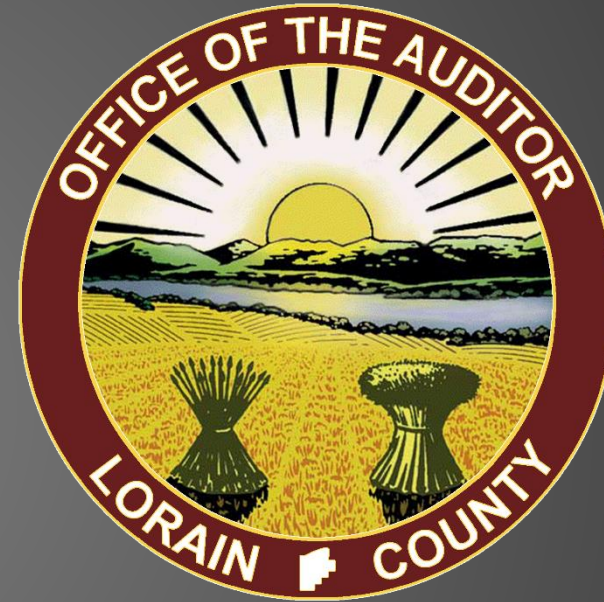


Lorain County Farm Bureau
CAUV Meeting



January 31, 2023

Lorain County Auditor



*J. Craig Snodgrass,
CPA, CGFM*

CAUV Meeting Agenda

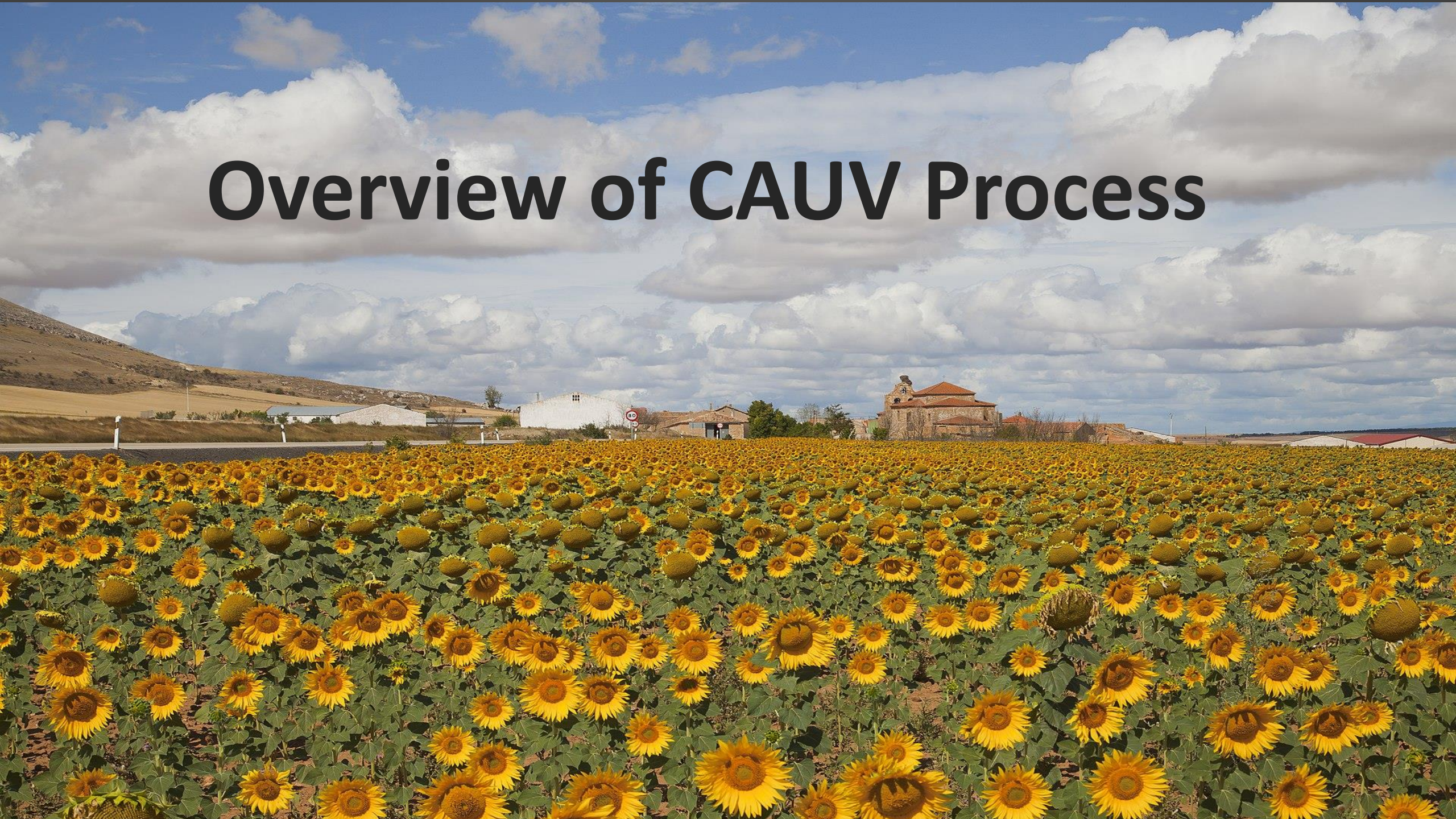
Overview of CAUV Process

- *Qualifying land / Application process*
- *Annual Inspections*
- *Removal from CAUV & Recoupment*
- *CRP & Conservation Practices*
- *CAUV Timetable*

CAUV Program Review – What are we doing today?

- *Land use mapping*
- *Procedure for entering properties*
- *Questions*

Overview of CAUV Process



Basic Procedure for Qualifying CAUV Land

New Application



Current Use Test



3-Year Use Test



10 Acre Test



10 or more *QUALIFYING* acres

Adjacent Woodland May Receive
CAUV For Non-Commercial Use

UNDER 10 *QUALIFYING* acres

Income Test

CAUV Initial Application Process

Requirements:

- \$25 fee
- 10 + acres qualifying commercial agricultural use
- less than 10 acres - must show avg. gross income of \$2500 for 3 years prior to filing application.

Application no. _____ County _____ Tax year _____ DTE 109
Rev. 01/21

Initial Application for the Valuation of Land at Its Current Agricultural Use

File with the county auditor prior to the first Monday in March. Include a \$25 filing fee.

1. Owner's name _____ Phone _____ E-mail _____

2. Owner's mailing address _____

3.

Parcel number	Acres	Parcel number	Acres

4. If the TOTAL acreage being used exclusively for commercial agriculture purposes is **less than ten acres**, show the total gross income from agricultural products. If the TOTAL acreage is **ten or more acres**, specify the number of acres and land use for the last three years.

Year	Farmed Acres	Use of Land (Crop)	Units/Acre	Price/Unit	Gross Income
Last year					
2 years ago					
3 years ago					

5. List the acreage in each crop or land use for the current year. The entire acreage above must be accounted for below.

Anticipated land use for the current year:	Acres
Commodity crops – corn/soybeans/wheat/oats	
Hay – baled at least twice a year	
Permanent pasture – used for commercial animal husbandry	
Noncommercial woodland – contiguous to 10 (ten) acres of farmed land	
Commercial timber	
Other crops – nursery stock/vegetables/flowers	
Homesite(s) – minimum 1 (one) acre per house	
Roads/waste/pond	
Conservation program – CRP/CREP/etc. (provide the contract and map)	
Conservation practices limited to 25% or less of total acreage (provide map)	
Other use, e.g. agritourism, biofuel production	
Total acres – must match acres above	

6. Is this land farmed by someone other than the owner? _____ (yes/no) If yes, provide contact information (name and phone number) _____

I declare under penalties of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct and complete. I authorize the county auditor to inspect this property and I agree to provide documentation of income, if requested, to verify the accuracy of this application.

Signature of owner: _____ Date: _____

County Auditor's Use Only

Receipt for Payment of Fee: I hereby certify that the owner paid the filing fee of \$25 on the date this application was filed.

