



# Albemarle County

## Legislation Details (With Text)

**File #:** 20-518      **Version:** 1      **Name:**  
**Type:** Report      **Status:** Public Hearing  
**File created:** 9/28/2020      **In control:** Board of Supervisors  
**On agenda:** 11/4/2020      **Final action:**  
**Title:** Appalachian Power's Request for Easement (Former Keene Landfill). To consider granting an easement to Appalachian Power Company across the former Keene Landfill property owned by the County (TMP 12900-00-00-002A0). The easement has been proposed to provide residential electrical service to the adjacent property (TMP 12100-00-00-05800).  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Att.A - Appalachian Power's Request for Easement TMP 12900-00-00-002A0, 2. Att.B - Property Deed dated May 21, 1998, 3. Att.C - Appalachian Power's Payment Letter dated August 27, 2020, 4. Att.D - Resolution

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 11/4/2020

**TITLE:**  
Public Hearing to Consider Appalachian Power's Request for Easement (Former Keene Landfill)

**SUBJECT/PROPOSAL/REQUEST:** Public hearing to consider the approval of Appalachian Power's request for an easement across a portion of the former Keene Landfill property (TMP 12900-00-00-002A0)

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Henry, Kamptner, Stewart, Herrick, Freitas

**PRESENTER (S):** Michael Freitas

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Appalachian Power has requested an underground easement (Attachment A) on County-owned Parcel 12900-00-00-002A0, a portion of the former Keene Landfill. The landfill was in operation from 1968 to 1990. Closure activities were completed in 1994 and were followed by a 10-year post-closure care period, which ended on November 16, 2007.

Virginia Code § 15.2-1800(B) requires a public hearing for this proposed disposal of County property.

**STRATEGIC PLAN:** Infrastructure Investment: Prioritize, plan, and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

**DISCUSSION:** The proposed easement would allow Appalachian Power to bring electrical service to the adjacent parcel 12100-00-00-05800. The County purchased the proposed easement location in 1998 as a buffer to improve its ability to maintain and protect the landfill. The deed conveying the property to the County (Attachment B) also included a right-of-way for access by the owners (and their successors) to Parcel 121-00-00-05800.

The proposed easement follows the course of that right-of-way and would not further impact the County's use of the property. Based on County assessments, staff determined that \$187.19 was a fair and reasonable value of this proposed easement. Appalachian Power's customer has agreed to pay that amount (Attachment C).

**BUDGET IMPACT:** Approving the easement would result in \$187.19 of revenue.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the easement and authorizing the County Executive to sign the easement agreement.

**ATTACHMENTS:**

Attachment A - Appalachian Power's Request for Easement TMP 12900-00-00-002A0

Attachment B - Property Deed dated May 21, 1998

Attachment C - Appalachian Power's Payment Letter dated August 27, 2020

Attachment D - Resolution