

**MINUTES
VIRGINIA OUTDOORS FOUNDATION
BOARD OF TRUSTEES MEETING
South Boston, VA
July 15, 2009**

Trustees present:

Chair, Mr. Frank M. Hartz, presiding
Mr. Mark Allen
Dr. M. Rupert Cutler

Mr. Charles H. Seilheimer, Jr.
Absent: The Honorable Molly Ward, Mr. Jeff Walker, Mr. Harry Atherton

VOF staff attending:

G. Robert Lee, Executive Director
Leslie Grayson, Deputy Director, Easements
Tamara Vance, Deputy Director, Easements
Martha Little, Deputy Director, Stewardship
Ruth Babylon, Easement Specialist
Sherry Buttrick, Easement Manager
Bobbie Cabibbo, Executive Assistant
Melissa Collier, Stewardship Manager
Sara Ensley, Human Resource Manager
Kristin Ford, Easement Specialist

Josh Gibson, Easement Specialist
Kerry Hutcherson, Staff Counsel Stewardship
Neal Kilgore, Easement Specialist
Jason McGarvey, Outreach and Communications Manager
Philip Reed, Easement Specialist
Erika Richardson, Stewardship Specialist
Renee Russell, Development Coordinator
Bruce Stewart, Staff Counsel Easements
Laura Thurman, Easement Manager

Also in attendance were:

Fred Fisher, VA Office of the Attorney General
Sarah Richardson, VA Dept Conservation & Recreation
Jeremy Stone, VA Dept Conservation & Recreation
Mr. George Beedles

David Hurt, Conservation Partners
Nancy Ambler
John Eustis, New River Land Trust
PK Pettis, Easement Donor
Mr. Covington, Owner of 250 West

Hank Hartz convened the meeting at 11:40 a.m.

Public Comments

Mr. Beadles shared his concerns and questions about the Loudoun County Stewardship issues.

John Eustis of New River Land Trust gave a short presentation on the need for Conservation Easements in the Catawba Valley.

David Hurt, Conservation Partners thanked us for coming to Southern VA and thanked Sherry Buttrick, Linda Fay Wallace and P.K. Pettis for their conservation efforts in the area.

Approval of the Order of Business

Added Foxmount **Reconsideration** to Warrenton Easements moved the Warrenton Easements to after Tappahannock; and moved Goodbar **Reconsideration** from Staunton to PTF.

Minutes

Hank Hartz called for the approval of the Minutes of the May 15, 2009 Easement and Policy meeting, Resource and Development Meeting and PTF Committee Meeting. Motion made to accept Minutes as presented, motion seconded and approved unanimously.

Directors' Reports

Bob Lee, Executive Director reported on budget items, website issues, Conservation Value Survey
Leslie Grayson, Deputy Director Easements reported on the Potential Projects List and Short Hills project.
Martha Little, Deputy Director, Stewardship reported that a Stakeholder's Group consisting of representatives of VA Department Environmental Quality - Coastal Program, Virginia Institute of Marine Science, DCR Natural Heritage, Northumberland County, Northern Neck Land Conservancy, and VA Marine Resource Commission is scheduled to meet concerning Kohl's Island. Martha also presented a *Violations Report*.

Stewardship

Courtland Farm – Loudoun LLC Encroachment

The Board deferred a decision on this item.

Loudoun County Landfill Boundary Line Adjustment (BLA)

The BLA on land owned by Loudoun County and subject to VOF easement was not reviewed by or approved by VOF in advance as required under easement terms. Motion made to take Staff and VA Office of Attorney General's recommendation to require the Loudoun County boundary line adjustment (BLA) with two easement parcels be vacated; motion seconded and approved unanimously.

Stewardship Division Signatory Resolution

Resolution deferred to later today. See Attachment #1

Valley Conservation Council Co-Hold Resolution

Motion made to approve Resolution; motion seconded and approved unanimously. See Attachment #2

Lunch break

Stewardship Division Signatory Resolution

Motion made to approve Resolution as presented; motion seconded and approved unanimously. See Attachment #1

Consent Agenda Amendment

1. RAP-VOF-1471-2797- - Parrish 352.27 acres Motion made to approve Consent Agenda as presented; motion seconded and approved unanimously.

Existing Easements

Laura Thurman asked for Board guidance on proposed amendments on easements in Bath County.

Mr. Hartz instructed staff that when a proposed easement leaves out a parcel of land owned by the applicant, please note where the easement has been made stricter than guidelines.

Preservation Trust Fund (PTF)

Hicks - Washington - +/-45 acres – Amend easement to limit cell tower to 100' height. Motion made to approve easement as amended and authorizing allocation of \$6,500 of PTF; motion seconded and approved unanimously.

Stokes – Smyth – +/- 413 acres – Amend to include *Salubria Language* for utilities. Motion made to approve easement as amended and authorizing allocation of \$6,500 of PTF; motion seconded and approved unanimously.

