

NORTHEASTERN CAVE CONSERVANCY, INC.

Board Meeting Minutes

Submitted by Christa Hay

09/12/04 Speleobooks, Schoharie, NY 10:00 am

Meeting called to order at 10:04 am

1. Introduction and greetings – President Bob Addis
2. Attendance:
Officers: B. Addis, B. Folsom, J. Levinson, C. Hay
Trustees: J. Allison, J. Armstrong, J. DeGross, V. Kappler, A. Lehmann, P. Murphy,
J. Siemion, M. Warner, P. Youngbaer
3. President's Report – Bob Addis – Attachment A (all attachments are in order starting after the minutes)
4. Vice President's Report –Bill Folsom
 - Working with Alan Traino on Fundraising
 - Certificate of Organization for Vermont
5. Treasurer's Report – Joe Levinson – Attachment B
6. Secretary's Report – Christa Hay – Attachment C
 - Electronic vote for purchase of Ella Armstrong – Passed
 - Electronic vote to amend Act 21-31 – Passed
 - See Attachment C for full motions and voting

Order suspended for Ella Armstrong Management Plan

7. Warner moved to accept the interim Ella Armstrong Preserve Management Plan - Attachment D
2nd by Allison
Passed Unanimously

Order reinstated

8. Acquisitions Committee Report –Chuck Porter
 - Contacted Roland Vineyard concerning Schroeders Pants – waiting for reply
9. Conservation Committee Report - Joe Armstrong
 - Removed a dam that was built at Schoharie Caverns
 - Next project will be Clarksville Cave
10. Publications/Publicity Committee Report - Christa Hay
 - Status quo
11. Fundraising Committee Report - Alan Traino
 - Clarksville fundraising pledges \$48,360 have received \$45,000
 - Thanks to Bill Folsom for help
 - Need to increase membership
 - Will continue to fundraise, NRO is next event
12. Membership Committee Report - Tonya Smothers
 - Status quo

13. Office Committee Report – Emily Davis / Mike Warner
 - 40-50 memberships are overdue need some face-to-face with members
14. Knox Cave Preserve Report – Emily Davis
 - Thanks to Joe Armstrong for cleanup
 - Status quo
15. Onesquethaw Cave Preserve Report – Thom Engel
 - Sink starting in cornfield
 - Metal stakes installed
 - Quite due to rain this year
16. Sellecks Karst Preserve Report - Jon Allison
 - Not much use this summer
17. Proposed Clarksville Preserve Report - Mike Warner – Attachment E
 - Working on documents and protocol
 - Conflict management material for stewardship program
 - Cox's working on contact/information sheet for group visits
 - Meeting with Sheriff on Clarksville
18. Website Subcommittee Report – Norm Berg – Attachment F
 - Will look into whether we can add an interactive calendar for Clarksville stewards.
19. Land Trust Liaison Committee Report – Jon Allison
 - Board approved easement for Gregory entrance
 - Middle of October County legislative should vote on passing over the Gregory Entrance to the NCC
20. NCKMS 2005 Report - Mike Warner – Attachment G
21. Legal Committee Report – Dan Werner – no report
22. Financial and Investments Committee – Paul Murphy
 - Will be working with Joe Levinson to transfer tasks.
23. Addis moved to open the Committee of the Whole. The Vice President will preside.
 2nd by Allison
Passed Unanimously
 - Engel – NCC should look into Single X cave- access land is for sale. C. Porter will talk to owners.
 - Addis – knows sons of TruAx owners – will contact them
 - Davis – willing to take any ideas on how to help with memberships. Membership notices go out quarterly.
 - Lehmann – Town of Knox subdivision meeting is in October for Ella Armstrong property
 - Addis – what is status of Joober Hole? – she has not been contacted since husband passed away – has been 1 ½ years – C. Porter will contact her.
 - Youngbaer – Aeolus Bat Cave has a new gate
 - Addis – would VCA like help /guidance from NCC? – Youngbaer will talk to VCA
 - Simmons – Surprise Cave – gate was vandalized this summer, has been re-secured
 - Warner – BCI cave gating workshop from several years ago is now in book format.
 - Porter – Any update on Indian Oven Cave? – no
 - Addis – NCC field trip to Dover Stone Church has been rescheduled to October 3rd

24. Folsom moved to close the Committee of the Whole. Items from this meeting will be introduced as new business.
2nd by Levinson
Passed Unanimously

Lunch Break

25. Hay moved to accept the minutes of the June 19, 2004 meeting.
2nd by Youngbaer
Passed Unanimously
26. Hay moved that Tom Rider and Paul and Kristen Woodell be recognized as NCC representatives to the 2004 NSS Convention.
2nd by Levinson
Passed Unanimously
27. Folsom moved that up to \$500 be used to purchase a portable display unit.
2nd by Siemion
Passed Unanimously
28. Levinson moved to accept the Cave and Karst Acquisition Policy – see attachment H.
2nd by Siemion
Allison moved to postpone until December board meeting.
2nd by Murphy
Passed Unanimously
29. Addis moved to thank Mike Bourgeois for his professional survey of the Ella Armstrong property.
2nd by Levinson
For – Rest, Abstained – Folsom
Passed
30. Hay moved that Joe Armstrong be appointed manager of the Ella Armstrong Cave Preserve and takes on the duties as soon as the NCC owns the property and a management plan is approved.
2nd by Warner

Kappler moved to amend the motion to Joe Armstrong be appointed manager of the Ella Armstrong Nature Preserve and takes on the duties as soon as the NCC owns the property and a management plan is approved.
2nd by Folsom
For – Kappler, Folsom, Abstained – Hay, Opposed – Rest
Motion to amend failed.

