

Jefferson County Farmland Protection Board

Board Meeting - Monday, April 8, 2024 - 6:00 PM

JCDA Conference Room, 1948 Wiltshire Road, Kearneysville, WV

Minutes

* Action item

In Attendance: Dr. Hetzel, Mr. Berndt, Mr. Banks, Ms. Benites (JCDA representative), Ms. Tabb (County Commission liaison), Ms. Wheeler, (Director) Absent with notice: Ms. Johnson, Dr. Stine.

- A quorum was met with at least four voting members present.

6:20 PMCall to Order and Opening Remarks

Introduction of Guests: Tasha Catrow, Michelle Shipley, Garry Shipley

Approval of Minutes of Previous Meeting (March 11, 2024) * Ms. Benites moved to accept the minutes, seconded by Dr. Hetzel. The motion carried unanimously.

Approval of Treasurer's Report: (March 31, 2024) * Mr. Berndt moved to accept the minutes, seconded by Mr. Banks. The motion carried unanimously.

Administrative Report

New Business:

1. **Consider for Approval: Monitoring reports for Properties 5, 9, 10, 11,15, 20, 21, 24, 25, 26, 27, 28, 29, 30, 32, 38, 42, 43, 44, 47, 48, 49, 50, 53, 54, 55.** * Mr. Banks moved to accept the monitoring reports, seconded by Mr. Berndt. The motion carried unanimously.
2. **Discuss Board requirements to correct Property 40 encroachment issues.** The Director reported that the Board and Land Trust of the Eastern Panhandle representatives met at the property on April 3rd and determined that the surveyor needed to flag the property boundaries. The Director ordered the job on April 4. The surveyor has not yet scheduled a date. The Board and the Land Trust need to meet to discuss next steps, and a meeting will be scheduled as soon as possible.

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.

3. Consider for Board acceptance: IRS Appraisal and IRS Form 8283 for Property 55. * Mr. Banks moved to accept the appraisal and IRS form 8283, seconded by Dr. Hetzel. The motion carried unanimously.

Public Comment - Ms. Catrow offered remarks about the issues on Property 40, and made suggestions and statements as detailed in the attached email text that she sent in advance of the meeting. Mr. Shipley offered remarks that supported the remarks made by Ms. Catrow. Ms. Shipley expressed appreciation for the effort made by the Board and Land Trust to visit the property.

4. Closing Remarks – none
5. Adjourn: Mr. Hetzel moved to adjourn the meeting, seconded by Mr. Berndt. The motion carried unanimously.

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 February 29, 2024

	Feb 29, 24
ASSETS	
Current Assets	
Checking/Savings	
BCT - CDAR	3,584,101.17
BCT - Operating x9741	144,551.84
BCT - Stewardship Reserve x7390	112,397.08
BCT - Stewardship Account x7412	72,795.68
BCT - ICS x0740	908,536.35
BCT - ICS EAF x2034	357,197.75
Total Checking/Savings	5,179,579.87
Other Current Assets	
Transfer Taxes Receivable	99,979.00
Legal Retainer	3,000.00
Total Other Current Assets	102,979.00
Total Current Assets	5,282,558.87
Fixed Assets	
Furniture & Fixtures	4,502.00
Total Fixed Assets	4,502.00
TOTAL ASSETS	5,287,060.87
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to Jefferson County Comm.	51,181.49
Total Other Current Liabilities	51,181.49
Total Current Liabilities	51,181.49
Total Liabilities	51,181.49
Equity	
Reserved for Encumbrances	2,311,174.00
Reserved for Farmland Protect.	3,596,492.03
Net Income	-671,786.65
Total Equity	5,235,879.38
TOTAL LIABILITIES & EQUITY	5,287,060.87

Jefferson County Farmland Protection Board
Profit & Loss
February 2024

03/11/24

Accrual Basis

	Feb 24	Feb 23	\$ Change
Ordinary Income/Expense			
Income			
Transfer Tax	100,003.56	85,654.97	14,348.59
Interest/Dividends	19,602.16	4,469.62	15,132.54
Contributions Income			
Corporations	0.00	17.40	-17.40
Individuals	7,238.56	1,151.62	6,086.94
Total Contributions Income	7,238.56	1,169.02	6,069.54
Total Income	126,844.28	91,293.61	35,550.67
Expense			
Bank Service Charges	25.00	25.00	0.00
Dues and Subscriptions	0.00	425.00	-425.00
Interest Expense	-0.10	0.00	-0.10
Miscellaneous	83.99	0.00	83.99
Postage and Delivery	1.59	6.30	-4.71
Professional Fees			
Accounting	675.00	675.00	0.00
Audit	0.00	5,000.00	-5,000.00
Consulting/Contract	0.00	3,500.00	-3,500.00
Terra Firma Insurance	3,596.00	63.00	3,533.00
Total Professional Fees	4,271.00	9,238.00	-4,967.00
Salary & Benefits Expense	0.00	5,613.81	-5,613.81
Telephone	75.00	0.00	75.00
Travel & Ent			
Meals	0.00	200.78	-200.78
Travel	43.01	12.18	30.83
Total Travel & Ent	43.01	212.96	-169.95
Utilities	144.32	131.14	13.18
Total Expense	4,643.81	15,652.21	-11,008.40
Net Ordinary Income	122,200.47	75,641.40	46,559.07
Other Income/Expense			
Other Expense			
Current Year Encumbrances			
Easement Acquisition	390,000.00	0.00	390,000.00

