Jefferson County Farmland Protection Board

Draft Minutes

Board Meeting……..October 11, 2010

Jefferson County Public Services Building,

Development Authority Conference Room (Room 54)

1948 Wiltshire Rd, Kearneysville, WV 25430

7:00PM

Members present: Peter Fricke (Chair and acting Administrator), Tom Bayuzik (Vice Chair and acting Treasurer), Joe Funkhouser (Secretary), Frances Morgan, Chris Lotze, and Liz Uible. An apology for absence was received from Bob Henshaw.

7:00 p.m. ……**Call to Order and Opening Remarks**
Peter Fricke called the meeting to order at 7:00 p.m. Mr. Fricke discussed the logistics of acting Administrator and file organization for the JCFPB.

Minutes of Previous Meeting (September 8)
Mr. Lotze moved to accept the minutes of the September 8, 2010 JCFPB meeting as presented; Mr. Bayuzik seconded. The motion passed unanimously.

Treasurer's Report
Mr. Bayuzik presented the draft treasurer's reports as of October 11, 2010 (updated as of 9/30/10). Mr. Funkhouser moved to accept the draft treasurer's report; Mr. Lotze seconded. The motion passed unanimously.

FY-2010 Audit
Mr. Fricke discussed that the Audit Committee (Mr. Fricke, Mr. Bayuzik, and Mr. Funkhouser) needs to review proposals. The Audit Committee will research and nominate the JCFPB's next auditor from among the applicants.

Draft budget for FY 2011 for review
Mr. Fricke presented the JCFPB's Draft Budget for FY 2011. This budget reflects a template for the board to predict revenues and expenses. Mr. Bayuzik moved that the JCFPB approve and accept the JCFPB's draft budget template for FY 2011; Mr. Funkhouser seconded. The motion passed unanimously.

Update on the status of existing easements
All properties having appraisals that are older than 12 months need to be updated. The appraisal payment policy will be reviewed in subsequent meetings.

R2 received an extension to close until December 2010. The property has been surveyed and the new appraisal was completed in September 2010. The conservation value has decreased since the last appraisal in 2008. Mr. Fricke wrote to the owners on September 22, 2010 about the status of the new appraisal. The owners have objected to the revised

appraisal and have not signed the NRCS CPA-230 agreeing to the conservation easement value. Mr. Funkhouser moved that the JCFPB direct the JCFPB's attorney to draft a response rejecting the applicant's position as expressed in the recent communications with the applicants; communicating that the JCFPB cannot purchase an easement in excess of 100% of the appraised conservation value; reiterating the JCFPB's offer of 50% of the qualified appraisal value consistent with the NRCS funding process; reminding the applicants that the pending NRCS funding will disappear for the Saunders-Hockman property if it is not closed by December 2010; and in the alternative, inviting the applicants to reapply in a subsequent funding cycle. Ms. Uible seconded the motion. The motion passed unanimously. For the funding to be available, timing is of the essence.

Mr. Fricke discussed that the JCFPB is renewing applications for previous applicants as well as accepting new applications for the next funding cycle (ending November 30, 2010), Properties W, DD, EE, MM, and NN all need to be closed by July 2011 without new appraisals.

Approval of expenditure for appraisals and surveys
Mr. Bayuzik moved that the JCFPB pay for the reappraisals of Properties Z, BB, JJ, W, and DD, as well as surveys for EE and R3**.** Mr. Funkhouser seconded. The motion passed unanimously.

Easement monitoring reports (Olcott, Stine, Lorber, Washington, Davidson, Latterell, Lewis, McCormick)
Mr. Fricke monitored the above captioned easements and reported that the Stine property requested to clear two pastures of osage trees to mulch and allow the grass to grow back; while keeping the other trees and hardwood. This request and the co-holders approval of such are in writing. The Lorber property needs boundary posts. The Washington property needs maintenance. The Davidson property is in compliance. The Latterell property has a boundary that is not clearly marked. The Lewis property has a new buffer zone system and is in compliance. The McCormick property has refurbished fields on the Jefferson County side. Shannon Donley may have unacceptable uses on the property. The Donley monitoring will take place on November 16, 2010 at approximately 10:00 a.m.

CWPT application (Property OO)
The LTEP requested a letter of support from the JCFPB to match any CWPT funds available for Property OO. Mr. Funkhouser moved that Mr. Fricke write a letter to the LTEP stating that the JCFPB is interested in co-holding the easement and would consider matching CWPT funds, if the JCFPB has funds available to match; Ms. Uible seconded the motion. Mr. Lotze abstained from the vote. The motion passed without objection.

JCFPB Policy on Amendment of Easements
Mr. Funkhouser moved that the JCFPB approve and accept the JCFPB Conservation Easement Amendment Policy, as drafted by Mr. Fricke and edited by the JCFPB, to be sent to the Jefferson County Commission for approval and adoption; Mr. Lotze seconded. The motion passed unanimously.

JCFPB Administrator position
Mr. Fricke discussed that the Jefferson County Commission approved the JCFPB Administrator position under the JCDA. Mr. Bayuzik moved that the JCFPB approve the Draft Position Description – Administrator, Farmland Protection Program, as edited ("to

serve at the will and pleasure of the JCFPB in administering the Jefferson County Farmland Protection Program…”); Ms. Uible seconded. The motion passed unanimously.

Election of Officers
Mr. Funkhouser nominated Mr. Bayuzik for Treasurer.
Mr. Funkhouser nominated Ms. Morgan for Secretary.
Mr. Funkhouser nominated Mr. Fricke for Chair/President.
Ms. Morgan nominated Mr. Funkhouser for Vice Chair/Vice President.
Mr. Lotze moved that the following officers be elected: Mr. Fricke for Chair/President; Mr. Funkhouser for Vice Chair/Vice President; Ms. Morgan for Secretary; Mr. Bayuzik for Treasurer.
Ms. Uible seconded. The motion passed unanimously.

Conflict of Interest Statements for JCFPB Members
All JCFPB members signed the JCFPB CoIS except for Bob Henshaw as of October 11, 2010.

Correspondence
The next JCFPB meeting is November 8, 2010 at 7:00 p.m.

The meeting adjourned at 9:55 p.m.

9:55 p.m. ---------- Adjourn

All Farmland Protection Board meetings are open to the public.

To address the board contact Peter Fricke to be placed on the agenda.
Email: FarmlandProtection@jcda.net
Phone: (304) 728-3255