

# Jefferson County Farmland Protection Board

## Board Meeting - Monday, September 11, 2023 - 7:00 PM

JCDA Conference Room, 1948 Wiltshire Road, Kearneysville, WV  
Minutes

\* Action item

7:03 PM .....Call to Order and Opening Remarks

- In Attendance: Mr. Banks, Dr. Hetzel, Ms. Johnson, Dr. Stine, Ms. Tabb (JCC representative) Ms. Wheeler, (Director)
- Absent: Ms. Benites LM (JCDA representative), Mr. Berndt
- A quorum was met with at least four voting members present.

### Introduction of Guests

**Approval of Minutes of Previous Meeting** (August 10, 2023) \* Dr. Stine moved to accept the minutes, seconded by Dr. Hetzel. The motion carried unanimously.

**Approval of Treasurer's Report:** (August 2023) Dr. Hetzel moved to accept the Treasurer's Report, seconded by Dr. Stine. The motion carried unanimously.

### Administrative Report (attached)

#### New Business:

**1. Consider for approval: Proposal from F. Mark Schiavone for Baseline Report preparation for Property 2023-01 for \$1,802.21.** Dr. Stine moved to approve the proposal for the Baseline Report, seconded by Ms. Johnson. The motion carried unanimously.

**2. Consider for approval: Proposed deed language for Property 2023-01.** The Director presented the summary of Bowles Rice attorney Brian Jett's review of the deed language for Property 2023-01, which found no issues with the proposed additional language. Ms. Tabb moved to approve the proposed deed language for Property 2023-01, seconded by Ms. Johnson. The motion carried unanimously.

**3. Schedule Easement Committee meeting:** The Easement Committee will meet to discuss adopting the revised deed template as approved for Property 2023-01 for county-funded and/or donated easements.

**4. Schedule Policy Committee meeting:** The Director will mail hard copies of the draft policy document to Dr. Hetzel and Dr. Stine for review and comment. A meeting to discuss the material will be scheduled at a later date.

Public Comment

Closing Remarks

Adjourn.

The Jefferson County Farmland Protection Board reserves the right to re-arrange items on the agenda if necessary to accommodate time constraints of the public or the Board.

## Jefferson County Farmland Protection Board

## Balance Sheet

As of September 30, 2023

10/04/23

Accrual Basis

	Sep 30, 23	Sep 30, 22	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
<b>Checking/Savings</b>			
BCT - CDAR	4,077,221.05	0.00	4,077,221.05
BCT - Operating x9741	136,620.62	147,558.35	-10,937.73
BCT - Stewardship Reserve x7390	112,046.69	111,284.07	762.62
BCT - Stewardship Account x7412	72,629.18	13,240.72	59,388.46
BCT - ICS x0740	862,055.81	3,653,794.17	-2,791,738.36
BCT - ICS EAF x2034	340,574.28	290,181.00	50,393.28
<b>Total Checking/Savings</b>	5,601,147.63	4,216,058.31	1,385,089.32
<b>Other Current Assets</b>			
Transfer Taxes Receivable	302,740.90	129,533.80	173,207.10
Legal Retainer	3,000.00	3,000.00	0.00
<b>Total Other Current Assets</b>	305,740.90	132,533.80	173,207.10
<b>Total Current Assets</b>	5,906,888.53	4,348,592.11	1,558,296.42
<b>Fixed Assets</b>			
Furniture & Fixtures	4,502.00	0.00	4,502.00
<b>Total Fixed Assets</b>	4,502.00	0.00	4,502.00
<b>TOTAL ASSETS</b>	<b>5,911,390.53</b>	<b>4,348,592.11</b>	<b>1,562,798.42</b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
<b>Accounts Payable</b>			
Accounts Payable	2,860.25	0.00	2,860.25
<b>Total Accounts Payable</b>	2,860.25	0.00	2,860.25
<b>Other Current Liabilities</b>			
Due to Jefferson County Comm.	0.00	24,101.39	-24,101.39
<b>Total Other Current Liabilities</b>	0.00	24,101.39	-24,101.39
<b>Total Current Liabilities</b>	2,860.25	24,101.39	-21,241.14
<b>Total Liabilities</b>	2,860.25	24,101.39	-21,241.14
<b>Equity</b>			
Reserved for Encumbrances	1,807,408.00	1,915,185.00	-107,777.00
Reserved for Farmland Protect.	3,596,492.03	1,864,053.44	1,732,438.59
Net Income	504,630.25	545,252.28	-40,622.03
<b>Total Equity</b>	5,908,530.28	4,324,490.72	1,584,039.56
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>5,911,390.53</b>	<b>4,348,592.11</b>	<b>1,562,798.42</b>