Original motion
Passed Unanimously
31. Siemion moved the Proposed Clarksville Cave Preserve shall be named the Clarksville Cave Preserve. The Clarksville Management Team shall consist of Mike Chu, Chuck Porter and Mike Warner.
2nd by Allison

Warner moved to amend by adding Thom Engel to the Management Team.
2nd by Levinson

Folsom moved for a closed session
2nd by Armstrong
For – rest, Abstained – Hay, Warner, Allison
Passed

Lehmann moved to open the session.
2nd by Murphy
Passed Unanimously

Back to amended motion

Warner moved to amend by adding Thom Engel to the Management Team.
2nd by Levinson
Failed Unanimously

Siemion moved to amend to substitute Thom Engel for Mike Warner.
2nd by Youngbaer
For – rest, Abstained – Hay, Warner
Passed

Final motion:

Siemion moved the proposed Clarksville Cave Preserve shall be named the Clarksville Cave Preserve. The Clarksville Management Team shall consist of Mike Chu, Thom Engel and Chuck Porter.
2nd by Allison
For – rest, Abstained - Hay
Passed

32. Folsom moved that the Northeastern Cave Conservancy, Inc. would be willing to manage Surprise/Mystery Cave, Sullivan County, NY on behalf of the New York State Department of Environmental Conservation if requested. Before management commences, a memorandum of agreement, management plan and committee must be approved by the Board.
2nd by Siemion
For – Rest, Abstained – Levinson
Passed
33. Warner moved to add a line item to the 2005 budget for a \$500 sponsorship towards the National Cave and Karst Management Symposium.
2nd by Folsom
For – Rest, Opposed – Allison
Passed
34. Kappler moved property managers will conduct a review of property management plans every 2 years and make recommendations for amendments/notifications to the Board. The NCC secretary will establish a schedule for plan reviews.
2nd by Warner
Passed Unanimously
35. Levinson moved that if 1/3 or more of the voting Board, excluding the President, is absent or represented by proxy than all motions concerning contract approval or spending over \$1,500 outside of the year's budget are automatically deferred to an electronic motion or tabled to the next regular meeting.
2nd by Kappler
For – Levinson, Murphy, Lehmann, Kappler, Opposed – Rest
Failed

36. Warner moved the Northeastern Cave Conservancy, Inc. thanks Howe Caverns for their partnership with the NCC in the coin drop in the Cave. The NCC wishes to express gratitude to Howe Caverns for the opportunity to both raise money for cave conservation and provide an educational example that serves to remind the public of the need for groundwater, cave and karst conservation in this most appropriate location

2nd by Allison

Passed Unanimously

37. Armstrong moved to resend the 11:00 pm – 7:00 am parking ban at Clarksville.

2nd by Allison

For – DeGross, Lehmann, Kappler, Allison, Youngbaer, Armstrong

Opposed – Folsom, Murphy, Siemion, Levinson, Warner

Abstained – Hay

Presidents' choice – votes Opposed – makes it a tie so the motion failed.

Failed

38. Addis moved that the Officers will conduct an Executive Committee meeting on November 14th at 11:00 am in Kerhonkson.

2nd by Levinson

For – Rest, Abstained – DeGross, Allison, Siemion

Passed

39. Addis moved that the next NCC Board meeting will be held on December 5th at 10:00 am at Howe Caverns.

2nd by Levinson

Passed Unanimously

40. Addis moved to thank Speleobooks for hosting the meeting.

2nd by Levinson

For- Rest, Abstained- Warner

Passed

41. Addis moved to adjourn.

2nd by Levinson

For – Rest, Against- Siemion

Passed

Meeting adjourned at 2:53 pm.

ATTACHMENT A

PRESIDENT'S REPORT

9/12/04

One of my long time mentors said of volunteer work, "If it isn't fun, it isn't worth doing." Well, the last few months have been fun! Here are some highlights; details are in the reports that follow.

1. NSS Convention, July 12-16. Several of us traveled to the Upper Peninsula of Michigan, and through a strong collective effort, raised \$16,500.00 for the purchase of Clarksville. Particularly fun was the continental breakfast we put on at the campground – the Clarksville Café. You might see it again!
2. Executive Meeting & BBQ, August 14, Cohoes. At least the food was fun.
3. Old Timers Reunion, Sept. 3-6, WV. We slowed down our fund raising efforts, kicked back, and had some fun hanging around the NCC booth. Some of us even went caving & snorkeling!
4. See the efforts of Amy & Aaron Cox with the first draft of the Group Use brochure. This is just in time for fall usage at the cave after we close and own it.
5. A good first attempt at writing a management plan came from Ed Lucas for Ella Armstrong.
6. Mike Warner, Emily Davis and others are starting the steward program for Clarksville, kicking off with Light Training on 9/12.
7. Mike Bougouis (sp?), a licensed land surveyor & NCC member and Chuck Porter completed the survey for Ella Armstrong. Al Lehman is doing much of the legwork between the Town and our lawyer for this and well as the Clarksville acquisition.
8. The Clarksville closing should take place in late Sept. as soon as the present owners construct the new 50' x 50' parking lot as part of the deal.
9. Jon Allison with proofreading by our newest Board member, Peter Youngbaer, has hammered out a contract for the Gregory Entrance of Clarksville Cave with the Albany County Land Conservancy, Inc. Closing should be this fall.

The above is an impressive list of efforts over the past three months. Do you want to put more fun into your life? Volunteer for NCC work!

Thanks to all of you and I hope that I haven't forgotten anyone.

