

STATE OF VERMONT JOINT FISCAL OFFICE

## MEMORANDUM

To: James Reardon, Commissioner of Finance & Management

From: Nathan Lavery, Fiscal Analyst

Date: June 24, 2011

Subject: JFO #2505, #2506, #2507, #2508, #2509

No Joint Fiscal Committee member has requested that the following items be held for review:

JFO #2505 — \$30,000 grant from the Pacific Institute for Research and Evaluation to the Vermont Department of Liquor Control These funds will be used to study alternative protocols for underage alcohol compliance checks. [*JFO received 5/16/11*]

JFO #2506 — \$10,000 grant from the National Alcohol Beverage Control Association to the Vermont Department of Liquor Control. These funds will be used to design, produce, and purchase community outreach and educational materials. [*JFO received 5/16/11*]

JFO #2507 — \$11,000 grant from the Franklin County Community Development Corporation to the Vermont Agency of Agriculture, Food and Markets. These funds will be used to implement the Farm to School Communications plan and provide professional development for Farm to School practitioners.

[JFO received 5/16/11]

JFO #2508 — \$15,000 donation from Ross and Gail Anderson to the Department of Fish and Wildlife. This donation represents the difference between the appraised value of the property (207.8 acres in Addison) being sold to the State of Vermont and the purchase price of the parcel. Because the state is not paying the full appraised value, the difference is considered a donation to the state of Vermont.

[*JFO received 6/7/11*]

**JFO #2509** — \$56,800 donation from Batten Kill Watershed Alliance to the Department of Fish and Wildlife. This donation represents the estimated town assessed value of the property (two parcels totaling 3.2 acres in Arlington) being donated to the State of Vermont. [*JFO received 6/7/11*]

The Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Michael Hogan, Commissioner Chuck Ross, Secretary Patrick Berry, Commissioner



STATE OF VERMONT JOINT FISCAL OFFICE

## MEMORANDUM

To: Joint Fiscal Committee Members

From: Nathan Lavery, Fiscal Analyst

Date: June 15, 2011

Subject: Grant Requests

Enclosed please find three (3) grants/donations that the Joint Fiscal Office has received from the administration. Eight limited service positions are associated with these items.

JFO #2508 — \$15,000 donation from Ross and Gail Anderson to the Department of Fish and Wildlife. This donation represents the difference between the appraised value of the property (207.8 acres in Addison) being sold to the State of Vermont and the purchase price of the parcel. Because the state is not paying the full appraised value, the difference is considered a donation to the state of Vermont. Expedited review of this item has been requested. Joint Fiscal Committee members will be contacted by June 24 with a request to waive the balance of the review period and approve acceptance of this item.

[JFO received 6/7/11]

JFO #2509 — \$56,800 donation from Batten Kill Watershed Alliance to the Department of Fish and Wildlife. This donation represents the estimated town assessed value of the property (two parcels totaling 3.2 acres in Arlington) being donated to the State of Vermont. Expedited review of this item has been requested. Joint Fiscal Committee members will be contacted by June 24 with a request to waive the balance of the review period and approve acceptance of this item. [JFO received 6/7/11]

**JFO #2510** — \$17,963,059 grant from the U.S. Department of Health and Human Services to the Vermont Department of Disabilities, Aging and Independent Living. These funds will be used to provide people living in nursing facilities the opportunity to live in the community with needed services and supports. The grant supports the "Money Follows the Person" program for Medicaid beneficiaries. Eight (8) limited service position requests are associated with this item. [*JFO received 6/7/11*]

Please review the enclosed materials and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; <u>nlavery@leg.state.vt.us</u>) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by <u>June 24</u> we will assume that you agree to consider as final the Governor's acceptance of these requests.

# JFO 2508

#### STATE OF VERMONT **GRANT ACCEPTANCE FORM**

**GRANT SUMMARY:** 

Title: Donation from the Anderson Family

This is a request for approval of a donation of the difference in value between the appraised value of land and the offered price at which the Dept. of Fish and Wildlife will purchase the property. The property consists of 207.8 acres in the Town of Addison. The donated difference in value is \$15,000.00. The purchase is supported by the Selectboard of Addison.

DATE:

May 23, 2011

Fish and Wildlife (ANR)

**DEPARTMENT:** 

GRANT / DONATION:

The \$15,000.00 difference between the appraised value of 207.8 acres of land and its purchase price.

