



# Albemarle County

## Legislation Details (With Text)

**File #:** 20-426      **Version:** 1      **Name:**

**Type:** Report      **Status:** Public Hearing

**File created:** 7/28/2020      **In control:** Board of Supervisors

**On agenda:** 10/7/2020      **Final action:**

**Title:** Public Hearing to Consider Appalachian Power’s Request for Easements Across the Yancey School Community Center Property. To receive public comment on its intent to consider granting two easements to Appalachian Power Company across the Yancey School Community Center property owned by the County (TMPs 128A2-00-00-01800 and 128A2-00-00-02200). The easements have been proposed to upgrade the local power grid.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Appalachian Power's Request for Easement TMP 128A2-00-00-01800, 2. Att.B - Appalachian Power's Request for Easement TMP 128A2-00-00-02200, 3. Att.C - Aerial Map detailing Proposed Easements and Current and Replacement Transmission Lines, 4. Att.D - AEP presentation

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 10/7/2020

**TITLE:**

Public Hearing to Consider Appalachian Power’s Request for Easements across the Yancey School Community Center property

**SUBJECT/PROPOSAL/REQUEST:** Conduct a public hearing to receive comments on Appalachian Power’s request for easements on County property known as Yancey School Community Center (TMPs 128A2-00-00-01800 and 128A2-00-00-02200)

**ITEM TYPE:** Regular Action Item

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

**PRESENTER (S):** Michael Freitas

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Appalachian Power (APCO or AEP) has requested easements (Attachments A and B) on County owned property, parcels 128A2-00-00-01800 and 128A2-00-00-02200, commonly referred to as the Yancey School Community Center. Appalachian Power is planning to upgrade the local power grid by rebuilding approximately six (6) miles of transmission line and upgrading one of its substations located in Albemarle County. Appalachian Power is seeking to supplement existing easements to meet updated standards for the safe construction, operation, and maintenance of the new transmission line. The supplemental easements would update the existing “blanket” easements by defining a specific right-of way width (Attachment C). Appalachian Power is offering a payment of \$1,500.00 for each of the two easements.

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

**STRATEGIC PLAN:** Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** These two parcels, totaling 11.57 acres, are the site of the Yancey School Community Center and associated waste-water treatment facility. The proposed easements follow the general course of an existing overhead transmission line and would not further impact the use of the property. The \$3,000.00 (total) payment by Appalachian Power is deemed fair and reasonable.

Staff's analysis of this request has focused primarily on the proposed property conveyance. However, staff is also mindful of the Board's interest in electric transmission facilities. At staff's request, AEP has provided initial conceptual renderings of the proposed line (Attachment D).

Because County Code § 18-10.2.2(6) would require a special use permit (SP) for the proposed facilities, the Board will have an opportunity to review their final design as part of the SP application process. However, under County Code § 18-33.32(A), AEP cannot apply for its SP without either an easement or the owner's consent, creating a potential procedural closed loop.

If the Board has concerns about the final design of these facilities, it could defer consideration of the property conveyance until final design could be considered as part of an SP application. However, for the application to even be considered under that scenario, the Board would have to authorize either the County Executive or AEP to submit the SP application on the County's behalf.

**BUDGET IMPACT:** Approving the easements would result in \$3,000.00 in total revenue.

**RECOMMENDATION:**

After conducting a public hearing on the proposed easements, staff recommends that the Board approve the requests for easements and authorize the County Executive to sign the easement agreements.

Alternatively, if the Board has concerns about the final design of these facilities, staff recommends that the Board defer consideration of the property conveyance until final design can be considered as part of an SP application. In that event, staff recommends that the Board authorize the County Executive to submit the SP application on the County's behalf.

**ATTACHMENTS:**

- A - Appalachian Power's Request for Easement TMP 128A2-00-00-01800
- B - Appalachian Power's Request for Easement TMP 128A2-00-00-02200
- C - Aerial Map Detailing Proposed Easements and Current and Replacement Transmission Lines
- D - AEP Presentation