



Region 2000 Services Authority

Location
Campbell County Technical Center

Date | Time
November 15, 2017
5:30 p.m.

Public Comment Meeting

Welcome

Frank Rogers welcomed everyone and opened the meeting at 5:30 p.m. Mr. Rogers explained that this meeting would be primarily a listening session, with concerns taken back to the full Service Authority Board on November 29th.

Mr. Rogers asked Gary Christie to go through a timeline leading up to the present, and to summarize the ten key points that are the substance of the Property Value Protection Plan currently on the table.

Mr. Rogers presented the reasoning behind the ten key points in the draft PVPP.

Comments from the Community

1. Eric Barringer, Chair of the Citizens Committee for the Property Value Protection Program: Mr. Barringer stated that previous input from the committee has been ignored, and is unacceptable for the following reasons:
 - January 2015 would be a more reasonable date for the end of the program
 - Rental property should not be excluded from the program
 - Heirs should be able to use the program as long as it is once per parcel
 - Recommended a cap based on percentage basis
 - Should not be based on County assessed value
 - Program should not end after three years, but be effective as long as the landfill is operating, as there will always be some impairment of values
2. Nina Thomas:
 - Land was purchased as a retirement investment; however, a parcel they expected to sell for as much as \$100,000 may not even bring them \$35,000.00
 - Considers the proposed plan totally ineffective and of no value to property owners
3. Jon Hardie
 - Considers the plan to serve Region 2000 very well, but promises nothing to property owners – no payments if there is no funding is a wide open loophole.
 - Terminating after three years from inception or other time at discretion of the Services Authority allows total flexibility and is unacceptable
 - Boundaries should start at the property edge of the landfill, not working face
 - Mobile homes should also qualify for the PVPP

- All property owners should be able to access the program
 - One year ago suggested compensation was at \$50,000 maximum; in one year it decreased to \$20,000.00
 - Region 2000 should be respectful of the community
4. Gene Steele
- Retirement is based on rental properties; rental property should qualify for the program
 - Eligible properties should extend for as far as the odor travels
 - The proposed plan is not citizen friendly
5. Joel Barringer
- Citizens' draft plan was ignored
 - No money has been budgeted so far; the Authority is not proactive
 - Plan needs to be in place as long as the landfill is operating
 - Funds should be based on appraisals rather than County assessment, which is already reduced
6. Bill Carwile
- Takes about three or four years in a new cell in a landfill for landfill gas to start working and become a problem
 - Odor issues are more tolerable, but will come back; what guarantee can be made that the odors will not come back?
 - Authority needs to do something
7. Erin Harre
- \$20,000.00 does not cover loss in property value
 - Three years is not long enough for length of plan
 - Fund must be made available
 - Plan is an embarrassment
8. Clay Stanley
- Has Bennett property on three sides
 - \$20,000.00 does not cover property value loss
 - Should not have to make a decision in three years to benefit from the plan
 - What is the long range plan, past 2029?
 - The Authority should pay for declining property values
9. Joyce Dixon
- Biggest concern is health issues
 - Concerned with Roanoke trash
10. Robert Thomas
- Citizens have not benefitted from the landfill as other jurisdictions have
 - Community should be compensated
11. Carla Bales
- No guarantees or protection in the plan

- This is not a protection plan

12. Robert Day

- Has problem with “one time only payment”

Comments submitted by Email

1. Good Morning Gentlemen,

I am working night shift and am exhausted, therefore, I will not be in attendance. You know how I feel about the landfill, the negative impact it has on daily life (I can hear the trucks bouncing across the scales now), and the obligations I believe Campbell County and Region 2000 have to those living in proximity to the landfill due to poor planning and execution. Living next to these operations is not the end of the world, but at times it certainly has looked, sounded and smelled like it. Please begin steps to end the burden we have shouldered in Campbell County and set in place a mechanism to make right those that have been or could be financially punished by the actions of committees and boards in the name of public good.

