

Royal River Conservation Trust (RRCT)

Policies & Practices of the Board of Directors

As amended October 25, 2022, with updated notes to March 8, 2023

CONTENTS

POLICIES:

- Section 1. Adoption and Annual Review (RESERVED)
- Section 2. Land Trust Service Region
- Section 3. Land Trust Alliance Standards and Practices
- Section 4. Mission and Strategic Planning
- Section 5. Record Keeping (RESERVED)
- Section 6. Fulfilling the Board of Director's Obligations (RESERVED)
- Section 7. Conflict of Interest
- Section 8. Fundraising
- Section 9. Financial and Asset Management
- Section 10. Administrative and Human Resources
- Section 11. Protection of Conservation Lands
- Section 12. Stewardship and Land Management

PRACTICES:

- Practice A: “Criteria Checklist” of the Lands Committee
- Practice B: (Reserved)
- Practice C: (Reserved)

Section 1. Adoption and Annual Review (Reserved)

NOTE: RRCT's bylaws include several provisions that overlap with policy which are relevant as this policy document is reviewed.

NOTE: RRCT's board maintains Stewardship Key Principles and Stewardship Standard Practices guidance documents published at RRCT.org/stewardship. These guidance documents in turn inform board-level adoption of parcel-specific management plans.

Section 2. Land Trust Service Region: The Royal River Conservation Trust works in the communities that comprise the Royal River watershed. RRCT's Bylaws further characterize the region, consistent with this section.

Section 3. Land Trust Alliance Standards and Practices

Adopted on August 2, 2005; Amended on February 28, 2012; amended on November 14, 2017

WHEREAS, the Board and Staff of the Royal River Conservation Trust has reviewed Land Trust Standards and Practices ("the Standards"), first published by the Land Trust Alliance in 1989, and with the most recent revision effective February 3, 2017; and,

WHEREAS, the Royal River Conservation Trust agrees that the Standards are the ethical and technical guidelines for the responsible operation of a land trust;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Royal River Conservation Trust hereby adopts and commits to implementing the Standards as guidelines for the organization's operations.

NOTE: RRCT's board has noted certain LTA guidelines that RRCT does not immediately intend to adopt as policy, especially where the cost of compliance outweighs perceived value or cost-efficiency. Especially, RRCT has not yet sought formal external financial review but instead employs an independent CPA assigned to work to IRS standards.

Section 4. Mission & Strategic Planning

Adopted as amended May 22, 2012; revised May 10, 2016.

Mission: The Royal River Conservation Trust conserves the natural, recreational, scenic, agricultural, and historic resources of the Royal River region for all residents and visitors.

Vision: The Royal River Conservation Trust envisions ecologically healthy lands and waters that support recreational and commercial activities for all of us forever.

Guiding Principles:

I. DIG DEEP. We conserve land in the Maine communities that comprise the Royal River watershed. We envision the Royal River's communities woven together with accessible rivers, streams and corridors of conservation land. Protection of working farms supports local farmers, provides locally grown food, and maintains Maine's rich agricultural heritage. Protection of varied landscapes supports diverse wildlife, clean water, and resilient ecology.

II. EXEMPLARY STEWARDSHIP. The watershed’s conserved lands should have exemplary management, accessibility, and promotion.

III. ROYAL RIVER EXPLORATIONS: Connected waterfronts, preserves, and forests provide a growing population with places to explore, learn, and nourish the soul.

IV. HEALTHY AQUATIC ECOSYSTEMS: We work to protect, improve and restore the water resources of the Royal River watershed and Casco Bay. Healthy aquatic ecosystems will be more resilient in the face of global climate change and will be better able to meet the ever-growing demand by humans for clean water, food, jobs, and recreation.

V. STRATEGIC ORGANIZATIONAL ALIGNMENT: We work closely with private landowners and municipalities to accomplish shared goals. We are strategically and operationally aligned with other land trusts and conservation groups that also work in the twelve communities of the Royal River watershed.

VI. STRENGTH AND CREDIBILITY: We are a regional non-profit land trust supported by a growing membership of all ages and backgrounds. We are an organization of professional staff and volunteers, guided by the national land trust community’s highest standards and best practices.

NOTE: RRCT’s Board adopted a strategic plan will pillars (goals) and objectives for 2020-2025. RRCT’s 2022 Conservation Plan imperatives are informed by the strategic plan.

Section 5. Record Keeping (RESERVED)

NOTE: See Section 11.6. Land Transaction Recordkeeping

Section 6. Fulfilling the Board of Director's Obligations (RESERVED)

Section 7. Conflict of Interest

Adopted March 13, 2007; Amended September 13, 2016.

Preamble: Royal River Conservation Trust’s (RRCT’s) effectiveness is especially dependent upon its credibility. It is essential to maintain our reputation for objectivity and fairness. At the same time, it is predictable that individual board members, as landowners and community members, may be potential participants in RRCT programs or serve on municipal boards. Therefore, it is appropriate for RRCT to adopt specific policies and rules to address real or apparent conflicts of interest. RRCT’s bylaws also include a prohibition against private gain and against compensation of directors.

Definitions: A conflict of interest exists whenever an insider has a material financial interest in a transaction or project under consideration by the RRCT board of directors. Insiders are defined as board and staff members, substantial contributors, parties related to the above, those who have an ability to influence decisions of the organization and those with access to information not available to the general public. The IRS generally considers “insiders” or disqualified persons under IRC §4598 to be persons who, at any time during the five-year period ending on the date of the transaction in question, were *in a position to exercise substantial influence over the affairs of the organization*. “Insiders” generally include: *board members, key staff, substantial contributors [see IRC §507(d)(2)], parties related to the above and 35-percent controlled entities*. While these are strict definitions within the tax code, land trusts are advised to take an even more proactive approach to the potential damage that conflicts of interest may cause an organization and also include in the definition of “insiders” *all staff members and those with access to information not available to the general public* (such as certain volunteers). Related parties is defined by the IRS to include spouse, brothers and sisters, spouses of brothers and sisters, ancestors, children, grandchildren, great-grandchildren and spouses of children, grandchildren and great-grandchildren.

Director's Obligations: Each member of the board of directors has the following responsibilities and obligations:

- (1) To disclose to the board the existence of any real or apparent conflict of interest.
- (2) To abstain from discussing any issue involved in a conflict of interest, unless requested by the board, or a committee thereof, to give information on the issue.
- (3) To recuse himself or herself from board or committee discussions on any such project or transactions involving a conflict of interest, unless requested by the board or committee to give information on the issue.
- (4) To abstain from voting on any such issue.
- (5) If so requested by the board, to take a temporary leave of absence from the board of directors, until the matter, giving rise to the conflict of interest has been resolved.

Board's Obligations: If a transaction or project of RRCT involves a conflict of interest, whether real or apparent, by a member of the board of directors or staff, the board shall do the following:

- (1) Approve of such project or transaction only if the board makes specific findings that
 - (A) the transaction or project
 - (i) is fair and benefits RRCT and its objectives; and
 - (ii) is approved with full knowledge of the economic benefit to the director involved in the conflict of interest; and

(B) that the affected director has not participated in the vote approving the transaction or project and was in fact absent both during the discussion of the transaction or project, and at the time the board voted thereon.

All such approvals shall be reflected and detailed in meeting minutes.

- (2) If the board determines that the nature and magnitude of the conflict of interest warrants the same, the board shall request that the affected director take a leave of absence from the board of directors in writing.

Section 8. Fundraising

Section 8.1 Mailing List Policy

Adopted on July 15, 2003; Amended February 28, 2012

It is the policy of the Board of Directors of the RRCT not to share its mailing list without express approval of the Board of Directors.

Section 9. Financial and Asset Management

Adopted October 21, 2003; Amended February 28, 2012; Repealed and replaced April 16, 2013; Amended September 13, 2016; Amended July 17, 2018

Section 9.1 Financial and Asset Management policy overall purpose

The overall purpose of this Financial and Asset Management policy is to ensure that there is a clear understanding of the objectives and operation of the various categories of reserves on the part of the Board, the Finance Committee and our donors, both present and future. These policies are established outlining the objectives and goals of various reserves and funds in order that:

- a) There be a clear understanding on the part of the Board of the investment objectives and policies of the reserves so as to minimize the chance of the Board being surprised by losses or gains that should be expected to occur during various stages of a market cycle.
- b) Investment management decisions be made in accordance with this policy.
- c) The Directors have a meaningful basis for the evaluation of management of the reserves and funds.
- d) Donors be provided with consistent confidence on the intended use of their funds and the operations of the organization.

The investment and management of the various reserves is for the purpose of providing a stable financial environment within which RRCT can conduct its programs and objectives governed by its bylaws and other policies and practices.

Section 9.2 Reserve Funds created and named

9.3: Stewardship Reserve Fund (SRF), consisting of component board-designated (BD) and donor-advised funds; donor-advised funds including both Temporarily Restricted (TR) and Permanently Restricted (Endowment) funds.

9.4: Operating Reserves.

9.5: Near-Term Opportunity Reserve Fund (NTORF).