Attachment B
Treasurers Report
For
The Northeastern Cave Conservancy, Inc.
12-Sep-04

As of 8-Sep-04, we had \$69,259.84 in our bank accounts. In addition, at the last accounting we had assets in excess of \$14,000 being held by the National Speleological Foundation. I am still awaiting a yearly accounting from the foundation.

I have been trying to get both the Clarksville and Ella Armstrong purchases closed, and they should be completed very soon.

Respectively submitted,

Joe E. Levinson

Attachment C
Secretary's Report
09/12/2004

Convention: The NCC 2004 NSS convention was a great success for the NCC. The Clarksville Café was a hit. We served coffee, tea, hot chocolate, donuts, muffins, bagels, toast, fruit, yogurt and juices. I was able to buy a 100 cup coffee maker and a 35 cup one off of EBay and with a timer switch we had hot coffee ready for the morning. We also had the Clarksville mugs available. People could get free refills of coffee or other hot drink all week long.

The booth looked pretty good. I borrowed my companies professional display board and printed out items on photo quality paper. Made copies of all the management plans and had all items for sale. Also offered free homemade chocolates.

Below are the numbers I had for the convention – the office committee will probably have an update.

As of July 15th the numbers where:

Individual donations	\$11,998.00 (this includes Dick Blenz matching our fundraising up to \$6,000)
Clarksville Cafe	\$1,017.18 (profit)
Raffle	\$ 588.00
Donation Cans	\$ 90.50
NSF Grant	\$2,200.00
Total	\$ 15,893.68

OTR: First of all the weather was almost perfect in WV – no RAIN! The NCC took in a few new members, sold a few items and the 50/50 was won by Tom Metzgar. Since we were all fat and happy with Clarksville, Gregory Entrance and Ella Armstrong it was a relaxed time. I want to thank everyone that helped. It really made a difference this year with so many NCC members helping. It made it fun not work.

Annual NCC BBQ: The BBQ was held on August 14th after the EC meeting. There was a lot of good food. Thanks to all that came!

Communications: Sent out thank you notes to the vendors that supplied the raffle prizes at NSS Convention. Thanks to PMI, Speleobooks and Peter Jones for contributing. Also sent out thank you to the NSF for the \$2200 grant the NCC received.

Electronic Votes: (these will be added to the final minutes)

Levinson moves to allocate \$5,250.00 for the purchase of Ella Armstrong. The executive committee is authorized to complete the necessary steps to close on the property.

2nd by Hay

For - Rest, No response - Armstrong*

Motion has Passed

Levinson moves to amend ACT 21-31, as follows in the <<...>>.

ACT 21-31

The Northeastern Cave Conservancy will accept a donation of the Gregory's entrance to Clarksville Cave and surrounding property from Albany County, NY <as per the agreement in Appendix X>, and allocates \$300.00 closing fees as related, and hire Mike Breen, Esq. of Middleburgh to perform the closing.

2nd by Hay

For - Rest, No response - Armstrong*

Motion has Passed

* I believe Joe is not able to get to his email. In the future I might try to call people that do not respond - that way the whole board does get to see/hear the motions.

Thanks to everyone for helping on all this years projects!

Attachment D

INTERM, APPROVED 9/12/2004

MANAGEMENT PLAN FOR ELLA ARMSTRONG CAVE PRESERVE

INTRODUCTION

The Northeastern Cave Conservancy Inc (NCC) proposes to purchase and manage the Ella Armstrong Cave Preserve. The preserve consists of a one (1) acre parcel which borders Knox Cave Road, and roadside parking spaces are planned. A proposed short trail will lead visitors to the cave.

Within a mile, there are five other known caves: Knox Cave, a former commercial cave containing the infamous Gunbarrel; Skull Cave, the second-longest cave in the state (closed); Two-Second Pit (closed); Knox Annex, basically a roofed-over fissure; and Ken's Kave.

PURPOSE OF A MANAGEMENT PLAN

The purpose of a management plan is to describe what is on a property and how it should be managed. A plan is not a static document that once written is placed on the shelf and forgotten. It is a document that is to be used and referenced on a regular basis. The property manager must follow the plan unless there is a compelling and over-riding reason for doing otherwise. Unless there is an immediate need, nothing should be done at a property that is not in the plan. If something new is desired, the plan should be amended only after careful, complete, and thorough analysis of the proposed changes or additions. Then, the amendments must be approved by the NCC board.

HISTORY OF THE PROPERTY

The first known exploration of Ella Armstrong Cave was in 1808. At that time two entrances into the cave were open, one on either side of the road, but one has been filled by highway crews on the shoulder slope decades ago. Records of exploration in the later 1800's are more abundant, including the 1879 inscription of Ella Armstrong at the base of the current entrance drop. When the other entrance was open, one could make it to the base and that was considered the end of the cave. Hence the majority of inscriptions are here.

Even with the extensive visitation of Knox Cave right across the road, Ella Armstrong has always remained relatively obscure. In July of 1960, the Berkshire Hills Grotto made a grade 5 map of the cave. Art Palmer added details to this and created his 1962 map which is the most common record to this day.

The heavily joint controlled cave was recently described by Chuck Porter in the *Northeastern Caver* as follows: "Ella Armstrong has a short, tight, south-trending entrance fissure which slopes down to a 23-foot drop into a large hall up to 10 feet wide and 35 feet high. After 115 feet, a climb up to the west leads to a former entrance blocked by road construction a century ago. Near the base of the 23-foot drop, a complicated series of crawlways extends for 100 feet along a joint dipping at 40 degrees". Most of the cave lies in the Manlius limestone with the exception of the old and current entrance passages being in the Coeymans. Total length of the cave is approximately 350 feet. Of the five caves in the area, Ella Armstrong Cave is slightly higher than Knox Cave, both in elevation and stratigraphically, and may be the oldest cave on the local plateau.