County auditor _____ Date filed with county auditor _____

Name on tax list _____ Taxing district _____ Parcel number _____ Number of acres _____

CAUV Initial Application Process

Initial applications available:

- *by mail on request*
- *loraincounty.com/auditor*

*Applications accepted from 1st
Monday in January until 1st
Monday in March.*

Application no. _____ County _____ Tax year _____ DTE 109
Rev. 01/21

Initial Application for the Valuation of Land at Its Current Agricultural Use

File with the county auditor prior to the first Monday in March. Include a \$25 filing fee.

1. Owner's name _____ Phone _____ E-mail _____

2. Owner's mailing address _____

3.

Parcel number	Acres	Parcel number	Acres

4. If the TOTAL acreage being used exclusively for commercial agriculture purposes is **less than ten acres**, show the total gross income from agricultural products. If the TOTAL acreage is **ten or more acres**, specify the number of acres and land use for the last three years.

Year	Farmed Acres	Use of Land (Crop)	Units/Acre	Price/Unit	Gross Income
Last year					
2 years ago					
3 years ago					

5. List the acreage in each crop or land use for the current year. The entire acreage above must be accounted for below.

Anticipated land use for the current year:	Acres
Commodity crops – corn/soybeans/wheat/oats	
Hay – baled at least twice a year	
Permanent pasture – used for commercial animal husbandry	
Noncommercial woodland – contiguous to 10 (ten) acres of farmed land	
Commercial timber	
Other crops – nursery stock/vegetables/flowers	
Homesite(s) – minimum 1 (one) acre per house	
Roads/waste/pond	
Conservation program – CRP/CREP/etc. (provide the contract and map)	
Conservation practices limited to 25% or less of total acreage (provide map)	
Other use, e.g. agritourism, biofuel production	
Total acres – must match acres above	

6. Is this land farmed by someone other than the owner? _____ (yes/no) If yes, provide contact information (name and phone number) _____

I declare under penalties of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct and complete. I authorize the county auditor to inspect this property and I agree to provide documentation of income, if requested, to verify the accuracy of this application.

Signature of owner: _____ Date: _____

County Auditor's Use Only

Receipt for Payment of Fee: I hereby certify that the owner paid the filing fee of \$25 on the date this application was filed.

County auditor _____ Date filed with county auditor _____

Name on tax list _____ Taxing district _____ Parcel number _____ Number of acres _____

CAUV Renewal Application Process

- *Mailed to owners January 15th*
- *Must be filed prior to 1st Monday in March every year*
- *Second notice by certified mail*
- *Failure to file may result in tax increase, and recoupment will be charged.*

Current Agricultural Use Valuation Renewal Application

DTE 109(A)
Rev. 01/21

File with the county auditor prior to the first Monday in March.

To continue to receive current agricultural use valuation, the owner must file this renewal application with the county auditor prior to the first Monday in March each year. Failure to do so may result in a tax increase and a penalty. A new owner must file an initial application form (DTE 109) even if the previous owner was on the program. The back of this page has details concerning eligibility requirements.

1. Owner's name _____ Application number _____

2. Mailing address _____

Phone _____ Email _____ Tax Year _____ County _____

3.

Parcel number	Acres	Parcel number	Acres

4. If the total acres used for a qualifying commercial agricultural purpose is **less than ten (10) acres**, show the gross income produced from agricultural products last year from these acres \$_____ and projected gross income for the current year \$_____. In the table below, provide the number of bushels or tons per acre by crop, the price per bushel or ton and the gross income for last year. Specify other units of measure as needed. Any income received for rent of land is not included.

Farmed Acres	Use of Land (crop)	Units/Acre	Price/Unit	Gross Income

5. Will the general farming operations on any of these parcels change this year? _____ (yes/no)
If yes, please attach an explanation regarding the use of these parcels for this year.

6. List the acreage in each crop or land use for the current year. The entire acreage above must be accounted for below.

Anticipated land use for the current year:	Acres
Commodity crops – corn/soybeans/wheat/oats	
Hay – baled at least twice a year	
Permanent pasture – used for commercial animal husbandry	
Noncommercial woodland – contiguous to 10 (ten) acres of farmed land	
Commercial timber	
Other crops – nursery stock/vegetables/flowers	
Homesite(s) – minimum 1 (one) acre per house	
Roads/waste/pond	
Conservation program – CRP/CREP/etc. (provide the contract and map)	
Conservation practices limited to 25% or less of the total acreage (provide map)	
Other use, e.g. agritourism, biofuel production	
Total acres – must match acres above	

I declare under penalties of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct and complete. I authorize the county auditor to inspect this property and I agree to provide documentation of income, if requested, to verify the accuracy of this application.

Signature of owner

Date

CAUV 2nd Notice Letter

*Sent 2nd Tuesday after the
1st Monday in March.
(ORC 5713.31)*



J. CRAIG SNODGRASS
LORAIN COUNTY AUDITOR
REAL ESTATE DEPARTMENT
ADMINISTRATION BUILDING 226 MIDDLE AVE. ELYRIA, OH 44035

Notice to Refile Application for the Valuation of Land In Accordance with Its Current Agricultural Use

Name

Address

Tax District

Parcel No.(s)

Application No.

In accordance with Ohio Revised Code section 5713.31, you are hereby notified that land described above, previously valued at its Current Agricultural Use Value (CAUV), will be valued at its true value in money and recoupment charges will be levied, unless the enclosed application (DTE 109 or DTE 109A) for the valuation of land in accordance with its current agricultural use is filed with this office prior to the first Monday in April.

County Auditor or representative

Lorain
County

Date

NOTE: *Filing means actual delivery of the application to the office of the County Auditor, and not the date of the U.S. postmark if the application is mailed*

CAUV Income Statement

- *Under 10 acres: income verification required*
- *IRS Schedule F or C*
- *Income statement*

INCOME STATEMENT FOR CAUV APPLICANTS (for parcels with less than 10 tillable acres)

Parcel number _____ Parcel Number _____

Parcel number _____ Parcel Number _____

<u>No of Acres Planted</u>	<u>Type of Crops</u>	<u>Price Per Bushel</u>	<u>Expected Yield</u>	<u>Expected Income</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Number of Livestock Sold

Type of Livestock Sold

Owner of Parcel farmed : _____

Address of Owner : _____

City/State/Zip : _____

Telephone : _____

Name of Renter
(if applicable) : _____

Address of Renter : _____

City/State/Zip : _____

Telephone : _____

I declare under penalty of perjury that this has been examined by me and to the best of my knowledge and belief it is true, correct and complete

OWNER'S SIGNATURE _____ DATE _____

RENTER'S SIGNATURE _____ DATE _____

***COMPLETE AND RETURN THIS FORM WITH YOUR APPLICATION

CAUV Inspection Process

- *1,500 parcels per year*
- *All new applications are inspected*
- *Appraisers are Auditor employees*