9.5A: Land Acquisition Reserve Fund (LARF)

9.3 Stewardship Reserve Fund (SRF): Purpose, Objectives, Assets, Spending

9.3.a. SRF Purpose and History. When RRCT acquires conservation easements or properties, it often accepts the responsibility to monitor, enforce, and provide stewardship to the conservation values for perpetuity, as guided by RRCT bylaws, deeds and agreements, Maine law, and other guidance or law. RRCT by policy therefore aims for secure long-term sources of funds to support its mission and to care for its properties for perpetuity. RRCT aims to resist property-specific or task-specific stewardship reserve funds, but rather noting efficiency and overlapping tasks RRCT aims for pooled funds to support the entire organization and all of its properties and its mission-critical needs.

The Stewardship Reserve Fund (SRF) is created and named by this policy, and consists of funds now renamed and pooled, but consisting of three component funds which shall be accounted for separately:

- SRF board-designated component: although the principal may be drawn down by the board, the general goal for this component is to maintain the principal value and use only the income per Section 9.3.d (SRF Spending Policy)
- SRF donor-advised Permanently Restricted (Endowment) component: the original principal may not be drawn down by the board. Income shall be used consistent with Section 9.3.d (SRF Spending Policy.)

- SRF donor-advised Temporarily Restricted component: the principal may be drawn down by the board for stewardship purposes, but not for any purpose. The component is otherwise identical to the SRF board-designated component.

The RRCT investment policy for the SRF is based on the following underlying principles: the SRF has an indefinite, long term time horizon; that investments that participate in the growth of the global economy are an essential component of any long term investment mix and that inflation will erode the purchasing power of the income from the reserves and must be factored in to any investment management and spending decisions.

9.3.b. SRF Objectives. The establishment of investment objectives does not ensure that desired results will be achieved and sustained and is instead based on the underlying assumptions set out above and current standards for prudent investors:

- Expect a minimum rate of return, over time, equal to an inflation adjusted rate on a risk-free investment such as a long-term US treasury bond
- Preserve the inflation adjusted value of the SRF recognizing that for periods of time, market volatility may cause the value of the SRF to fluctuate and even decline
- Create a stream of payments that can be used to support the mission of the RRCT

The Board may at its discretion decide to retain the investment returns from the SRF until a threshold dollar value of the SRF has been reached. This may be used as a method of augmenting the growth of the SRF and not a replacement for donations and gifts.

9.3.c. SRF Asset Allocation. Because of the long term nature of the SRF, a significant portion of the funds will be invested in long term assets including the following: US equities having large, medium and small market capitalizations; international equities including developed and developing economies; US government and quasi-governmental agency debt; corporate debt having a rating from one of the major rating agencies of investment grade; international debt having a rating from one of the major rating agencies of investment grade; tangible assets using financial instruments rather than holding the assets themselves; tactical hedging strategies.

The reserve funds portfolio should be diversified and may use any structure to participate in any of the above listed asset classes including mutual funds, exchange traded funds, real estate investment trusts, individual securities as long as the investments used are widely available, highly liquid and can be purchased, sold and priced daily during normal trading hours.

9.3.d: SRF Spending Policy. The spending policy of the Stewardship Reserve Fund is based on a total return formula. “Income” will consist of interest, dividends and capital appreciation of the underlying financial assets.

The Board of Directors must approve the annual distribution of the Stewardship Reserve Fund income. Annual spending will not exceed four percent of the fund’s value at the beginning of the year; and also will not exceed the rolling average of the previous sixteen quarters of the fund’s annualized returns, minus the then-current US Consumer Price Index.

The Board may decide to delay the spending policy terms for the SRF until a particular dollar value of the SRF has been met.

9.3.E: SRF Asset Allocation Guidelines

	Minimum Percentage		Maximum Percentage
Total Equities	20%		60%
Fixed Income	30%		70%
Other	0%		20%
Cash Equivalents	0%		30%

Up to 30% of equities may be invested in foreign securities-

9.3.f: SRF Accounting. The regular financial reports of the Treasurer and the organization shall account for the SRF as a distinct fund, and also with two distinct component funds described above.

9.4. Operating Reserves:

The Board maintains unrestricted operating reserves to provide a cushion against seasonal fluctuations in the RRCT’s sources of revenue and to support the organization if there was a sustained reduction in fundraising or grant awards. The goal of the balance of the operating reserves on January first of each year is no less than seventy five percent of the prior year’s operating budget and should be replenished through the year to address cash flow needs, or to address unusual spending needs such as land acquisitions. Operating reserves typically have liquidity, and shall be limited to: FDIC insured bank checking and savings accounts; bank money market accounts; money market mutual funds; Certificates of Deposit having a maturity of one year or less or longer if penalties for early withdrawal are acceptable; US treasury securities having a maturity of one year or less. Operating reserves are expected to be drawn down routinely pursuant to an annual budget and other board decisions, fluctuating significantly through the year.

9.5 Near-Term Opportunity Reserve Fund (NTORF) Principles, Objectives, Assets, Spending

9.5.a NTORF Principles: RRCT maintains various donor-advised, board-advised, or undesignated project accounts for various near-term purposes. In some cases these are grants revenues that won’t be drawn down immediately, or acquisition project accounts that await a closing, or parcel-specific project accounts that may be used in the near term, or revenues earmarked by the board for later initiatives. Collectively, these various project accounts call for the creation of the Near-Term Opportunity Reserve, to manage funds that may not be spent in the current year, but are not long-term reserves. The NTORF investment policy is based on the following underlying assumptions: this fund has an intermediate time horizon of one to five years; that the board expects to use some or all of the assets in this fund for various purposes in furtherance of its mission and support of the monitoring, improvement or acquisition of property within the Royal River watershed.

9.5.b. NTORF Objectives: The establishment of investment objectives does not ensure that desired results will be achieved and sustained and is instead based on the underlying assumptions set out within this policy and current standards for prudent investors:

- Expect a minimum rate of return, over time, equal to the rate on a risk-free investment such as a short-term US treasury bond
- Preservation of capital so as to minimize the probability of substantial losses of principal.
- Minimize short term volatility.

Due to the near-term time horizon and uneven nature of some future distributions, assets in the fund should not be put at significant risk of loss. The NTORF is expected to be shifted into the operating reserves in the context of annual budget and other board decisions, such as land acquisition decisions. NTORF drawdowns may be integrated or replace distributions from the operating reserves to the extent that NTORF is drawn upon for cash flow purposes, as necessary.

9.5.c. NTORF Asset Allocation: Because of the near term nature of this fund, the assets will be invested in a range of possible assets limited to the following: those assets allowed as part of operating reserves; US government and quasi-governmental agency debt having maturities between roughly one and five years; US corporate debt with maturities between roughly one and five years and having a rating from one of the major rating agencies of investment grade; International debt with maturities between roughly one and five years and having a rating from one of the major rating agencies of investment grade.

The NTORF portfolio should be diversified and may use any structure to participate in any of the above listed asset classes including mutual funds, exchange traded funds, individual securities as long as the investments used are widely available, highly liquid and can be purchased, sold and priced daily during normal trading hours.

9.5.d. NTORF Spending Policy. Income from the NTORF may be used in support of normal operations or added to the fund itself to maintain an appropriate level in the fund.

9.5.e. NTORF Accounting. The accounting for the NTORF as a distinct fund may be phased in flexibly, or accounted for informally, in the context of available staff and accounting capacity and expertise.

9.5A: Land Acquisition Reserve Fund (LARF): RRCT created this reserve fund in 2016, but has not structured it as a “reserve” fund in the sense that other reserve funds (above) are aligned with investment decisions. From an investment perspective, the LARF is a subset of NTORF. The published case statement, to solicit donations, as published on the website and other material should be reviewed and revised depending upon successes and review. Beginning in Summer 2016 the published case statement has been: *“to build a war chest allowing us to lean into land acquisition or conservation easement possibilities. Even as we raise new money for this fund, we are spending from the fund each time we reach agreement with a landowner on a new conservation project. Donations aren’t toward any specific parcel, but rather toward opportunities that arise. Funds go toward land acquisition, due diligence, and long-term stewardship needs of new parcels or new conservation easements, following board votes and specific parcel budgets. By adopted board policy, RRCT sets aside long-term funds to care for its properties in perpetuity.”*

9.6 Investment Supervision and Investment Committee Oversight

The Investment Committee is created by this subsection, formed by the Treasurer, the Executive Director, at least one other board member named by the President, and no more than two non-board members named by the President.

NOTE: Beginning in 2019, the Investment Committee has been the Executive Committee

The Investment Committee will be responsible to the full RRCT Board of Directors for the oversight of all Reserve Funds and making any recommendations for changes to this policy.

The Investment Committee will review at least annually this policy to ensure that it continues to be appropriate to the needs of the organization, that it reflects the nature of current thinking in the field of investment management for non-profit organizations and that no additions or clarifications are necessary.

The Investment Committee will review the operation and results of the reserve funds periodically and will report to the full Board at least annually. The Treasurer shall report to the Board the performance of all reserves as part of the Treasurer's regular reports. The Investment Committee shall make recommendations to the Executive Committee regarding how to invest the funds of the Trust. The Executive Committee shall approve the specific investment of funds in various investment vehicles. The Treasurer shall make the specific investments, unless the Executive Director is specifically delegated by the Executive Committee, noting that investment accounts typically require additional oversight.

9.7: Policy on the Receipt, Ownership, Sale and Transfer of Financial Instruments.

From time to time, RRCT may receive, by charitable gift, by bequest, financial instruments, such as securities or mutual funds. Donations of corporate securities, bonds, mutual funds or other financial instruments shall be sold upon receipt, and the proceeds of sale transferred to the appropriate account to fulfill the donor's intent, and to the appropriate Reserve Fund to advance RRCT's financial management goals. Exceptions to this approach (such as a non-designated use of a restricted gift from a donor) must be approved by the Executive Committee following review by the Investment Committee.