10:51 AM

03/11/24

Accrual Basis

Jefferson County Farmland Protection Board
Profit & Loss
February 2024

	<u>Feb 24</u>	<u>Feb 23</u>	<u>\$ Change</u>
Easement Costs			
Appraisals	1,000.00	0.00	1,000.00
Legal Fees	0.00	1,963.50	-1,963.50
Total Easement Costs	<u>1,000.00</u>	<u>1,963.50</u>	<u>-963.50</u>
Total Current Year Encumbrances	<u>391,000.00</u>	<u>1,963.50</u>	<u>389,036.50</u>
Total Other Expense	<u>391,000.00</u>	<u>1,963.50</u>	<u>389,036.50</u>
Net Other Income	<u>-391,000.00</u>	<u>-1,963.50</u>	<u>-389,036.50</u>
Net Income	<u><u>-268,799.53</u></u>	<u><u>73,677.90</u></u>	<u><u>-342,477.43</u></u>

Jefferson County Farmland Protection Board

Profit & Loss

July 2023 through February 2024

03/11/24

Accrual Basis

	Jul '23 - Feb 24	Jul '22 - Feb 23	\$ Change
Ordinary Income/Expense			
Income			
WV DEP Grant	60,732.75	0.00	60,732.75
Transfer Tax	935,371.53	802,472.57	132,898.96
Grants	492,097.00	0.00	492,097.00
Interest/Dividends	169,357.01	31,107.84	138,249.17
Contributions Income			
Corporations	0.00	81.60	-81.60
Individuals	12,569.17	4,604.12	7,965.05
Contributions Income - Other	0.00	544.55	-544.55
Total Contributions Income	12,569.17	5,230.27	7,338.90
Miscellaneous Income	2.00	165.00	-163.00
Total Income	1,670,129.46	838,975.68	831,153.78
Expense			
Advertising & Marketing Expense	448.00	806.88	-358.88
Bank Service Charges	240.00	200.00	40.00
Conferences Education Training	982.27	0.00	982.27
Dues and Subscriptions	904.00	575.00	329.00
Interest Expense	-0.10	0.00	-0.10
Miscellaneous	791.79	473.84	317.95
Office Supplies	36.36	284.73	-248.37
Postage and Delivery	364.61	239.18	125.43
Printing and Reproduction	0.00	17.50	-17.50
Professional Fees			
Accounting	5,400.00	5,400.00	0.00
Audit	5,940.00	5,400.00	540.00
Computer Support	100.00	100.00	0.00
Consulting/Contract	0.00	3,660.00	-3,660.00
Terra Firma Insurance	3,596.00	3,465.00	131.00
Professional Fees - Other	1,152.50	0.00	1,152.50
Total Professional Fees	16,188.50	18,025.00	-1,836.50
Salary & Benefits Expense	62,409.11	56,400.33	6,008.78
Telephone	600.00	450.00	150.00
Travel & Ent			
Meals	0.00	200.78	-200.78
Travel	1,121.68	628.44	493.24
Travel & Ent - Other	0.00	210.25	-210.25
Total Travel & Ent	1,121.68	1,039.47	82.21

Jefferson County Farmland Protection Board

Profit & Loss

July 2023 through February 2024

03/11/24

Accrual Basis

	Jul '23 - Feb 24	Jul '22 - Feb 23	\$ Change
Utilities	1,157.30	1,458.32	-301.02
Total Expense	85,243.52	79,970.25	5,273.27
Net Ordinary Income	1,584,885.94	759,005.43	825,880.51
Other Income/Expense			
Other Income			
Other Income	3,542.12	0.00	3,542.12
Prior Years Encumbrances			
Easement Acquisition	0.00	-200,000.00	200,000.00
Total Prior Years Encumbrances	0.00	-200,000.00	200,000.00
Total Other Income	3,542.12	-200,000.00	203,542.12
Other Expense			
Conservation Easement Procure	1,722,468.00	0.00	1,722,468.00
Current Year Encumbrances			
Easement Acquisition	503,766.00	540,536.00	-36,770.00
Easement Costs			
Environmental Assessment	5,100.00	0.00	5,100.00
Easement Administration	2,662.46	1,767.37	895.09
Baselines	0.00	3,235.76	-3,235.76
Title Search/Appraisal Reimb.	0.00	0.00	0.00
Surveys	7,800.00	5,250.00	2,550.00
Appraisals	6,500.00	0.00	6,500.00
Legal Fees	3,030.25	23,261.00	-20,230.75
Settlement Charges	8,888.00	3,146.00	5,742.00
Other	0.00	-9,899.49	9,899.49
Total Easement Costs	33,980.71	26,760.64	7,220.07
Total Current Year Encumbrances	537,746.71	567,296.64	-29,549.93
Total Other Expense	2,260,214.71	567,296.64	1,692,918.07
Net Other Income	-2,256,672.59	-767,296.64	-1,489,375.95
Net Income	-671,786.65	-8,291.21	-663,495.44