Regards,
Don Barnett

2. Dear Sirs:

Unfortunately, I cannot attend the meeting tonight but have many concerns over the proposed “property protection plan”. As the crow flies, I believe I would be one mile from the landfill, yet, the map is not clear as to who exactly is within that one mile. The plan doesn’t look like it will adequately cover anyone. I have concerns of how the landfill is affecting and will affect my water, as I am still on well-water. Certainly the downward spiral of property value is of great concern and your method of calculating a home value is questionable.

The exclusion of homes which have a business? Why?

Mobile homes excluded? Why?

Why is it limited to one mile?

Having grown up in Campbell County, it is hard to believe the dump was turned into a landfill that is available to surrounding counties and Lynchburg. It is unbelievable that this has happened to Rustburg. I hope those in charge will consider the people and the impact this has had on their personal and financial lives.

Respectfully,
Rose Peak

3. Ashleigh Taylor:

Ashley Taylor called to encourage the Authority to include vacant land in the types of property eligible to participate in the property value protection program.

The Taylors bought Lot #9 in the Poplar Ridge Subdivision but did not build there because of the landfill. They have had the lot on the market for 2-3 years, lowered the price by \$9,000, but still not able to sell. Ashley suggests that the Property Value Protection Program include vacant property/raw land so that they would recoup some of their investment when they sell their property at a loss.

4. From Richard (Dicky) White:

Proposal #8

*Repeated in 2.5 of new proposal "is subject to funds available" Concern that Service Authority is controlling money available and that if these "budgeted" funds run out, eligible property owner ends up with nothing!

Proposal #9

*Would be open for a period not to exceed 3 years.

Concern on wording "period not to exceed 3 years" Two thoughts here. Service Authority under paragraph 4.0 states "program shall terminate after three years or upon such other time as the Service Authority determines in its sole discretion to terminate the property value program" Why is this worded "not to exceed" ? Should state a specific time.

Why is this limited to three years. Property values will be affected for as long as the landfill is here, which is now longer than originally agreed upon.

7/17/17 Draft Definition of terms 2.2

"as long as funds are specifically budgeted and available" Again concern over possible intentional under budgeting funds and who is controlling this ... process.

Definition of terms 2.5

"in the event a closing occurs for an eligible property under the program and there are insufficient funds to pay the amount of compensation due under the program, the eligible property owner will be paid the amount that is due or remaining when and if additional funds are paid into the program. There will be no funding if there is no funding appropriated". Major concerns on eligible property owners not being compensated due to poor budgeting.

Definition of terms 3.0

"the Service Authority may enter into an agreement with eligible property owner to purchase their property outside of this program". Should not be allowed to deviate from program. Eligible property owners should not be subjected to the Service Authority going outside the original compensation agreed upon.

Definition of terms 4.0

"This property value protection program shall terminate after three years from inception, or upon such other time as the Service Authority determines in its sole discretion to terminate the property value protection program".

Why do you call this a "property value protection program" when eligible property owner are offered NO guarantee the program will exist or have funding when they need it!

Dicky White 11/14/2017
232 Greenhouse Road
Rustburg, Virginia 24588

5. From Eric Barringer: November 14, 2017

Mr. Gary Christie
Region 2000 Service Authority
361 Livestock Road
Rustburg, VA 24588

Dear Mr. Christie,

I am writing this letter to document my feedback on the proposed Property Value Protection Plan (PVPP) that was recently introduced by the Service Authority (SA). By way of summary, I am very disappointed by the content of the proposed Plan. It appears that the Service Authority has completely ignored all of the input previously provided by myself and the Citizens Group with respect to establishing an equitable PVPP for homeowners living near the regional landfill, including the detailed draft PVPP provided to you in August 2016. In fact, as mentioned in my previous letter, the proposed Plan is worse than the draft Plan issued by the Service Authority in April 2016.

I understand that the proposed PVPP was created with the idea that it might be the best Plan that will be affirmed by 3 of the 4 voting members of the Service Authority board. However, the Plan is completely unacceptable to the Citizens Group for reasons that will be detailed below. It is my hope that the Service Authority will consider the feedback provided in this letter before adopting a Plan that makes no real commitment to compensate residential property owners living near the landfill.