9.8: Conflict of Interest on Financial Matters. Note that RRCT Policies & Procedures Section 7, Conflict of Interest, prevents any Director from materially financially benefitting from any investment or budget decision of the board, without exceptional disclosure, recusal, and other safeguards as prescribed by that policy.

Section 9.9. Financial Management Policy

Adopted on January 21, 2003; Amended on February 28, 2012; Renumbered April 16, 2013; Repealed and replaced and renamed July 17, 2018.

The following items are board-adopted policy and procedure for financial management of the organization:

9.9.a: **Executive Committee authority to Conduct Business.** Consistent with Article X. 1 of the Bylaws, the Executive Committee shall have the authority to conduct any financial business of the organization that cannot reasonably wait for a regular board meeting, except that the Executive Committee shall publish to the Board its minutes for ratification.

9.9.b: **Check Signing, Bank Transactions, Debts, Withdrawal of Reserves.**

- The Executive Director may sign any check or conduct any transaction that is consistent with a budget, a board vote, or an authorization by the Executive Committee.
- Expenses greater than \$1,000 that are not within budget parameters shall have the express consent of the Treasurer such as by an email.
- The Executive Director may transfer funds between accounts provided that the transfers are consistent with minutes and recommendations of the Finance Committee and parameters assigned to any account. NOTE: many banks or accounts do not claim to be able to enforce requests for double signatures; some do.
- The President and Treasurer shall have signature authority as possible on all bank accounts or other accounts. The President and Treasurer shall not generally be authorized to use this authority unless there is a vacancy or incapacity of the Executive Director position, or unless double authority is required. Upon vacancy or incapacity, the full board shall be notified in advance of exercise of signature authority by the President or Treasurer
- The organization shall not assume any debts or comparable financial transactions without express resolution by the Board of Directors.
- The organization shall not make withdrawals from or leverage any of the various Stewardship Reserve Funds – beyond adopted policy on annual withdrawals – without express resolution by the Board of Directors.

NOTE: See motions in minutes of Jan 21, 2020, authorizing officers' signatures on banking resolutions.

Section 10. Administrative & Human Resources

Adopted February 28, 2012, amended (Health Insurance Plan update) September 24, 2013. Amended September 13, 2016. Amended April 30, 2019. Amended February 4, 2020. Amended January 11, 2022.

Section 10.1: Hiring and Termination

- a. The Royal River Conservation Trust (the Trust, or RRCT) provides equal opportunity to all employees on the basis of individual qualification without regard to race, sex, religion, color, age, national origin, disability, sexual orientation, or other protected factor and does not discriminate in the recruitment, hiring, compensation, promotion, transfer, benefits or any other condition of employment.
- b. The Executive Committee will appoint a Search Committee of at least two people to assist the Executive Director to hire employees, or, in the case of the hiring of the Executive Director, the Executive Committee will appoint a Search Committee of at least three Directors. The Board must approve the hiring of the Executive Director. The Executive Director and Executive Committee will jointly make the decision on hiring other employees, provided compensation and benefits are within adopted budget and policy parameters. Nothing in this section shall be construed to give the Board or the Executive Committee a role – other than budget authority – in the engagement of independent subcontractors, seasonal employees or interns with no expectation of employment beyond 90 days, or employees working ten hours or less per week.

- c. Employees and Board members of the Royal River Conservation Trust cannot be closely related family members such as parents, children, spouses, siblings, in-laws or first cousins. Family members of the Board and contractors who are family members of employees or the Board can be hired on a temporary basis with the approval of the Executive Committee.
- d. Royal River Conservation Trust maintains an employment-at-will policy. Just as employees are free to end their employment with the Trust at any time for any reason, the Trust is free to end the employment relationship with any employee at any time. Any verbal statements made by any employee or Board member of the Trust to the contrary are void. An employment contract may be made only in writing and must be authorized and signed by the President of the Board.
- e. The Executive Committee must approve the termination or acceptance of resignation of all employees, including the Executive Director. The Executive Director may place an employee on paid or unpaid leave pending approval of termination by the Executive Committee.

Section 10.2: Benefits

10.2.a. The general office hours of the Trust are 8 AM to 5 PM, Monday through Friday.

10.2.b. The Royal River Conservation Trust employee benefits include:

- i. Paid Leave: Holidays; Paid Time Off; Bereavement leave
- ii. Contributions to a Health Insurance Plan
- iii. Professional development
- iv. Family medical leave
- v. Leave of absence
- vi. Jury duty
- vii. Retirement savings plan

The Trust does not provide the following benefits: Employee Assistance Program; Life Insurance; Disability Insurance. The Trust reserves the right to change the Benefits at any time.

10.2.c. Eligibility for Benefits. The Board of Directors determines the benefits levels for various levels of employees. Employees working 30 hours or more per week are considered full-time and thus eligible for full-time benefits, except that calculated days or hours of Paid Time Off and Holidays shall be pro-rated accordingly notwithstanding any language below.

10.2.d. Holidays. Holidays are days off with pay. The Trust has 15 paid holidays. The Trust offices will be closed on the following days or their commonly observed work holiday if the holiday falls on a weekend, and the Executive Director may close the office and grant time off with pay infrequently for periods such as the afternoon on the eve of a holiday:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous Peoples Day

Veterans' Day
Thanksgiving Day
Friday following Thanksgiving
Christmas Day + four additional days near or surrounding Christmas Day designated by the Executive Director.

Irrespective of holiday status, the Executive Director may assign employees responsibility for remote phone and email responsiveness (end-of-year charitable donation issues, unique neighborhood trail issues) during Holidays and Paid Time Off during the weeks of Christmas and New Year's Eve, or at any other time. Generally, the Executive Director shall ensure that one employee or assigned board member should always be accessible by phone 365 days per year.

If an employee works on a holiday the employee may take an alternate day off in lieu of the holiday worked. Paid Holiday time cannot be carried over to another year.

10.2.e. Paid Time Off: The Trust offers Paid Time Off ("PTO") for its eligible employees. The Board can change the PTO policy at any time. All PTO is earned at a rate of 1/12th of the calendar year allotment per month. However, PTO may be taken earlier in the calendar year before it is fully earned, with approval of the Executive Committee. Employees must confer with the Executive Director or Board President about their planned PTO. Up to ten (10) PTO days not taken in a calendar year can be carried over only until April 30th of the next calendar year. PTO earned and/or carried over that is not used is forfeited.

Full-time employees receive the following PTO per calendar year:

- Calendar year of hire: earn 1.66 day per month including month of first work day. In the calendar year of hire, vacation can be taken only as earned.
- First four full calendar years: 20 days
- Subsequent calendar years: 25 days

Employees should track PTO on a standardized form. Upon termination of employment, employees will be paid for any earned but unused PTO. The Trust retains the right to charge employees for used but unearned PTO upon termination of employment.

Part time employees will receive no PTO.

PTO includes the concept of Get Well days. If you are not feeling well enough to come into the office or if you are contagious, please stay home. Out of courtesy, you should let the Executive Director or Board President know that you will not be in the office due to illness

10.2.f. Bereavement Leave: The Trust offers paid leave in the event of the death of an immediate family member or life partner. Full time employees are allotted up to five paid days off per event for bereavement leave. Need for bereavement leave for eligible part-time employees will vary on a case by case basis, and is therefore at the discretion of the supervisor.

10.2.g. Contributions to a Health Insurance Plan: The Trust contributes to health insurance for employees. The employee and the Trust work together to find a plan that provides good coverage yet is economical for both the employee and the Trust. Given the dynamic nature of the health insurance market, the Trust reserves the right to modify the programs offered, the provider, and to adjust its employee premium payment policy in response to market changes and the financial situation of the Trust. The Trust will contribute or compensate as an opt-out payment up to \$6000 per calendar year, but no more than plan rates

or the employee's out-of-pocket cost for the employee's health insurance only plus taxes. Health insurance reimbursement – if any -- for part time employees will be determined by the Trust.

For out-of-pocket costs for employee health insurance, the RRCT employee may be required to provide to the RRCT Treasurer or Executive Director proof or assurance that medical insurance is in force for the employee and that premiums for the period involved have been paid by the employee.

To maintain health plan participation requirements, as a condition of employment, RRCT may require that employees either participate in RRCT's health care plan, or show proof that the employee has health insurance coverage from another source.

10.2.h. Professional Development: As part of the Trust's staff development and performance review process, the Trust encourages all employees to take responsibility for their professional development. In the event that any employee has a specific professional development interest (e.g., course, workshop, seminar, conference, etc.) that is directly relevant to their work at the Trust, the Trust encourages the employee to submit a brief proposal for Trust support to the Executive Director or the President of the Board. Such a proposal should include a summary of the professional development activity, its relevance to the employee's current and/or future service to the Trust, the cost and the proposed Trust contribution. The Trust will consider such proposals on a case-by-case basis based on their relevance to the Trust and the Trust's current financial capacity.

