

**JEFFERSON COUNTY FARMLAND
PROTECTION BOARD**

MINUTES -- SEPT. 22, 2003

The Jefferson County Farmland Protection Board met at the Jefferson County Public Services Building at 7pm on September 22, 2003. Members present were: Shannon Donley, Janet Stine, Peter Fricke, Jack Quinn, Roger Dailey and Jane Tabb. Guests attending were Pat Bowen, Lavonne Paden and Jim Keel.

Jack Quinn reported that the balance in the Board's account is \$250,273.38. Jack announced his resignation as treasurer. Jane Tabb volunteered to fill the position and will check with the Ethics Commission about a non-voting board member holding an office. Jack Quinn made a motion to continue with our Chamber of Commerce membership. Janet Stine seconded the motion and it passed unanimously.

The Board reviewed all the information forwarded from Denise Coleman, legal counsel for Office of Government Services about the Olcott easement. While the Olcotts would deal primarily with the FPB, the Eastern Panhandle Land Trust (EPLT) has to be listed as the grantee since they received the federal funds for the easement. If the easement is revoked, the funds are returned to the Federal Government. However, while the FPB is the primary holder of the easement, the EPLT would be the easement co-holder for perpetuity. Only if the FPB fails in its duties or ceases to exist, does the EPLT become active. Roger reported on the Olcott's reaction to these clarifications.

Lavonne Paden suggested that Secretary of Agriculture\NRCS be substituted for "United States" in the easement document.

The co-holder section of the document needs to be rewritten to reflect: FPB as primary, EPLT as secondary and Secretary of Agriculture as third party.

Denise Coleman's memo also pointed out the need to separate and delineate the "donut hole" excluded from the easement acreage (p.8, paragraph 6). Specific language is also needed to define the

residential structure and “single family dwelling and associated structures” was suggested.

Pat Bowen volunteered to rewrite the co-holder and “donut” sections of the easement and send back to the FPB, and then have a legal review by Denise Coleman. It should then be resubmitted to the Olcotts to see if they are interested in pursuing the easement further. Janet reiterated that every effort should be made to bring this easement to settlement.

The Latterell’s easement was discussed next. Roger and Janet met with them and discussed changes and adjustments to the easement. Another meeting with the Latterells is planned. September 4, 2004 is the deadline for the finalization of their easement.

Lavonne Paden and Jim Keel reported that three properties had been funded by the Civil War Preservation Trust: Shannon Donley, Sam Donley, Jr. and Charles Printz for a total of \$1,040,000 to be awarded by Dec. 31, 2004. The FPB is to act as a pass-through grantee recipient for the EPLT and holder of the easement. The Middleway area was discussed as another area that had potential for Civil War Preservation Trust funding.

Landowners that had applied to the FPB program in spring, 2003 requested copies of their RFP. The board agreed to send copies of the RFPs to them. Shannon is to bring the board’s copies to the Extension Office, Jack is to bring appraisal copies to the Extension Office and Jane will assemble the RFPs for distribution to landowners. Craig volunteered file storage area for the FPB and it was gratefully accepted.

Roger reported on the Web page. Morgan has not shown any interest but Lavonne is working to complete Berkeley County’s information. Other counties may join the web page by paying a fee.

A discussion focused on a legal counsel of record. The consensus of the FPB was to use the Office of Government Services (OGS, Denise Coleman). This decision needs to be communicated and

documented. Shannon is to talk to Pat Bowen about the method to accomplish it.

Jane requested that election of officers be placed on the next meeting's agenda.

Craig is to contact Evergreen Capital Advisors, a consulting firm that sent him information, to see if they can provide any services or information that the board would find helpful in managing its funds.

The meeting was adjourned at 9:30pm.

Respectfully submitted,

Jane Tabb, acting secretary