

## Jefferson County Farmland Protection Board

Board Meeting.....Monday, April 9, 2018  
Jefferson County Public Services Building/ Development Authority Conference Room  
1948 Wiltshire Rd, Kearneysville, WV 25430

### AGENDA

5:00 pm .....Call to Order and Opening Remarks \* Action item

#### **Introduction of Guests:**

**Approval of Minutes of Previous Meeting:** March 12, 2018 \*

**Treasurer's Report \***

**Administrator's Report**

#### **New Business:**

- **Consider for approval:** That the Board accept the counter-offer from Property LLL owners as follows: The 300-acre +/- property, less and excepting a 2.5 acre residential parcel and a 2-acre residential parcel, to be placed under a perpetual conservation easement for a price not to exceed \$4,300.00 per acre, with the Board holding the easement on the 12-acre +/- farmstead complex area, and co-holding the easement on the remainder of the property with the Land Trust of the Eastern Panhandle and the American Battlefield Protection Program. \*
- **Consider for approval:** That the Board approve the Spring 2018 monitoring reports: Davidson, Hoover-Gray, Knighten, Lorber, Pritchard, Quinn, Renaud, Restiano-Schiavone, Rogers-Rissler, Smith-Payne, Washington. \*
- **Consider for approval:** Recommendation from the Easement Committee for Board action regarding potential violations of the easement terms of the Scott property. \*

#### **Committee Reports**

- Easement Committee
- Finance Committee
- Fundraising and Public Relations Committee
- Personnel Committee/ Board Development
- Strategic Plan Committee

7:00 pm ----- Adjourn

All Farmland Protection Board meetings are open to the public.  
To address the Board, contact Elizabeth Wheeler to be placed on the agenda.  
Email: Jefferson@wvfp.org Phone: (304) 724-1414

## Jefferson County Farmland Protection Board

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1948 Wiltshire Rd, Kearneysville, WV 25430

### MEETING MINUTUES

5:00 pm .....Call to Order and Opening Remarks \* Action item

- Meeting called to order by President Mr. Glenn.
- Attending the meeting were Mr. Ober, Mr. Glenn, Mr. Diehl, Ms. Tabb, Mr. Quinn, Ms. McDonald and Ms. Wheeler. Absent – Mr. Kercheval.

#### **Introduction of Guests:**

- None.

#### **Approval of Minutes of Previous Meeting:** March 12, 2018 \*

- Correct typo to refer to Meeting Minutes, not Agenda.
- Hearing no comments or objections, the minutes were approved by unanimous consent.

#### **Treasurer's Report \***

- Ms. Wheeler presented the Treasurer's report for March, 2018.
  - Mr. Diehl moved to accept the March Treasurer's Report as presented and the motion was seconded by Mr. Ober. The motion passed unanimously.

#### **Administrator's Report**

- No further additions from written report.

#### **New Business:**

- **Consider for approval:** That the Board accept the counter-offer from Property LLL owners as follows: The 300-acre +/- property, less and excepting a 2.5 acre residential parcel and a 2-acre residential parcel, to be placed under a perpetual conservation easement for a price not to exceed \$4,300.00 per acre, with the Board holding the easement on the 12-acre +/- farmstead complex area, and co-holding the easement on the remainder of the property with the Land Trust of the Eastern Panhandle and the American Battlefield Protection Program. \*
  - Ms. Wheeler reviewed changes and discussions held with LLL property owners, essentially accepting board's recommended farmstead (from last month), but also minus two residential parcels.
  - Ms. Wheeler recommended changes to proposal be accepted to board.
  - Mr. Quinn moved to accept LLL proposal, the motion was seconded by Mr. Ober. The motion passed unanimously.

- **Consider for approval:** That the Board approve the Spring 2018 monitoring reports: Davidson, Hoover-Gray, Knighten, Lorber, Pritchard, Quinn, Renaud, Restiano-Schiavone, Rogers-Rissler, Smith-Payne, Washington. \*
- Mr. Glenn moved to accept Spring monitoring reports, the motion was seconded by Mr. Diehl. The motion passed unanimously.
- **Consider for approval:** Recommendation from the Easement Committee for Board action regarding potential violations of the easement terms of the Scott property. \*
- Committee reviewed two concerns, one involving an abandoned house trailer on the easement area of the property (replaced with a new one) and one involving large crates on the easement area of the property. Recommendation is to proceed with contacting landowner and Land Trust to confirm that these items are in process of being addressed.
- Mr. Glenn moved to accept committee recommendation to contact landowner and coordinate resolution with Land Trust. The motion was seconded by Mr. Diehl. The motion passed unanimously.