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

10/04/23

July through September 2023

Accrual Basis

	Jul - Sep 23	Jul - Sep 22	\$ Change	% Change
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
WV DEP Grant	60,732.75	0.00	60,732.75	100.0%
Transfer Tax	416,852.69	358,520.35	58,332.34	16.3%
Interest/Dividends	39,174.13	9,137.04	30,037.09	328.7%
<b>Contributions Income</b>				
Individuals	710.59	75.00	635.59	847.5%
Contributions Income - Other	0.00	50.00	-50.00	-100.0%
<b>Total Contributions Income</b>	710.59	125.00	585.59	468.5%
<b>Total Income</b>	517,470.16	367,782.39	149,687.77	40.7%
<b>Expense</b>				
Advertising & Marketing Expense	358.00	806.88	-448.88	-55.6%
Bank Service Charges	75.00	75.00	0.00	0.0%
Dues and Subscriptions	400.00	100.00	300.00	300.0%
Miscellaneous	212.98	107.98	105.00	97.2%
Office Supplies	0.00	156.92	-156.92	-100.0%
Postage and Delivery	306.84	195.44	111.40	57.0%
<b>Professional Fees</b>				
Accounting	2,025.00	2,025.00	0.00	0.0%
Computer Support	100.00	100.00	0.00	0.0%
Legal Fees	1,780.25	0.00	1,780.25	100.0%
<b>Total Professional Fees</b>	3,905.25	2,125.00	1,780.25	83.8%
Salary & Benefits Expense	0.00	24,101.39	-24,101.39	-100.0%
Telephone	225.00	150.00	75.00	50.0%
<b>Travel &amp; Ent</b>				
Travel	298.17	127.12	171.05	134.6%
<b>Total Travel &amp; Ent</b>	298.17	127.12	171.05	134.6%
Utilities	448.42	802.62	-354.20	-44.1%
<b>Total Expense</b>	6,229.66	28,748.35	-22,518.69	-78.3%
<b>Net Ordinary Income</b>	511,240.50	339,034.04	172,206.46	50.8%
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
<b>Current Year Encumbrances</b>				
Easement Acquisition	0.00	-209,454.00	209,454.00	100.0%
<b>Easement Costs</b>				
Easement Administration	860.25	0.00	860.25	100.0%
Baselines	0.00	3,235.76	-3,235.76	-100.0%
Appraisals	4,500.00	0.00	4,500.00	100.0%
Legal Fees	1,250.00	0.00	1,250.00	100.0%
<b>Total Easement Costs</b>	6,610.25	3,235.76	3,374.49	104.3%
<b>Total Current Year Encumbrances</b>	6,610.25	-206,218.24	212,828.49	103.2%
<b>Total Other Expense</b>	6,610.25	-206,218.24	212,828.49	103.2%
<b>Net Other Income</b>	-6,610.25	206,218.24	-212,828.49	-103.2%
<b>Net Income</b>	<b>504,630.25</b>	<b>545,252.28</b>	<b>-40,622.03</b>	<b>-7.5%</b>

## **Jefferson County Farmland Protection Board**

### **Administrative Monthly Report .... September 11, 2023**

#### **Easement Progress:**

Property 2020-02 – C & D Moler (93.5 ac) The survey is complete. NRCS approved the revised appraisal. Baseline draft prepared. Deed template prepared.

