

# Jefferson County Farmland Protection Board

Board Meeting.....Monday, July 10, 2017

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: Grant Smith**

**Approval of Minutes of Previous Meeting:** June 12, 2017 \*

**Treasurer's Report \***

**Administrator's Report**

**New Business:**

- Discuss requirements and considerations for a third-party holder on future Deeds of Conservation Easements held by the Board.
- Consider for approval: Easement/Policy Committee recommendations to adopt the revisions to the Policy on Standard 3: Board Accountability \*
- Consider for approval: Easement/Policy Committee recommendations to adopt the policy provisions for easements without a co-holder. \*
- Consider for approval: Easement/Policy Committee recommendations for resources needed to address the ALE Plan enforcement requirements. \*
- Consider for approval: Expenses of \$1,500.00 for travel, hotel, registration, meals for the Land Trust Alliance Conference, October 25-28. \*

## 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

Board Meeting.....Monday, July 10, 2017

Jefferson County Public Services Building/ Development Authority Conference Room  
1948 Wiltshire Rd, Kearneysville, WV 25430

## MEETING MINUTES DRAFT

5:02 pm .....Call to Order and Opening Remarks \* Action item

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

### **Introduction of Guests: Grant Smith**

### **Approval of Minutes of Previous Meeting: June 12, 2017 \***

- Hearing no comments or objections, the minutes were approved by unanimous consent.

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

- Ms. Wheeler presented the Treasurer's report.
  - Ms. McDonald moved to accept the Treasurer's Report as presented and the motion was seconded by Mr. Quinn. The motion passed unanimously.

### **Administrator's Report**

- No further additions from written report.

### **New Business:**

- Discuss requirements and considerations for a third-party holder on future Deeds of Conservation Easements held by the Board.
  - Discussed feasibility of changing NCRS Third-Party Holder language to allow Land Trust co-hold without risk of being held liable for non-enforcement costs levied by NCRS. Currently the language from NCRS holds all co-holder accountable.
  - Discussed possibility of having separate agreement with Land Trust that would allow them to be 3<sup>rd</sup> Party Beneficiary co-holder provides indemnification.
  - Rob, Grant and Liz W. will explore options and report progress back next month.
- Consider for approval: Easement/Policy Committee recommendations to adopt the revisions to the Policy on Standard 3: Board Accountability \*
  - Committee recommends to board with one grammar correction.
  - Ms. McDonald moved to accept the Standard 3: Board Accountability as presented and the motion was seconded by Mr. Ober. The motion passed unanimously.

- Consider for approval: Easement/Policy Committee recommendations to adopt the policy provisions for easements without a co-holder. \*
  - o Easement committee recommends textual changes from
    - “..a landowner shall designate a co-holder....” to
    - “..a landowner wherever practicable shall designate a co-holder...”
  - o Ms. McDonald moved to accept the co-holder language changes as presented and the motion was seconded by Mr. Ober. The motion passed unanimously.
- Consider for approval: Easement/Policy Committee recommendations for resources needed to address the ALE Plan enforcement requirements. \*
  - o Easement committee reported they do not have enough information from NRCS, nor final ALE Plan to make a recommendation.
  - o Discussed where board is in AAA process, Mr. Quinn requested board receive deed language and final ALE plan for review.
- Consider for approval: Expenses of \$1,500.00 for travel, hotel, registration, meals for the Land Trust Alliance Conference, October 25-28. \*
  - o Mr. Quinn moved to approve and the motion was seconded by Mr. Ober. The motion passed unanimously.

### **Committee Reports**

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

6:27 pm ----- Adjourn

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Email: [Jefferson@wvfp.org](mailto:Jefferson@wvfp.org) Phone: (304) 724-1414

## Jefferson County Farmland Protection Board

## Balance Sheet

As of July 31, 2017

	<u>Jul 31, 17</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
BCT - ICS	2,973,780.93
BCT - Easement Acquisition Fund	29,627.98
Bank of Charles Town	199,490.62
BCT - Fundraising Account	1,010.03
BCT - Stewardship Account	12,655.30
Total Checking/Savings	<u>3,216,564.86</u>
Other Current Assets	
Transfer Taxes Receivable	70,416.44
Legal Retainer	3,000.00
Total Other Current Assets	<u>73,416.44</u>
Total Current Assets	<u>3,289,981.30</u>
Fixed Assets	
Computer Equipment	1,663.73
Total Fixed Assets	<u>1,663.73</u>
<b>TOTAL ASSETS</b>	<b><u>3,291,645.03</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
Reserved for Encumbrances	2,649,856.76
Reserved for Farmland Protect.	571,250.75
Net Income	70,537.52
Total Equity	<u>3,291,645.03</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>3,291,645.03</u></b>