Having stated that the current proposed PVPP is unacceptable, and should not be adopted by the Service Authority, the following detailed feedback is provided on an item-by-item basis to the 10 elements of the proposed Plan that were listed in the recent mailing to residents. A copy of the PPP Conceptual Design Proposal, which is essentially identical to the highlights from the mailing, is attached for reference.

1. The Plan covers properties within one mile of the working trench. It is unclear why the SA insists on using the working trench to establish the reference boundary for coverage. We do not know where the working trench is located. Also, is the working trench a permanent reference, or will the working trench change as the SA moves from Phase III to the Phase IV cell? We believe that the permitted landfill boundary is an appropriate reference for establishing Plan coverage. Also, while most reports that I have reviewed clearly indicated that the values of properties located within one mile of a landfill experience the most significant loss of value, property values are affected to a lesser degree out to two miles. So, one mile should be considered a minimum distance from the agreed upon boundary for inclusion in the Plan.

2. Restricting the Plan to properties purchased prior to 2012 is unreasonable. While the Regional Landfill began operating at the Livestock Road site in 2012, the odors emanating from the landfill did not become an issue for several years. The odors became unacceptable in 2014. So, a number of people bought or built homes in the area surrounding the landfill during the 2012 - 2014 period without any real concern about the landfill. And, in most cases, they purchased their properties at fair prices based on the real estate market conditions at that time. The odors would not have seriously affected the home values until after the odors became unacceptable in late 2014 and beyond.

3. Although the Citizens Group had asked that residential and commercial properties be included in the Plan, I will accept the Plan being restricted to residential properties. The exclusion of income generating residential properties should not be considered, however. There are a number of instances where home owners have been forced to move (e.g., a job with a new employer out of the area), but have not been able to sell their home for a suitable price. So, rather than take an unacceptable loss on their property, they have elected to rent the property until a suitable sale price can be obtained. So, income generating residential property should not be excluded.

4. Again, restricting the eligible properties to those that are owner occupied is not acceptable. As indicated above, some owners have elected to rent their homes after moving out of the area, rather than taking a loss on selling their home.

5. I do not object to this item.

6. There is no reason why there should not be a provision to allow transfer of property to heirs. The key point is that a property can only participate in the Plan one time. Why should it matter if the participant is the current eligible owner or an heir? The owner of a property during the period in which the Plan is in force should still be entitled to compensation when they sell the property.

7. Limiting the maximum compensation to \$20,000 is not acceptable. The studies clearly show that property values for homes located within one mile of a landfill have experienced a reduction in value of about 12-14%. There are a lot of residential properties valued at more than \$300,000 in the affected area, and some that have a value in excess of \$400,000. So, while the Citizens Group has previously proposed setting the maximum compensation to a defined percentage of the appraised value, we would accept a maximum of \$50,000. This is the value that the SA originally proposed in the April 2016 draft. Also, the most recent County assessed value should not be used as a basis for establishing a target price for the property. I recently spoke to the Campbell County Real Estate office and confirmed that the values of properties near the landfill have already been reduced at least once over the past several years. The county is currently reassessing property values for 2019 and will make a further downward adjustment to the assessed value if recent home sales have been below fair market value in the surrounding area. Given that the assessed value for properties near the landfill has already been reduced to account for the detrimental impact of the landfill, then using such a reduced value to set a target price for the Plan would be unacceptable.

8. Making compensation subject to the availability of funds is also not acceptable. As has stated in the past, there is no plan that will be acceptable to the Citizens Group that includes any such language. The fact that the recently adopted SA budget for FY2018 included no funding for the PVPP reserve is a clear indication that the SA board is not really committed to doing what is right.

9. Compensation under the Plan should be available as long as the landfill is operating. While it is understood that the SA would like to limit its liability under the Plan, it is unreasonable to force home owners to either sell their homes or move within three years, even if no funding is ever made available in the SA budget, or forfeit any compensation. The Plan should be in force at least until the landfill ceases operations at the current site.

