

**Fluvanna County
Agricultural/Forestral Districts Advisory Committee
Minutes**

*Wednesday, June 13, 2012
2:00 p.m.*

MEMBERS PRESENT: Andrew M. "Mel" Sheridan, Commissioner of Revenue
Patricia Eager
David Haney
Laura Lee
Kent Loving
Deborah Murdock
Andrew Sorrell (Arrived at approximately 2:10 PM)

MEMBERS ABSENT: Tom Barnes

STAFF PRESENT: Donald W. Weaver, BOS Representative
Andrew Pompei, Planner
Allyson Finchum, Planning & Zoning Administrator
(Arrived at approximately 2:20 PM)

CALL TO ORDER

Chairman Sheridan called the Agricultural/Forestral Advisory Committee meeting of June 13, 2012 to order at 2:00 p.m.

Election of Chairman

Chairman Sheridan opened the floor for nominations for the position of Chairman.

Mr. Loving nominated Chairman Sheridan to remain as Chairman. Chairman Sheridan was re-elected Chairman with a vote of six (6) to zero (0). AYES: Eager, Haney, Lee, Loving Murdock, and Sheridan. NAYS: None. ABSENT: Barnes and Sorrell.

Mr. Sorrell arrived at the meeting following the vote for the position of Chairman, at approximately 2:10 p.m.

Election of Vice-Chairman

Chairman Sheridan opened the floor for nominations for the position of Vice-Chairman.

Mr. Haney nominated Ms. Eager for the position of Vice-Chairman. Ms. Eager was elected Vice-Chairman with a vote of seven (7) to zero (0). AYES: Eager, Haney, Lee, Loving Murdock, Sorrell, and Sheridan. NAYS: None. ABSENT: Barnes.

Election of Secretary

Chairman Sheridan explained that the position of Secretary has traditionally been held by a staff member from the Planning Department. Due to Ms. Finchum's absence, the Advisory Committee should consider deferring nominations for the position of Secretary until the end of the meeting.

Members of the Advisory Committee agreed to defer nominations for the position of Secretary until the end of the meeting.

APPROVED MINUTES

Mr. Loving suggested that the word “conservation” on the bottom of the first page of the minutes be replaced with the phrase “perpetual conservation easement.”

Following questions from members of the Advisory Committee, Mr. Sheridan shared information regarding conservation easements in Virginia.

A motion was made by Mr. Haney and seconded by Mr. Loving to approve the minutes as amended, with the word “conservation” being replaced with the phrase “perpetual conservation easement.” The motion carried by a vote of five (5) to zero (0) to two (2); Ms. Eager and Mr. Sorrell abstained. AYES: Haney, Lee, Loving Murdock, and Sheridan. NAYS: None. ABSTAINED: Eager and Sorrell. ABSENT: Barnes.

AFD 02:03 – Review of the Riverside Agricultural and Forestal District (AFD)

Staff Report

Mr. Andrew Pompei, Planner, discussed the review process for the Riverside AFD, which expires on August 7, 2012. In May 2012, letters were sent to all property owners enrolled within the Riverside AFD, notifying them of the district’s expiration; property owners were asked whether or not they wanted their parcels to remain within the AFD. Based on the responses received, the Riverside AFD did not meet the size requirements set forth in Sec. 3.1-4 of the Fluvanna County Code.

Advisory Committee Discussion

Ms. Lee commented on Albemarle County’s Agricultural and Forestal (AFD) District program, stating that Albemarle County allows properties to remain in the program, even if the withdrawal of other properties causes the district to no longer meet the minimum size requirements.

Ms. Finchum arrived at the meeting at approximately 2:20 p.m. Ms. Finchum was introduced by Chairman Sheridan.

Chairman Sheridan noted that the majority of landowners within the Riverside AFD wanted to remain in the district, but the property owners with the largest holdings wanted to withdraw from the AFD Program.

Mr. Sorrell suggested that the Board of Supervisors consider waiving the application fee for property owners that want to remain with the AFD Program, but must leave because the district their properties are enrolled in no longer meets the minimum size requirements established by the Fluvanna County Code.

