

Jefferson County Farmland Protection Board

Minutes

Board Meeting.....December 7, 2010

Jefferson County Public Services Building,

Development Authority, Director's Office

1948 Wiltshire Rd, Kearneysville, WV 25430

7:00PM

7:00 p.m.Call to Order and Opening Remarks

Chairman Fricke called the meeting to order at 7:00 p.m.

Members present: Peter Fricke (Chair and acting Administrator), Joe Funkhouser, Vice-Chair, Tom Bayuzik, Treasurer, Frances Morgan, Secretary, Bob Henshaw, Chris Lotze, and Liz Uible.

Minutes of Previous Meetings

Minutes of the October 11th and November 8th monthly meetings were approved as amended.

Treasurer's Report

The Board heard corrections to the Nov. 8th Treasurer's Report (due to the need to transfer CD information from outgoing Treasurer Phil Cox to incoming Treasurer Tom Bayuzik).

Mr. Lotze moved to approve the corrections; Mr. Funkhouser seconded; unanimously approved.

Mr. Bayuzik presented the Treasurer's Report. Transfer tax revenue for November was down. Mr. Fricke explained that appraisal bills for the newly required Technical Reviews (at \$1500 per easement, to be paid for from Board funds) are still outstanding. Motion to approve by Mr. Lotze, noting that the report cut off date was Nov. 30, 2010; second by Mr. Henshaw; unanimously approved.

The Board next considered the Report on the Status of Assets, Liabilities and Equity and the Statement of Revenues and Expenses as presented by Eric Lewis at the November worksession. Mr. Funkhouser moved to approve; Mr. Bayuzik seconded; unanimously approved.

Approval of Easement Acquisitions

The Board reviewed a Summary of Property Costs presented by Acting Administrator Fricke. Mr. Funkhouser moved to approve acquisition of all 8 easements as presented, pending minor adjustments in value due to the finalization of the Technical Appraisal Reviews to be completed on December 8th. Mr. Lotze seconded; unanimously approved. Mr. Fricke noted that the aforementioned motion would necessitate cashing in, without penalty, of the JSB CD as it bore the lowest interest rate. Mr. Funkhouser so moved; Ms. Uible seconded; unanimously approved.

found helpful.

FY-2010 Audit

Acting Administrator Fricke explained that two bids were received, from Perry and Teed.

Given the minor difference in pricing and hours offered, the Board felt that retaining Perry (who had performed the prior audits) was the best course. Motion by Ms. Uible to approve engagement of Perry; seconded by Mr. Lotze and approved three to one (Mr. Funkhouser voting in the negative).

Update on the status of existing easements

Mr. Fricke reported on the status of existing easements, providing the monthly administrator's report and listing.

Mr. Fricke also provided a list of action items, with relevant dates, to the Board.

Mr. Fricke next presented a listing of 2011 Applications (Properties II, PP, QQ, OO, RR, FF, and GG). Mr. Henshaw and Mr. Lotze recused themselves from this discussion as they are applicants. After discussion, Mr. Funkhouser moved to proceed with these properties to the next stage in the application process; Mr. Bayuzik seconded and approved with two abstentions (Mr. Henshaw and Mr. Lotze).

Approval of Expenditures for Appraisals and Surveys

Mr. Fricke requested that the Board consider its policy with respect to payment for these expenditures. Board policy has been that the applicant pay in full for the first, "qualifying" appraisal. Recently the NRCS began requiring "Technical Reviews" at a cost of \$1,500 each. In addition, Board policy supported payment of appraisal updates if, under NRCS requirements, the appraisal becomes "stale" or more than 12 months out from date of closing on the easement. Given NRCS and Board delays, the Board is willing to approve payment of the costs of appraisal and survey updates and technical review costs. Mr. Funkhouser moved approval of actual expenditures for only easements already approved for acquisition and only in accordance with the Board's policies. Mr. Lotze seconded. Unanimously approved.

Easement monitoring

Mr. Fricke reported that in conjunction with representatives from the LTEP, the Board has now concluded all monitorings of Jefferson County properties for the year.

CWPT application (Property OO)

As this involves Mr. Henshaw's property, he recused himself from the discussion. Mr. Lotze also recused himself. This property's location, partly at the site of the Antietam advance and retreat, makes it an important site for preservation. Mr. Fricke explained that after discussion, the landowner was interested in receiving \$165,000 from the CWPT and making a donation of \$135,000, with payment from the JCFPB of \$35,000 for the total appraised value of \$335,000. After discussion, Mr. Funkhouser moved that the Board issue a proffer letter for up to \$35,000 for acquisition of Property OO, subject to match by ABPP in an amount not less than \$165,000. Mr. Bayuzik seconded; unanimously approved.

Proposed Amendment of Olcott Easement [required supermajority vote]

The Potomac Conservancy is in favor of the proposed amendment that would move the reserved building right from one location (on a cliff overlooking the Potomac River) to one more within the curtilage of the existing farm structures. Potomac Conservancy had drafted the proposed amendment. Mr. Funkhouser moved to approve the change; Mr. Lotze seconded. Unanimously approved.

JCFPB Administrator position

The advertisements for the position were reviewed by the Board. Mr. Fricke recused

himself from the Search Committee as he is acting administrator. Mr. Bayuzik also recused himself because he will be the new administrator's direct supervisor. It was decided that the Search Committee would consist of the remaining members of the Board. A schedule for conducting screening of applicants was established. Mr. Randy Hilton was asked to assist the Board as to the mechanics of the hiring process.

Correspondence

After discussion, Mr. Funkhouser moved, and Ms. Uible seconded, expenditure of \$250 for the Board to become a sponsor of the "Special Places" event planned by the WV Land Trust. Unanimously approved.

The next JCFPB meeting will be held on January 10, 2011 at 7:00 p.m.

These minutes were prepared by Board Secretary Frances Morgan.

All Farmland Protection Board meetings are open to the public.

To address the board contact Peter Fricke to be placed on the agenda.

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