SURFACE MANAGEMENT

A small roadside parking area should be constructed along the property line of the proposed preserve. This will require the placement of a culvert, headwalls, and coordinating with the local highway crew. A walking trail should be cut from the parking area, looping towards the back of the property, and then providing access to the cave on the gradual slope heading back towards the road

and into the sink. A small strainer should be constructed to prevent trash from washing into the cave. A register and/or kiosk should be constructed on the property at the point of the trail farthest from Knox Cave Road, so that it is out of sight. To prevent vehicular access on the neighbor's property, fencing or suitable barricades should be erected.

The property should be posted in accordance with the NYS Penal Law and the NYS Environmental Conservation Law. This will provide the NCC with the ability to better control access to the property. Without posting, individuals could hunt on the property without permission. Based on the proximity to the road, hunting is not allowed on the preserve. With only 150' of depth, the preserve size cannot accommodate it.

Property tax-exempt status should be requested as soon as possible.

The conservation rights to the parcel should be addressed to reduce the potential value of the property by eliminating any development opportunities.

No fires without permission.

No camping on the property.

ACCESS POLICY

The cave on the proposed preserve will not require special permission or a release form for caving trips. Anybody, cavers and non-cavers alike, using the property must complete a trip card and place it in the IN Slot. On leaving the property, they must move the card to an OUT box. (Card design below).

- Standard caving gear will be required. This includes helmet with a chinstrap; three (3) sources of light, one of which is mounted to the helmet.
- Minimum group size is 3. In special circumstances, permission will be granted to 2 individuals.
- The group's leader is responsible that each person should have their own vertical gear and be familiar with its use.
- All cavers are expected to abide by the normally accepted rules of safe and conservation minded caving as outlined by the National Speleological Society, 2813 Cave Avenue, Huntsville, Alabama 35810-4431.
- Ella Armstrong Cave must be treated as a unique natural resource, and nothing should be taken out of the cave except trash.
- All work projects must be clearly defined and authorized beforehand.
- Each group is expected to clean up any trash in the cave or on the property

Equipment Requirements: Ella Armstrong is a vertical cave. All cavers must have their own equipment for descending and ascending. Rope adequate for rigging the entrance drop will be required. The use of a cable ladder for the drop will be permitted if all cavers are belayed. Two rigging points can be used: the newly installed bolts over the lip, or attaching to the tree outside of the fissure entrance. It is strongly recommended that only experienced vertical cavers use the tree. Beginner vertical cavers can have considerable difficulty negotiating the lip, potentially stranding them on rope.

Ella Armstrong Cave Preserve
Trip Card

Date & time in ___/___/___ _____

Date & time out ___/___/___ _____

Trip leader _____

Number in Party _____ (Please list the trip members and vehicle plates on the back.)

Purpose of trip: caving, or surface visit

Was there anything unusual or any problem you noted on the property that of which the manager should be aware?

EXPLORATION RULES

Any digging in Ella Armstrong Cave will require special permission from the preserve manager. Persons proposing a dig project shall submit a plan to the manager detailing where they plan to dig, how long they plan to dig, and where they plan to dispose of the spoil. Plans should also include how the diggers plan to remediate the dig should it be abandoned. Any dig that is not worked on for more than six (6) months shall be considered abandoned.

Use of explosives will require approval for each one-time use.

PUBLICITY POLICY

The cave is not to be publicized in publications of general circulation. Caver's publications like The Northeastern Caver and the NSS News may contain information on the latest discoveries. Some grotto publications may also have information, but again these have limited circulation and usually do not give locations.

USE CONFLICTS

At present there does not appear to be any use conflicts. Should a conflict arise between recreational caving and digging, the recreational caving shall take precedence.

If bat counts reveal the presence of any endangered or threatened species, the cave should be closed for the period recommended by the bat specialist of the Endangered Species Unit of the NYS Department of Environmental Conservation.

RESCUE CONSIDERATIONS

Ella Armstrong Cave poses problems with respect to cave rescue because of limited working room at the top of the drop, while still in the narrow, sloping, entrance fissure. Appropriate placing of recommended bolts should assist in stretcher management, but consideration should be given to holding a mock rescue onsite. The exposed climb in the back of the cave needs further discussions. A rescue would likely result from a fall from either of these drops. Entrapment by inexperienced vertical cavers could also present several additional problems. If the old bolts (over 20 years ago, reported they were old then) aren't removed from the top of the drop, as recommended, a very serious or fatal injury could occur.

FUTURE PLANS & RECOMMENDATIONS

- As soon as practical after closing, the old bolts should be removed over the drop. They should be replaced with at least two new stainless steel bolts and hangers. Position of the first hanger should be high enough over the lip of the drop to assist beginner vertical cavers with getting over the lip. Placement should include consideration for hauling a stretcher up the drop.
- Discussion regarding the value of bolting the 15' exposed climb towards the old blocked entrance should be undertaken. It poses a serious accident risk in its present, tempting state.
- A small roadside parking area should be constructed along the property line of the preserve. This may require the placement of a culvert, and coordinating with the local highway crew.
- Fencing should be placed around the parking lot to prevent access onto the neighbor's property.
- A walking trail should be cut from the parking area, looping towards the back of the property, and then providing access to the cave on the gradual slope heading back towards the road and into the sink.
- A register and/or kiosk should be constructed on the property at the point of the trail furthest from Knox Cave Road, so that it is out of sight.
- A small strainer should be constructed to prevent trash from washing into the cave.
- Property tax-exempt status should be requested as soon as possible.
- The property should be posted in accordance with the NYS Penal Law and the NYS Environmental Conservation Law.
- The conservation rights to the parcel should be addressed to reduce the potential value of the property by eliminating any development opportunities.
- A mock rescue should be conducted to access problems.