Property 2020-04 RB Moler (175.53 ac) NRCS approved the draft survey. Baseline placeholder confirmed, and appraisal ordered. The Phase 1 identified a buried tank. NRCS requires its removal, and the landowner has been notified. (The Phase 1 report was dated January 2023, I received it from NRCS in August.)

Property 2023-01 Willis (153 acres) – Survey is complete, baseline report has been ordered. Landowner's attorney Mr. DeJarnette proposed language changes to comply with IRS requirements. Jackson-Kelly attorney's review found the changes are not objectionable.

Property 2023-03 Aspen Pool (149.6 acres) – Baseline update is complete. The review appraiser requested revisions, which the appraiser is completing. These and other documents in the package will be sent to WVDACH for review.

New NRCS easements: NRCS Certified Entity contracts signed for Property 2023-05 (161 acres) and Property 2023-02 (43 acres). The first glitch: NRCS did not communicate that they would contract Phase 1 assessments on the properties. The Board can provide a Phase 1 to NRCS as noted in the e-directive Manual 528 Subpart D 528.30. NRCS timeline for "eligibility" process, including Phase 1s is 180 days.

#### **Existing Easements:**

Property 13 – Ellis/Brown: The Deed of Correction was closed on August 15.

Property 3 – Latterell: Deed of Correction. The deed was closed on September 5. The process was initiated in July 2021.

Property 4 – Sam Donley: The landowner requested a second meeting with Planning and Zoning. The date is pending.

Property 8 – Aspen Pool Farm: ABPP approved the Deed of Correction for this 2005 easement.

Four deeds of correction or amendment remain to be processed. Three are LTEP-led easements.

Audit of Deed of Easement legal descriptions revealed 12 with errors that should be corrected. Two are for easements with deeds of corrections in process. I am reviewing these with our attorney to organize the most expedient process for managing the corrections.

**Protected properties for sale:** Borden Farm (278 ac. \$1.8MM).

#### **FY24 Easement Applications to date:**

Property 2024-01 (103.5 acres) – reapplication, Ranson

Property 2024-02 (100 acres) Shepherdstown District

Property 2024-03 (120 acres) Middleway District

**New Inquiries:** 206 acres, Middleway District

**Fall Monitoring:** 25 properties scheduled for October 16 – 26 (see schedule)

**Outreach/Publicity:**

- Presentations: Set. 12: Bank of Charles Town Trust & Estate Dept., Sept. 28: Extension's Succession Planning workshop, Oct. 2: Shenandoah-Potomac Garden Club.

**Events:** WVAFPB Workshops: September 22 in Smokehole, October 6 in Sutton

**Administration:**

**Financial:** August 14 – Sept. 11 Individual gifts: \$32.50

- Received & deposited the WVDEP endowment payment for the Morgan easement (\$60,732.75).
- August transfer fee: \$161,314

**Projects in process/pending:**

Policy Review: The revised draft policy manual is almost complete, pending Board review of new material and formatting and final editing.

**Stewardship Coordinator/Administrative Assistant**

Activity Report for August 2023

**Administrative Tasks**

- Filed paperwork.
- Backed up OneDrive to external hard drive at the end of the month.

**Stewardship Tasks**

- Created GIS data and maps for new inquiries.
- Updated status map with current FY2024 active applications.
- Updated AIS database with FY2024 active applications.
- Updated Other Protected Lands layer with newly closed easements in the county.
- Created a comprehensive log of legal description errors (12 properties) for future correction.
- Created a public facing web map (<https://jcfpb.maps.arcgis.com/apps/instant/basic/index.html?appid=9c2f605743174a728c24f425af9c216d>).
- Finalized fall monitoring schedule and sent to LTEP for review.
- Attended an initial property visit to an applicant property on 23 August, prepared report.