield Earned	0.40%
Interest Days	31
Interest Earned	\$0.00
Interest Paid This Period	\$24.68
Interest Paid Year-to-Date	\$193.27
Interest Withheld Year-to-Date	\$0.00
Minimum Balance	\$72,660.92

**Deposits**

Date	Description	Amount
08/31/2015	Accr Earning Pymt Added to Account	\$24.68

**Daily Balances**

Date	Amount	Date	Amount
08/01/2015	\$72,660.92	08/31/2015	\$72,685.60

**Overdraft and Returned Item Fees**

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





ROBIN COUCH CARDILLO

September 11, 2015

Clarke County Conservation Easement Authority  
Fundraising and Public Relations Report  
September 2015 meeting

**Donor Statistics**

See attached Master Report

- Spring newsletter to date: \$3,520, 28 donors
- Total: \$7,015, 69 donors
- Quick analysis: # of donors is consistent with 2014 YTD, but amount per donor is down

**Ongoing**

*-Publicity*

- Plan to be at Farmers' Market on Sept 12
- Outreach to Barns of Rose Hill – they're discussing show of local artwork for the holidays and photos could potentially be part of that

*-School outreach*

- Alison and I visited with Clarke County High School Principal Dana Waring on conservation club, scholarship

*-Speaking engagements*

- Promoted in summer newsletter; completing slide show draft

*-Feeding the pipeline of donors*

- Report on family foundations research

*-Fall newsletter and end-of-year appeal*

- Would like to add a story or stats that show urgency/need, also a touching story of how an easement made a difference





## MEMORANDUM

TO: Clarke County Easement Authority  
FROM: Alison Teetor  
DATE: September 8, 2015  
SUBJECT: Application for Donation – Armbrust

Linda Armbrust has applied to the easement authority for approval of an easement donation. The parcel consists of 10 acres located on the north side of Pyletown Road (Route 620) at 1886 Pyletown Road approximately 1.8 miles west of the intersection of Pyletown Road and Route 340.

The parcel is zoned AOC and is eligible for landuse. Therefore the following guidelines for accepting properties for easement donation are used:

- 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.

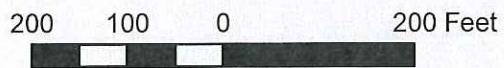
The Authority requires that a property meet at least two of the four guidelines for acceptance.

The property has one (1) unused Dwelling Unit Right (DUR), and one (1) Exception/Exemption. The applicant would like to retire the remaining DUR. In reviewing the parcel, at three of 4 criteria have been met. The Property Resource Score is 76.98, one DUR is being extinguished, it is next to an existing easement, it is less than 40 acres in size.

The parcel is open pasture with the existing residence and associated out buildings. It is within the groundwater recharge area and the Prospect Hill Spring drainage. The parcel has frontage on Pyletown Road, a State scenic byway for 600'. The parcel is within the Chapel Rural Historic District and the house, built in 1886, is a contributing structure.




**Linda Armbrust**  
**21-((A))-4, 10 acres. 1 exempt., 1 DUR**



September 8, 2015  
 Clarke County GIS

Aerial Imagery 2011, Commonwealth of Virginia



-  Parcel Boundary
-  Conservation Easements
-  Public Road
-  Scenic Road
-  Private Road

**Location Map**



## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: September 10, 2015  
SUBJECT: Application for easement donation – Susan Ross  
Tax Map# 23-((A))-47

Susan Ross has applied for an easement donation. The parcel is located at 804 Lockes Mill Road approximately ¼ mile west of the intersection with Springsbury Road. The parcel is 20 acres with an existing house and 0 remaining DUR's.