### **Committee Reports**

- Easement Committee
- Finance Committee
- Fundraising and Public Relations Committee
- Personnel Committee/ Board Development
- Strategic Plan Committee

5:50 pm ----- Adjourn

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## Jefferson County Farmland Protection Board

05/14/18

## Balance Sheet

Accrual Basis

As of April 30, 2018

	Apr 30, 18
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
BCT - ICS	2,887,522.41
BCT - Easement Acquisition Fund	44,219.93
Bank of Charles Town	148,722.18
BCT - Fundraising Account	1,014.95
BCT - Stewardship Account	12,716.96
Total Checking/Savings	3,094,196.43
Other Current Assets	
Transfer Taxes Receivable	59,528.30
Legal Retainer	3,000.00
Total Other Current Assets	62,528.30
Total Current Assets	3,156,724.73
Fixed Assets	
Computer Equipment	1,663.73
Total Fixed Assets	1,663.73
<b>TOTAL ASSETS</b>	<b><u>3,158,388.46</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to County Commission	48,026.31
Total Other Current Liabilities	48,026.31
Total Current Liabilities	48,026.31
Total Liabilities	48,026.31
Equity	
Reserved for Encumbrances	1,943,252.50
Reserved for Farmland Protect.	571,250.75
Net Income	595,858.90
Total Equity	3,110,362.15
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>3,158,388.46</u></b>

Profit & Loss

	<u>Apr 18</u>
Ordinary Income/Expense	
Income	
Transfer Tax	52,859.11
Interest/Dividends	1,854.01
Contributions Income	1,356.90
	<hr/>
Total Income	56,070.02
Expense	
Event Expense	90.00
Advertising & Marketing Expense	818.50
Postage and Delivery	11.36
Printing and Reproduction	332.00
Professional Fees	
Accounting	525.00
Computer Support	39.00
Consulting/Contract	500.00
	<hr/>
Total Professional Fees	1,064.00
Supplies	48.86
Telephone	75.00
Travel & Ent	
Meals	75.00
Travel	231.45
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Total Travel & Ent	306.45
Total Expense	2,746.17
Net Ordinary Income	53,323.85
Net Income	<u><u>53,323.85</u></u>

Jefferson County Farmland Protection Board

5/14/2018 4:19 PM

Register: Bank of Charles Town

From 04/01/2018 through 04/30/2018

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
04/09/2018	3949	Ours Lawyer Lewis ...	Professional Fees:Acco...	Invoice No. 18-...	525.00	X		139,168.46
04/09/2018	3950	W.B. Mason Co., Inc.	Supplies	Invoice 537772...	48.86	X		139,119.60
04/09/2018	3951	Torri Martin	Professional Fees:Cons...	Invoice No. 013	350.00			138,769.60
04/11/2018	3952	Vital Signs Plus	Advertising & Marketi...	Inv. 37045	818.50	X		137,951.10
04/25/2018			Transfer Taxes Receiva...	Deposit		X	73,322.45	211,273.55
04/30/2018			Interest/Dividends	Interest		X	75.99	211,349.54
04/30/2018	3953	Elizabeth Wheeler	-split-	April Expenses	214.92			211,134.62
04/30/2018	3954	Progressive Printing	Printing and Reproduct...	Invoice 58685	332.00			210,802.62
04/30/2018	3955	United Bankcard	-split-		306.89			210,495.73
04/30/2018	3956	Torri Martin	Professional Fees:Cons...	Invoice No. 14	150.00			210,345.73
04/30/2018			BCT - ICS	Funds Transfer	61,623.55	X		148,722.18

# Jefferson County Farmland Protection Board

## Administrator's Monthly Report ... April 9, 2018

### Easement Progress:

- 2016 ACEP/ALE: ZZ and EEE – Approved by the County Commission April 5, 2018.
- EEE ALE Plan under NRCS review. We will need to review the plan with landowners and NRCS. ALE Plan for ZZ has not been completed.
- 2014-15 RCPP picks: HHH (278 acres), III (243 acres). Submitted to NRCS in May 2017. Review is due April 20.

### Easement Applicants:

- Property LLL – prospective ABPP applicant responded to the Board's counter-offer of \$4,300/acre with an amended offer to include the farmstead complex area with a counter-offer to accept the easement on the farmstead complex area and to exclude two 2-acre residential parcels.
- MMM: a possible Civil War Trust//ABPP applicant, or a DEP 319 Grant candidate. The Board may consider alternative scenarios for protection and offers.

### Easement Inquiries:

April 9: Berkeley County landowner re: 72-acre farm for sale in Shepherdstown District.

### Easement policy/ issues:

Easement amendment – NRCS rules may require re-appraisal and re-survey if we seek an amendment to correct a boundary or reduce easement area up to 10%.

### Amendment provisions, and Conversion and Diversion deed language in ABPP Deed template:

Discussed potential issues on April 2 regarding the IRS definition of perpetuity in conservation easements with Grant Smith, Rob Glenn, and Lavonne Paden. The IRS can invalidate a donation if the deed does not clearly state that the easement is permanent and require that conversion or extinguishment be approved in "a court of competent jurisdiction." There is also concern that the IRS could decide that because language allows conversion, they could determine property valuation in estate proceedings at current market rate.

### Administration:

- Easement amendments/corrections for Shannon Donley, Sam Donley, Richard Latterell, Stine, Printz.
- Request Board member suggestions for new Board members . Two positions will complete terms in August 2018.

Fundraising/outreach: May 20 Gap View Farm Event. I will ask for Board member assistance with meet and greet functions.

Projects in process:

- Annual report
- Technical Service Provider Grant: awaiting notification of decision.

Events/Meetings:

April 10: WV Association of Farmland Protection Boards, Petersburg

May 9 – 12 – Capitol Hill visit

April 10: WV Association of Farmland Protection Boards, Petersburg

Other: Vacation time: April 12, 13 and 18, 19, 20.