10.2.i. Family Medical Leave: During the first twelve (12) months of employment, employees must use earned Vacation and PTO for a serious health condition of the employee or for the serious health condition of the employee's child, parent or spouse or the birth of the employee's child or the adoption of a child 16 years or younger or the donation of an employee's organ for a human organ transplant. Additional time required must be approved by the Executive Committee of the Trust and is unpaid leave up to a maximum total leave time of 10 weeks. Trust employees who have worked for twelve (12) consecutive months for the Trust may be eligible for up to 10 consecutive work weeks of unpaid leave during a two-year period for the conditions described in the preceding sentences. The Trust will continue to pay the health insurance premium costs that would be paid if the employee were working. Should a medical leave exceed 10 weeks in length, the portion in excess of 10 weeks will be considered a "Leave of Absence" for which separate policies exist. Employees considering leave under this provision should confirm the terms of the leave with the Board President.

10.2.j. Leave of Absence: A leave of absence is defined as an excused absence due to personal, professional development or administrative reasons. This provision includes all non-family medical leave absences. Employees may request a leave of absence without pay up to a maximum of 12 weeks. Granting requests for a leave of absence without pay is at the discretion of the Executive Committee, with notice to the Board for any leave beyond five days in one year, after consideration and determination of the following:

The Executive Director may approve for subordinates up to 40 hours of unpaid leave in a calendar year with no involvement of the Executive Committee.

The Executive Committee may or may not guarantee an employee's return to their prior position, at the Executive Committee's sole discretion. If a leave of absence is granted, the employee must first utilize all accrued paid time available to him/her including PTO. All accruals cease when a staff member moves to an unpaid status. Employees granted a leave of absence for personal, professional development or administrative reasons will receive a continuation of their health care benefits to the end of the month in

which the leave commenced. Thereafter, an employee on leave may elect to continue health care and other benefits, as permitted by law, regulation and/or benefit provider policy, by paying the full cost of the benefits, including the share ordinarily paid by the Trust. This Leave of Absence policy applies to full-time and eligible part-time employees.

10.2.k. Jury Duty: The Trust will provide a leave of absence for mandatory jury duty in the State of Maine. Employees will be compensated for the difference between juror's pay and their Trust pay for up to twenty days of jury duty. In return for such compensation, the Trust expects that the employee will work with their supervisor to cover the responsibilities and tasks of their position to the greatest extent possible. Compensation is available to full-time and eligible part-time employees.

10.2.l. Retirement savings plan: The Trust has established a SIMPLE IRA retirement plan for employees. The plan allows each employee to set up a SIMPLE Individual Retirement Account (IRA) (not a Roth) at the financial institution of the employee's choice. Employees can elect to make wage reduction contributions as a percentage of wages (up to ceilings established by the IRS) and the Trust will match up to 3% of the employee's wages per year. Employees must elect to contribute within windows established by RRCT.

10.2.m. Benefit Payments & Adjustments upon Termination of Employment

When an employee leaves the Trust, PTO earned in a partial employment year is calculated. Unused earned PTO is paid to the employee in their final paycheck. Used but unearned PTO may be charged to the employee at the Trust's discretion. Any payments to the employee are contingent upon the employee leaving in a professional manner: returning all keys; returning any work materials or computer equipment from home; making no changes to Trust computer systems such as email, contact lists, financial records, donor records systems, passwords, etc.; taking no written material, equipment or systems that belong to the Trust from Trust offices; etc. The employee must work with the Trust on a plan for the transition to the replacement employee.

Health Insurance: The Trust's responsibility for paying any part of health insurance premiums ends upon termination of employment.

Other: Other benefits will terminate upon termination of employment except as required by law.

10.2.n. Compensation: The Board has sole discretion to determine the wages of all employees. The Board will review the performance of the Executive Director annually and determine any changes to compensation based on Executive Director performance and the financial situation of the Trust. The Executive Director will review the performance of employees and recommend compensation changes to the Board. The Board must approve all compensation changes. Employees shall ensure that their work hours are limited in a manner such that they are not eligible for overtime wages; overtime work hours are not authorized without the express written authorization of both the Executive Director and the Treasurer.

Section 10.3: Employee and Board Behaviors

10.3.a. Harassment/Discrimination: It is the Trust's policy to provide a work environment free from all forms of discrimination, including sexual harassment. No employee or Board member should be subjected to unsolicited or unwelcome sexual overtures or conduct, either physical or verbal. Nor should they be required to work in an environment in which there is obscene or crude behavior or conversation related to sexual matters. Any threat or insinuation that a refusal to submit to sexual advances will adversely affect employment, wages, or the conditions of employment is strictly prohibited. In addition, employees and

Board members shall not engage in conduct of a sexual nature, either physical or verbal, which is unwelcome, personally offensive, intimidating, or hostile. Any employee or Board member who thinks he or she has been the subject of sexual harassment should report the event immediately to the Board President. All such information shall be held in strict confidence, and will only be disclosed on a need-to-know basis in order to investigate and resolve the situation. If an investigation establishes that sexual harassment has occurred, the offending employee will be disciplined up to and including termination.

10.3.b: Personal Telephone Calls and Computer Use (Email and Internet). RRCT's computing and communication resources are the property of RRCT. They are to be used for the official business of RRCT. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer or telephone systems. It is recognized that some personal business may need to be conducted on RRCT equipment. This should be kept to a minimum and, again, there should be no expectation of privacy. No long-distance telephone calls resulting in extra charges may be made. The use of RRCT equipment for excessive personal communications or shopping, pornography, or criminal activities is prohibited and will result in disciplinary action up to and including termination.

10.3.c: Illegal Substances and Intoxicants. The use of, possession of, distribution of, or working under the influence of illegal substances, alcohol, drugs, or other intoxicants (including operating a motor vehicle on RRCT business), is strictly prohibited in RRCT offices, on RRCT properties and while conducting RRCT business. The Executive Committee may provide exceptions related to alcohol for special occasions or special events. A standing exception is established for the annual holiday potluck and annual celebratory fundraising events, and fundraising house parties or other fundraising events located where the host provides insurance guarantees or insurance is otherwise secured to the satisfaction of the Executive Director. Violation of this policy will result in disciplinary action up to and including termination.

10.3.d: Whistleblower Protection Policy: RRCT requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of RRCT practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that RRCT can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of RRCT's code of ethics or suspected violations of law or regulations that govern RRCT's operations. It is contrary to the values of RRCT for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of RRCT. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. RRCT has an open-door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with any Board member. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Board President, who has the responsibility to investigate all reported complaints. The Board President is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. All parties will report all complaints and their resolution to the full Board. Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense. Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the

need to conduct an adequate investigation. The recipient of a complaint will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Section 10.4: Board Policies

10.4.a. Board Meetings on Human Resource Issues: Each Board Meeting will include an Executive Session to discuss Human Resource issues and performance of employees. If there are no issues to discuss, such a session may be cancelled.

10.4.b. Board Personnel Committee: The Executive Committee is the personnel and human resources committee of the organization.

Section 10.5: Travel Expense Reimbursement

10.5.a. Policy for Employee Travel Expense Reimbursement: Employees shall submit a form with receipts no less frequently than monthly for approval to the Executive Director summarizing their travel expenses to be reimbursed. The Executive Director shall submit the form to the Treasurer.

Automobile: Employees shall use their own automobile for travel for RRCT business unless the use of a rental car is approved by the President or Treasurer. RRCT business does not include commuting from home to the normal place of work at RRCT. Employees will be reimbursed at the current IRS reimbursement rate for use of their personal automobile for RRCT business. (In 2020, the IRS rate is 57.5 cents per mile). Employees are encouraged to carpool with others to share and minimize travel expense.

Meals: RRCT will reimburse employees for any meals during travel on RRCT business when total travel time is more than four hours away from the RRCT office. Employees shall use good judgment in selecting meals that are economical but healthy. Employees may pay for, and be reimbursed for, others' meals if the meals constitute a business meeting and/or it is in the best interest of RRCT to host the meals. Employees must submit receipts to the Treasurer for meals to be reimbursed.

Hotel: RRCT will reimburse employees for hotel stays that are required to complete RRCT business. Room and taxes only. Employees shall use good judgment in selecting hotels that are economical but safe and comfortable. Employees must submit receipts to the Treasurer for hotel stays to be reimbursed.

Commercial transportation: RRCT will reimburse employees for economy class air, train, bus or taxi service only on trips required to complete RRCT business. Use of commercial transportation requires prior approval of the President or Treasurer.

10.5.b. Policy for Board of Directors Travel Reimbursement: In general, Board members are expected to pay their own expenses for travel on RRCT business. This includes mileage, parking, tolls, meals, hotel and commercial transportation (air, train, bus, cab). Mileage, parking and tolls for charitable purposes generally are deductible expenses for income tax purposes. Board members will not be reimbursed for travel expense to Board and Committee meetings. For extraordinary travel expense both the President and Treasurer must approve reimbursement. An example would be RRCT business requiring air travel, hotel and meals for a distant conference or significant meeting.

Section 11. Protection of Conservation Lands

NOTE: This section of policies is drafted in accordance with the 2017 Land Trust Alliance Standards and Practices and 2021 Accreditation Requirements.

Section 11.1: Respecting Landowners

Adopted October 25, 2022.

11.1.a. Respect to Privacy: RRCT respects landowner privacy and discretion. All individuals involved with a transaction are expected to keep the transaction confidential, unless permission is given by the landowner. Early in a project, RRCT will ask the landowner(s) if the project can be discussed publicly before closing. If desired, RRCT will keep a transaction confidential until closing by only involving staff, Board, committee members, and other individuals such as appraisers or surveyors that are relevant to project decision-making and support. After project closing, RRCT should be aware whether the landowner wishes to have their name publicly associated with the transaction.