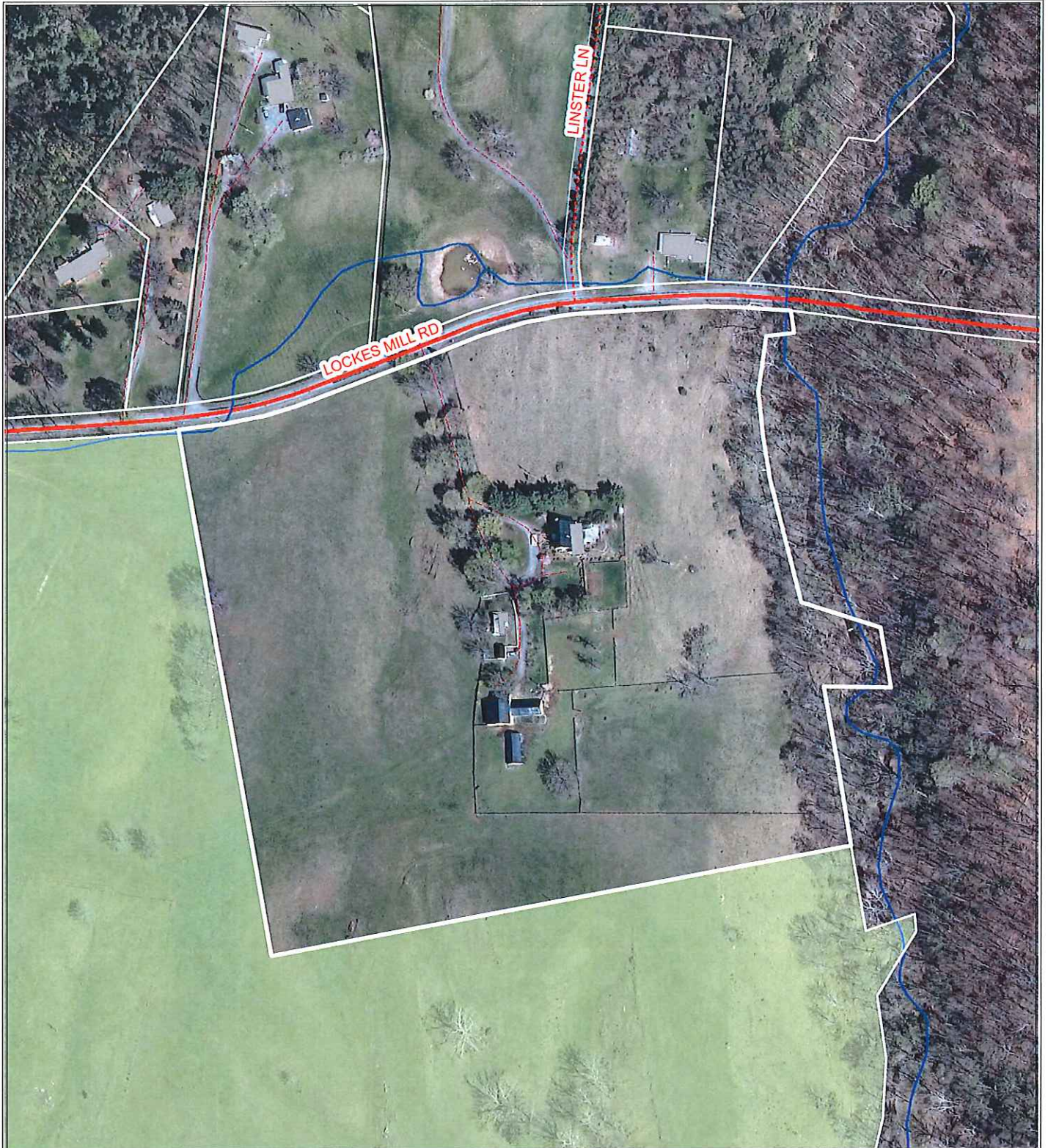
The parcel is zoned AOC is in use value taxation, in accord with the Commissioner of Revenue's requirements, therefore a DUR purchase may be considered if at least two of the following four guidelines are met:

- 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 59.92, it is next to an existing easement, no DUR is being retired and it is under 40 acres. Points were given for having frontage on a perennial stream (Lewis Run), and being within the Chapel National Register District.

### **Recommendation**

Give final approval.