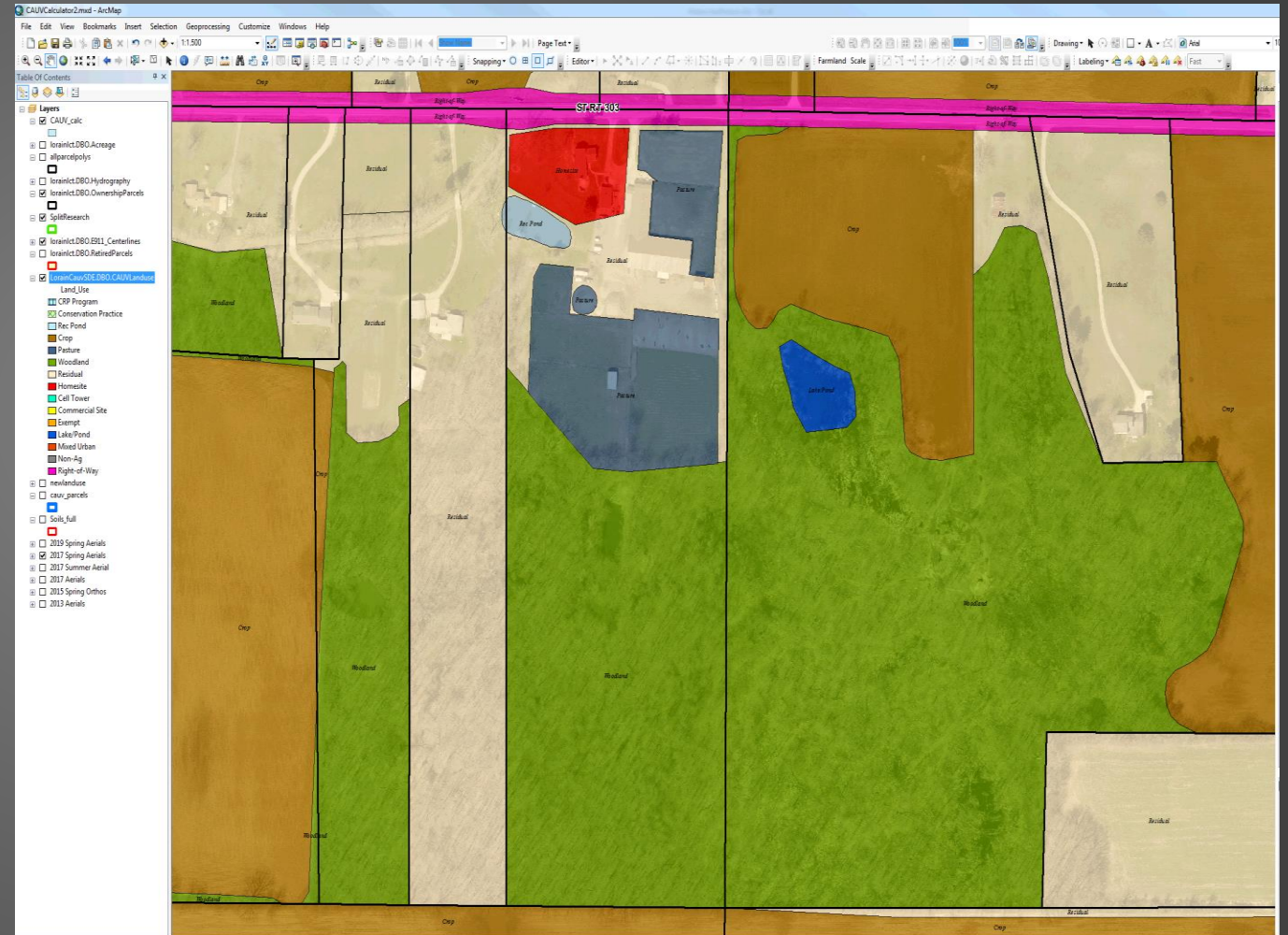
CAUV Inspection Process

- *Inspectors physically visit every parcel*
- *Paperless tablet system used to record observations and take photos.*
- *Looking for agricultural use only*



CAUV Inspection Process


Land use map is edited to reflect field observations and aerial photography



CAUV Inspection Process

CAUV soils calculated based on edited land use

soil types and land use are updated in Auditor's system

Lorain County CAUV Farmland Assessment					
2/14/2020					
					
PIN	Land Use	Soil Type	GIS Acres	Ratio	Adjusted Acres
11-0305770-00072				0.9989	
	Crop				
		ELB	0.41		0.41
		LN	1.48		1.48
		MGA	11.87		11.85
		TRA	8.15		8.14
	Crop Totals		21.91		21.88
	Homesite				
			1.00		1.00
	Homesite Totals		1.00		1.00
	Right Of Way				
		LN	0.12		0.12
		MGA	0.17		0.17
		TRA	0.18		0.18
	Right Of Way Totals		0.47		0.47
	Residual				
		ELB	0.05		0.05
		LN	1.34		1.34
		MGA	2.23		2.23
		TRA	1.42		1.42
	Residual Totals		5.04		5.04
	Woodland				
		MGA	0.53		0.53
		TRA	0.16		0.16
	Woodland Totals		0.69		0.69
11-0305770-00072 Totals			29.11		29.08

Denial / Recoupment Notice

Common reasons for denial:

- *No commercial agricultural use*
- *Income requirement, not met or reported.*
- *Per owner, no longer being used for agriculture*

Recoupment:

- *repayment of tax savings (maximum 3 prior years)*
- *will appear as a charge on your tax bill*



J. CRAIG SNODGRASS
LORAIN COUNTY AUDITOR
REAL ESTATE DEPARTMENT
ADMINISTRATION BUILDING 226 MIDDLE AVE. ELYRIA, OH 44035

DTE 112
Rev. 01/19

Denial Application for the Valuation of Land In Accordance with Its Current Agricultural Use

Name

Address

Tax District

Parcel No.(s)

Application No.

In compliance with Ohio Revised Code section 5713.31, we have viewed or caused to be viewed the real property in your application on 6/25/19

Pursuant to Ohio Revised Code section 5713.32, you are hereby notified that your application for the valuation of land in accordance with its current agricultural use is denied for the following reason(s):

- ☐ Inspection showed no commercial agricultural use
☐ Acreage on parcel is less than one acre home site
☒ Does not meet income amount, or income not reported
☐ Per owner, no longer being farmed or qualifies
☐ Other:

The owner is required to pay back the tax savings for up to three previous years. A recoupment of **\$127.86** will be included in the **2018** taxes, payable in **2019**.

In compliance with O.R.C. section 5713.01, land will now be valued at its true value in money for the current fiscal year.

