



Albemarle County

Legislation Text

File #: 17-170, **Version:** 1

AGENDA DATE: 2/8/2017

TITLE: Acquisition of Conservation Easements (ACE) Appraisals and Purchases for FY 2016 Applicant Class

SUBJECT/PROPOSAL/REQUEST: Request approval of appraisals and purchases of two properties from FY 2016 ACE applicant class

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Foley, Walker, Kamptner, Herrick, Gast-Bray, Maliszewski, Goodall

PRESENTER (S): N/A

LEGAL REVIEW: Yes

REVIEWED BY: Douglas C. Walker

BACKGROUND:

Under County Code § A.1-111(A), the Board determines which open-space easements to purchase under the County's Acquisition of Conservation Easements (ACE) program: "From the list of applications received under section A.1-110(D), the board of supervisors shall designate the initial pool of parcels identified for conservation easements to be purchased. The size of the pool shall be based upon the funds available for easement purchases in the current fiscal year and the purchase price of each conservation easement in the pool established under section A.1-111(B)." If any applicants withdraw from consideration, other applicants may be substituted until the eligible applicants or available funding is exhausted.

On May 4, 2016, the Board adopted the ACE Committee's recommendation to appraise all five eligible properties from the FY 2016 applicant pool: Brigish, Moon, Evans, Gladys Clarke and Paul Clarke. (See Attachment A for ranking evaluations and ranking criteria). Easements on the top two ranked properties, Brigish and Moon, were acquired on December 19, 2016.

After acquiring the Brigish and Moon easements, the County has now acquired easements on 48 properties and protected open-space resources on 9,284 acres. These easements cost approximately 80% of appraised easement value due to the use of grants and donations, and adjustments to price based on owner income.

The owner of the third-ranked easement (Evans) from the FY 2016 applicant pool withdrew her property from consideration, leaving enough funding to acquire one or both of the two remaining Clarke easements. On January 8, the ACE Committee approved the two Clarke appraisals and recommended inviting Gladys Clarke and Paul Clarke to make written offers to sell conservation easements to the County.

STRATEGIC PLAN:

Natural Resources: Thoughtfully protect and manage Albemarle County's ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations

Rural Areas: Preserve the character of rural life with thriving farms and forests, traditional crossroad

communities, and protected scenic areas, historic sites, and biodiversity.

DISCUSSION: After closing on the Brigh and Moon easements in December, the total funding now available for other FY 2016 easement acquisitions is **\$664,686** plus an additional \$86,950 from a recently awarded Virginia Farmland Preservation grant (See Attachment B - "ACE Budget for FY 2016"). These unused grant funds are held by the state Office of Farmland Preservation (OFP) in a restricted account for up to two years, until the County submits a Reimbursement Claim Form for 50% of the total acquisition costs.

Because Gladys Clarke's property is the higher ranked of the two remaining properties, Ms. Clarke would be the first to receive a full price offer of \$555,000. Any remaining funds after that (approximately \$196,636) could be used to acquire the Paul Clarke easement, though for less than the full appraised value of \$357,000.

BUDGET IMPACT: Funding for the purchase of these conservation easements would be paid for from existing funds in the CIP-Planning-Conservation budget (line-item 9010-81010-580409) and grants from the Virginia Office of Farmland Preservation (OFP).

RECOMMENDATION: The ACE Committee and staff recommend that the Board:

- 1) Authorize staff to invite Gladys Clarke and Paul Clarke to make written offers to sell conservation easements to the County for no more than:
 - * \$555,000 for the Gladys Clarke easement

* any remaining funds for the Paul Clarke easement, not to exceed the appraised value of \$357,000;

- 2) Accept offers from either or both of these owners to sell conservation easements for no more than the above amounts; and
- 3) Authorize the County Executive to sign on behalf of the County the Deeds of Easement and related forms for either or both of these two easements once such documents are approved by the County Attorney.

ATTACHMENTS:

- A - ACE Ranking Order for FY 2016, ranking evaluations and ranking criteria
- B - ACE Budget for FY 2016