11.1.b. Respect to Independent Representation: Early in a project and before a landowner signs any legal document to initiate a project, RRCT will in writing urge the landowner to hire their own professional advisors (which may include an attorney, appraiser, financial professional, and others) to represent the landowner's interest in the land transaction. Legal representation of RRCT and landowner correspondence must be attentive to (a) landowner mental capacity and competence (b) state and/or federal law on representation of elderly dependents or caregivers (c) Medicaid.

11.1.c. Respect to Landowner Values: Within the framework of RRCT's mission and project selection criteria, RRCT will make reasonable efforts to understand and incorporate important landowner values that are compatible with RRCT's goals for a land transaction project. RRCT should understand that sometimes landowner and RRCT values will be incompatible and the potential project is better considered for a future time or not at all. Values that are often main discussion points are project configurations, public access, hunting, and vegetation management, among others. The range and type of RRCT desired conservation values will vary based on a project's location and surrounding context.

Section 11.2: Due Diligence

Adopted October 25, 2022.

Definitions:

- i. Impermissible private benefit - more than an "incidental" benefit is provided to a non-insider (i.e., landowner)
- ii. Private inurement – occurs when a RRCT insider derives a benefit from the land trust without giving something equal in return Professional development
- iii. RRCT insider – Board member, staff member, substantial contributors, parties related to board members, staff, substantial contributors, influencers of RRCT decision-making (i.e., committee members), and volunteers, consultants, contractors, etc. with information not available to the general public
- iv. Transaction – fee-simple, conservation easement, trail easement, life estate, first right of refusal, etc.

11.2.a. Project Selection Criteria: Any land transaction project RRCT undertakes must be consistent with RRCT project-selection criteria, as most-recently amended, or have documented justification for atypical RRCT interest in the project.

RRCT's project selection criteria are written and reflect RRCT's priorities and goals, which are reflected through RRCT's Strategic Plan, Conservation Plan, local municipal plans, and regional or statewide initiatives and plans. Project selection criteria guide the minimum standard for a project to be in accord with RRCT's mission and conservation priorities. The project selection criteria need only be applied to transactions that involve RRCT acquiring a conservation interest through purchase or donation of fee-simple land or a conservation easement.

The project selection criteria are represented by a project criteria checklist. This checklist should be supported by a site visit to inspect the parcel(s) under consideration. It is strongly preferred that at least one RRCT staff member and one other staff member, committee, or Board member conduct a site visit prior to voting on a project. Notes from this site-visit should be recorded in the project selection checklist or elsewhere. Larger parcels may warrant partial inspection via aerial or satellite imagery and it is preferred for two site visits to account for different seasons and/or weather conditions. The checklist score must meet the minimum standard of the project selection criteria. If it does not meet that threshold, the project should be abandoned or have documented justification for atypical RRCT interest.

11.2.b. Landowner Commitment: Before the Land Transactions Committee authorizes a project, RRCT staff can spend staff time on cursory due diligence, drafting of terms, and threshold title review. After authorization, RRCT staff can conduct and delegate all necessary due diligence, including but not limited to survey, appraisals, environmental assessments, and more, depending on the particular project, RRCT land transaction policies, and external funding requirements.

Before more time consuming and expensive due diligence occurs, RRCT should receive commitment from the landowner to participate in a transaction. It is strongly preferred to have a landowner's commitment memorialized in writing. Without landowner commitment, RRCT should proceed with caution on directing funds and staff capacity towards a project. Any binding agreement shall be expressly approved by the Board, or shall be expressly conditioned upon later Board approval.

11.2.c. RRCT Legal Representation: Every land transaction shall involve RRCT legal counsel through an attorney versed in land conservation and real estate transactions in Maine. The Executive Director has the authority to engage counsel on real estate issues related to land transactions prior to Land Transaction Committee authorization of a project. Neither Board members nor staff, who might be attorneys, shall act as legal counsel.

11.2.d. Investigating Title: Whenever RRCT intends to protect a property through ownership or conservation easement, RRCT or a partner in the transaction must investigate title via a professional title company or attorney licensed in the state of Maine.

Title investigation can be documented through title commitment, title report, title opinion, or abstract (chain of title) and the investigation shall be updated within 30 days of closing. The investigation should clearly indicate ownership and encumbrances such as mortgages, severed mineral rights, severed water rights, tax liens or judgments, easements, use agreements, covenants, or other restrictions or information of importance.

The title investigation is reviewed by RRCT staff and RRCT legal counsel to ensure title exceptions are accurate and if conservation and public benefit goals can still be accomplished with the documented exceptions. Depending on the project, certain exceptions will not affect the project. Some title exceptions may threaten significantly threaten conservation values or risk an extinguishment of the easement. In this scenario, the exceptions must be properly addressed. Some of these exceptions may be severed mineral

rights, easements, timber rights, water rights, leases, loans, mortgages, unpaid property taxes, or other liens.

If severed mineral rights exist, RRCT or the landowner shall conduct a risk assessment and/or leverage a mineral remoteness report, reunite the mineral rights to the property, or create a surface use agreement. If the landowner investigates the likelihood of a third-party exercising severed mineral rights, RRCT legal counsel must review. The landowner must prove that any severed mineral rights are “so remote as to be negligible” if they wish to receive charitable tax benefits for a donation, or funds from some other sources.

For fee simple land or purchasing a conservation easement, all loans, mortgages, and liens must be released or discharged. Donated conservation easements must either have the mortgage released or the mortgage must be subordinated.

Title insurance is recommended for fee-simple land and can be considered for conservation easements. For donated fee simple land, title insurance amount can be calculated from the most recent property assessed valuation or a landowner appraisal (if conducted for tax benefits). If RRCT receives land or a conservation easement from another conservation entity, RRCT should receive a copy of the previous title investigation and either have an attorney or title company update it within 30 days of closing and if necessary, conduct a risk assessment to articulate how potential risks are addressed.

[NOTE: TerraFirma is a form of title insurance most valuable for conservation easements. RRCT should review its approach to TerraFirma when RRCT adopts conservation easement enforcement policies.](#)

11.2.e. Appraisals: To justify a purchase price of a fee-simple or conservation easement transaction, RRCT shall commission or review an independent appraisal of the property. A letter of opinion can constitute an independent appraisal when:

- i. The property has very low economic value
- ii. The purchase price is significantly below market value (i.e. bargain sale is significantly below market value) or
- iii. An appraisal cannot be conducted before a public auction

In the scenarios where a letter of opinion is sufficient, RRCT shall obtain the letter from a qualified real estate professional. A letter of opinion is a short-written estimate of the property’s value. A letter of opinion shall never suffice for a transaction with a RRCT-insider.

When a project requires an independent appraisal, a Uniform Standards of Professional Appraisal Practice (USPAP) restricted use appraisal or area-wide report from an appraiser with extensive real estate experience is sufficient, unless the project or project funding sources warrant a full USPAP appraisal report. Appraisals can be commissioned to either substantiate an agreed upon purchase price or determine a purchase price. There are several acceptable methods to satisfy RRCT’s appraisal requirement. These include:

- i. RRCT commissions an appraisal
- ii. A public agency or non-profit partner commissions an appraisal
- iii. RRCT commissions a review appraisal if a landowner has already commissioned an appraisal
- iv. A landowner commissions an appraisal with RRCT listed as an intended user and RRCT reviews and approves the initial drafted appraisal

Should a bargain sale or donation occur, and a landowner wishes to receive tax benefits, the landowner must commission their own appraisal to substantiate the donated value of the transaction – please see Policy 11.5 - Landowner Tax Deductions. A complete donation of land or conservation easement does not require RRCT to obtain an independent appraisal or a letter of opinion for its use.

11.2.e.1. Paying Above Appraised Value: Limited and Unusual:

In limited and unusual circumstances, the Land Transactions Committee and subsequently the Board can authorize paying above appraised value, only if paying above appraised value does not create private inurement or impermissible private benefit, and the purchase price is justified.

To pay any amount above appraised value, RRCT must still have an appraisal, which may be in the form of a letter of opinion where suitable. RRCT must always have clear and detailed documentation of the property's conservation values, the property's importance and/or extraordinary relationship to RRCT, the public benefit provided, and the risk of conferring impermissible private benefit.

RRCT must utilize and document at least two of the below:

- i. Failure of RRCT to acquire the property at appraised or lower value
- ii. Deliberation of Committee and Board to pay above appraised value because of the property's attributes while documenting risk of conferring impermissible private benefit
- iii. Appraisals by those capable of quantifying the premium price
- iv. Market evidence of trends supporting the high value or special market factors not included in the appraisal
- v. Expert opinions of biologists or other experts, with such opinions limited to their area of expertise
- vi. Written legal analysis of the risk of conferring impermissible private benefit

As the purchase price increases further away from the appraised value, RRCT should strengthen its claim justifying the purchase price by the inclusion of more of the above documentation and in greater detail. Certain funders will not support RRCT's projects if RRCT chooses to pay above appraised value.

11.2.f. Investigating Pass-through Entities: RRCT should be attentive when a transaction feels too orchestrated or good to be true. Transactions with LLCs and corporate entities, especially those with short-term ownership history, require some level of threshold RRCT awareness of ownership and motivation.