Ms. Murdock asked about the proximity of some of the outlying parcels in the district to other districts.

Chairman Sheridan commented on the benefits of Mr. Sorrell's suggestion regarding application fee waivers.

Ms. Finchum asked about the financial impacts associated with participating in the AFD program.

Chairman Sheridan explained the relationship between land use taxation and the AFD program. He also described the instances in which participating landowners may be required to pay rollback taxes.

Ms. Lee explained the process Albemarle County uses for land use valuation.

Motion

A motion was made by Ms. Eager and seconded by Mr. Sorrell to recommend to the Fluvanna County Planning Commission and the Fluvanna County Board of Supervisors that the Riverside Agricultural and Forestal District **be terminated** following its expiration on August 7, 2012, since the district no longer meets the minimum size requirements set forth in Sec. 3.1-4 of the Fluvanna County Code. The motion carried by a vote of seven (7) to zero (0). AYES: Eager, Haney, Lee, Loving Murdock, Sorrell, and Sheridan. NAYS: None. ABSENT: Barnes.

Other Business

Waiving Application Fees in Certain Instances

The Advisory Committee discussed Mr. Sorrell's previous suggestion that the Board of Supervisors consider waiving the application fee for property owners that wish to remain within the AFD Program, but must leave because the district their properties are enrolled in no longer meets the minimum size requirements established by the Fluvanna County Code.

A motion was made by Ms. Eager and seconded by Ms. Murdock to recommend that the Board of Supervisors consider waiving the Agricultural and Forestal District (AFD) application fee in instances when an existing district is terminated for not meeting the minimum size requirements set forth in Sec. 3.1-4 of the Fluvanna County Code, due to participating landowners withdrawing property during the review process.

Ms. Murdoch asked that landowners be notified if the Board of Supervisors chooses to waive the application fees, based on the Advisory Committee's suggestion.

Mr. Loving questioned whether affected landowners would be interested in rejoining the AFD Program, even if they were notified.

Ms. Finchum suggested that a time frame be defined, during which eligible landowners may have the application fees waived. She also suggested that all applications with reduced fees be considered at the same time, to reduce advertising costs.

Ms. Eager amended the previous motion to recommend that eligible landowners only be able to receive an application fee waiver within six months of being notified of the termination of the

district. The revised motion recommends that the Board of Supervisors consider waiving the Agricultural and Forestal District (AFD) application fee in instances when an existing district is terminated for not meeting the minimum size requirements set forth in Sec. 3.1-4 of the Fluvanna County Code, due to participating landowners withdrawing property during the review process, provided that eligible property owners may only have application fees waived if they apply to re-enter the AFD program within six months of receiving notification of the previous district's termination. The motion passed with a vote of seven (7) to zero (0). AYES: Eager, Haney, Lee, Loving Murdock, Sorrell, and Sheridan. NAYS: None. ABSENT: Barnes.

Other Discussion

Mr. Sorrell asked that a question on the landowner response form be added that allows landowners that do not wish to remain within the AFD program to explain their reasons for withdrawing from the district.

The Advisory Committee discussed the time of the meeting and decided that the meeting time should remain at 2:00 p.m.

Mr. Sheridan re-introduced Ms. Finchum, who explained her professional background.

Mr. Haney spoke about planning issues in neighboring Buckingham County.

Election of Secretary

Mr. Sheridan asked Ms. Finchum if staff from the Planning Department should be nominated for the position of Secretary, an issue that had been deferred from the beginning of the meeting.

Mr. Sorrell nominated a designee of the Planning and Zoning Administrator for the position of Secretary and was seconded by Ms. Eager. A designee of the Planning and Zoning Administrator was elected for Secretary with a vote of seven (7) to zero (0). AYES: Eager, Haney, Lee, Loving Murdock, Sorrell, and Sheridan. NAYS: None. ABSENT: Barnes.

ADJOURNMENT

There being no further business, on a motion by Ms. Eager, seconded by Mr. Loving, Chairman Sheridan adjourned the Agricultural/Forestal District Advisory Committee meeting of June 13, 2012 at 3:02 p.m.