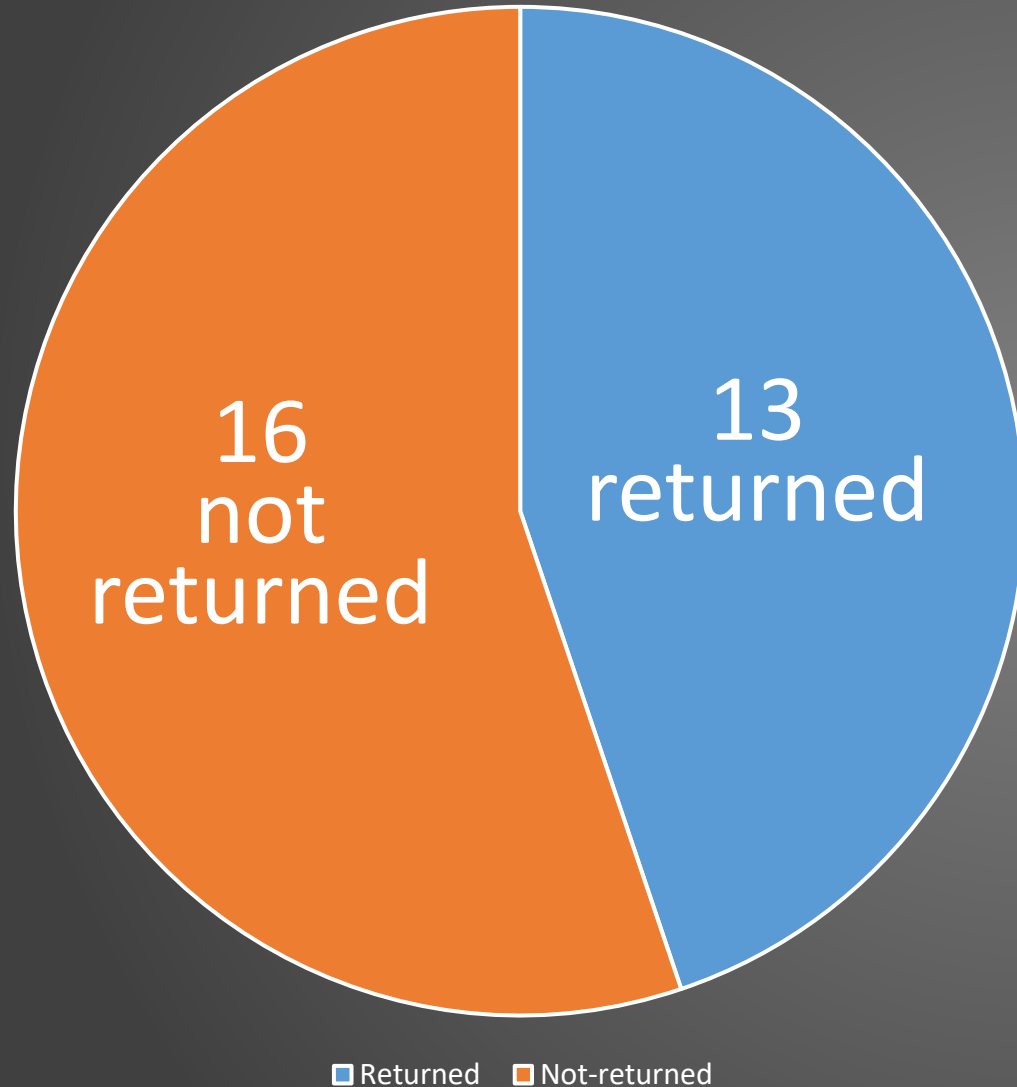
County Auditor or representative

Lorain

County

Date

2022 Courtesy Contacts



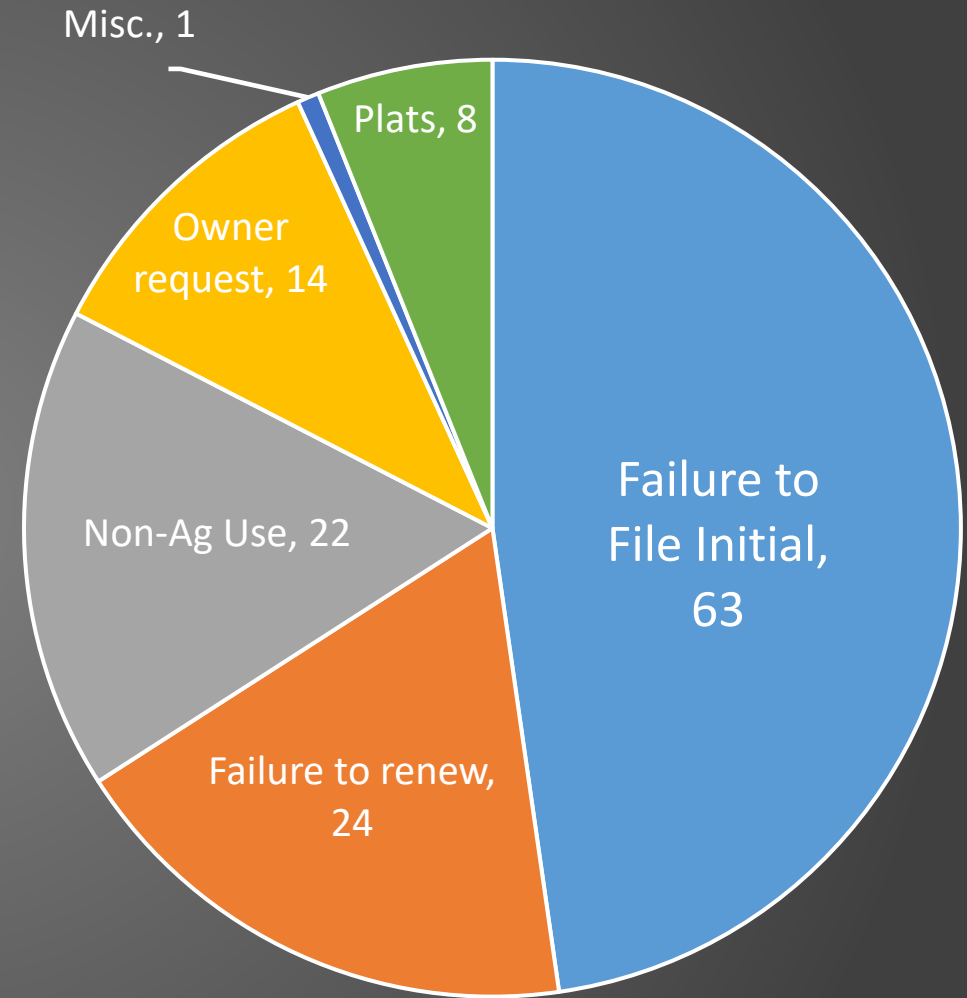
Working with Farm Bureau, 29 Courtesy contacts (phone call, email) were made with all CAUV applicants who did not return a renewal form.

2022 Recoupments

Total Recoupments: 132 parcels

Reasons for Recoupment:

- Failure to file initial form - **63**
- Failure to file renewal form - **24**
- No Agricultural use detected on inspection - **22**
- Requested by owner – **14**
 - splits-recoupment paid in advance - **12**
- Misc. – parcel no longer qualified following a split - **1**
- Plats – recoupment paid in advance - **8**



Board of Revision Complaints

45 BOR complaints reviewed by Auditor

6 Reinstated & recoupment removed

39 BOR cases heard by board

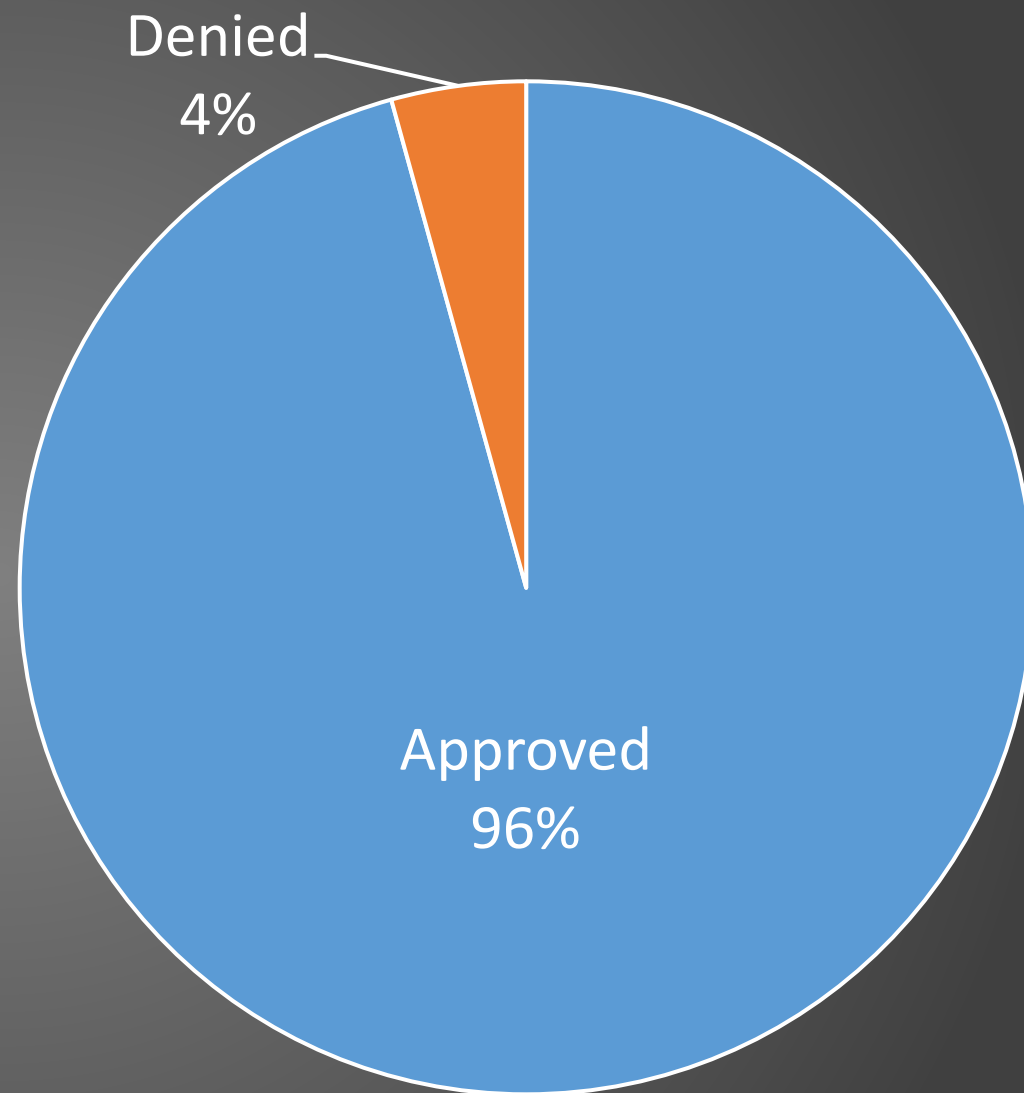
35 Reinstated & recoupment removed

4 Removed & recoupment added by BOR
(2 did not appear for hearing)

2022 New Applications

New applications: 233

New applications *denied*: 10



CAUV Tax Savings

Based on fair market value

Land	260,400
Building	+ <u>158,950</u>
Total value	419,350
	x <u>35%</u>
Assessed value	146,770
Tax rate	x <u>.052552197</u>
Net tax	= 7,713.09

