

## Jefferson County Farmland Protection Board

### Minutes of the Meeting of October 27, 2003

**Members Present:** Roger Dailey (Chair); Janet Stine (Vice-Chair); Jane Tabb (Treasurer); Peter Fricke (Secretary); Shannon Donley; Jane Peters, and Jack Quinn.

**Also Present:** Craig Yohn (County Extension Agent)

1. **Call to order:** Chairman Dailey called the meeting to order at 7:08 pm. The Chairman thanked everyone for attending, and noted that there was a full agenda.
2. **Minutes of the meeting of October 14:** After discussion, and upon motion by Mrs. Stine, seconded by Mrs. Peters, the minutes were approved with corrections.
3. **Matters arising:**
  - a. **IRS Form 990.** At the meeting of October 14, Lavonne Paden (JCFPB Bookkeeper) stated she did not think the Jefferson County FPB should have to file IRS Form 990 since Morgan and Berkeley Counties FPBs did not have to file. The Chairman reported that he had e-mailed the letter from the IRS concerning the matter to Mrs. Paden. Mrs. Paden's response to the Chairman was that the JCFPB appeared to be under an IRS advance-ruling period similar to that of a land trust and the IRS also required Form 990. It was not clear to Mrs. Paden whether, after the filing period, the JCFPB would be exempt from filing the Form 990 as in Morgan and Berkeley Counties. Mrs. Paden is to take this matter up with the IRS, as she believes an error was made. She has been sent the cover letter attached to the application. Mrs. Paden will complete the Form 990 since it needs to be filed by November 15, and will also file a request to be exempted from the Form 990 in the future. The Chairman will meet with Mrs. Paden during the week of November 10 to sign the form on behalf of the JCFPB.
  - b. **Budget Digest check.** Sandy Slusher-Smith (County Commission Office) confirmed to the Chairman that the remaining check from the Budget Digest account had been mailed to the JCFPB but not cashed. A replacement check will be available from her office tomorrow. This check will complete the payment of \$20,000.00 from Budget Digest funds.
  - c. **Transfer Tax checks.** The Chairman contacted Lana (Bookkeeper, Jefferson County Assessor's Office) concerning the missing transfer tax payments for August and September 2003. He was told that they would be mailed to JCFPB this week, and then will be sent monthly to the Board.
4. **Treasurer's report:** Mrs. Tabb reported that bills due had been paid to Frontier Telephone, Jefferson County Chamber of Commerce, and Mid-Atlantic Consulting (Mrs. Paden). The total amount paid was \$616.26, and the bank balance as of today was \$249,759.12. The Treasurer requested re-imburement of

the sum of \$45.97 paid to Staples for notebooks and other materials needed for the RFP packages to applicants. Mrs. Peters moved that the Treasurer be reimbursed \$45.97 for RFP materials; the motion was seconded by Mr. Donley and approved without dissent.

5. **Budget for FY 2003-2004.** The Chairman introduced a “straw man” budget document for discussion by the Board. After some general discussion, it was agreed that the budget would be revisited in the spring to ensure that it was tracking appropriately. It was also agreed that as a general principle, uncommitted funds would not be carried over into the following fiscal year as a surplus; if a budget review showed the likelihood of a surplus, applications which

**JCFPB Budget July 1, 2003 through June 30, 2004**

**Income**

Contributions		
Government	0.00	
Individuals	200.00	
Total Contributions		200.00
Interest/dividends		700.00
Transfer Tax		600,000.00

**Total income** **600,900.00**

**Expenses**

Advertising expenses		200.00
Bank service charges		50.00
Easements (designated funds)		430,250.00
Dues and subscriptions		50.00
Office supplies		50.00
Postage and delivery		50.00
Printing and reproduction		100.00
Professional fees		
Appraisals	10,000.00	
Consulting contract	31,200.00	
Easement closing costs	15,000.00	
Baseline documentation	4,500.00	
Easement monitoring	1,200.00	
Total professional fees		61,900.00
Telephone		200.00

**Total expenses** **492,850.00**

**Net income** **108,050.00**

were unfunded, or had been tabled, would be reviewed with a view to bringing further easements into formal negotiation and funding using any surplus funds. Mrs. Stine moved, and Mrs. Peters seconded, a motion that the budget for FY 2003-2004 (shown above) be adopted. The motion was approved unanimously.

7. **File storage.** The Chairman noted that Mr. Yohn had kindly agreed to make file storage available to the JCFPB in the County Extension Office. Mr. Donley noted he would bring in the RFPs and store them in the file. The Board noted that the appraisal documents were already stored in the file.
8. **Fund raising.** Mrs. Stine reported that the meeting on fund-raising held at Shepherd College on October 24. The College Library has created a special funding-resources section, with computer-assisted research facilities, for use by local non-profit organizations. The College Library is planning workshops on fundraising during the coming months.
9. **Update on status of current easements in process.**
  - a. **Latterell easement.** Mrs. Stine reported that the meeting planned for October 23 with the Latterells had been postponed because they had other commitments. It was noted by the Board that the deadline to complete this easement was September 4, 2004, and that the action needed to be moved along. The baseline study, survey and appraisal must be completed in the spring of 2004. It was agreed that Mrs. Stine would arrange another meeting with the Latterells in the very near future to go over the draft easement with the applicants.
  - b. **Olcott easement.** The Chairman reported that the Olcott easement may still be in play and he would be in contact with Mr. Olcott about this. In the meantime, the Board agreed that the funds for the Olcott easement would not be returned to NRCS until it was clear that the Olcotts had withdrawn completely from negotiations with the JCFPB.
  - c. **Stine easement.** The Chairman indicated that he wished the Board to make progress on the proposed easement with Dr. Stine. Mr. Quinn volunteered to be the Board liaison with the Stines. The Board welcomed Mr. Quinn's offer.
  - d. **Letters to applicants.** Mr. Donley and Mrs. Stine noted that there was a need to contact successful and unsuccessful applicants and to clearly state the current status of their application. The letter to successful applicants should provide the name of the Board liaison, expected date of closing and the steps that must be taken to ensure a timely closing. The Chairman agreed to provide draft letters for review by the Board at its next meeting (November 10, 2003).
10. **Cooperative Agreement with Land Trust.** There was general discussion of the draft agreement submitted by Mrs. Paden and a detailed discussion of the scope of work by the JCFPB and the Land Trust respectively. The document was tabled until the next meeting of the Board to permit further study of the issues by Board members.
11. **Easement co-holding with the Civil War Preservation Trust.** The Chairman noted that there was a need to coordinate activities and to facilitate communication with the Civil War Preservation Trust. After some discussion,

Mrs. Stine made a motion to establish a committee to further the work on Civil War easements. Mr. Donley seconded the motion, and it was agreed unanimously. Mr. Quinn agreed to chair the committee.

**12. Web page.** The Chairman reported that there had been no recent action on development of the web page. This was because the web page designer was awaiting input from Berkeley and Morgan Counties FPBs.

**13. New business:**

- a. **Inspection and enforcement policy.** The matter was tabled for future discussion
- b. **Check list for appraisers.** The matter was tabled for future discussion
- c. **Check list for banks.** The matter was tabled for future discussion.

**14. Correspondence.**

a. Mr. Yohn reported on correspondence he had had with Evergreen Capital Advisors and with the bonds counsel to the Farm Bureau. Mr. Yohn was interested in whether bonds, possibly secured by transfer tax payments, could be issued by the Board. The funds thus obtained could be used to move the purchase of easements forward more rapidly. A question he had also asked was whether easement payments could be made on an installment agreement with various cash flows to repay them, again “widening the pipe” to permit more applications to be processed. If the Board favored discussing these questions, the County Extension Office would arrange a workshop for interested parties. There was consensus among Board members that a workshop would be helpful.

b. **New applicant mailing.** The Board discussed updating the mailing list of farmers in Jefferson County. It was agreed that this would be put in hand and current lists would be sorted and merged. Mr. Yohn and Mrs. Tabb agreed to look into this issue

**15. Matters arising from the Minutes of the meeting of May 12.** Mr. Donley asked the Board to revisit the Minutes of the meeting of May 12 to ensure that they were accurate. The Board agreed to discuss the matters arising in executive session. After some discussion, the consensus of the Board was that the Minutes are correct as written.

**16. Adjournment.** Mrs. Peters moved, Mr. Quinn seconded, and the Board agreed to adjourn at 9:24 pm

Submitted by Peter Fricke, secretary