10. I would expect that the SA would perform this function.

It is my hope that the Service Authority will seriously consider the above feedback to the proposed PVPP. The Service Authority should adopt a PVPP that provides equitable compensation to home owners living near the landfill whose property values have been adversely affect by the odors, noise and traffic that have been the result of the Regional Landfill operating in their neighborhood.

If you have any questions regarding this feedback, please do not hesitate to contact me. Sincerely,
Eric Barringer
177 Holland Court
Rustburg, VA 24588
434-665-8867

**Summary of Property Value Protection
Plan
(Handout at Public Meeting November
15, 2017)**

**Summary of the Property Value
Protection Plan**

November 15, 2017



- a. Covers properties within one mile of the working trench of the landfill**
- b. Is only available for properties owned/purchased prior to July 1, 2012**
- c. Requires that the property must be residential in nature – not income generating**
- d. Applies only to properties that are owner occupied**
- e. Applies only once per parcel**
- f. Is not transferrable (example: Parents may not pass the program to children)**
- g. Provides up to \$20,000 to seller if the property is sold below the most recent County assessed value**
- h. Is subject to available funds of the Authority**
- i. Would be open for a period not to exceed 3 years from the date of adoption**
- j. Region 2000 Services Authority will maintain a database to track eligible properties/participation**

Region 2000 Services Authority
Property Value Protection Program
Draft 7-17-17

1.0 DEFINITION OF TERMS

For the purposes of this Program:

- A. "Bona Fide Offer to Purchase" shall mean an arm's length offer to purchase an Eligible Property from a buyer that is not related to and is otherwise independent of the Eligible Property Owner.
- B. "Effective Date" shall mean the date on which this Program is formally established by the Services Authority
- C. "Eligible Property" shall mean one of the residential properties for which any portion of the property is located within 1 mile from the solid waste disposal unit boundary, or cell boundary, otherwise called the anchor trench, and is identified in Attachment 1. Eligible Property does not include mobile homes, income generating property or commercial property. (See Attachment 2 for a map of properties within the 1 mile distance that may be eligible.)
- D. "Eligible Property Owner" shall mean the person(s) who owned the Eligible Property on July 1, 2012 and continues to be the registered and beneficial owner up to sale. This program is not transferrable from the person(s) who owned the Eligible Property on July 1, 2012.
- E. "Landfill" shall mean the property located on Livestock Road in Campbell County, VA owned by the Services Authority.
- F. "Program Administrator" shall mean the person or firm selected by the Services Authority Director to administer the Program.
- G. "Target Value" shall mean the current Campbell County tax assessment.

2.0 PROPERTY VALUE PROTECTION PROGRAM IMPLEMENTATION

2.1 Program Scope

Eligible Property Owners shall be the beneficiaries of this Property Value Protection Program. The Services Authority shall make a good faith effort to notify all Eligible Property Owners of their benefits under the Program, by public notices, announcements and mailings, within sixty (60) days of the Effective Date.

The program shall be available to Eligible Property Owners for three years from the date of approval by the Services Authority.

2.2 How It Works

Upon the sale of the residence, an Eligible Property Owner may apply to the Services Authority in the event that the sales price is below the Campbell County assessment that is in effect on the date of the sale.

The Property Owner must submit an application on a form approved by the Services Authority and shall provide all documentation necessary for the Services Authority to verify the proof of sale, including but

not limited to, an executed contract for sale, recorded deed, and/or closing statement. (Attachment 1) The Services Authority has thirty (30) days to review the materials and let the applicant know the outcome of the request or to request more information.

If approved, the Services Authority will make payment, as described in Paragraph 2.4, to the Property Owner within thirty (30) days as long as funds are specifically budgeted and available for the program.

2.3 Conditions to receiving the program benefits

- a. The sale of an Eligible Property must be to an unrelated party;
- b. The Eligible Property Owner must ensure that a condition and covenant is included on the transfer of ownership documents that states that if the property, whether in whole or in part, is sold again, it will not be eligible for consideration under this Program.
- c. A copy of the closing statement, contract, and the recorded deed shall be provided to the Program Administrator.