Based on CAUV value

Land	44,660
Building	+ <u>158,950</u>
Total value	203,610
	x <u>35%</u>
Assessed value	71,260
Tax rate	x <u>.052552197</u>
Net tax	= 3,744.87

Tax Savings of **\$3,968.22**

CRP & Conservation Practice

2022 (both programs)

- 109 Applicants
- 205 Parcels

2020

This form is available electronically. Page 1 of 1

CRP-1 U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. ST. & CO CODE & ADMIN. LOCATION 39 093		2. SIGN-UP NUMBER 48	
CONSERVATION RESERVE PROGRAM CONTRACT					
7A. COUNTY OFFICE ADDRESS (Include Zip Code) LORAIN COUNTY FARM SERVICE AGENCY 42110 RUSSIA RD ELYRIA, OH 44035-6813		5. FARM NUMBER 0003491		6. TRACT NUMBER(S) 0000447	
7B. TELEPHONE NUMBER (Include Area Code)		8. OFFER (Select one) GENERAL <input type="checkbox"/> ENVIRONMENTAL PRIORITY <input checked="" type="checkbox"/>		9. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-1-2010 TO: (MM-DD-YYYY) 9-30-2020	

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement or such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; CRP-2C; or CRP-2G.

10A. Rental Rate Per Acre \$ 102.00		11. Identification of CRP Land (See Page 2 for additional space)				
10B. Annual Contract Payment \$ 36	A. Tract No.	B. Field No.	C. Practice No.	D. Acres	E. Total Estimated Cost-Share	
10C. First Year Payment \$	0000447	0012	CP8A	0.35	0	

(Item 10C applicable only to continuous sign-up when the first year payment is prorated.)

12. PARTICIPANTS (If more than three individuals are signing, see Page 3.)

A(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
WELLINGTON, OH 44090-9247	0.00%		9/8/16
B(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
WELLINGTON, OH 44090-9247	100.00%		9/8/16
C(1) PARTICIPANT'S NAME AND ADDRESS (Zip Code):	(2) SHARE	(3) SIGNATURE	(4) DATE (MM-DD-YYYY)
	%		

13. CCC USE ONLY	A. SIGNATURE OF CCC REPRESENTATIVE	B. DATE (MM-DD-YYYY)
		9/8/16

NOTE: The following statement is made in accordance with 15 CFR Part 1410, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

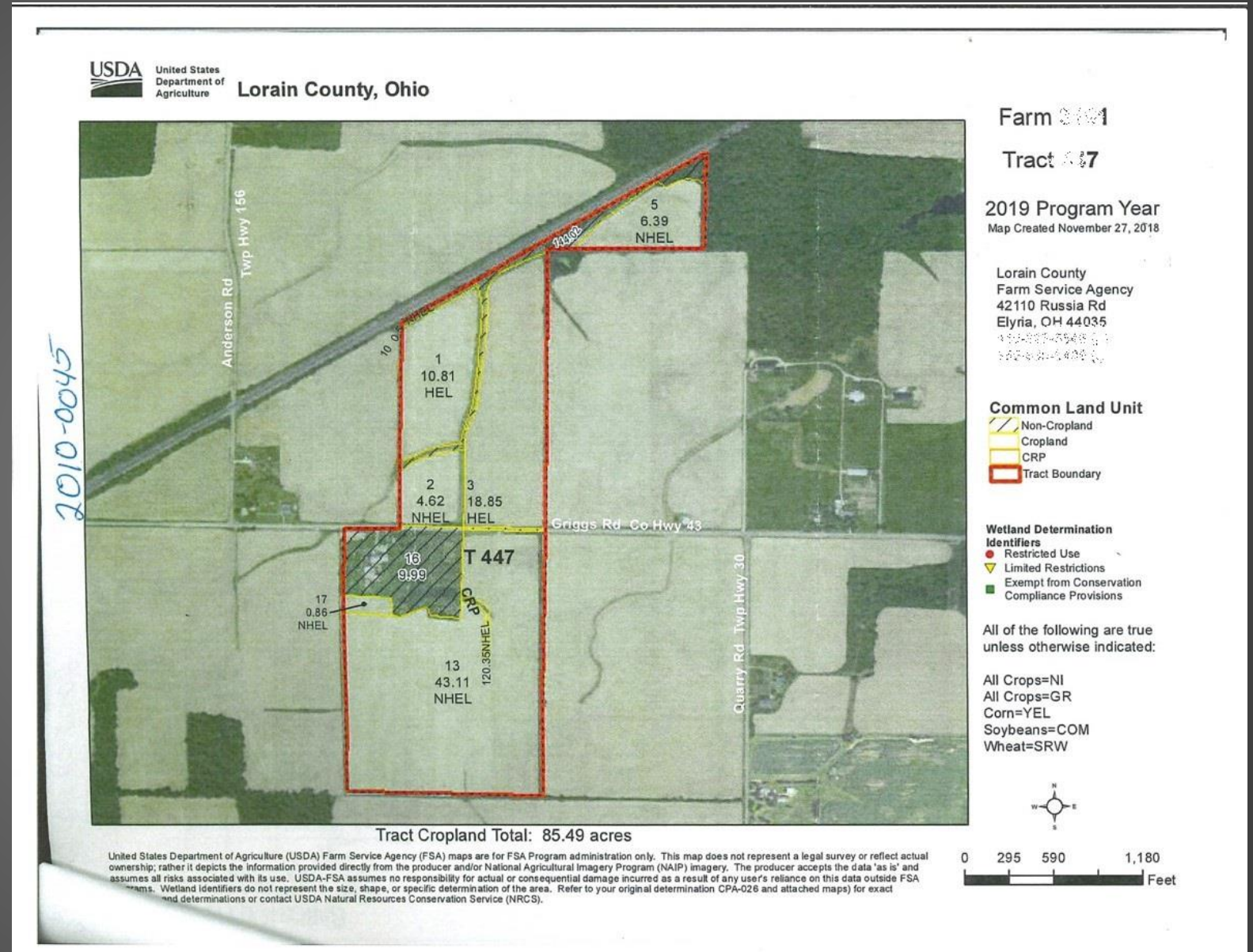
If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