When a donation or bargain sale land transaction involves a pass-through entity of unrelated parties, RRCT shall follow the most current protocol of the Land Trust Alliance Tax Shelter Advisory. RRCT must confirm the identifies of all the members while investigating title. If it cannot confirm all parties that make up the entity, RRCT will request the information from the potential donor and if the donor refuses to comply, RRCT will decline to proceed with the transaction.

Should the transaction proceed, RRCT will require a copy of the entity's appraisal prior to closing. RRCT will decline to proceed with the transaction if the following apply:

- i. The appraisal indicates an increase in value of more than 2.5 times the basis in the property within 36 months of the pass-through entity's acquisition of the property
- ii. The value of the donation is \$1 million or greater

- iii. The transaction terms do not satisfy other guidance created by the Land Trust Alliance Tax Shelter Advisory

11.2.g. Survey: A good property description and properly located boundary markers for every project is essential. RRCT staff, title investigation, and RRCT legal counsel shall provide best judgment for any additional surveying required to obtain a clear legal description of the property boundaries. In particular, conservation easements will need accurate descriptions of any special use areas or zones within an easement so that the areas can easily be identified on the ground by a landowner or during easement monitoring. Tax maps are notoriously inaccurate and unreliable as a substitute for informed review of survey or legal descriptions. The Board should expressly address survey standards in any decision to acquire property; waiving professional survey is not unusual but the Board should be aware of such a recommendation and vote in its support.

11.2.h. Environmental Assessment: It is recommended that every land transaction have an environmental assessment. At minimum, each land transaction should have a staff site inspection and a commissioned 3rd party professional records search. If deemed necessary, RRCT will commission a Phase I environmental assessment and if problems are identified, RRCT will conduct Phase II environmental work or reject the transaction.

Environmental assessment is a term applying to assessment of risk of chemical and other hazards (natural resources assessments are addressed by other due diligence).

11.2.i. Project Costs & Stewardship Needs: RRCT Lands Committee shall maintain a stewardship expense checklist to inform board decision-making at early project stages and how it will finance the land transaction.

11.2.j. Additional Due Diligence: Due diligence in addition to those outlined in RRCT policy may be required for external grant applications related to particular land transactions, or particular state or local requirements such as permitting or zoning determining what is permissible.

11.3. Reviewing & Approving Transactions:
Adopted October 25, 2022.

11.3.a. Initial Project Authorization – Land Transactions Committee: The Board of Directors delegates the authority to the Land Transactions Committee to provide initial authorization for land transaction projects. In order for the Land Transactions Committee to grant initial authorization to proceed with a project, RRCT staff must conduct a preliminary screening of the parcel(s) (including the project selection checklist) and present the project to the Land Transactions Committee.

The Committee shall grant initial authorization to projects that provide conservation value and public benefit and have a realistic likelihood of occurring because of RRCT's organizational and financial capacity to acquire and steward the property. The majority of members at a meeting must vote in the affirmative for a project to continue.

Individuals on the Committee with a conflict of interest should disclose, abstain, and/or recuse themselves. Conflicts of interest must be recorded in meeting minutes. More information about conflicts of interest can be found in Section 7 of this document, RRCT's Policies & Practices of the Board of Directors.

11.3.b. Final Project Authorization – Board of Directors: The Board of Directors votes on the final authorization of all land transaction projects, including purchases, donations, transfers, sales, exchanges, and amendments. The materials provided should address:

- i. Terms of agreement with the other party
- ii. How the project aligns with RRCT’s project selection criteria
- iii. Initial plans or necessities of stewardship and management
- iv. Human and financial resources required to complete the transaction
- v. Risks or key issues that warrant discussion.

Board voting procedures follow RRCT by-laws.

11.3.c. Significant Project Changes: If during landowner negotiations there are significant changes to the project’s size, restrictions, or rights reserved, RRCT staff must receive re-authorization by the Land Transactions Committee and/or Board. Less significant changes should only follow express consultation between RRCT staff and a board-level project champion such as the chair of the Land Transactions Committee. Board motions and committee motions should be drafted to anticipate tolerable levels of staff-level negotiation and change.

11.4. Recording Deeds & Baseline Reporting:

Adopted October 25, 2022.

11.3.a. Conservation Easement Deeds: Every conservation easement shall be recorded in the Cumberland or Androscoggin Registry of Deeds and will be tailored to the specific conservation values of the property. Especially for conservation easements that arose from a charitable donation, if a landowner retains significant permitted rights the deed should include the requirement to receive holder approval for exercising said permitted rights, not significantly impair protected conservation values if permitted rights are exercised, and contain specific language so that broad language does not negate restrictions within the easement. The deed should also reference the baseline report and provide the ability for RRCT to enter the property to monitor, enforce, and take action to protect the conservation easement.

The location of any restricted areas or permitted right areas of a conservation easement must have their locations clearly described in the deed so that the areas are easily determined on the ground by RRCT or the landowner. This encompasses sensitive areas of protection, special use areas, and building areas such as homesteads and farmsteads.

All donated or bargain sale conservation easements should be inspected to ensure that the deed contains all requirements of the IRC and Treasury Regulations for federal income tax benefits. More details regarding tax considerations are found in Section 11.5 of RRCT Land Transaction policies, “Landowner Tax Deductions.” All conservation easements shall include required state and federal clauses.

11.4.b. Baseline Reports: RRCT-acquired fee-simple land does not require a baseline report, but baseline conditions are reported in an interim management plan created within 12 months of acquisition.

All RRCT conservation easements require a baseline report and shall be completed prior to closing. If winter conditions preclude the completion of the baseline report, then a partial baseline report should be completed at closing with an estimated completion for the remainder of the report. The full report must be completed within one year of closing.

Each baseline report represents a specific point in time. The report contains:

- i. Protected conservation values in the recorded conservation easement, depicted through a write-up, photographs, and maps
- ii. Documentation of relevant conservation value and natural resource conditions that will help RRCT monitor and enforce the easement for subsequent years. The initial conditions also help subsequent landowners better understand the conservation values protected by the conservation easement
- iii. Date of completed report with signature of landowner and RRCT

RRCT easements without a baseline report require a current conditions report. This report provides the same information as the baseline report, except it documents the current conditions, not those at or prior to closing, and does not require a landowner signature, although a landowner signature is encouraged. A routine annual monitoring report is not sufficient.

11.4.c. Registry Recordings: Fee-simple deeds and conservation easement deeds shall be recorded with the Cumberland or Androscoggin Registry within one week after the last signature is collected. Options, purchase agreements, memorandums of such, and surveys, should also be filed with the county registry.

11.5. Landowner Tax Deductions:
Adopted October 25, 2022.

11.5.a. Written Communications & RRCT Review: RRCT has an ethical responsibility to review the reported valuation of gifts it receives and to avoid acknowledging gifts that are inaccurately described. RRCT shall not knowingly participate in transactions where it has significant concerns about a tax deduction.

If a land or conservation easement donation or bargain sale is being considered by a landowner, early in the project, RRCT must share in writing that:

- i. This letter presents information and not legal advice.
- ii. RRCT makes no representation or warranty whatsoever regarding the tax treatment of any transaction. The landowner should seek qualified tax and legal counsel.
- iii. RRCT does not participate in transactions where the value of the gift is inflated to obtain a tax advantage.
- iv. The project must meet the requirements of IRC §170 and accompanying Treasury Department regulations to receive federal tax benefits. See Section 5.e of this document for more detail regarding conservation easements.
- v. IRS Form 8283 must be completed by the donor and signed by RRCT in order to receive certain tax benefits.
- vi. RRCT reserves the right to review the donor's appraisal, as the receiver of the documented gift. RRCT reserves the right to withhold signing Form 8283 if the Form or the appraisal inaccurately describes the project, if key sections of Form 8283 are not completed, or if there are substantial concerns about the landowner's appraisal.
- vii. If the gift of land or conservation easement is greater than \$5,000, the landowner must receive an independent qualified appraisal (separate from any RRCT appraisal) governed by IRS standards and rules which include appraisal date, appraisal content, appraiser, qualifications, and more.
- viii. If there are substantial concerns about the landowner's appraisal, RRCT may not sign Form 8283. Additionally, RRCT may document its concerns and confer with the Board and landowner, seek an independent substantiation of value, withdraw from the

transaction, or continue with the transaction if additional due diligence resolves RRCT's substantial concerns.

Within the written communication, RRCT shall request that the prospective donor or their advisor acknowledge receipt and understanding of the written communication.

11.5.b. Gift Acknowledgment: Irrespective of IRS 8283, RRCT's Executive Director will acknowledge true land transaction gifts via a letter to the donor for tax filing, describing the nature and extent of the gift. The letter should acknowledge that the gift was in exchange for neither goods nor services, and should list any qualified aspects of the gift.

11.5.c. Approving IRS Form 8283: RRCT's Executive Director is authorized to sign IRS Form 8283 and will confer with other staff, committees, and Board members as necessary.

11.5.d. Stewardship Donations: RRCT shall acknowledge as a charitable gift, any gift of stewardship funds by the donor of a land transaction. This donation is considered separate from the associated land donation and is not a requirement for landowners to donate real estate interests to RRCT. RRCT should practice best judgment on a landowner's ability to consider a request of a stewardship contribution.

11.5.e. Potential Tax-Deductions for Conservation Easements: Conservation easements tend to be more complex than fee-simple transactions. They are also less familiar to most landowners and their advisors and receive more scrutiny by the IRS. Therefore, RRCT must conduct an additional review of conservation easements where a federal income tax deduction will likely be claimed.