2.4 Program Compensation

After closing the sale of an Eligible Property resulting from a Bona Fide Offer to Purchase where the sales price is less than the property assessment, then the Services Authority agrees to pay to the Eligible Property Owner the difference between the purchase price and the property assessment, in an amount not to exceed \$20,000.

2.5 Program Limitations

The payment obligations of the Services Authority are limited to funds specifically budgeted for this program each year and are subject to appropriation by the Services Authority. The Services Authority reserves the right to limit appropriations to this program, and the number of properties approved, to an amount of funds reserved and appropriated. The Program Administrator will receive and process property sales contracts on a first come-first served basis upon the receipt and approval of the required materials. The Program Administrator may approve property sales contracts and payment as long as there are funds appropriated for the program. In the event a closing occurs for an Eligible Property under the Program and there are insufficient funds to pay the amount of compensation due under the Program, the Eligible Property Owner will be paid the amount that is due or remaining when and if additional funds are paid into the Program. There will be no payments if there is no funding appropriated.

Funds will be distributed as properties are sold and in the event no funds are available, then no funds will be distributed. The Eligible Property Owner may receive funds in a new budget year on a first come-first served basis if funds are available.

3.0 OTHER TERMS AND CONDITIONS

- a. The Services Authority may enter into an agreement with an Eligible Property Owner to purchase their property outside of this Program. If such an agreement is reached, the Eligible Property Owner will be precluded from receiving compensation under this Program.

- b. If an Eligible Property is sold and compensation is paid under this Program and the Eligible Property should revert back to the Eligible Property Owner, or anyone not at arm's length, for any reason within five (5) years after such payment, then the original Eligible Property Owner, or his or her estate, will reimburse the Services Authority in the amount of the original compensation payment.
- c. Participation in this Program and compensation is limited to one time per parcel. The program is restricted to Eligible Property Owners and terminates when the Eligible Property is sold, conveyed or otherwise transferred or at the end of three years.

4.0 TERMINATION OF SERVICES AUTHORITY OBLIGATIONS TO PROGRAM

This Property Value Protection Program shall terminate after three years from inception, or upon such other time as the Services Authority determines in its sole discretion to terminate the Property Value Protection Program.

The Services Authority shall make good faith efforts to notify each remaining Eligible Property Owner as soon as practicable prior to the termination of the program. The notice shall inform each Eligible Property Owner of any remaining period of time during which the Eligible Property qualifies for compensation under the PVPP.

Attachment 1

Region 2000 Services Authority: Property Value Protection Program
Eligible Owner's Initial Application and Property Information Sheet
July 2017

Date Application Submitted to the Services Authority: _____

Property Address: _____

Eligible Property Owner Information:

Name(s) as appearing on the Deed: _____

Mailing address: _____

Phone number(s): _____ Email address: _____

Property Information:

Property Description: _____

Tax Map Number: _____ Other improvements: _____

Campbell County Tax Assessment: _____

Did you own the property on or before July 1, 2012? Yes _____ No _____

Is this your primary residence Yes _____ No _____

Is this an income generating property Yes _____ No _____

Signatures of all owners of property:

Date: _____

Date: _____

Copies attached:

1. Recorded Deed 2. Closing Statement 3. Contract

1 Mile Buffer Around Landfill



GLENACRE DR
CRENDALE DR
LYNBROOK RD

WARDS RD
WARDS RD

PATERSON RD
GREENHOUSE RD
ACORN DR
HOWARDS MANOR DR

OAK GROVE DR
ANSTLEY RD

COUCH RD

ENGLISH TAVERN RD
SOUTHERN DR

LIVESTOCK RD
BARRINGER DR
HOLLAND CT

COLONIAL HWY

WARRIAGE PT DR
DANADR
VISTA CT

WISECARVER RD

SUBURBAN RD

DEPOT RD

LAZY CREEKS DR

DODSON DR

IDAHO DR
SUNNY PEARL RD