Jefferson County Farmland Protection Board

Administrative Monthly Report ... April 8, 2024

Easement Progress:

Easements completed to date: 58 properties, 6,846 acres.

Property 2020-02 – C & D Moler (93.5 ac) The survey is complete. NRCS approved the revised appraisal. Baseline draft prepared. Deed template prepared. The NRCS contract was renewed on March 1, 2024. No change since last month.

Property 2020-04 RB Moler (175.53 ac) NRCS approved the draft survey. The Phase 1 identified a buried tank, which the landowner has removed. Baseline fieldwork done November 16, draft reviewed Dec. 6.

Property 2023-02 (43.3 ac) The WVDEP may visit the property on April 16 for initial review for the EPA approved “characterization study” to establish the current baseline of residues on the property.

Property 2024-02 (100 acres) Shepherdstown District – Survey complete, Title work complete, baseline complete, deed and plat under P&Z review. During baseline fieldwork, we discovered an encroachment on the Easement Property along the eastern property line on the parcel south of French Road involving a short stretch of wooden fence, mowed lawn, and planted trees. No structures or impervious surfaces are part of this encroachment. The landowner is attempting to work out a legal agreement with the neighbor to address the issue. This instrument would be recorded.

FY24 Easement Applications:

Property 2024-03 (120 acres) Middleway District – Title work and survey ordered.

Property 2024-04 (157 acres) Kabletown District – Title work ordered, application submitted to Outdoor Heritage Conservation Fund and National Fish and Wildlife Foundation. Currently researching possible creation of a legal instrument to record OHCF interest in the property. If they require inclusion in the deed as a 3rd party interest NRCS will not accept the change. I was led to believe OHCF simply awarded grants and have been unable to contact anyone to confirm this and other details for 6+ weeks.

Easement Inquiries:

February 22: Kabletown, 120 acres (re-application)

March 25: Summit Point: 183 acres (appraised easement value: \$9,700/acre)

Existing Easements:

Property 3 – Latterell: Janet Morger, POA for Dick Latterell, informed me that the Cave Conservancy managing the Moler Cave on the property for the last 20 years inquired about subdividing the land surrounding the cave. (They had a verbal agreement about the relationship with Dick Latterell) Subdivision is prohibited. I advised Ms. Morger and the Cave Conservancy that they need to create a legal instrument that defines their management of the cave. It could be recorded so that it would convey with the property.

Property 4 – Sam Donley: No change. The landowner is contemplating subdivision options. P&Z still needs to confirm the development rights.

Property 9 – Renaud: The property is back on the market. A review of the plat showed that the surveyor marked the farmstead area but did not document bearings and distances. I propose JCFPB pay for a survey (quote of \$1,960) to memorialize this area. This will be on the May agenda.

Property 40: JCFPB and LTEP Board members visited the property on April 3, and determined that the surveyor should flag the property lines to show the RoW boundaries. The job was ordered on April 4.

Administration:

Financial:

March 12 – April 8 - Individual gifts: \$275
Transfer tax: \$103,239.40.

2025 Budget: I will prepare a draft by May 1 for the Finance Committee's review for the June Board meeting.

Other:

Advertisement for the Director position was posted March 9 in local papers also online on multiple job sites. Five responses so far. The job posting renewal date is April 10. I have been networking with people in the conservation community about the job.

Our office gained a fairly new Kyocera P6230cdn color laser printer from the Extension Office!

Projects in process/pending:

2023 Annual Report –has been mailed to 900 names.

Policy Review: The Board approval of the revised Policy Manual and Continuation of Operations Plan should be completed.

Easement Committee to do list:

- County deed template to incorporate IRS language.
- Discuss proposed fiber optic easement language.

Stewardship Coordinator/Administrative Assistant

Administrative Tasks

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

Stewardship Tasks

- Created GIS data, maps, and scoresheets for new inquiries.
- Continued scheduling spring monitoring visits.
- Attended monitoring visits for Groups A, B, C, and D, processed all maps and monitoring reports.
- Updated EIS and Survey123 with new property owner contact information.
- Compiled documents for Will Donley files.
- Created final drafts of all current conditions reports and sent them out for final LTEP review.
- Assisted with NFWF grant application for Milano.
- Attended meeting with Chris Stroeck on 4 March.
- Attended meeting with LTEP on 5 March.