Note: In addition to an expansion of history and geological background by Art Palmer, information about surface features could also be added by Thom Engel, Ed.

Attachment E

Clarksville Cave Preserve Report 9/12/04

In preparation for the closing several projects have been set in motion.

Emily Davis has been working on plans for stewardship scheduling and conflict resolution training. A "Conflict Management" guideline has been drafted (attached) geared for use on the Clarksville property. The material was drawn from 3 or 4 authoritative sources with some slight adjustments for our specific situation. Emily has a MA in communication sciences and taught conflict resolution as part of course work at the high school level. Mike Warner, John Layton from Albany County Sheriff Department, and staff at the Albany Sheriff department consulted on this document.

Thom Engel prepared a general caving information sheet based on a Carl Snyder diagram of safe caving standards. The back of this sheet will have information on the NCC and a simple set of rules for use of the cave and property.

Amy Shortlidge and Aaron Cox have prepared an updated group use guideline.

A meeting was held with the provisional preserve committee and local representatives in Clarksville on August 26. Chuck Porter, Mike Chu, Mike Thom Engel (as management plan author) and Emily Davis (as preserve committee stewardship planner) met with John Layton from Albany County, Trooper Finkel from the New York State Police, Fred Spalding assistant Fire Chief from Onesquethaw. They were provided with copies of the management plan and a list of guidelines for land use. We discussed our general organization, plans for future communication, near term goals, and long term goals.

The motion to establish a broader management team is welcomed by the "provisional" guy. I have been working with Mike, Chuck and Thom in anticipation of a smooth transition to "live" from Clarksville!

Thanks

Mike Warner
Clarksville Chair

Attachment F
NCC Webmaster Report
Sept 12, 2004 Board Meeting

Two major website changes occurred since the June NCC Board meeting. The NCC registered a new website URL: necaveconservancy.org. On Aug 8 the NCC website became live on a server managed by Ben Millspaugh. These changes provide the NCC with more capability than existed on the NSS server; as described in more detail in the June webmaster report. The NCC continues to have website space on the NSS server at the URL caves.org/conservancy/ncc, and visitors to that home page are automatically directed to the new site. All updating is now done on the new site.

The new site server also hosts a membership database, currently under construction by Melanie Peterson. This membership database, and any additional database, could be integrated with the web site for access from any computer (with passwords).

--- Norm Berg,
Northeastern Cave Conservancy Webmaster

Attachment G

NCKMS report to NCC Board 9/12/04

The NCKMS has opened a checking account through the NCC at NBT (formerly Central National Bank).

The NCKMS steering committee has given a \$2,000 startup deposit. All surplus funds will be turned back to the NCKMS to support future grants and student registration scholarship. The NCC could have built a stipend into the budget process. Instead, I believe the NCC should support the meeting with a sponsorship. The NCC will have display space. Two registrations can be used by the NCC with this sponsorship. The board will need to consider how to use these.

Several grant requests have already been made. The Robertson Association, Howe Caverns, The NSS, National Cave and Karst Research Institute are already assured. Current grant requests are in the hands of the NSF, KWI, and the NCC. Suggestions of other sponsorships or grants are encouraged.

Final adjustments to the hotel contract as still ongoing. Several minor changes needed to be in place. The Quality Inn is becoming a Clarion which will be an upgrade on facilities.

A preliminary agreement has been reached for a coach contract for the field trip day on Wednesday Nov. 2. Wade Tours will likely be selected based on previous experience within the cave and karst community (they will go where we need them to go without fussing) and a very competitive bid for modern coaches with bathrooms.

We are still working on logo design ideas. The theme will have to do with 30 year anniversary of the NCKMS. A commercial artist may be hired to complete any ideas or rough drafts submitted. We have chosen a "national" theme for this meeting, but a local submission for logo or other art would be welcome. This needs to be completed fairly soon.

The preliminary web information will be up within about one week. A substantially final version of the web site with registration and all logos in place needs to be ready by early January. I would like to get a logo up well in advance of that, however.

Mike Warner
NCKMS 2005 Chair

Attachment H

CAVE AND KARST ACQUISITION POLICY

Overview:

Introduction The NCC Board of Directors (Board) shall consider acquiring properties for the Conservancy that contain caves, cave entrances, or significant karst features when acquisition Proposals and Management Plans are presented that are in line with purposes of the Conservancy. A cave purchase is a significant commitment of resources, which makes a very visible statement about the Conservancy's values and the significance of the cave properties to be acquired.

Developing proposals:

Proposals and Management Plans will include information and rationale as described in enclosure 2 of this policy.

The following Procedures and Criteria for Cave Ownership are to be followed when considering NCC Ownership shall be made readily available to the NCC membership to help determine if a cave property meets these criteria before a Proposal and a Management Plan are prepared.

Evaluation process:

Stage one

The Cave and Karst Acquisitions Committee Chairman will evaluate the Proposal and Management Plan to determination if the proposed cave property acquisition meets the NCC Criteria for Cave Ownership, included in this policy document.

If the cave property does not meet these criteria, it will not be given further consideration for NCC ownership or funding. The NCC may refer the proponents of the acquisition to a state or regional cave conservancy, if one exists, for consideration of the proposal.

Stage two

The NCC Cave and Karst Acquisitions Committee and the NCC Board of Directors shall assess the Proposal and the Management Plan for the cave property using the Evaluation Criteria for NCC Ownership included in this policy document. At that time, the NCC Board of Directors is encouraged to ask questions of the Cave Acquisition Committee and the authors of the proposal as a part of their decision making process. Each cave acquisition is unique, and will be evaluated on its own value and merits.