FEDERAL CATALOG No.: N/A

**GRANTOR / DONOR:** 

The Anderson Family

AMOUNT / VALUE: \$15,000.00

None POSITIONS REQUESTED:

**GRANT PERIOD:** COMMENTS: See attachments.

DEPARTMENT OF FINANCE AND MANAGEMENT: SECRETARY OF ADMINISTRATION SENT TO JOINT FISCAL OFFICE:

(INITIAL (INITIAL DATE:





Fish & Wildlife Department 103 South Main St., #10 South Waterbury, Vermont 05671-0501 www.VtFishandWildlife.com

802-241-3700 [phone] [fax] 802-241-3295 [tdd] 802-828-3345 Agency Of Natural Resources

TO:	Joint Fiscal Office (JFO)
FROM:	Kimberly Royar, Director of Special Projects Vermont Department of Fish and Wildlife
DATE:	June 3, 2011

SUBJECT: Justification for immediate action regarding: Anderson Parcel, Addison, Vermont and Batten Kill Streambank parcels, Arlington, Vermont

The following represents a justification for immediate action regarding the approval to close on the two parcels listed below. Written requests for approval were submitted to Finance and Management on April 1, 2011 but approvals were delayed due to a series of required corrections. We therefore, respectfully request urgent action. The Department appreciates any assistance you can provide to help us move these two projects forward in a timely manner.

### Anderson Parcel

This land adjoins the Whitney/Hospital Creek Wildlife Management Area and has been a high land acquisition priority for 15 years. In December the Fish and Wildlife Department signed a Purchase and Sales Agreement which expires June 30<sup>th</sup>. The Department has devoted significant time and effort into negotiating the potential purchase and we do not want to lose the opportunity to acquire this important piece of property.

### Batten Kill Streambank parcels

The present owner of these parcels (Batten Kill Watershed Alliance) is a very small non-profit land steward organization that purchased the property with the intent of turning it over to a conservation organization immediately after acquisition. As the property owner, they have been in the unanticipated position of having to pay the taxes on the property. Like many small organizations, they do not have the resources to pay any taxes this year, as it was expected that they would have divested themselves of these properties before now. If the Department is unable to complete this transaction in a timely manner, it may compromise the good relationship that has been established with this organization and hurt potential future activities that would benefit the state.

Thank you for your immediate attention to these two parcels.

cc: Sher Yacono, Financial Manager William Crenshaw, Wildlife Biologist Michael Wichrowski, Access Areas



## **STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE** (Form AA-1)

BÁSIC GRANT INFORMATION					
1. Agency:	Natural Resources				
2. Department:	Fish and Wildlife				
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3. Program:	Land Donation				
4. Legal Title of Grant:					
5. Federal Catalog #:					
B					
6. Grant/Donor Name and	Address:				
Anderson Parcel, Ad	dison, Vermont				
7. Grant Period: Fro	m:	To:			
		······································			
8. Purpose of Grant:				· · · · · · · · · · · · · · · · · · ·	
-	mplain-influenced wet	lands and 142.8 acres of	uplands is available for	or purchase at a cost	
		5,000. The owners will			
9. Impact on existing progra	am if grant is not Acc	epted:		······································	
This land borders the	e Whitney/Hospital Cre	eks Wildlife Manageme			
wildlife resources. T	his acquisition will per	manently place this prop	perty in public owners!	hip, thus ensuring	
continued manageme	nt for fish, wildlife and	l public recreation.			
10. BUDGET INFORMAT	ION		· · ·	: •	
	SFY 1	SFY 2	SFY 3	Comments	
Expenditures:	<b>FY</b> 2011	FY	FY		
Personal Services	0.265	¢	ф	· · · · · · · · · · · · · · · · · · ·	
Personal Services	\$9,365	\$	\$		
Operating Expenses	\$9,365	\$	\$ \$		
			· · · · · · · · · · · · · · · · · · ·		
Operating Expenses	\$128,350 \$	\$	\$		
Operating Expenses Grants	\$128,350 \$	\$ \$	\$ \$		
Operating Expenses Grants Tota	\$128,350 \$	\$ \$	\$ \$		
Operating Expenses Grants Tota Revenues:	\$128,350 \$ \$ \$137,715	\$ \$ \$	\$ \$ \$		
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Operating Expenses Grants <b>Tota</b> Revenues: State Funds: Cash In-Kind	\$128,350 \$ \$137,715 \$122,715 \$ \$15,000	\$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$		
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## **STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE** (Form AA-1)

