

Jefferson County Farmland Protection Board

Board Meeting.....Monday, March 10, 2014

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

AGENDA

5:00pmCall to Order and Opening Remarks

* Action item

Introduction of Guests: Chris Luttrell, Bill O'Donnell

Approval of Minutes of Previous Meeting (February 10, 2014)*

Treasurer's Report *

Administrator's Report

Unfinished Business

- Olcott easement amendment status

New Business:

- Discussion with Assistant State Conservationist Bill O'Donnell: Farm Bill changes and rules.
- Consider for Approval: Financial Management Policy: That the Board set a capitalization threshold of \$3,000 for assets it purchases.*
- Consider for Approval: to join LTEP proposal to NRCS that Farm Bill rule waive minimum 25% match from entities such as FPBs for "properties of special significance"*
- Easements and tax sales: Implications for integrity of farmland protection easements.
- Spring Property Monitoring Schedule

Committee Reports

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

Announcements:

Planned Giving Webinar: March 26

7:00 pm ----- Adjourn

All Farmland Protection Board meetings are open to the public.
To address the Board, contact Elizabeth McDonald to be placed on the agenda.
Email: FarmlandProtection@jcda.net Phone: (304) 724-1414

Jefferson County Farmland Protection Board

Board Meeting.....Monday, March 10, 2014

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

MEETING MINUTES

5:00pmCall to Order and Opening Remarks

* Action item

- Meeting called to order by President McDonald. Attending the meeting were Mr. Quinn, Mr. Glenn (via phone, and later in person), Ms. Tabb, Mr. Ober and Ms. Wheeler.

Introduction of Guests: Chris Luttrell, counsel for JCFPB, Bill O'Donnell, Assistant State Conservationist, WV/NRCS

Approval of Minutes of Previous Meeting (February 10, 2014)*

- Hearing no objections the minutes were approved with unanimous consent.

Treasurer's Report *

- Treasurer reviewed by Ms. Wheeler in Treasurer's absence.
- Need to check the Balance sheet, doesn't appear to have QQ closing however Balance Sheet does. Will pass on to Mr. Reisenweber.
- Mr. Quinn moved to defer Treasurer's Report until next month until Balance Sheet question is answered, seconded by Mr. Ober. The motion passed unanimously.

Administrator's Report

Received administrator's report from Ms. Wheeler. Discussion topics on/in addition to written report:

- Discussed accepting painting donation, group consensus to accept and ask Fundraising and Public Relations Committee to brainstorm ideas for what to do with it.

Unfinished Business

- Olcott easement amendment status
 - No action, next discussion is during upcoming monitoring schedule

New Business:

- Discussion with Assistant State Conservationist Bill O'Donnell: Farm Bill changes and rules.
 - o Bill discussed new farm bill differences from previous 2008 Farm Bill.
 - o Gave overview of new definitions, including Grass Lands as evaluation criteria and possibility of more woodland (non-industrial forest land). FRPP and WRP have been combined, and now are called the Agricultural Lands Easement program, or ALE.
 - o Discussed market analysis (program cap), appraisal and owner offers in possible future NRCS application process. Request input from board on NRCS preferred program cap/acre approach.
 - o Current 2014 applications submitted are pending NRCS guidance and effectively on hold until changes in rules are evaluated and determined
 - o Discussed two parts of law's language regarding fair market value, donations, and board contributions – review language but no guidance from NRCS available yet.

- New farm bill does contain language that addresses easement release/dissolution that was never before – opening door for eminent domain encroaching easements, but how NRCS/States address are up in the air. The new language will place the burden of defense of easements on the states. The President has ordered the federal agencies to not exert authority over the states in easement enforcement.
- Consider for Approval: Financial Management Policy: That the Board set a capitalization threshold of \$3,000 for assets it purchases.*
 - No policy on capitalization exists today, recommendation from account audit and accountant.
 - Mr. Quinn moved to accept accountant and auditor recommendation to implement \$3,000 capitalization threshold for assets purchased, seconded by Mr. Glenn. The motion passed unanimously.
- Consider for Approval: to join LTEP proposal to NRCS that Farm Bill rule waive minimum 25% match from entities such as FPBs for “properties of special significance”*
 - Mr. O’Donnell expressed that he is not sure LTEP has interpreted the new law language correctly, and may be mixing two topics.
 - Board recommended delaying further discussion, and asked Ms. McDonald to discuss with Grant.
- Easements and tax sales: Implications for integrity of farmland protection easements.
 - Mr. Luttrell discussed issue unpaid taxes, what should FLPB position be on ensuring property taxes are properly paid.
 - Consensus from board is that we would rather not be a “test case” with this issue, and in our best interest to monitor tax situation as part of our annual monitoring routine.
- Spring Property Monitoring Schedule
 - Has been sent to board, sign up are welcome. Please see Ms. Wheeler.

Committee Reports

- Audit Committee – nothing to report, other than above capitalization request.
- Easement Committee – nothing to report
- Finance Committee – meet 3/10, recommendations will be made for next month’s agenda.
- Fundraising and Public Relations Committee – nothing to report
- Personnel Committee/ Board Development – nothing to report
- Strategic Plan Committee – nothing to report

Announcements:

Planned Giving Webinar: March 26

- Please see Ms. Wheeler to join in Webinar.

6:32 pm ----- Adjourn

All Farmland Protection Board meetings are open to the public.

