



# Albemarle County

## Legislation Text

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**File #:** 17-510, **Version:** 1

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**AGENDA DATE:** 10/4/2017

**TITLE:**

Acquisition of Conservation Easements (ACE) Appraisals and Purchases for FY 17 Applicant Class

**SUBJECT/PROPOSAL/REQUEST:** Request approval of appraisals and purchases of two properties from FY 17 ACE applicant class

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** 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 June 7, 2017, the Board adopted the ACE Committee's recommendation to approve the final ranking order for the FY 17 applicant pool and to appraise the two remaining eligible properties: Kerley and Earnhardt. Two higher ranked applicants (Bloch and Robertson) withdrew from the program late to pursue other options. (See Attachment A for criteria scoring). Following the Board's June 7 action, the Kerley and Earnhardt properties were appraised at \$330,000 and \$248,000, respectively. Pursuant to County Code § A.1-106(B), the Appraisal Review Committee (ARC) then reviewed those appraisals to assure that they were consistent with appropriate appraisal guidelines and practices. Following that review, the ARC adjusted the Kerley property's appraised value to \$360,000. With that adjustment, the ARC is prepared to recommend these values to the Board. Though the ARC valued the Kerley property at \$360,000, the County would pay an adjusted value of \$122,400 for this easement, based on the income grid in County Code § A.1-111.

After two new acquisitions last winter, the County has now acquired easements on 48 properties and protected the open-space resources on 9,284 acres. The County has acquired these easements at a cost that is 20% less than the appraised easement value using of grants and donations, and adjustments to price based on owner income.

**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:** Both properties under consideration (Kerley and Earnhardt) scored enough points to be eligible for ACE funding. With \$704,271 of County funding available for this class (carry-over and reimbursements from Virginia Department of Agriculture & Consumers Services (VDACS) Farmland Preservation), \$48,293 left over from a 2017 VDACS Farmland Preservation grant, and \$250,000 from the FY 16 appropriation, the County has enough funds to acquire easements on both properties. The large carry-over resulted when three applicants from last year's class withdrew after receiving the County's invitations to sell the County an easement. The acquisition of easements on the current two properties would eliminate 19 development rights and protect:

- 1) 327 acres of farm and forest land
- 2) approximately 2,100 feet of state road frontage, including 300 feet on Route 53
- 3) approximately 2,000 feet of riparian buffers
- 4) 159 acres of "prime" farm and forest land
- 5) two working family farms
- 6) one property in the Southern Albemarle Rural Historic District

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

**RECOMMENDATION:**

The ACE Committee and staff recommends that the Board:

- 1) Authorize staff to invite Kerley and Earnhardt to make written offers to sell conservation easements to the County for no more than: an income adjusted value of \$122,400 for the Kerley easement and full value of \$248,000 for the Earnhardt easement;
- 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 the Deeds of Easement and related forms on behalf of the County for either or both of these two easements once such documents are approved by the County Attorney.

**ATTACHMENTS:**

- A - ACE Scorecard for FY 17 Applicant Class
- B - ACE Budget for FY 17 Applicant Class