			\$		
			<b>Total</b> \$137,715		
PERSONAL SERVICE IN	FORMATION				
<b>11. Will monies from this g</b> If "Yes", appointing authorit Appointing Authority Name	grant be used to fun ty must initial here to	indicate intent to follow c			
12. Limited Service Position Information:	# Positions	Title			
Total Positions					
	for these	] Is presently available.	Can be obtained wi	ith available funde	
12a. Equipment and space positions:		] is presently available.		iui available fullus.	
13. AUTHORIZATION A	CENCY/DEPARTA	AFNT			
I/we certify that no funds	Signature:			Date:	
beyond basic application	teen	Bung		4/14/4	
preparation and filing costs					
have been expended or		/	/		
committed in anticipation of Joint Fiscal Committee	Signature:	1 AA A		Date:	
approval of this grant, unless	1 Jul	M Mml		4-27-11	
previous notification was	Title: ANR Secret	ary			
made on Form AA-1PN (if applicable):					
14. SECRETARY OF ADM	MINISTDATION				
14. SECKETART OF ADI	(Secretary or designee sig		1	Date:	
Approved:	(Secretary of designee sig	Silaure)	Vitation	15/24/1	
Appioved.			States	05/24/4	
15. ACTION BY GOVERNOR					
Check One Box:					
Accepted	1				
	(Governe's signature)			Date:	
Rejected				531/10	
16. DOCUMENTATION REQUIRED					
	Requir	ed GRANT Documentati			
Request Memo	0 1: 11 )	Notice of Donation			
Dept. project approval (if applicable)			Grant (Project) Timeline (if applicable)		
Grant Agreement	Notice of Award Request for Extension (if applicable)   Grant Agreement Form AA-1PN attached (if applicable)				
Grant Budget					
End Form AA-1					

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## Department of Fish and Wildlife Business Office 103 South Main Street 10 South Waterbury, VT 05671-0501 802-241-3704

To: Jason Aronowitz, Budget Analyst Finance & Management

From: Sherri A. Yacono, Business Manager

**Date:** March 30, 2011

**Subject:** AA-1: Donation from the Anderson Family

Please find attached the AA-1 package for the above subject. The Department would like to purchase 207.8 acres from the Anderson family for a price of \$110,000. The appraised value for the land is \$125,000 and the Anderson family will donate the \$15,000 difference. This acquisition will permanently place this property in public ownership thus ensuring continued management for fish, wildlife and public recreation.

Funding for this acquisition will come from the Vermont Duck Stamp. If there are any questions, please call me at 241-3704. Thanks for your assistance.

#### Cc: Bill Crenshaw



Fish & Wildlife Department 103 South Main St., #10 South Waterbury, Vermont 05671-0501 www.VtFishandWildlife.com [phone] [fax] [tdd]

802-241-3700 802-241-3295 802-828-3345 Agency Of Natural Resources



## MEMORANDUM

TO: Beth Robinson, General Counsel, Governor's Office

FROM: Patrick H. Berry, Commissioner, Fish & Wildlife Department

**DATE:** February 23, 2011

SUBJECT: Governor's Approval for Fee Purchase of 207.8 +/- Acres in the Town of Addison

Enclosed is an approval to be signed by Governor Shumlin for an acquisition of a parcel of land (purchased in fee) by the Vermont Fish and Wildlife Department. This property will be purchased and managed as part of Whitney/Hospital Creeks Wildlife Management Area in the Town of Addison.

Included with the Governor's approval memo are a project description and a copy of the minutes of the Addison Selectboard meeting indicating its support of this project.

If you have any questions regarding this acquisition, please contact Thomas Decker, Chief of Operations at 241-3247.