☐ Original - County Office Copy
 ☐ Owner's Copy
 ☐ Operator's Copy

Ed 11

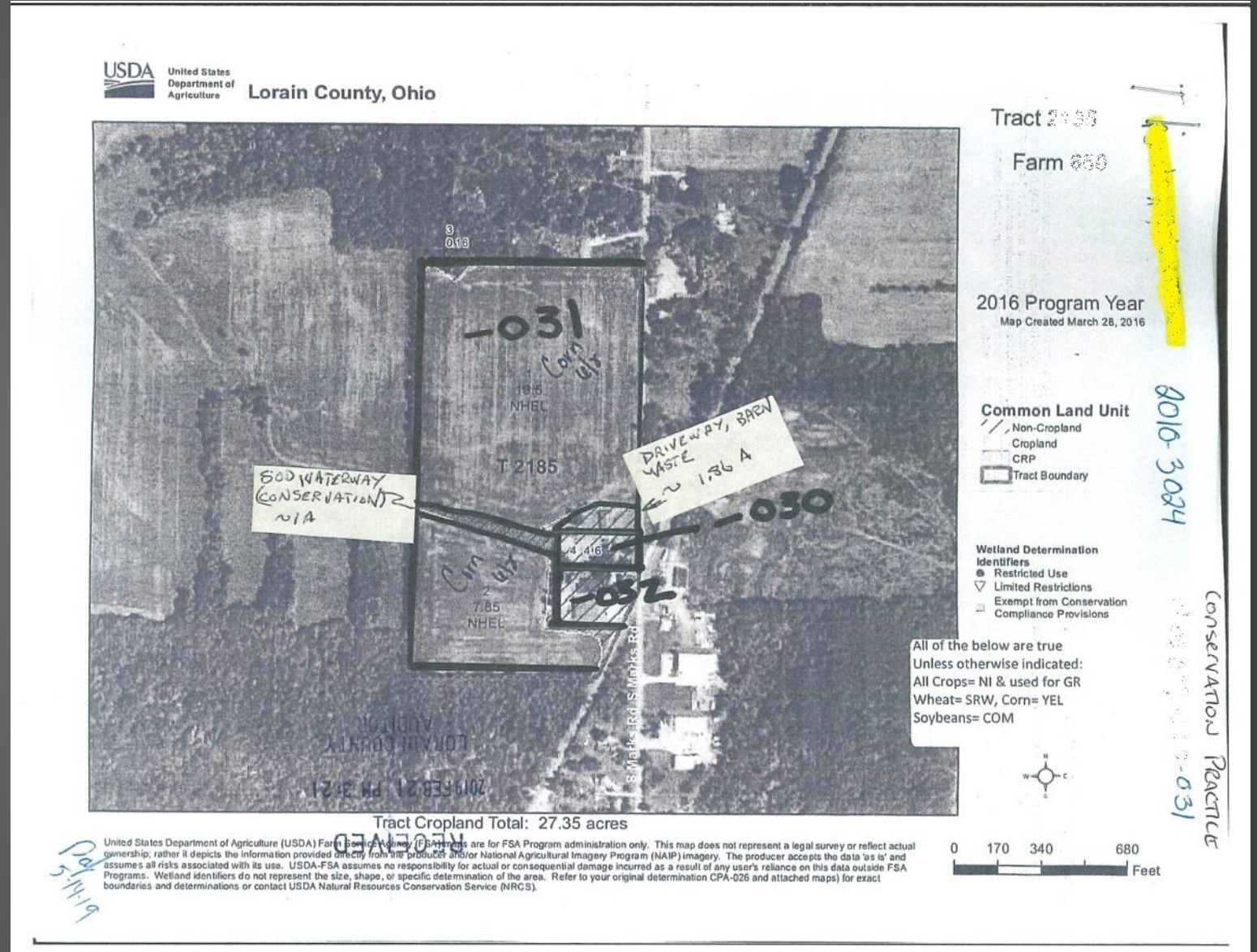
CRP & Conservation Practice

Sample CRP Map produced by USDA



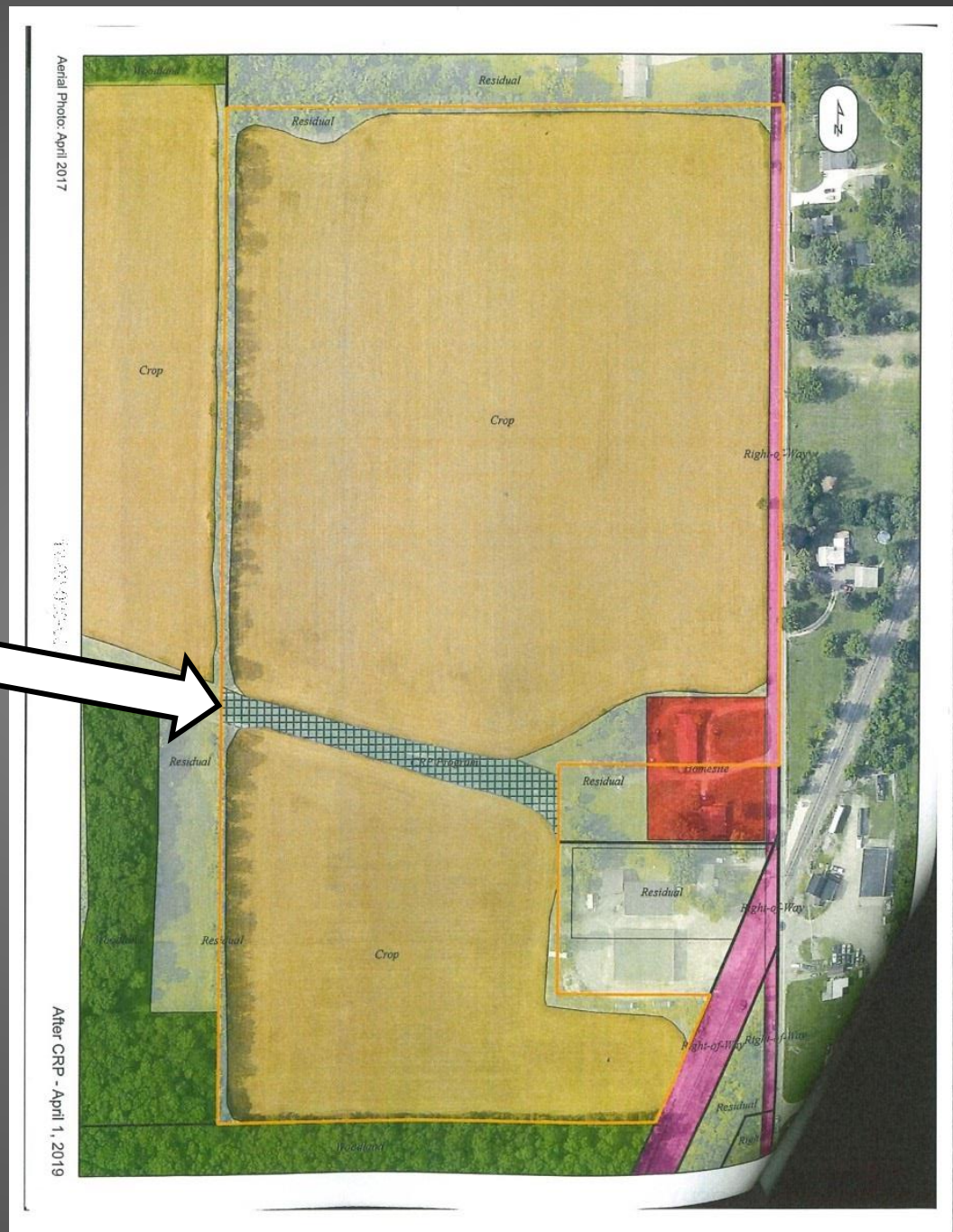
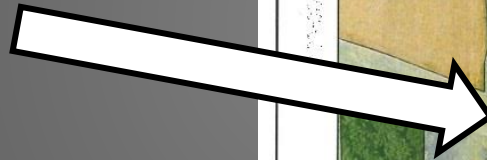
Conservation Practice

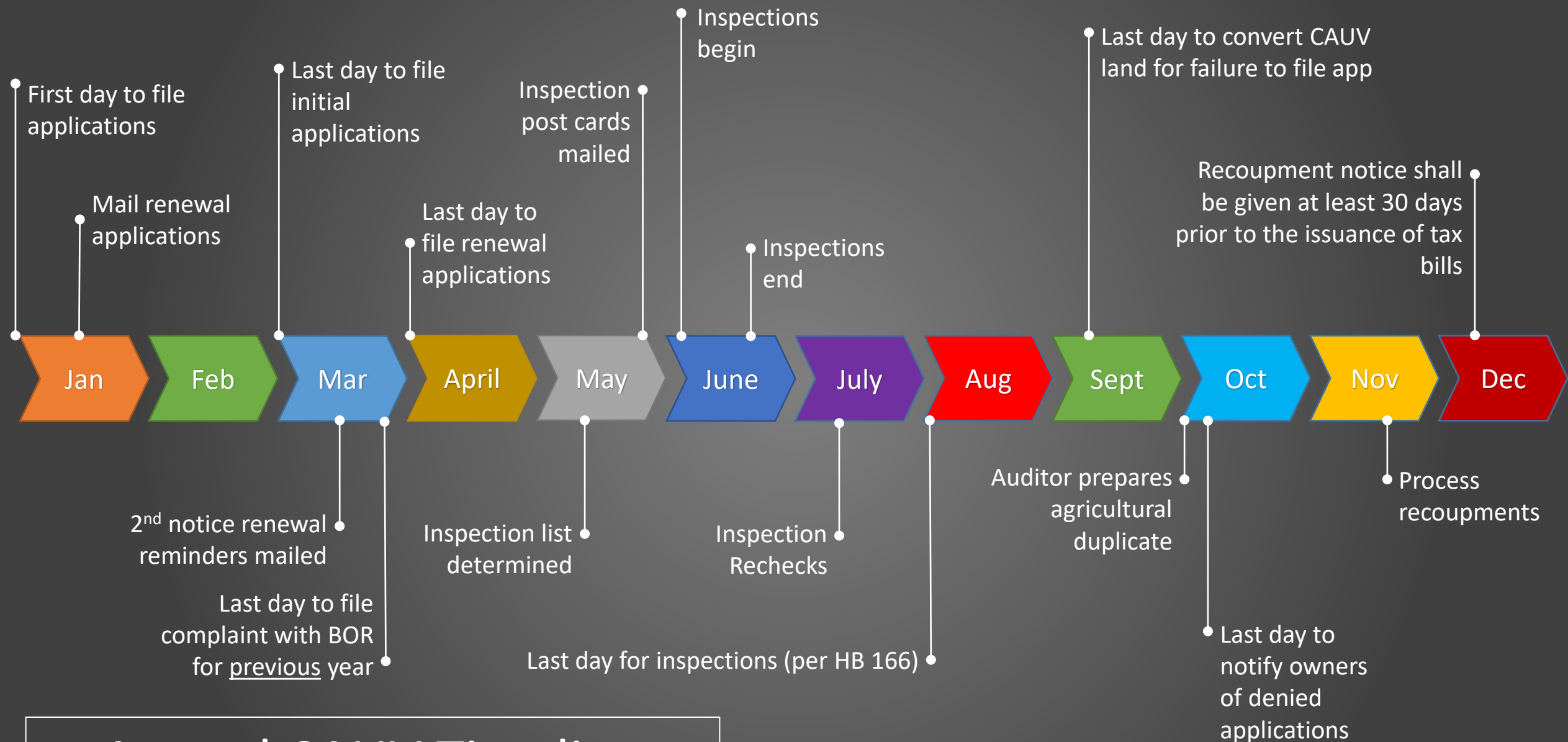
- Limited to 25% of parcel acreage
- Owner must request and identify on map