IRC §170 and Treasury Regulations §1.170A-14 requirements must be met for a landowner to claim federal income tax benefits. In order to meet these requirements, RRCT must review the conservation easement and ensure the easement is:

- i. A qualified real property interest (i.e., a conservation easement)
- ii. Granted exclusively for one or more conservation purpose:
 - a. Recreation or education of the public
 - b. Protection of natural habitat, wildlife, plants, ecosystems
 - c. Preservation of open space for scenic enjoyment or supporting a policy with significant public benefit
 - d. Preservation of a certified historic structure or a historically important land area within a historic district or adjacent to properties within the National Register of Historic Places
- iii. Granted does not participate in transactions where the value of the gift is inflated to obtain a tax advantage.
- iv. Aligned with §1.70A-14 by including specific provisions within the conservation easement deed

If the conservation value is attributed to open space, a significant public benefit must be provided. Examples of such benefits can be found in U.S.C. §1.170A-14(d)(4)(iv).

All surface mining must be prohibited in the easement deed to receive federal income tax benefits. If there are pre-existing severed mineral rights, analysis must determine that the probability of extraction or removal is so remote as to be negligible. A landowner must secure a report proving the threat of excavation or removal is so remote as to be negligible.

11.5.f. Pass-through Entities: RRCT shall refuse to sign IRS Form 8283 if it does not meet the standards of the Land Trust Alliance Tax Shelter Advisory. Please see Policy 11.2 - Due Diligence - for more detail.

11.5.g. RRCT Fee Simple Property Tax Exemption: State law provides nonprofit organizations the opportunity to not pay property taxes under certain circumstances. After RRCT acquires a property and within the first month of acquisition, RRCT should submit a request to the applicable Town or City for property tax exemption status. This specific policy should be revisited as RRCT's ownership in fee-simple land increases across each local municipality. Alternatives to exempt property tax status are paying the property tax or payments in lieu of taxes.

11.6. Land Transaction Recordkeeping:
Adopted October 25, 2022.

11.6.a. Supplement to RRCT Records Policy: This policy is explicit only towards land transaction recordkeeping. This transaction recordkeeping policy should follow and adhere to Section 5 of this document.

11.6.b. Records Definition: Records are documents, letters, memoranda, reports, notes, maps, GIS data, photographs, and include informal materials, such as handwritten notes, as well as formal documents, such as executed contracts, recorded deeds and conservation easements. Records include paper documents and electronic files such as e-mails and database files. All such records are the property of RRCT and not staff or Board members.

11.6.c. Active Projects: Active (potential or guaranteed but not-yet closed) projects are stored in RRCT's electronic filing system (cloud-based OneDrive as of 2022). All active project files are confidential unless landowner agrees to disseminate information or information is required for grant applications or other specific uses such as conservation planning or RRCT decision-making.

11.6.d. Inactive Projects: Inactive (not completed or paused) project records are maintained at staff discretion in RRCT's electronic filing system for future staff and Board members to be aware of.

11.6.e. Completed Projects – Stewardship Collaboration: The Lands Committee should participate in knowledge and information transfer with the Stewardship Committee and adhere to RRCT's Stewardship Key Principles.

11.6.f. Completed Projects – Essential Records: When a project is completed, RRCT shall ensure all legal agreements are filed with the Cumberland or Androscoggin Registry of Deeds.

Every land transaction project has records essential to the defense of its conservation values. The originals of these records must be permanently retained, easily accessible, and safe from harm (e.g. theft, data loss, fire, water damage, etc.) so that RRCT's conservation interests can be successfully protected for perpetuity.

The essential records that require original version storage are:

Acquisition

- i. Evidence of RRCT project approval process, including final votes and the name of any dissenters, abstainers, or those with a conflict of interest
- ii. Legal agreements, deeds, conservation easements, amendments, including final purchase price

- iii. Critical correspondence, including: project goals, tax and legal matters, landowner intent, agreements, reserved rights
- iv. Baseline reports (or current conditions report if baseline absent)
- v. Title insurance, commitment, or proof of investigation along with relevant title clean-up. Proof of update within 30 days of closing
- vi. Surveys (including GIS shapefiles)
- vii. Appraisals intended for RRCT and/or the landowner. If letter of opinion used, justification for foregoing USPAP appraisal
- viii. Written communication from RRCT to landowner regarding tax deduction information
- ix. IRS Form 8283 and gift acknowledgment letter
- x. Environmental assessments
- xi. Investigation of pass-through entity, if applicable

Stewardship

- i. Fee Simple management plans
- ii. Fee Simple inspection reports
- iii. Conservation easement monitoring reports
- iv. Contracts and leases for long term management activities
- v. Conservation easement stewardship records, including substantive notices, approvals, denials, interpretations, exercise of significant permitted rights
- vi. Correspondence related to enforcement, violations, encroachment, etc.

Transfer, Sale, or Extinguishment of Conservation Interests

- i. Any important records recording the transfer, sale, or extinguishment of a RRCT conservation interest

NOTE: Saving all records for eternity is not best practice. Some records become irrelevant or merely confusing following the expiration of any audit periods, of the expiration of any foreseeable dispute. Our current impression is that land trust accreditation requires too much retention for indefinite periods. RRCT should at a later date review evolving best practices, and consider a purge of unnecessary old files.

11.6.g. Storage of Essential Records – Originals & Backups:

NOTE: Exact steps may change based on RRCT testing to find optimal workflow.

The original versions of essential land transaction records are permanently retained by the land trust. These original versions may originate in paper or electronic form. If originating from paper form, the original version must be scanned and stored as a PDF.

All original versions (paper-converted and electronic) shall be stored on an external RRCT hard drive. This hard drive remains off-site at a secure location where it is protected from daily use and secure from fire, floods, and other foreseeable hazards.

Within 30 days of closing, RRCT staff shall move all original versions to the external hard drive. Every 3 months, RRCT will audit the external hard drive and add any essential records that have been created in the previous 3 months.

Since essential records related to stewardship are created with more frequency and less predictability, RRCT will house essential records in a separate folder from daily working files within the land trust's

cloud file storage system (OneDrive as of 2022). Before or at the 3-month audit mark, RRCT will add these essential records to the external hard drive.

Twice a year, it is recommended essential records are backed up onto a second external hard drive, which is stored at a separate location than the primary external hard drive. All paper deeds and title insurance are stored as further backups at RRCT's attorney office or in fireproof storage.

Because RRCT's due diligence and recordkeeping standards have evolved over time, older projects may be missing essential records, signatures on essential records, or original versions of essential records.

11.6.h. Storage of Essential Records – Working Files:

NOTE: Exact steps may change based on RRCT testing to find optimal workflow.

RRCT's daily operations shall make use of a cloud file storage system (OneDrive as of 2022). RRCT's cloud storage shall provide RRCT staff and other pertinent parties access to records for daily land trust operations. These records include copies of essential land transaction records. Several examples of non-essential land transaction records are due diligence checklists, stewardship checklists, project scoring and site visits, and certain fundraising contracts.

Noted in policy above, a separate folder from day-to-day operations shall be located in RRCT's cloud file storage system where essential land transaction records are added as they are created or received. RRCT's 3-month essential record audit shall add these new essential records to RRCT's primary hard drive.

RRCT's cloud file storage system shall retain file backups for a 30-day period.

11.7. Transfer, Amendment, Other Diminution of Holdings:

Adopted October 25, 2022

Any transfer, amendment, disposition, or extinguishment of any RRCT conservation interest is highly unusual and requires specific review under RRCT bylaws, recorded deeds, federal law, and state law. RRCT's "trust" is to maintain its conservation interests in perpetuity, thus any change should come with the highest scrutiny. Simple grants of an easement across RRCT land, as an example, may trigger multiple legal conservation concerns. Legal analysis must involve the following:

- i. Review by counsel of deeds and surveys, for any relevant provision, especially funder or donor covenants.
- ii. Review of all internal files, for any sensitivities – even those not recorded in deeded language.
- iii. Review of the transaction under RRCT's bylaws, which require supermajority concurrence from RRCT's full membership following specific notice, for the broadest range of dispositions. RRCT's bylaws require exceptional process even for a transfer to another conservation entity.
- iv. Review of the transaction under RRCT's bylaws, which require heightened process even for disposition of designated "investment" properties.
- v. Strict review of all policy and law on conflict of interest.
- vi. Review of the transaction under the requirements of the Internal Revenue Code. No real estate may be transferred, exchanged, encumbered or in any other way alienated in such a manner that it fails to meet the requirements of the Internal Revenue Service Code of 1954, as amended, and the regulations issued thereunder for a corporation qualifying as an exempt organization under the provisions of Section 501(c)(3) of said

Code and regulations as they now exist or may hereafter be amended. Especially, RRCT as a non-profit may not give property interests away, or give steep discounts, to a private entity, even if the private entity is sympathetic.

- vii. Review of the transaction under the requirements of IRS Form 8282 and its instructions.
- viii. Review of the transaction under the terms of Maine law, especially the Maine Conservation Easement Act, which might require express concurrence of the Maine Attorney General or judicial action.
- ix. Establish protections as necessary if transferring conservation land or conservation easements.