Thank you.

cpm Enclosures



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Department of Fish & Wildlife 103 South Main St., #10 South Waterbury, Vermont 05671-0501 www. VtFishandWildlife.com [phone]802-241-3700[fax]802-241-3295[tdd]802-828-3345

Agency Of Natural Resources

## MEMORANDUM

Subject:	Acquisition of 207.8 +/- Acre Anderson Parcel, Town of Addison
Date:	February 23, 2011
From:	Patrick H. Berry, Commissioner, Fish & Wildlife Department TPS
Through:	Deborah L. Markowitz, Secretary, Agency of Natural Resources 77
To:	Peter Shumlin, Governor

Your approval is requested pursuant to 10 V.S.A. § 4144, for the acceptance of the land acquisition referenced above. This acquisition has been reviewed and approved by the Agency of Natural Resources' Land Acquisition Review Committee on December 15, 2011. Joint Fiscal Committee approval is required for \$15,000 -- the difference between the sale price of \$110,000 and the appraised value \$125,000.

#### Description

The Anderson parcel consists of 65 acres of Lake Champlain-influenced wetlands (emergent marsh, button bush swamp, and floodplain forest) and 142.8 acres of uplands. It borders the Whitney/Hospital Creeks Wildlife Management Area. This area is very rich in fish and wildlife resources. Whitney Creek is heavily used by anglers, birdwatchers, canoeists, and kayakers in the spring and summer, and by waterfowl, deer, and turkey hunters in the fall. With the permission of the current landowners, the Vermont Fish and Wildlife Department has maintained waterfowl nesting boxes, two active osprey platforms, and a waterfowl banding site on this land. This acquisition will permanently place this property in public ownership thus ensuring continued management for fish, wildlife and public recreation.

#### **Ownership and Management**

This parcel will be owned by the State of Vermont, Agency of Natural Resources, Department of Fish and Wildlife and managed as part of Whitney/Hospital Creeks WMA.

#### **Budget and Funding**

The appraised value of the property is \$125,000. The landowner is selling it to the State for \$110,000. Funding for this acquisition will come from the Vermont Duck Stamp Fund. Joint Fiscal Committee approval is required for the \$15,000 difference.

### VERMONT FISH AND WILDLIFE DEPARTMENT 103 South Main Street, 10 South Waterbury, Vermont 05671

#### APPROVAL FOR LAND ACQUISITION

We, the undersigned, hereby approve the acquisition by the State of Vermont, Agency of Natural Resources, Department of Fish and Wildlife, of 207.8 +/- acres, located in the Town of Addison, from Gale Anderson.

This approval is pursuant to Title 10, Section 4144 of the Vermont Statutes Annotated.

3124/11

Date

3-11-11

Date

2/23/11

Date

Peter Shumlin, Governor State of Vermont

Deborah L. Markowitz, Secretary Agency of Natural Resources

Patrick H. Berry, Commissioner Fish and Wildlife Department

#### Project Name: Anderson Parcel, Whitney/Hospital Creek WMA

**Location:** Addison, Addison County, Vermont

Acreage: 207.8 acres

**Type of Acquisition:** Fee acquisition

**History and Description of Project:** The 204-acre Anderson parcel (excluding two small out holdings) was conserved in 1992 with a donated conservation easement co-held by the Vermont Fish and Wildlife Department and the Vermont Housing and Conservation Board. It was part of Phase 1 of the Whitney-Hospital Creek Conservation Project which resulted in the acquisition of the 64-acre Grace Parcel which is directly across Whitney Creek from the Anderson Parcel. The Nature Conservancy assisted with the Anderson conservation easement. Dingell/Johnson and Duck Stamp Funds were used to purchase the Grace Parcel. Phase 1 was the flagship project which over the next 13 years resulted in the acquisition of another 40 acres with Duck Stamp Funds, and the conservation of 1430 acres of farmland adjacent to the Whitney and Hospital Creeks. The Vermont Land Trust and Vermont Housing Conservation Board were involved in conserving the farmland. The acquired wetlands and uplands were added to the 53-acre state owned McCuen Slang Access Area to eventually become the 157-acre Whitney/Hospital Creek WMA.

The Anderson parcel consists of 65 acres of Lake Champlain influenced wetlands (emergent marsh, button bush swamp, and floodplain forest) and 142.8 acres of uplands. The uplands consist of reverting pasture and small patches of clay plain forests. This area is rich in fish and wildlife resources. Whitney Creek is heavily used by fishermen in the spring and by waterfowl, deer, and turkey hunters in the fall. The Department has maintained wood duck nesting boxes, two active osprey platforms and a waterfowl banding site on this land. In 2010, 220 ducks were banded on this property. While hunting, fishing and trapping is not guaranteed by the conservation easement, the Andersons have generously allowed these activities to occur during their ownership. They have also cooperated with the Department in managing their land for fish and wildlife.