Conservation Practices

Map showing Conservation Practice (parcel from previous slide)



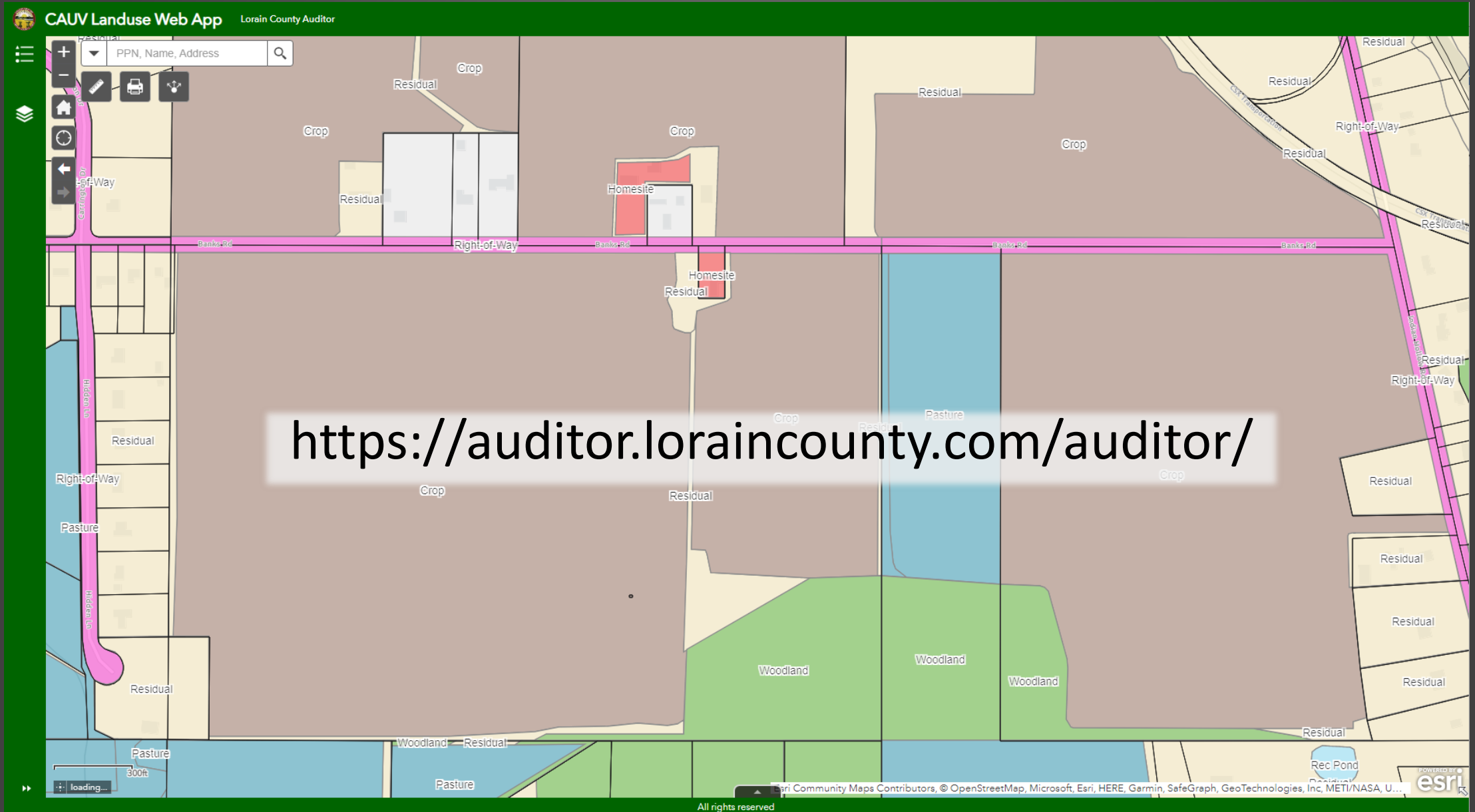


Annual CAUV Timeline

CAUV Program Review: What are we doing today?



CAUV Landuse Web App - 2022



Where did we look?



OHIO LAWS & ADMINISTRATIVE RULES

LEGISLATIVE SERVICE COMMISSION

HOMELAWSABOUTCONTACTRELATED SITESGO TO101.01GoKeyword Search

The Legislative Service Commission staff updates the Revised Code on an ongoing basis, as it completes its act review of enacted legislation. Updates may be slower during some times of the year, depending on the volume of enacted legislation.

Section 5713.30 | Agricultural land definitions.

[Ohio Revised Code](#) / [Title 57 Taxation](#) / [Chapter 5713 Assessing Real Estate](#)

[◀ Previous](#) [Next ▶](#)

Effective: April 12, 2021 **Latest Legislation:** House Bill 7 - 133rd General Assembly **PDF:** [Download Authenticated PDF](#)

As used in sections [5713.31](#) to [5713.37](#) and [5715.01](#) of the Revised Code:

(A) "Land devoted exclusively to agricultural use" means:

(1) Tracts, lots, or parcels of land totaling not less than ten acres to which, during the three calendar years prior to the year in which application is filed under section [5713.31](#) of the Revised Code, and through the last day of May of such year, one or more of the following apply:

(a) The tracts, lots, or parcels of land were devoted exclusively to commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, the cultivation of hemp by a person issued a hemp cultivation license under section [928.02](#) of the Revised Code, the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers, or the growth of timber for a

Where did we look?



Land under agricultural buildings

- Buildings = FMV
- But, land under agricultural buildings is still assessed as CAUV
- This would also include land around those buildings.
- These areas are typically part of the agricultural operation and support the agricultural activities, and the land should be on the CAUV program
- *Maralgate* is applicable here – the Court found that carveouts did not apply EXCEPT where the rules specifically stated (homesite) or there are other (non-ag) commercial uses.

CAUV Training - October 26, 2022

Where did we look?

Edges and Borders

- Field edges, borders and other non-tillable/farmed land that is incidental to the overall farm use should also be a part of the CAUV enrollment.
- Again, *Maralgate* says no carveouts necessary unless they are other commercial uses.
- Edges and borders also may appropriately be considered conservation measures depending on their location and use.
 - Are they operating as a buffer strip or erosion control for that field?