11.8. Partnerships:

Adopted October 25, 2022

11.8.a. Partnership Selection: RRCT may partner with municipalities, conservation entities, or other community partners for a variety of reasons. RRCT often forms land transaction partnerships when multiple organizations are needed to complete a project, when another partner is better suited to lead the project, or when anticipated management needs necessitate bringing in a partner during the pre-acquisition of conservation interests.

11.8.b. Clarifying Roles & Expectations: Should a partnership be needed for a land transaction project, it is recommended to possess a written agreement (e.g. memorandum of understanding) between RRCT and its partner(s). This written agreement clarifies the goals of the project, the roles and responsibilities of each party, any legal and financial arrangements, and communication protocols, most notably for the landowner and public.

NOTES:

RRCT's Bylaws ARTICLE XII includes a provision requiring supermajority membership vote prior to a broad range of real estate transactions which might alienate conservation values. These notes in this policy document are the only record of these designations, other than the minutes of several board meetings. In addition to now-completed transactions that benefited from supermajority authorization:

- At its September 2022 annual meeting the RRCT membership approved a transfer of the Big Falls Preserve in New Gloucester and Auburn to the Maine Bureau of Parks & Lands.

ARTICLE XII further provides that membership votes shall not be required for alienation of interests in unrestricted land held exclusively for investment purposes. In addition to now-completed disposition of properly designated investment parcels:

- By resolutions adopted September 13, 2016, and July 17, 2018, the RRCT Board of Directors designated three acquisitions (completed in 2017 and 2018, now all parts of RRCT's Intervale Preserve, formerly Shepard-Thompson, Chandler Brothers, and Rider-Opportunity Farm parcels) as land held exclusively for investment purposes. On July 30, 2019, those designations west of the CSX tracks were revoked by Resolve of the Board of Directors, due to the conservation expectations of the Selectmen as the Selectmen voted to donate more land west of the tracks to RRCT.

- By resolutions adopted September 24, 2019, the RRCT Board of Directors addressed two acquisitions intended for RRCT transfer to Maine DIFW abutting DIFW's Thurston Marsh off Woodman Road in New Gloucester.

Section 12. Stewardship

NOTE: RRCT's board also maintains Stewardship Key Principles and Stewardship Standard Practices guidance documents published at RRCT.org/stewardship. These guidance documents in turn inform board-level adoption of parcel-specific management plans.

Section 12.1. Tobacco-Free Policy.

Adopted February 28, 2012.

Purpose: The purpose of this policy is to protect, preserve, and promote the health, safety, welfare, and quality of life of the guests and employees of RRCT, and to reduce fire and litter risks on properties owned or managed by RRCT.

Policy: No person(s) shall use/partake of any form of tobacco on any RRCT preserve or RRCT conservation land. This policy does not apply to those lands on which RRCT holds a conservation easement but not fee ownership.

Notice & Enforcement:

- 1) RRCT has limited resources for enforcement, but may post prohibition notices on properties, in print material, or on websites. Prohibition notices – if any – shall be within the context of best practices for informational signage and should not unduly clutter kiosks or other signage installations.
- 2) For any person(s) who violate this policy, RRCT staff and board members and their appointed designees shall request that the person(s) cease their violating practice immediately in the form of a verbal warning. If the person(s) refuse to cease, designees authorized by the same authority may request that the person leave the designated area. The refusal of any person(s) to leave such an area as requested may be considered a trespass in accordance with State of Maine law.

Practice A: “Criteria Checklist” of the Lands Committee

Acknowledged by the board as a guideline, February 28, 2012. These guidelines may be subsequently amended by the Lands Committee, and updated in this comprehensive Policies & Practices document, without future Board votes.

Royal River Conservation Trust
Criteria Checklist

PROPERTY AND REVIEW INFORMATION

Property Name: _____ Date: _____

Primary Contact: _____ Reviewed by: _____

Property Description: _____

_____ Map ___ Lot ___ Acreage _____

Lands Committee Approval: YES NO Board Decision: _____

PHASE I

RRCT CRITERIA	POINTS	TOTAL	NOTES
Large Undeveloped Area (select one)			
1. 10-19 acres	1		
1. 20-39 acres	2		
1. 40-99 acres	4		
<input type="checkbox"/> 100+ acres	5		
Connectivity to Protected Lands (select one)			
<input type="checkbox"/> Within ¼ mile of currently conserved land,	1		
<input type="checkbox"/> Abutting conserved land	3		
<input type="checkbox"/> Connecting parcel between 2 conserved properties	5		
Identified within RRCT’s Conservation Plan			
<input type="checkbox"/> The property is within RRCT’s focus areas as identified in the Conservation Plan.	5		
<input type="checkbox"/> The property is similar in character to focus areas identified in the plan but is not included itself.	4		
Natural Resource Values (select all that apply)			
<input type="checkbox"/> Protection of freshwater resource (pond, lake, stream)	4		
<input type="checkbox"/> Protection of groundwater resource/aquifer	3		
<input type="checkbox"/> Prime agricultural soils	4		
<input checked="" type="checkbox"/> Inland wading bird and/or waterfowl habitat	3		

• Protection of significant forests	1		
• Working farmland	3		
• Protection of wetlands and vernal pools	3		
• Edge habitat (fields/forest or upland/shoreline)	3		
• Coastal and marine resource	5		
Public Access values (select all that apply)			
• Continue/restore traditional low impact recreational uses by the community	5		
• Access for low impact recreational uses	4		
• Coastal Access	5	•	•
Scenic values (select all that apply)			
• Open fields	3		
• High elevation vista	3		
• Scenic views	3		
• Historic view	3		
• And Visible from public road or water	3		
Historic/Cultural values (select all that apply)			
• Protection of a section of a village	1		
• Archeological feature	2		
• Historic building/place	2		
Total Score:			

Significant sand and gravel aquifers can be seen on Google Earth. Can reach a total of xx points; less than 10 points, consider not accepting (depending upon other factors, including public benefit & feasibility)

PUBLIC BENEFIT (IRS STANDARDS)

YES NO

N/A

Provides public access to land or water for outdoor recreation and/or educational use			
Contains important natural features, including but not limited to: <ul style="list-style-type: none"> • Exemplary natural communities identified by MNAP • Inland wading bird and/or waterfowl habitat • Significant wetlands • Wildlife habitat 			
Contains habitat for federally or state listed endangered species or species of concern (as noted on BWH maps)			
Provides natural scenic values and is visible from public lands, roads or water (preservation of open space)			
Is an active farm or has the potential (preservation of open space)			
Contains prime agricultural soils defined by NRCS			
Is a productive working forest or has the potential (preservation of open space)			

Protection contributes to the furtherance of a clearly delineated federal, state or local conservation plan or policy. (refer to Comprehensive Plan and Maine Statutes)			
Preserves a historically important land area or certified historic structure			

MNAP: Maine Natural Area Program. Significant: resources mapped on Beginning with Habitat maps. NRCS: Natural Resources Conservation Service. Preservation of open space: public benefit category under the IRS Code.

At least two of the above public benefit tests must be met, or the Lands Committee should explain why RRCT should invest effort in a project that has limited public benefit. Explanation if needed:

PHASE II ASSESSMENT

FEASIBILITY (TO BE EVALUATED THROUGH THE COURSE OF THE PROJECT)

YES No

N/A

RRCT has the financial resources to accept the donation or complete the purchase of the conservation interest			
RRCT has estimated the stewardship costs and determined that the easement or deed can be monitored and managed in perpetuity without irreversible depletion of RRCT's financial or human resources			
The natural resources of the property have not been substantially degraded, or there is a feasible restoration plan			
Hazardous wastes have not been identified on the property and it is free of other waste, dangerous structures or other burdens or there is a plan to address these concerns			
The easement or deed is not encumbered by rights (including mineral, development or water) reserved by the grantor that diminish the property's conservation values, or inhibit RRCT's ability to protect or use the property.			
The property has legal access. (access for RRCT to monitor the property-not the same as public access)			
The property can be protected by RRCT with reasonable effort in relation to the property's conservation value. <ul style="list-style-type: none"> • There are no significant defects or problems in the title • There are no property encroachments or boundary disputes • Well-defined and prominent features mark the boundary; or either the landowner or the land trust can cover the cost of survey and/or boundary agreement 			
Protection by RRCT is the most effective way to achieve conservation and there is no other more qualified conservation organization available to better conserve this land			
There are positive community-based implications with accepting this easement or deed, such as: <ul style="list-style-type: none"> • Is supported by a substantial number of residents in the community • The public benefit is clearly evident to the community (such as a scenic view is readily visible or accessible to the public) • Has educational value to the community • Its protection is consistent with traditional land use • Is supported in the Town Comprehensive Plan • Forming and using Partnerships with other entities to enhance RRCT effectiveness 			

<p>There are no legal, ethical or public image problems associated with the acceptance of this property.</p> <ul style="list-style-type: none"> • No conflict of interest on the RRCT Board of Directors or others directly associated with the organization • Does not jeopardize IRS 501(c)(3) status • Does not impose a negative economic impact on the community that outweighs its public benefit • Is not part of a controversial or inappropriate land development proposal 			
---	--	--	--

If any of the feasibility criteria are no, the Lands Committee should explain specific measures to be taken that will make acceptance of the project feasible. Explanation if needed:

THE BOARD’S DISCRETIONARY ROLE:

All the preceding notwithstanding, the Board of Directors retains discretion over acquisition or disposition and will evaluate each project and proposal on its own merits after careful investigation of the property, its resources, and its public benefit.