Jefferson County Farmland Protection Board  
**Profit & Loss**  
July 2017

	<u>Jul 17</u>
Ordinary Income/Expense	
Income	
Transfer Tax	70,416.44
Interest/Dividends	1,735.23
	<hr/>
Total Income	72,151.67
Expense	
Advertising & Marketing Expense	350.00
Dues and Subscriptions	75.00
Licenses and Permits	15.00
Postage and Delivery	85.80
Printing and Reproduction	0.00
Professional Fees	
Accounting	525.00
Computer Support	0.00
Consulting/Contract	406.76
	<hr/>
Total Professional Fees	931.76
Supplies	0.00
Telephone	75.00
Travel & Ent	81.59
	<hr/>
Total Expense	1,614.15
Net Ordinary Income	70,537.52
	<hr/>
Net Income	<u>70,537.52</u>

Jefferson County Farmland Protection Board

8/14/2017 4:26 PM

Register: Bank of Charles Town  
 From 07/01/2017 through 07/31/2017  
 Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
07/01/2017	3887	Ours Lawyer Lewis ...	Professional Fees:Acco...	Invoice No. 17-...	525.00	X		197,674.04
07/01/2017	3888	Torri Martin	Professional Fees:Cons...	Invoice No. 4	406.76	X		197,267.28
07/01/2017	3889	USPS	Postage and Delivery	P. O. Bo 731	76.00	X		197,191.28
07/01/2017	3890	Jefferson County De...	Professional Fees:Com...	Reimburse Co...	707.44	X		196,483.84
07/01/2017	3891	Sheriff of Jefferson C...	Due to County Commi...	Reimburse FP...	64,929.20	X		131,554.64
07/01/2017	3892	JC Chamber of Com...	Dues and Subscriptions	Chamber Dues	75.00	X		131,479.64
07/01/2017	3893	Progressive Printing	Printing and Reproduct...	Invoice No. 55...	15.00	X		131,464.64
07/01/2017	3894	W.B. Mason Co., Inc.	Supplies	Invoices 44953...	29.77	X		131,434.87
07/19/2017			Transfer Taxes Receiva...	Deposit		X	168,552.37	299,987.24
07/19/2017			BCT - ICS	Funds Transfer	100,069.28	X		199,917.96
07/31/2017			Interest/Dividends	Interest		X	104.05	200,022.01
07/31/2017	3895	WV Secretary of State	Licenses and Permits	Renew Charita...	15.00			200,007.01
07/31/2017	3896	Contemporary Ameri...	Advertising & Marketi...	Invoice #2017-...	350.00			199,657.01
07/31/2017	3897	Elizabeth Wheeler	-split-	July Expenses	166.39			199,490.62

**Jefferson County Farmland Protection Board**  
**Statement of Assets, Liabilities Fund Balance**

As of June 30, 2017 and June 20, 2016

Accrual Basis

	Jun 30, 17	Jun 30, 16
<b>ASSETS</b>		
<b>Current Assets</b>		
<b>Checking/Savings</b>		
BCT - ICS	2,872,104.36	2,276,932.72
BCT - Easement Acquisition Fund	29,611.63	22,818.13
Bank of Charles Town	198,199.04	68,102.65
BCT - Fundraising Account	1,009.47	1,002.93
BCT - Stewardship Account	12,648.32	12,566.40
<b>Total Checking/Savings</b>	3,113,572.82	2,381,422.83
<b>Other Current Assets</b>		
Transfer Taxes Receivable	168,552.37	93,942.39
Legal Retainer	3,000.00	3,000.00
<b>Total Other Current Assets</b>	171,552.37	96,942.39
<b>Total Current Assets</b>	3,285,125.19	2,478,365.22
<b>Fixed Assets</b>		
Computer Equipment	1,663.73	1,663.73
<b>Total Fixed Assets</b>	1,663.73	1,663.73
<b>TOTAL ASSETS</b>	3,286,788.92	2,480,028.95
<b>LIABILITIES &amp; EQUITY</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
<b>Accounts Payable</b>		
Accounts Payable	752.21	0.00
<b>Total Accounts Payable</b>	752.21	0.00
<b>Other Current Liabilities</b>		
Due to County Commission	64,929.20	0.00
<b>Total Other Current Liabilities</b>	64,929.20	0.00
<b>Total Current Liabilities</b>	65,681.41	0.00
<b>Total Liabilities</b>	65,681.41	0.00
<b>Equity</b>		
Reserved for Encumbrances	2,649,856.76	1,317,104.26
Reserved for Farmland Protect.	1,162,924.69	1,178,764.12
Net Income	-591,673.94	-15,839.43
<b>Total Equity</b>	3,221,107.51	2,480,028.95
<b>TOTAL LIABILITIES &amp; EQUITY</b>	3,286,788.92	2,480,028.95

Jefferson County Farmland Protection Board  
Statement of Income Expenditures  
For the Twelve Months Ended June 30 2017 and June 30 2016  
Accrual Basis