The purchase proposal and management plan shall be formally presented to the NCC Board for approval, and the Board shall base its purchase decision on the Standards and the Criteria for NCC Ownership, and on the best interests of the NCC.

Alternatives to NCC acquisition:

The NCC Board should consider other acquisition options as alternatives to the NCC purchasing property. The Conservancy shall use the standards, evaluation criteria, and review process that is outlined in this policy in considering such alternatives.

Examples Donation of the property to the NCC

The NCC will hold title to the property, and will manage the property. In this case, the NCC does not make a financial commitment for a land purchase, although the NCC is responsible for the costs of improving and maintaining the property.

The current owner will continue to own and use the property, subject to the terms of a Conservation Easement held by the NCC.

Lease of property to the NCC.

Temporary NCC ownership.

NCC Criteria for Cave Ownership:

Science, protection, & fellowship The NCC shall only consider acquiring caves, or supporting cave acquisitions, that meet the purposes of the Conservancy as described in their mission statement.

General attributes:

The property has national significance, by being outstanding in one or more of the categories by which caves are measured or evaluated by one or more of the following: size, length, depth, biota, geological, cultural or historic value. Regardless of the particular measure that is used, the screening criteria would require that the cave's values of interest to the NCC be quantifiable, and comparable with those of other caves.

The property has outstanding examples of a broad class of caves or karstlands in a given category.

The property must contain certain features or values that are considered excellent representative examples of these features, and that would add value and variety to the portfolio of property owned by the NCC. For example: an outstanding example of a New England marble cave.

Procedures to Follow when Considering NCC Ownership:

Overview After a proposal for acquiring or leasing a cave or karst property has met the NCC Criteria for Cave Ownership the proposal shall be evaluated in accordance with the following procedures. The information necessary for this evaluation should be contained in the Acquisition Proposal.

The requirements for accepting donated property do not need to be as stringent as those used to assess purchases.

Financial Assessment

Appraisal

Obtain one or more appraisals to determine the value of the property. The presence of a cave does not make a property more valuable, regardless of how desirable it may be to the NCC. Without an appraisal, a donor cannot properly receive tax credit, the NCC cannot state its worth, and we cannot evaluate whether the price reflects fair market value. The NCC, as a guideline, shall not pay more than 10% over fair market value as documented by a certified appraisal. This is an IRS recommendation for non-profit corporations.

Appraisals can be important negotiating tools. The NCC should consider hiring two appraisers, one selected by the NCC and one selected by the seller.

Professional land survey

Offers should be made contingent upon a survey that provides evidence that the cave and/or its entrance are included on the property to be purchased. The NCC shall not pay for a land survey until there exists a signed legal contract on file with our closing attorney.

Acquisition expenses

Establish whether the asking price is the fair market value of the property.

Evaluate the total expenses of the purchase, and endeavor to obtain the property for the lowest price possible. Consider closing costs, survey expenses, legal fees, appraisal fees, and taxes.

Determine if the expenditure is within the financial resources available to the NCC.

Consider whether a portion of the property with lesser interest to the NCC can be sold later to recover some or all of the acquisition costs.

In the case of a donated property that may not meet the NCC standards for ownership determine whether the NCC may sell or transfer the property to a suitable entity or whether the donation is restricted.

Sources of funds:

Determine the source of funds for the acquisition expenses, and evaluate the effect of the expenditure on the ability of the NCC to continue to function and provide membership services effectively.

Examples to consider for funding include: the NCC Cave Acquisition Restricted Fund; a fund-raising appeal or project; donations by cavers local to the property; other NCC Restricted Funds; bank loan; and a loan or grant from the National Speleological Foundation, conservation organization, government, or other foundation, or individual. A sample loan agreement is given in enclosure 3.

Operating costs:

Evaluate and calculate the costs to improve and maintain the property. Consider utilities, gates, structures, mowing, road grading, fences, taxes and insurance.

Liability:

Determine the Conservancy's liability under the recreation use and landowner protection statutes of the state where the property is located.

Consider the liability risks for the NCC for the level of access proposed for the cave and property.

Inventory any hazards on the property or in the cave. These may include: pits, unstable terrain, hazardous wastes, lakes, buildings, bridges, wells, trash dumps, wildlife. Determine whether these will have an impact on insurance coverage. Consider obtaining an environmental assessment of the property.

If there is any possibility that there has been hazardous or special waste disposal on the property, a Phase 1 Investigation should be conducted prior to closing. In this case, no offer should be made unless it is contingent upon hazardous or special waste not being present on the property.

Other interests:

Assess and consider the neighborhood around the proposed acquisition, and its possible effects on the cave and property, its ecosystem, the safety and enjoyment of the visitors to the property, and the success of the property as a nature preserve.

Important factors include: neighbors and their activities and interests, commercial development, zoning regulations, possible uses of adjacent land, and previous uses of the property.

Determine if the Conservancy is prepared to deal with the burdens that ownership of the property may present.

Legal:

In consultation with the NCC Legal Committee, and a local lawyer if necessary, explore thoroughly and assess the property's history and legal limitations. For example: restrictions, easements, rights of way, titles, mineral rights, water rights, back taxes, local development plans. The Board of Directors should be able to review all existing and proposed easements and right of ways, and vote to approve all new easements and right of ways.

All closings shall have a title search performed and title insurance will be purchased or as recommended by the closing attorney.

Management:

Assess the Management Plan accompanying the Proposal for feasibility, suitability and effectiveness. The Management Plan should identify individuals or group committed to implementing the plan.

