COUNTY DEPARTMENT AGENDA REQUEST

Department:	Commissioners	Presenter(s):	Commissioner Allen McCarty
Meeting Date:	Wednesday, May 4, 2011	Type of Request:	New Business

Wording for the Agenda:

Discussion of a request by Commissioner McCarty that the Board consider compensating citizens whose properties are acquired by the County on a "make whole" basis.

Background/History/Details:

Over the years, Fayette County has utilized its eminent domain authority to acquire land needed for public purposes. In recent history the West Fayetteville Bypass project has required property to be obtained, sometimes land for the actual project and sometimes for construction easement purposes. On a few occasions the County has needed to acquire actual homes. Although citizens are compensated using fair market values for their lost homes and properties, in accordance with the law, they still may find themselves paying mortgages or other debts on those properties and houses that they no longer own.

In order to completely remunerate citizens losing their properties to the County for public purposes, Commissioner Allen McCarty would like the Board to consider compensating affected citizens on a "Make Whole" basis. This compensation approach would pay citizens for their outstanding mortgages and all other outstanding debts against property lost to the County.

What action are you seeking from the Board of Commissioners?

Discussion concerning the possibility of establishing a policy whereby the County would compensate affected citizens whose property is acquired by the County on a "make whole" basis.. If the Board is willing to consider this proposal, this request will be placed on an upcoming agenda for a vote.

If this item requires funding, please describe:

No immediate funding is requested, however, if approved funding implications will vary on a case by case basis.

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	No

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes: