



MINUTES CONSERVATION BANK BOARD

August 14, 2018

Oconee County Administrative Offices, Council Chambers
415 S. Pine Street, Walhalla, SC 29691

MEMBERS

Mr. Shea Airey, Chairman
Mr. Frank Ables, Vice Chairman
Ms. Jennifer Moss, Secretary
Mr. Marvin Prater, Treasurer

Ms. Frances Rundlett
Mr. Richard Cain
Mr. Ernie Lombard
Ms. Katie D. Smith, Staff Liaison

The Oconee County Conservation Bank Board [OCCB] met at 9:00 a.m. in Council Chambers, 415 South Pine Street, Walhalla, SC with Mr. Shea Airey, Ms. Jennifer Moss, Mr. Marvin Prater, Ms. Frances Rundlett, Mr. Ernie Lombard & Mr. Richard Cain [except Mr. Frank Ables] and Katie D. Smith, Clerk to Council acting as staff liaison.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

No members of the media were present.

Call to Order

Mr. Airey called the meeting to order at 9:03 a.m.

Approval of Minutes

Ms. Moss made a motion, seconded by Ms. Rundlett approved 6 – 0, to approve the minutes from June 5, 2018 meeting as presented.

Treasurer's Report

Mr. Prater noted the Treasurer's Reports as presented are accurate. He further noted the balance on all three reports is \$613,735.46. Ms. Rundlett made a motion, seconded by Ms. Moss, approved 6 – 0, to accept as presented the Treasurer's Reports for May & July 2018.

Discussion Items

Lengthy discussion followed regarding the topics indicated below, with various opinions expressed, to include but not limited to:

Continued Discussion regarding Alternate Funding Sources

- Request to the Oconee County Council
- Signed letters of support
- Several members turned in signed support letters
- Send letters to Clerk to Council via email, mail, or can drop off at Pine Street
- Husband and wife can sign support letter individually
- Owner of business can sign letter for himself and also on behalf of their business
- People that do not live here but home vacation homes here can also sign support letter
- Continue to gather signed letters of support from the community and bring in at next meeting

Ms. Moss asked the Clerk to put together a list of people that have already signed letters of support and send out to members so they do not ask the same individuals twice.

Ms. Rundlett noted she had a request at the last meeting and wanted to bring this forward again. She noted several people have asked about recycling. Mr. Airey noted it depends on a few different factors but this is something we could explore in more detail and further noted the Oconee County Solid Waste could provide information. Mr. Airey noted it depends on whether you are in one of the municipal areas. The County has the actual recycling centers. Additionally, he noted if we request that the County fund the OCCB in part based on recycling revenues that would not be suggesting that we would be receiving bins and collecting recycling. Discussion continued.

Discussion and/or action regarding Naturaland Trust

- 53 acre property
- Application submitted by Naturaland Trust
- Score the property
- Oconee County Conservation Bank Criteria Worksheet
- Tree farming
- Review criteria worksheet at a later date to add suggestions from members

Discussion regarding the Criteria Worksheet and scoring of the Naturaland Trust property continued to include but not limited to:

| Conservation Criteria | Maximum Points | Received |
|---|-----------------------|-----------------|
| Environmental Sensitivity | 35 | 15 |
| Percentage of Property Sharing a Boundary with Protected Land | 10 | 4 |
| Historical / Cultural Features | 5 | 5 |
| Prime / Statewide Important Soil Types | 10 | 0 |
| Actively Farmed | 5 | 0 |
| Public Visibility of Property | 5 | 3 |
| Scenic View from Property | 5 | 3 |
| Public Access | 10 | 5 |
| Threat of Development | 5 | 5 |
| Size of Protected Property | 10 | 5 |
| | | |
| Total Points Received | | 47 |

| Financial | Scoring of Financial Criteria | | | | | |
|--|--------------------------------------|------|------|------|-----------|-------|
| | None | Poor | Fair | Good | Excellent | Score |
| | 0 | 2 | 3 | 4 | 5 | |
| Funding Percentage Requested | | | | ✓ | | 4 |
| Matching or Other Monetary Contributions from Other Agencies or Groups | ✓ | | | | | 0 |
| Low Cost for Value Received | | ✓ | | | | 2 |
| Other Financial Benefit | ✓ | | | | | 0 |
| Other Incentives | | | ✓ | | | 3 |

| | | | | | | |
|---------------------------------------|--|--|--|--|--|-----------|
| | | | | | | |
| Total Points Received | | | | | | 9 |
| | | | | | | |
| | | | | | | |
| Total OCCB Scoring Index (OSI) | | | | | | 56 |

Discussion continued to include:

- Fantastic property but it is already protected
- Not asking for an enormous amount of funds

Ms. Moss made a motion, seconded by Ms. Rundlett, approved 6 – 0, to approve the scoring sheet with a total of 56 points.

Per Mr. Airey, Mr. Chris Starker, Land Protection Manager with Upstate Forever, addressed the Committee highlighting the following:

- Agricultural entity should be changed and add a timber management plan
- Prime soils
- Public accessibility
- Forest land is public access and Oconee County has a lot of forest land
- Difficult to receive matching funds if you do not already have funds
- Funds requested for this project covers an endowment and pays for a land trust
- If there is a land trust, this land would be protected in perpetuity
- Land trust has to monitor this project and will cost money
- Funds requested will go into endowment, which generates funds to pay for staff time, travel time, etc.
- Insurance and legal funds
- Line item specifically for this project; in order for Upstate Forever to accept the conservation easement, they have to accept the endowment but the endowment itself is a general fund
- Naturaland Trust is seeking to enter a conservation easement with Upstate Forever
- Upstate Forever is nationally accredited by the Land Trust Association
- South Carolina parks

Mr. Airey noted there is at least one more application from the beginning part of this year and it may be best to score that application before funds are awarded for this cycle because it is a bit of comparative analysis. Discussion continued.

Mr. Airey also noted the next topic on the agenda is the Moore property and there is an active application but has not been scored yet. Mr. Airey further noted this is the only other application received during the application cycle, which is between January 1st and July 31st. He did note there was a statement of interest but did not have another full application. Ms. Moss asked if there was a full application on the Moore property.

Mr. Jason Davis, Oconee County Soil & Water Conservation District & NRCS, addressed the Committee highlighting the following:

- Currently working with the Moore family to get the application ready
- Agricultural Conservation Easement Program [ACEP] process thru Natural Resources Conservation Service [NRCS]

- Deadline for ACEP applications is November
- Will not know if application for the Moore property is approved for an easement until an application is made and then go through the State Conservation Bank Board
- Project will be on hold until after it goes through the State Conservation Bank Board and will potentially submit full application to the OCCB
- Would not be for the whole matching fund for the cost share of the property

Mr. Airey also noted the OCCB received a statement of interest packet from the estate of William Lyles and Upstate Forever is the eligible partner on this project. The statement of interest was presented in June of 2018 and was within the first six month of the year timeframe. Mr. Airey asked Mr. Starker to speak regarding the Lyles' property.

Mr. Chris Starker addressed the Committee highlighting the following:

- Statement of Interest form
- ACEP project thru NRCS
- Upstate Forever has been approved to work through this program
- 50% funded by ACEP, Upstate Forever is seeking 25% from OCCB, and another 25% is being donated
- If full application was submitted and approved, funds would not be available until after November and not sure if funds would be awards by ACEP

Mr. Airey noted applications can be submitted, but to note it would be contingent on getting the ACEP grants because it would change the logic on our side. Discussion continued.

Mr. Davis asked if he could speak regarding the ACEP program. Discussion continued to include:

- Deadline for submitting applications to ACEP is the middle of November
- Once application has been submitted to ACEP, they will be sent to the State Conservation Bank Board where the applications will be ranked
- Statewide
- State Conservation Bank Board completes the ranking process and decides which projects they are going to fund
- Typically will be around May before the project gets the award

Discussion continued.

Mr. Cain made a motion, seconded by Ms. Moss, approved 6 – 0, for a full application to be submitted on behalf of the estate of William C. Lyles.

Discussion continued to include:

- Wait until later in the cycle to award funds until full list of projects that OCCB is wanting to grant funds to is presented
- Cycle ends at the end of the year
- Both Statement of Interest forms [Lyles & Moore] were received before the end of the six month cycle
- Naturaland Trust is not likely to give up property adjacent to Oconee Station; we could have a little time

Mr. Airey asked Mr. Starker if there were any significant time sensitivity to the project and would this impact the project in any meaningful way.

Mr. Starker addressed the Committee noting the following:

- Phil Gaines, State Parks Director, will be retiring soon
- Once he does and a new director is put in place, acquisition of lands could face postponement
- Take longer to get transfer of land stats
- Partially awarded vs. fully awarded

Mr. Airey noted in regards to awarding these funds today or waiting, it doesn't appear there will be any further applications submitted during the application cycle. He noted he doesn't see a compelling reason to make the applicants wait, although in the future the OCCB may need to develop a process to complete the awarding all on one day. There is one before them today and two potentials. Mr. Airey opened the floor for discussion regarding awarding the funds today or waiting.

Mr. Airey noted from the legal point of view, even though Naturaland Trust owns this property and is a "conservation friendly owner", they do not have a conservation easement on this property. Discussion continued.

Ms. Moss made a motion, seconded by Mr. Airey, approved 6 – 0, to make a determination of the funds awarded to Naturaland Trust.

Mr. Prater noted since the ACEP program deadline was in November, there is not much that happens after Thanksgiving and further noted he doesn't anticipate another competing project in this cycle. Additionally, he noted if we are not funding the full amount, we are not giving the project what it needs and prefers to award the full amount requested.

Discussion continued to include:

- Award based upon what the percentage of what the total score is would be low
- Potentially public piece of land
- Score is to help rank the project, not what the awarded amount
- Comparative analysis
- Fair amount of support for the making the grant at the amount requested which is \$9,567.33

Ms. Moss made a motion, seconded by Ms. Rundlett, approved 6 – 0, to approve the award in the amount requested of \$9,567.33 to Naturaland Trust.

Mr. Airey noted all the grants we make are conditional on the project being completed. When an award is being granted, OCCB will have to work with all landowners. Once the transaction closes and they enter into the conservation, for example with Upstate Forever, the check would be cut at that time. When it has been awarded, however, there is a contingency. Discussion continued.

Ms. Rundlett asked if the scoring sheet was our own device and could it be changed. Mr. Airey noted it was. Mr. Airey also noted the OCCB did develop the scoring sheet and it is based on the State Conservation Bank Board's criteria and has been adjusted for Oconee County's purposes. Discussion continued.

Mr. Airey noted that Mr. Starker can communicate to Naturaland Trust the decision made today, however, the Oconee County Council has to approve the recommendation.

Mr. Ernie Lombard left the meeting at 10:33 a.m.

Discussion and/or action regarding Moore property

This topic was discussed earlier during the meeting.

Discussion regarding types of accounts available to generate interest

Mr. Prater noted he has not been able to work on this since the last meeting but noted he would work on this and have some information for the next meeting.

New Business: Statement of Interest from William Lyles Estate

- RE: TMS: 290-00-04-010

This topic was discussed earlier in the meeting regarding the statement of interest from the William Lyles estate and it was recommended and approved they submit a full application to the OCCB.

Old Business:

None at this meeting.

New Business

Mr. Airey noted when the grant was accepted from Duke Energy in November of 2016, part of the stipulation was to submit a report in two years indicating what OCCB has completed and needs to be submitted by October. Mr. Airey noted he will start working on this report and asked if someone would be willing to help. Ms. Moss noted she would work with the Clerk to gather information. Mr. Airey asked the Clerk to help in this matter.

Ms. Rundlett made a motion, seconded by Mr. Prater, approved 5 – 0, for Mr. Airey and Ms. Moss to complete the report to submit to Duke Energy by October 2018.

Next Meeting:

The next meeting will be held at 9:00 a.m., Tuesday, October 9, 2018 at the Oconee County Council Chambers, 415 South Pine Street, Walhalla, SC 29691.

Adjourn:

Ms. Moss made a motion, approved unanimously, to adjourn the meeting at 10:38 a.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council & Staff Liaison