

**Caroline County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: February 12, 2019

Title: New Business – Resolution to Approve Acquisition of Real Property (Former Frog Level Volunteer Rescue Squad)

(Check Mark)

- | | |
|---|--|
| <input type="checkbox"/> Consent | <input type="checkbox"/> Closed Meeting |
| <input checked="" type="checkbox"/> Action | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> No Action (Information Only) | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> PowerPoint Presentation |

Background: As the Board of Supervisors is aware, Frog Level Volunteer Rescue Squad (FLVRS) ceased operations several years ago and the building has remained vacant ever since. The leadership of FLVRS at the time it closed subsequently offered to convey the property to the County.

Prior to determining whether to take ownership, the Board agreed to undertake a thorough environmental assessment to determine what liability may be associated with the property. A Phase 2 Environmental Site Assessment completed by Draper Aden identified a petroleum release, which was reported to the Virginia Department of Environmental Quality (DEQ) as required by law. The County then completed a corrective action plan that cured all identified environmental issues to the satisfaction of DEQ.

Staff and County Attorney Ben Emerson then spent a lengthy period of time trying to determine how to adequately satisfy the legal requirements to document the intent of the former FLVRS Board of Directors to convey the property to the County. Mr. Emerson now believes it is appropriate for the Board of Supervisors to adopt the attached resolution should it wish to acquire the former Frog Level Volunteer Rescue Squad property. He is working with the former FLVRS President and believes he has identified a path to secure appropriate legal documentation of the squad's intent to convey the property to the County.

Staff has identified no useful function for the building or property. However, should the Board agree to take ownership of the property it can be sold and placed back on the tax rolls following a public hearing (§15.2-1800. B. of the Code of Virginia enables a locality to dispose of real property by sale following a public hearing concerning such disposal).

Budget Impact: N/A

Requested Action(s) of Board: Adopt attached resolution to approve acquisition of real property

**RESOLUTION TO APPROVE
ACQUISITION OF REAL PROPERTY**

WHEREAS, the Frog Level Volunteer Rescue Squad ("FLVRS") has ceased operations and offered to convey its real property located on Route 301 in Caroline County to the County (the "Property") as a gift to the County; and

WHEREAS, the Board of Supervisors (the "Board") of Caroline County (the "County"), after investigating the Property, believes it to be in the best interests of the County and its citizens to accept title to the Property and improvements thereto; and

WHEREAS, the Board desires to approve the acceptance of title to the Property by the adoption of a resolution approving such acquisition, which resolution can be recorded in the clerk's office of the Circuit Court as evidence of such approval;

NOW, THEREFORE, BE IT RESOLVED, that the Board finds it to be in the best interests of the County and the citizens thereof to approve the acquisition of the Property and improvements thereto from the FLVRS and accept a deed to the Property from the trustees in liquidation of FLVRS; and

BE IT FURTHER RESOLVED, that the County Administrator, Chairman of the Board, and County Attorney are hereby authorized and directed to take such action as is necessary in their sole discretion to carry out the purposes and intents of this resolution, including without limitation, the acceptance of a deed to the Property, and the acquisition of such real and personal property as is described herein and therein; and

BE IT FURTHER RESOLVED, that all actions taken in furtherance of the acquisition of the Property prior to the date of adoption of this Resolution are hereby ratified and confirmed.

Adopted this 12th day of February, 2019.

A true copy, teste:

Charles M. Culley, Jr.
Clerk, Board of Supervisors
Caroline County, Virginia