To address the Board, contact Elizabeth McDonald to be placed on the agenda.

Email: FarmlandProtection@jcda.net Phone: (304) 724-1414

4:39 PM

06/26/14

Accrual Basis

Jefferson County Farmland Protection Board
Balance Sheet
As of February 28, 2014

	<u>Feb 28, 14</u>
ASSETS	
Current Assets	
Checking/Savings	
BCT - ICS	1,204,206.00
BCT - Easement Acquisition Fund	13,071.07
Bank of Charles Town	94,129.03
BCT - Fundraising Account	794.75
BCT - Stewardship Account	12,511.16
Total Checking/Savings	<u>1,324,712.01</u>
Other Current Assets	
Legal Retainer	3,000.00
Total Other Current Assets	<u>3,000.00</u>
Total Current Assets	1,327,712.01
Fixed Assets	
Computer Equipment	2,236.17
Total Fixed Assets	<u>2,236.17</u>
TOTAL ASSETS	<u>1,329,948.18</u>
LIABILITIES & EQUITY	
Equity	
Reserved for Encumbrances	265,820.00
Reserved for Farmland Protect.	348,329.07
Net Income	715,799.11
Total Equity	<u>1,329,948.18</u>
TOTAL LIABILITIES & EQUITY	<u>1,329,948.18</u>

4:40 PM
06/26/14
Accrual Basis

Jefferson County Farmland Protection Board
Profit & Loss
February 2014

	<u>Feb 14</u>
Ordinary Income/Expense	
Income	
Transfer Tax	27,246.29
Interest/Dividends	643.19
Contributions Income	10.00
Total Income	<u>27,899.48</u>
Net Ordinary Income	27,899.48
Other Income/Expense	
Other Expense	
Conservation Easement Procure	120,500.00
Current Year Encumbrances	
Easement Costs	
Land Trust of EP - Monitoring	4,600.00
Legal Fees	2,811.60
Settlement Charges	136.00
Title Insurance	903.00
Total Easement Costs	<u>8,450.60</u>
Total Current Year Encumbrances	<u>8,450.60</u>
Total Other Expense	<u>128,950.60</u>
Net Other Income	<u>-128,950.60</u>
Net Income	<u><u>-101,051.12</u></u>

Jefferson County Farmland Protection Board

6/26/2014 4:42 PM

Register: Bank of Charles Town

From 02/01/2014 through 02/28/2014

Sorted by: Date, Type, Number/Ref

<u>Date</u>	<u>Number</u>	<u>Payee</u>	<u>Account</u>	<u>Memo</u>	<u>Payment</u>	<u>C</u>	<u>Deposit</u>	<u>Balance</u>
02/10/2014			BCT - ICS	Funds Transfer	94,395.75	X		195,747.27
02/18/2014			Transfer Tax	Deposit		X	27,246.29	222,993.56
02/19/2014			BCT - Fundraising Acc...	Funds Transfer	1.00	X		222,992.56
02/20/2014	3643	Luttrell & Prezioso, ...	-split-	QQ Donley Set...	124,350.60	X		98,641.96
02/24/2014	3644	Land Trust of Easter...	Current Year Encumbr...	Monitoring 23 ...	4,600.00	X		94,041.96
02/28/2014			Interest/Dividends	Interest		X	87.07	94,129.03

Jefferson County Farmland Protection Board

Administrator's Monthly Report March 10, 2014

Easement Progress:

- Property QQ: Easement closed February 24, 2014
- Property VV: Appraisal Review complete, price unchanged. Documents sent to NRCS, working on easement language

Easement Inquiries:

- February 20: 175+ acre property, Brucetown Road
- February 25: 12-acre property, Shepherdstown
- February 27: Assisted applicant for 75-acre property, Leetown.
- March 1: Assisted applicant for 80+ acre farm, Leetown.
- March 5: Inquiry from PA buyer seeking 200 acres for beef/dairy.

Easement policy/ issues:

- New NRCS template with forestry language: Still Pending: Attorney General's office review of forestry language to clarify permitted activities and implications with the IRS. Auditor's Office is in communication w/ AG staff.
- Under the new Farm Bill, donors of easement value may deduct up to 30% of the donor's income over a maximum of six years.
- Other Farm Bill developments: Regional rate cap a possibility (for discussion with NRCS)
- Eminent Domain issues: Recent efforts to undo easements in Hardy and Mineral county for public utilities requires a statewide plan/policy in concert with federal partners.

Communications/Outreach:

- Press release re: William Donley easement
- Discussion w/ Mark Ewing, Ewing Farm Preservation, Vincennes Indiana: re: planning services to protect farms, farm viability: financial, succession, business development, estate planning, etc.
- Discussion with Daniel Lutz with John Reisenweber re: application. Suggested that he could re-apply.
- Date TBA: DC visit to congressional representatives with Authority and other FPB representatives.
- Painting donation offer from Patricia Perry.

Admin/Financial

- January transfer tax: \$ 27,246.29

Projects in process:

- Landowner Survey: 2 responses received

Events:

- March 14: Forum for Rural Innovation, Winchester, VA Sunday
- May 4: Zion Episcopal Church sermon for farmland protection May 4th – 3rd Sunday of Easter
- May 12-13: Rutgers University National Farmland Protection Workshop, Hershey, PA
- May 22, 2014: WV Land Trust Special Places Event, Charleston