The Andersons have put the conserved parcel, two small inholdings, and 153 acres of adjacent conserved agricultural land on the market. They are agreeable to subdividing off a 207.8-acre parcel and selling it separately to the VFWD. This would include the 204-acre conserved parcel and two inholdings (2.5 acres and 1.3 acres) which were originally held-out for potential house or camp sites. A local farmer is interested in acquiring the 153 acres of conserved tillable land adjacent to the 207.8 acre parcel.

William

The VFWD is pursuing a subdivision permit from the Town of Addison for the 207.8-acre parcel.

In December, a Purchase and Sales Agreement was signed between the Andersons and the VFWD for \$110,000. This P&S Agreement was contingent upon the selling price being supported by an appraisal. The appraised value of the 207.8-acre parcel was later determined to be \$125,000. The Andersons then agreed to donate \$15,000 of the value of this land to the VFWD.

The Whitney and Hospital Creek Wetlands have long been known to be an area rich in fish, wildlife and natural communities. The VFWD has a unique, and probably one time, opportunity to acquire the Anderson Parcel and guarantee public hunting, fishing, trapping, and habitat management. It would also remove two potential building sites that could seriously impact the public use of this area. This parcel represents a key component to the Whitney/Hospital Creek WMA.

**Ownership:** This parcel will be owned by the State of Vermont, Agency of Natural Resources, Department of Fish and Wildlife. It will be managed as part of the Whitney/Hospital Creek Wildlife Management Area.

#### **Budget:** Estimated Costs

Land Appraised Value	\$125,000.00	
Appraisal	1,500.00	
Survey	7,865.00	
Subdivision Fees	450.00	
Closing Costs	2,900.00	

#### Total Estimated Costs \$137,715.00

#### Funding

Vermont Duck Stamp Fund	\$122,715.00
Land Value Donation (Anderson)	15,000.00

Total Funding \$137,715.00

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ROSS R. ANDERSON BOX 545 577 SHELSURNE, VT 05402 BARAGTABLE MA. 02630

### 2/4/2011

To whom it may concern:

This is to inform you that we are happy to grant the state a bargain sale on our property in Addison VT which is currently under a purchase and sale agreement. Any questions or issues concerning this sale can be addressed to us at P.O. Box 577 Barnstable MA 02630 or by calling 802 238 1635.

God Bless

Ross and Gail Anderson

#### MEETING OF THE ADDISON SELECTBOARD, 12/7/2010

page 2

the Town of Addison and all of this would be a perfect fit.

She said she would like to see an events committee getting formed and getting the word out. Paul Boivin pointed out that rescue would need to be involved.

Lorraine said the name they have adopted for this celebration is the Lake Champlain Bridge Community.

Joy suggested considering placing an article in front of the voters for funding. Discussion continued about adopting a logo and mission statement.

Lisa suggested getting a flyer out to people as well as news stations. Lorraine said the construction company is on a completion date of Oct. 9<sup>th</sup>, 2011 and could probably know a final date by next June. Carol Miller suggested making a program of the event and using that program to get "friends of the bridge sponsors, supporters, etc." and fund raise this way, and make the program a special souvenir/keepsake.

Tom Hughes said the Town of Addison will be celebrating their anniversary this next year and encouraged the town fathers to recognize their history maybe in conjunction with the bridge celebration.

George Lawrence and Dick Catlin, members of the Town Hall Committee, reported to the Selectboard they put together RFPs and sent them out to architectural firms, and received four proposals from very qualified firms for the refurbishing of the town hall. They said two of the proposals from Arnold & Scangas and Peter Morris fell within their budget and the committee met with the two firms and interviewed them in person and decided that Scangas was the most qualified, but the least expensive, with a proposal for the RFP in the amount of \$10,275.00. There is \$17,387.87 in the Town Hall Fund and the committee requests the selectboard approve this payment. Joy moved to authorize this payment in order to award the contract and this was seconded by Steve. All were in favor.