Consider the suitability of the group or individual expected to manage the property.

Determine if the neighbors are willing to contribute to the management or protection of the cave.

No Action Option:

Consider the consequences, if any, of the NCC, or similar organization, not purchasing the cave property, and the opportunities that may be lost as a result. The NCC Board shall explore this topic thoroughly.

For example: consider other possible owners and uses of the land, and the effects on the cave and its environment, both positive and negative.

Benefits Assessment:

The NCC Board must consider the benefits of ownership when a proposal for a cave acquisition or grant is presented.

Before a decision is reached, these benefits should be carefully weighed against the monetary costs and potential risks associated with cave ownership.

Potential benefits to the NCC, to NCC members, and to speleology may include:

Conservation:

The cave may contain outstanding and/or unique biological resources that are worthy of protection and scientific study; substantial and unusual speleothems or minerals also worthy of protection and study; or cultural, historical, and/or archeological values need consideration.

Purchasing the cave demonstrates our commitment to the conservation of these resources.

Study:

The cave may be viewed as an underground laboratory where substantial science has been and continues to be conducted. For example, it may contain a significant population of invertebrates being studied by biologists, have a complex hydrological regime, be developed in an unusual or unique geological setting, or be mineralogically rich or unusual.

Ownership of the cave by the NCC would enable studies to continue and would provide a natural facility where scientists can conduct studies in the future.

Recreation:

The cave may represent a significant local or regional recreational resource that would be lost to the caving community, if not acquired by the NCC.

Recreation is not a charter purpose of the NCC, however maintaining access to caves may reduce recreational pressure on more sensitive caves in the area, and provide a benefit to NCC members.

Education:

Ownership of a cave property may present an opportunity for the NCC to provide an educational program concerning caves, karst, and cave resources for both cavers and the public.

For example, non-caving groups could be taken to the cave and taught about cave geology, biology, and conservation. Inviting local groups, the media, school groups, and others who are not part of the caving community to experience the underground environment could further the Conservancy's conservation goals.

Accepting acquisition proposals:

Review process:

Cave and Karst Acquisition proposals and grant proposals shall follow the procedures described in this policy and in the checklist in Enclosure One.

All proposals for the purchase and management of cave and karst properties shall be submitted to the Cave and Karst Acquisition Committee (Committee) for review prior to

consideration by the NCC Board of Directors. The Committee shall comment on the proposal and if necessary, will return it to the proponent organization for revisions.

Upon receipt of an acceptable proposal, the Committee shall submit the proposal and supporting documentation to the Executive Committee within 30 days of receipt.

Following the Executive Committee discussion of the proposal, the Executive Committee shall, prior to the next NCC Board meeting, notify the Board of all positive and negative findings made by the Committee concerning the proposal, the Committee's recommendation to the Executive Committee, the concurrence or non-concurrence of the Executive Committee with the recommendation, and the reasons for the Executive Committee's decision.

If either the Committee or the Executive Committee believes that the proposed acquisition is both desirable and feasible, a member of the Executive Committee shall present an appropriate motion to the Board that includes all costs for the entire acquisition.

If the Committee cannot make a recommendation (e.g. the chairmanship is vacant, there is a lack of consensus among Committee members), then a member of the Executive Committee shall present the proposal and his/her evaluation to the Executive Committee and the Board with both pros and cons being represented.

Purchase Steps:

The following is a list of steps that shall be completed in order unless otherwise noted to complete a land acquisition once the Board has passed the appropriate motion for acquisition:

- 1) Hire an attorney to perform all legal work from the initial contract through final closing, including title search.
- 2) Have the initial contract signed with deposit and through legal review.
- 3) Have the property surveyed.
- 4) Apply for subdivision and permits from appropriate authorities if necessary (This may need to be done prior to #3 depending upon local regulations).
- 5) Final Closing.

Enclosure One

Checklist for Acquisition and Supporting Discussion

Does the property have national or regional significance (this should be stated in the management plan)?

Does the cave or karst acquisition support the purposes of the NCC as stated in its Constitution or Mission Statement?

How does the acquisition rank relative to other NCC expenditures? Is its significance commensurate with the required investment?

Is the cave located under the land to be purchased? Property rights extend into the earth, if the mineral rights have not been severed. Are we actually acquiring the cave or just an entrance to it? Can we obtain long-term permission to enter the neighboring property through our cave entrance? Are the neighbors willing to contribute to the management of the cave?

Is there a Management Plan in conformance with Enclosure 2?

Appraisal. Without an appraisal, a donor cannot properly receive tax credit, the NCC cannot state its worth, and we cannot evaluate whether the price reflects fair market value. The NCC shall not pay more than 10% over fair market value as documented by a certified appraisal. This is an IRS recommendation for non-profit corporations. The presence of a cave does not make a property more valuable, however more desirable it may be to the NCC. Paying more than fair market value inflates land prices and reduces the total amount of money available to the caving community to protect and acquire cave and karst properties. Appraisals can be important negotiating tools. An independent party can state that the property is worth less than the asking price. To provide a better sense of independence, the NCC may wish to consider hiring two appraisers, one selected by the NCC and one selected by the seller. Their appraisals can be used as negotiation limits.

Professional Land Survey. Offers should be made contingent upon a survey demonstrating that the cave and/or entrance are part of the property to be purchased. This is less important when considering a donation.

Mineral Rights. Mineral rights refer to the right to explore for and/or extract metal ores, oil, and rock. Quarries and mine operations can intrude and interfere on the caves, including mining them away, if the NCC does not own the mineral rights. Further, it is unclear in case law whether the NCC has legal access to caves on property on which they only hold surface rights. Case law is clear that one cannot prevent owners of mineral rights and their designees from exercising their rights. The NCC does not favor the purchase land without mineral rights.