Catron – Smyth – +/- 401 acres - Motion made to approve easement as presented and authorizing allocation of \$11,500 of PTF; motion seconded and approved unanimously.

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Hancock – Botetourt – +/- 273 acres - Motion made to approve easement as presented and authorizing allocation of \$8,000 of PTF; motion seconded and approved unanimously.

Hermansen – Bland – 522 acres – Motion made to approve easement as presented and authorizing allocation of \$7,500 of PTF; motion seconded and approved unanimously.

Goodbar – RECONSIDERATION - Rockbridge – 198.116 acres – Amend buffer language’s special provision exemption to apply only to current landowner and not subsequent landowners. Motion made to approve easement as amended and authorizing allocation of \$5,400 of PTF; motion seconded and approved unanimously.

Jennings – Bedford – 337.2 acres – Motion made to approve easement as presented and authorizing allocation of \$6,000 of PTF; motion seconded and approved unanimously.

Williams – Wythe – 256.35 acres - Approve easement contingent on recordation after 1/28/2010 (date of expiration of current cell tower contract); contingent on non-renewal of a cell tower contract and no construction under current contract. Motion made to approve easement as amended and authorizing allocation of \$6,500 of PTF; motion seconded and approved unanimously.

Birch – Middlesex – 637 acres – Easement withdrawn from the agenda

Irvine – RECONSIDERATION Cost only – Rockbridge – 509.33 acres - Motion made to approve easement as presented and denying request for additional PTF money; motion seconded and approved unanimously.

Abingdon Easements

Hatley – Grayson – 61.439 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Boswell – Washington – +/- 310 acres – Amend to: change *Section II.4 Forestry* language to further define the word “cut” (provided by Attorney for Easements); add 6000 sq. foot limit on dwellings; no building above the 2300’ contour elevation level. Motion made to approve easement as amended; motion seconded and approved unanimously.

Blacksburg Easements

Allen – Botetourt – 121 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Barnhart – Craig – 335 acres – Amend *Section II.5.* from a 100’ to a 35’ no plow buffer strip. Motion made to approve easement as amended; motion seconded and approved unanimously.

Dellis RECONSIDERATION - Bedford – 174.85 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Dillon – Henry – 401.54 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Richmond Easements

Hamsyd LLC – Amelia – 541 acres – Withdrawn from Agenda

Newton – Hanover – 200 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.

Staunton Easements

Dod – Rockbridge – 18.02 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Lewis RECONSIDERATION - Highland – 274.305 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Sandbridge – Rockbridge – 103.66 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Charlottesville Easements

Mr. J. Covington was present to answer questions on this presentation.

250 West LC – Fluvanna – +/-405 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Brockman – Amherst – 173.42 acres – Amend *Section II.5* last paragraph for 2 vs. 3 cattle access points on the Piney River. Motion made to approve easement as amended; motion seconded and approved 3 to 1 with Hank Hartz dissenting.

RMA Lumber Scottsville Lakes – Buckingham – 253 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Steger – Buckingham – 578.669 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Churchill Meadows, LLC – Stafford – 201.44 acres Amend easement to: not accept staff recommendation on size of houses in *Section II.2.(a)*; remove last sentence in *Section II.8* beginning “Notwithstanding the provisions...”. Motion made to approve easement as amended; motion seconded and approved with a vote of 3 to 1 with Mark Allen dissenting.

Smith/Faulconer – Madison – 134.5 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Koebig – Culpeper – 143.83605 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Kylexis Properties LLC – Nelson – 105.25 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.

Long – Madison – 134.5 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Smith – Madison – 699.911 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Tappahannock Easements

Fulks Family Trust – Spotsylvania – 115 acres – Motion made to approve easement with staff recommendation to accept contingent on support resolution from the Spotsylvania County Board of Supervisors; motion seconded and approved unanimously.

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Winters – Richmond – 134.3 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Warrenton Easements

Aberdeen, LLC – Loudoun – 193 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.

Bowie & Orfinger – Fauquier – 60.378 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.

Colonial Ice Cream Company - RECONSIDERATION – Fauquier – 236.1797 acres - The Easement was approved at the April 2009 Board meeting and can be recorded. Motion made to DENY easement as presented; motion seconded and approved unanimously.

Granville Farm, LLC - RECONSIDERATION – Fauquier – 405.9846 acres – Amend to return to template language in *Section V.8*. Motion made to approve easement as amended; motion seconded and approved unanimously.

Heyward – Rappahannock – 62.5537 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.

Parrish – Rappahannock – 67.5538 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Smith – Rappahannock – 331.6101 acres – Motion made to approve easement as presented; motion seconded and approved unanimously.

Foxmount Farm LLC RECONSIDERATION - Fauquier – 186.8118 acres - Motion made to approve easement as presented; motion seconded and approved unanimously.