David Sausville, with Vermont Fish & Wildlife, met with the board to discuss an acquisition of 207.8 acres adjacent to the Whitney-Hospital Creek Wildlife Management Area owned by Gail Anderson. He said the Andersons are interested in selling a portion of their property to the State of Vermont. David explained this will create a subdivision of their land, with 157 acres of tillable land and 207.8 land along Whitney Creek. David explained this piece of land as been used by anglers, hunters, canoeists throughout the year and the Andersons have been very generous in allowing people to use the land. Joy asked David if people will still be able to use the land. David said this is one of the reasons the State was interested in buying the land to keep it in public ownership and not turn into a posted piece of land. He explained the State has a policy of coming to the towns to see if there are any concerns and looking for something in the minutes to either approve this proposal or not being opposed to the State moving ahead with the acquisition. Joy moved to agree with what is presented here and felt this proposal was very important. This was seconded by Lisa. Steve asked if this becomes tax exempt land and David said it will become Pilot Land and assessed at 1% of fair market value.

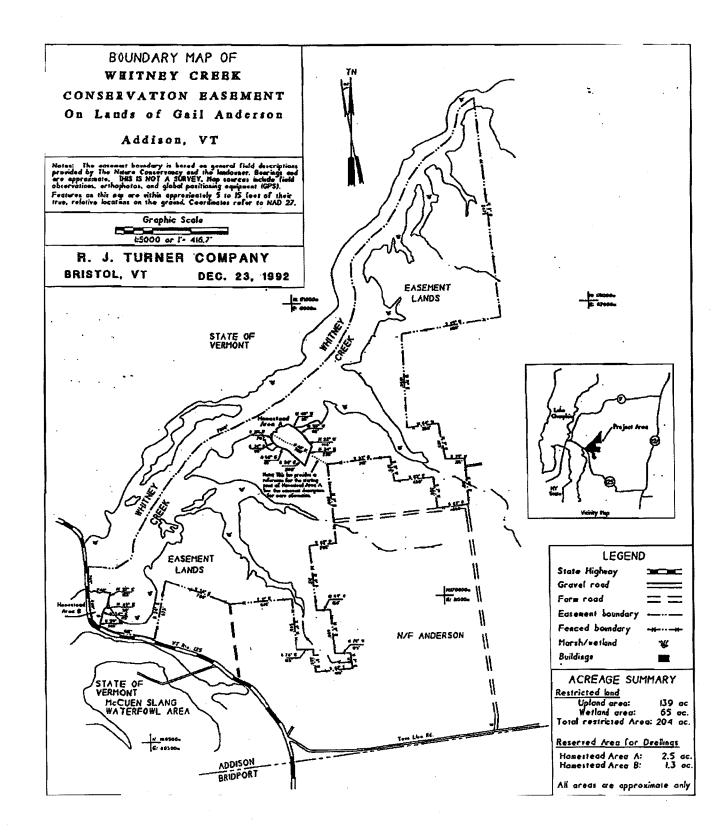


Figure 1. Map of the conserved land on the Anderson Parcel. Homesteads A and B also shown.

## Department of Fish and Wildlife Business Office 103 South Main Street 10 South Waterbury, VT 05671-0501 802-241-3704

To: Jason Aronowitz, Budget Analyst Finance & Management

From: Sherri A. Yacono, Business Manager

**Date:** May 2, 2011

Subject: Revised AA-1: Donation from the Anderson Family

Per your request please find attached the Revised AA-1 form for the above subject. We have added more detail to the budget section of the form as you requested.

If there are any questions, please call me at 241-3704. Thanks for your assistance.

Enclosure

cc: Bill Crenshaw





Figure 7. Waterfowl banding site on Anderson Parcel.

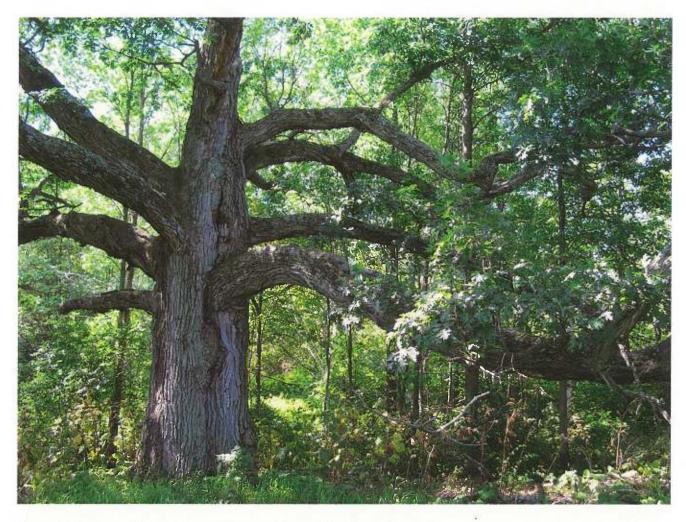


Figure 6. Large white oak on upland portion of Anderson Parcel.