Water Rights. Water rights refer to the right to exploit water and vary from state to state. If water plays an appreciable role in the values of the cave property, then it is critical that water cannot be diverted away from our property without NCC legal recourse. The NCC does not favor the purchase of land without water rights.

Phase 1 Investigations. If there is any possibility that there has been hazardous or special waste disposal on the property, a Phase 1 investigation should be conducted prior to closing. No offer should be made unless it is contingent upon no hazardous or special waste being present on the property.

Title Search and Title Insurance. All closings will have a title search performed and title insurance will be purchased, or as recommended by the closing attorney. There must be a contingency in the contract for land purchase that the title must be clear.

Donations of Cave and Karst Properties to the NCC:

The standard for acceptance of donated property does not need to be as stringent as that of purchase or grant support. However, the recurrent and closing costs should be considered. It is important that the NCC ensure that the property does not entail a great liability to the NCC because of unnatural hazards associated with the property. In the case of a property that may not meet the NCC criteria for purchase, the Board should consider whether the donation is restricted. In other words, can the NCC sell or transfer the property to a suitable entity?

Enclosure Two

Outline for Writing a Cave Management Plan

The Northeastern Cave Conservancy Bylaws states, "The purpose of which the Corporation is formed are promotion of the study and preservation in an ecologically sound manner of speleologically significant properties in the Northeastern United States."

The management committee should keep these goals of the Conservancy in mind in the development of the cave management plan. This outline is the guide for writing a workable management plan and includes various topics in areas that need to be included in the management plan.

One of the great values of preparing a management plan is that it encourages a careful inventory of the property's resources and identifies potential management problems.

Introduction:

This section should include the intentions for the management of the cave. Most of the objectives for the property should be included.

History Of The Property:

This section should include a summary of the known history of the cave and the land that it lies under. Items such as whether it was used for mining, whether it was ever commercialized, and who the previous property owners have been is of interest.

Resources:

Probably the most important aspect of a management plan is the listing of resources. This section should indicate what is significant about the property and why the NCC should own it. This section should be divided into two sub-sections: underground and surface resources.

Each sub-section should detail as many resources as possible, which may include the following:

- A) Biological
- B) Geological

- C) Hydrological
- D) Paleontological
- E) Archeological
- F) Historical

Of major concern are topics such as surface streams, roads, easements for utilities, and other such related items. In each of these sub-sections the committee should list what they will do to protect and maintain these resources.

Access Policy:

This section is one of the most important items of any cave management plan. In this section, the committee must list what requirements must be met by those who wish to visit the property and should state whether the cave is open only at certain times of the year, open all year, or not at all. The potential is great for misunderstanding and hard feelings if the access policies are not clear, fair, and widely known.

The management plan should reflect the fact that all Conservancy cave properties should be managed in such a way as to minimize the Conservancy's liability in case of accidents. The management plan should state that NCC caves shall be managed in such ways as to qualify under state or local landowner liability exemption laws, to legally define unauthorized visitors as trespassers under local law, and to inform authorized visitors of the hazardous nature of the cave by requiring them to sign a liability release as directed by the Legal Committee.

Cave Management:

The manager of a property cannot assume that the management plan is effective. The cave should be monitored for degradation. The managers may evaluate the desirability and practicality of various monitoring strategies. The strategies may include, but are not limited to, photo monitoring, water quality monitoring, and periodic census of indicator species. In order for degradation to be noted, a baseline condition should be established as soon as possible.

If monitoring indicates degradation of the cave, revising the management plan to minimize degradation should be considered and acted on as appropriate.

Publicity Policy:

This section should include what types of publicity (if any) the committee will use to inform the general public about the use of the cave. The committee may wish to draw up a program for the use of the public to educate them on the need for cave preservation. Or, if the cave is in need of extended protection, the committee may opt to try to keep the cave obscure.

Surface Management:

This section should list what the committee plans to do to manage the land around the cave. It should include whether or not the committee will close off the road to the cave, or if a road will be constructed; if the cave is going to be gated; if barricades or gates are to be installed on the road; what parking will be available and where. And since the surface has significant impact on the cave below, this section should also include topics on possible erosion problems, water sources, disposal of human wastes, disposal of carbide, and plans for periodic trash pickup.

Future Plans:

This section should include what plans the committee has for the future of the committee and property (if any), what goals have been established, and how these goals will be realized.

Miscellaneous:

There may be other items not included in this outline, which needed to be listed in the management plan by the committee. The committee should feel free to include, as many items of importance in their guideline as they feel are needed for the management of the property.

Enclosure Three

The Loan Agreement

This agreement is made on the ***(Insert DATE)*** between the parties ***(Insert Owner's Name & Address)*** (hereafter referred to as the Lender) and The Northeastern Cave Conservancy, Inc. (hereafter referred to as the BORROWER) for the loan of ***(insert the amount)*** (hereafter referred to as the LOAN.) The LOAN is to be used as ***(as appropriate)***.

(1) The loan period will start on ***(Insert DATE)*** and continue for a period of 5 Years until ***(Insert DATE)*** when the loan agreement may be:

1.1) Extended for a period of time to be agreed between the parties or

(2) The LOAN may be terminated on or before this date if:

2.1) The BORROWER prepays principal according to the attached schedule.

(3) The LOAN will be paid back quarterly.

Signed

(THE Lender's NAME PRINTED HERE)

(President of the Northeastern Cave Conservancy)

(Treasurer of the Northeastern Cave Conservancy)