CAUV Training - October 26, 2022

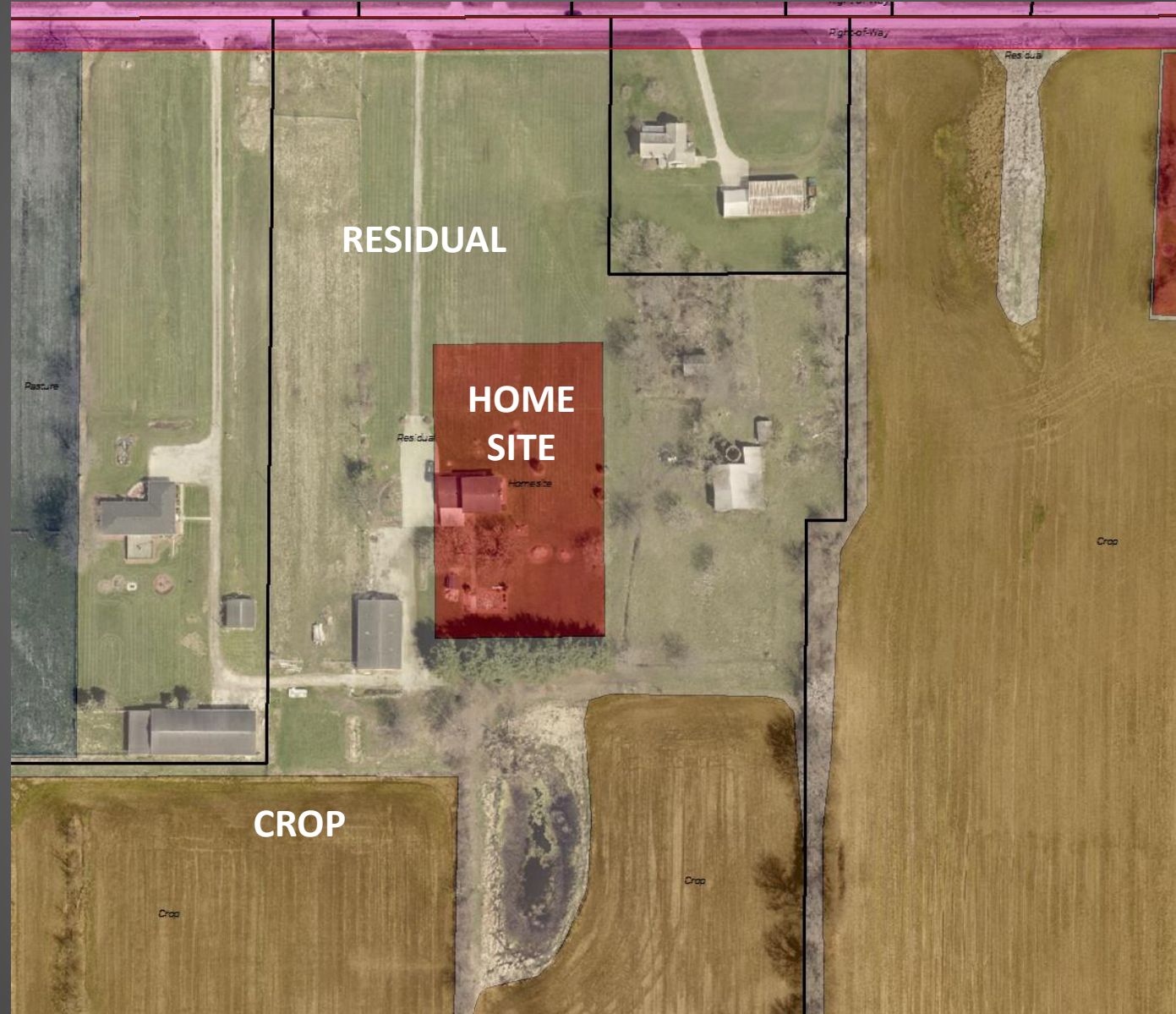
CAUV Land Use Project - 2023

- Review land use delineations
- 5,500 CAUV parcels
- Specifically examining residual delineations
- To be completed in 2023



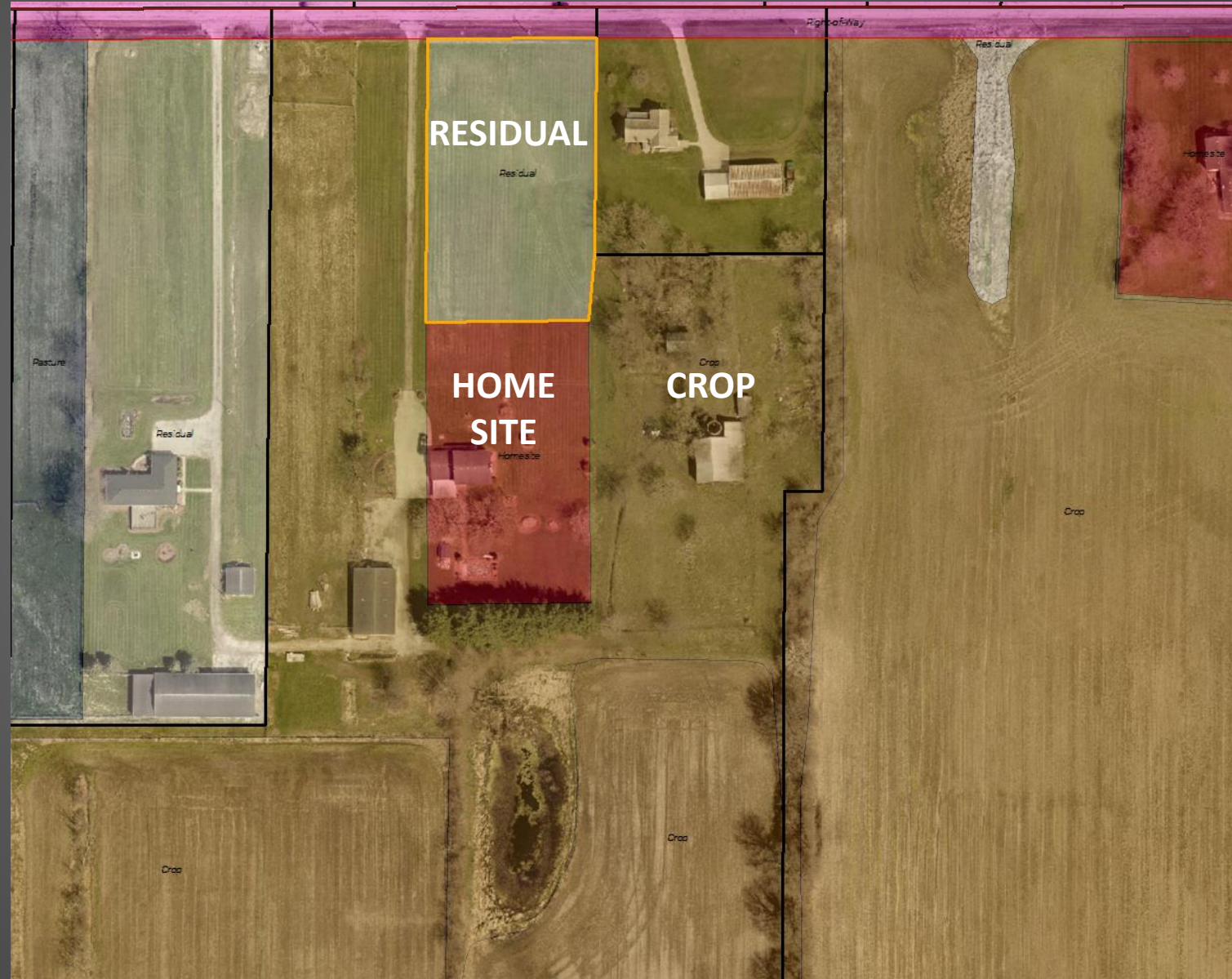
CAUV Land Use Project - 2023

Before



CAUV Land Use Project - 2023

After



Procedure for entering properties

Inspector Identification:

- Reflective vests
- Marked vehicles with lights
- Carry County Auditor identification

Procedure:

- Make contact with owner
- If no contact: leave door hanger
- Conduct inspection of property

Lorain County Sheriff has list of inspectors with vehicle descriptions. Please call Sheriff if in doubt.

Concerns for entering properties

- Inspectors are insured by Lorain County
- Animal contamination concerns
 - Owners recommended to display disease control signs
 - Property owner may request an inspection appointment

*Thank you for
your time.*

Questions?

Lorain County Auditor



www.loraincounty.com/auditor
auditor@lcauditor.com
440-329-5207