**Susan Rossetti**  
**Tax Map# 23-((A))-47**  
**20 acres, 1 ext. house, 0 DURs**



Clarke County GIS  
 July 8, 2015



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

Location Map



## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: September 10, 2015  
SUBJECT: Application for easement donation – Jay Taylor  
Tax Map# 28-((A))-45

Jay Taylor has applied to the easement authority for approval of an easement donation. The property is vacant and located on the east side of the railroad on Rock Gate Lane approximately  $\frac{3}{4}$  mile south of White Post off White Post Road. The property is 22.6 acres, wooded, with 2 DURs.

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

### **Easement Donation**

If the parcel is currently in or eligible for use value taxation, in accord with the Commissioner of Revenue's requirements, then a 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.

The property meets 3 of the 4 of the criteria. The parcel score is over 35 (64.6), points were given for retiring 2 DUR's, being next to an existing easement, and being in the same ownership for more than 50 years. The applicant would like to retire both of the remaining DUR's, it is adjacent to an existing easement, and it is not more than 40 acres.

December 8, 2014

Lewis J. Taylor  
516 Oak Grove Rd.  
Norfolk, VA 23505

RE: Conservation Easement Application – Tax Map# 28-((A))-45

Dear Mr. Taylor:

At their November 20, 2014 meeting, the Conservation Easement Authority gave final approval to your application for easement donation for the property identified by Tax Map# 28-((A))-45. The property consists of 22.6 acres, which is currently vacant with 2 remaining dwelling unit rights (DURs). The authority approved the easement as a donation with your request that both remaining DUR's be extinguished. If you decide to proceed with the donation please contact me to prepare the necessary documents for closing.

Please do not hesitate to call if you have any questions.

Sincerely,

Alison Teetor  
Natural Resource Planner



**Lewis J. Taylor**  
**Tax Map# 28-((A))-45, 22.6 ac., 2 DUR's**



Clarke County GIS  
 October 6, 2014



-  Conservation Easements
-  Parcel Boundary
-  Public Road
-  Private Road
-  Scenic Byway

Location Map



Aerial Imagery 2011 Commonwealth of Virginia

MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: September 10, 2015  
SUBJECT: Application for Donation – Ken Bell

At the November 2011 meeting the Authority reviewed an application for easement donation submitted by Ken Bell. Mr. Bell owns 4 parcels consisting of a total of 51.72 acres, located at the end of Greenstone Lane (Carefree Acres). Members gave preliminary approval for the donation. A site visit was conducted November 21<sup>st</sup>. In 2014 Mr. Bell has acquired the 4<sup>th</sup> parcel consisting of 5.86 acres with an existing house.

Tax Map#	Acres	Score	#DURs	# Houses
38-((A))-44	14.5	42.18	1	1
38-((A))-45	25.0	47.01	2	0
38-((A))-47	6.36	37.27	0	1
38-((A))-48	5.86	32.45	0	1

The parcels are zoned FOC and are not currently in landuse, but are eligible as the combined acreage exceeds 21 acres. Therefore the following guidelines for accepting properties for easement donation are used:

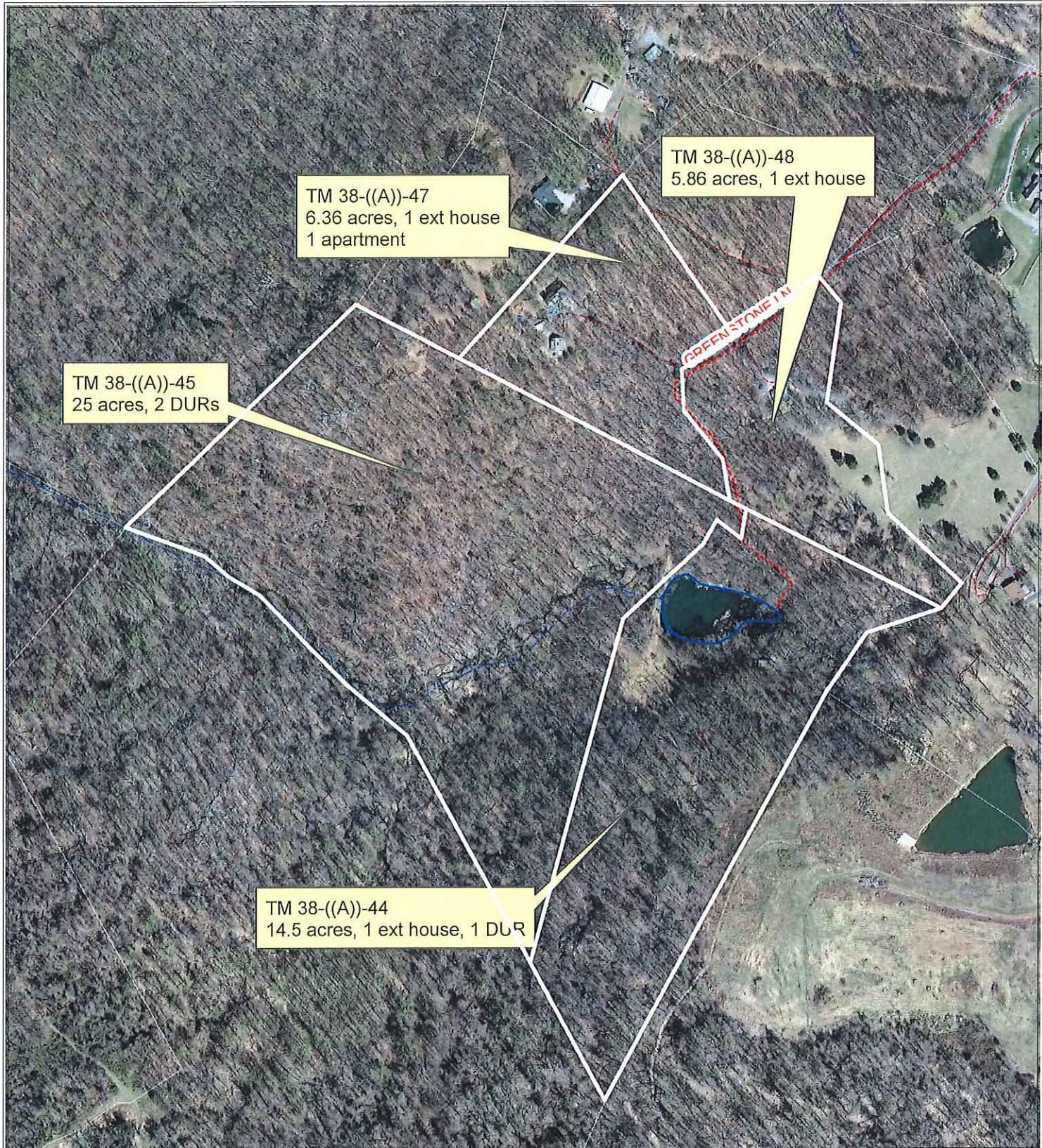
- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the donated conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The Authority requires that a property meet at least two of the four guidelines for acceptance. There is a small pond and intermittent stream on the property. The applicant would like to place all 4 parcels in easement. Parcels 44 & 45 meet 2 of the 4 criteria by scoring over 35 and retiring a DUR. Parcel 47 has a score over 35 and would meet if the adjoin parcel was in easement. Parcel 48 does not currently meet the criteria, but Mr. Bell may tear the existing house down and then retire the resulting DUR and it would be next to an existing easement.

Recommendation

Give preliminary approval and determine whether a second site visit is needed.





TM 38-((A))-45  
25 acres, 2 DURs

TM 38-((A))-47  
6.36 acres, 1 ext house  
1 apartment

TM 38-((A))-48  
5.86 acres, 1 ext house

TM 38-((A))-44  
14.5 acres, 1 ext house, 1 DUR

GREENSTONE LN

Kenneth Bell Properties



Clarke County GIS  
August 27, 2015



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

Location Map



Aerial Imagery 2011 Commonwealth of Virginia