Figure 5. Canoe/small boat launch on the Homestead B site of the Anderson Parcel.

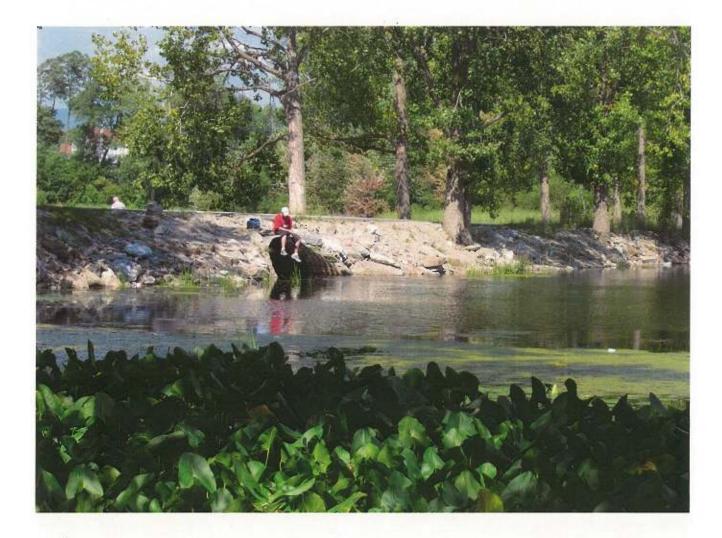


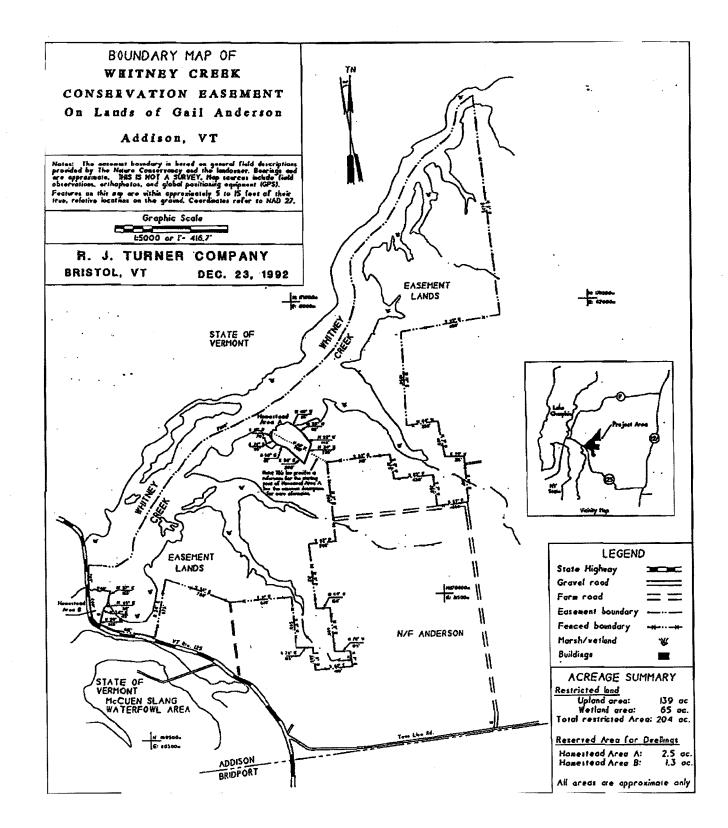
Figure 4. Fishing from culvert at mouth of Whitney Creek. Looking northwest from Anderson Parcel (Homestead site B).



Figure 3. Emergent marsh wetlands on Whitney Creek looking north from Anderson Parcel. Forested area is state-owned lands on the Whitney-Hospital Creek WMA.



Figure 2. Map showing the Whitney/Hospital Creek WMA (lighter green area). Anderson Parcel is outlined in red.



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