	<u>Jul '16 - Jun 17</u>	<u>Jul '15 - Jun 16</u>
Ordinary Income/Expense		
Income		
Reimbursed Expenses	1,788.42	0.00
Transfer Tax	808,072.64	697,107.42
Grants	0.00	0.00
NPS/CWPT/ABPP Grants	12,835.21	5,897.07
Interest/Dividends	18,008.39	13,181.76
Contributions Income	6,480.70	6,320.83
Total Income	<u>847,185.36</u>	<u>722,507.08</u>
Expense		
Grant Expense	3,796.76	0.00
Event Expense	0.00	270.00
Advertising & Marketing Expense	360.12	1,639.12
Conferences Education & Training	0.00	749.00
Dues and Subscriptions	734.00	1,090.00
Licenses and Permits	40.00	15.00
Office Supplies	0.00	46.11
Postage and Delivery	97.00	23.06
Printing and Reproduction	3,006.60	3,699.44
Professional Fees		
Accounting	2,100.00	2,100.00
Audit	4,212.00	4,698.00
Computer Support	1,183.28	2,434.88
Consulting/Contract	2,654.49	5,525.00
Total Professional Fees	<u>10,149.77</u>	<u>14,757.88</u>
Rent	0.00	66.00
Salary & Benefits Expense	64,929.20	66,055.97
Supplies	819.76	1,130.68
Telephone	825.00	900.00
Travel & Ent		
Meals	376.50	350.25
Travel	1,372.09	2,065.93
Travel & Ent - Other	0.00	583.07
Total Travel & Ent	<u>1,748.59</u>	<u>2,999.25</u>
Total Expense	<u>86,506.80</u>	<u>93,441.51</u>
Net Ordinary Income	760,678.56	629,065.57
Other Income/Expense		
Other Income		
Prior Years Encumbrances		
Easement Costs		
Appraisal	0.00	-3,500.00
Survey	0.00	-4,800.00
Total Easement Costs	<u>0.00</u>	<u>-8,300.00</u>
Total Prior Years Encumbrances	<u>0.00</u>	<u>-8,300.00</u>



Jefferson County Farmland Protection Board  
Statement of Income Expenditures  
For the Twelve Months Ended June 30 2017 and June 30 2016  
Accrual Basis

Total Other Income	0.00	-8,300.00
Other Expense		
Current Year Encumbrances		
Easement Acquisition	1,332,752.50	631,105.00
Easement Costs		
Land Trust of EP - Monitoring	5,000.00	5,000.00
Surveys	9,100.00	500.00
Appraisals	5,500.00	0.00
Total Easement Costs	<u>19,600.00</u>	<u>5,500.00</u>
Total Current Year Encumbrances	<u>1,352,352.50</u>	<u>636,605.00</u>
Total Other Expense	<u>1,352,352.50</u>	<u>636,605.00</u>
Net Other Income	<u>-1,352,352.50</u>	<u>-644,905.00</u>
Net Income	<u><u>-591,673.94</u></u>	<u><u>-15,839.43</u></u>

# Jefferson County Farmland Protection Board

## Administrator's Monthly Report ...July 10, 2017

### Easement Progress:

- AAA: NRCS is processing all materials. County Commission approved the easement on July 6, w/o going into executive session. The cooperative agreement was extended and now expires August 31, 2018. Preparing paperwork for advance payment of NRCS funds. Closing date TBA.
- ZZ and EEE baseline field work has been completed.
- NRCS pick for 2017 ACEP ALE: JJJ (278 acres)
- 2014-15 RCPP picks: HHH (278 acres), III (243 acres). Awaiting landowners to get results of restricted use reports and to decide whether to proceed.

Easement Inquiries/Issues: Morgan Property buyers are closing July 10.

### Easement policy/ issues:

- WV Association and the Authority are working on issues with NRCS:
  - As we burrow further into the Farm Bill law, NRCS manual, rules and WV ranking, new information surfaces that has inspired us to make several requests of the State Conservationist:
    - That the extinguishment/condemnation language in the WV Deed of Conservation Easement be compliant with IRS regulations.
    - Change the ALE Application Matrix ranking criteria so that the percentage of qualifying soils and cropland is considered in relation to the parcel size, so that small parcels with higher percentages of qualifying soil and cropland do not outrank larger parcels with lower percentages of these indicators.
    - Recommend that WV Farmland Protection Boards use the NRCS template approved by NRCS HQ through the Authority, modified to include IRS compliant extinguishment language.
    - Discuss WV NRCS claim that any feature that scores points in the matrix application must generate a required practice. This is not specified in the NRCS rules or manual. (ALE Plan is positioned as a gateway to required enhanced conservation practices.)
- Legislative issues – In next session, state development authorities may attempt again to take Farmland Protection Boards' funds. Association of FPBs are preparing for this.

Administration: MOU with LTEP revisions/corrections

Fundraising/outreach: Need to start planning for AAA PR and possible event

### Projects in process:

- Audit of Baseline documentation reports. Already found errors in the Aspen Pool baseline (2005).
- Planning for WV Association of FPB Fall workshops

### Events/Meetings:

- July 13: NRCS meeting, Morgantown
- July 18: WVAFPB meeting, Seneca Rocks.
- WVAFPB workshops: September 8 (Sutton) September 22 (Smokehole)