

ACTIONS
Board of Supervisors Meeting of January 6, 2016

January 8, 2016

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m. by the County Executive, Mr. Foley. All BOS members were present. Also present were Larry Davis, Ella Jordan and Travis Morris. 		Link to video
<p>4. Election of Chairman.</p> <ul style="list-style-type: none"> By a vote of 6:0, ELECTED Liz Palmer as Chair for Calendar Year 2016. 		
<p>5. Election of Vice-Chairman.</p> <ul style="list-style-type: none"> By a vote of 6:0, ELECTED Diantha McKeel as Vice-Chair for Calendar Year 2016. 		
<p>6. Appointment of Clerk and Senior Deputy Clerk.</p> <ul style="list-style-type: none"> By a vote of 6:0, REAPPOINTED Ella Jordan as Clerk and Travis Morris as Senior Deputy Clerk for Calendar Year 2016. 		
<p>7. Board 2016 Calendar.</p> <p>a. Set Meeting Times, Dates and Places for Calendar Year 2016.</p> <ul style="list-style-type: none"> By a vote of 6:0, SET the meeting times, dates and places for Calendar Year 2016 as follows: first Wednesday of the month - 1:00 p.m., and the second Wednesday of the month - 6:00 p.m., with said meetings to be held in the County Office Building on McIntire Road; and SET the meeting dates for January 2017 as January 4 – 1:00 p.m., and January 11 – 6:00 p.m. The Board cancelled August 10, 2016 as a regular scheduled meeting date. CONSENSUS to bring back discussion on retaining April 13 as a County holiday. <p>b. Set Meeting Times for Budget Work Sessions.</p> <ul style="list-style-type: none"> CONCENSUS to defer discussion until January 13 to allow Board opportunity to look at dates to see if any conflict with schedules. <p>c. Set Dates for Hearing Zoning Text Amendments Requested by Citizens.</p> <ul style="list-style-type: none"> By a vote of 6:0, SET the dates hearing Zoning Text Amendments requested by citizens for September 14, 2016, December 14, 2016, March 8, 2017 and June 14, 2017. 	<p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> and post notice on door of Lane Auditorium.</p> <p><u>Clerk:</u> Schedule on February 3 agenda.</p> <p><u>Clerk:</u> Schedule on January 13 agenda.</p> <p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> as required by Section 33.10.2 of the Zoning Ordinance.</p>	
<p>8. Adoption of Rules of Procedures/Policies.</p> <p>a. Rules of Procedure.</p> <ul style="list-style-type: none"> By a vote of 6:0 ADOPTED the Rules of Procedures/Policies. 	<p><u>Clerk:</u> Forward copy to Board members, County Attorney and Community Development. (Attachment 1)</p>	
<p>9. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
<p>10. Brief Announcements by Board Members. <u>Brad Sheffield:</u></p>		

<ul style="list-style-type: none"> • Suggested that the Board and City Council hold a joint meeting in the near future; will discuss further during Other Matters From the Board. <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> • Announced that he attends Scottsville Town Council meetings and will report back to the Board on any major issues that come up that relate to the County. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Provided Board members with copy of publication from the Soil and Water Conservation District on area native plants. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> • Announced that there is composting at the McIntire Recycling Center. Harris Teeter, Whole Foods and Kroger have composting bags. • The County and AHIP have been awarded a planning grant to determine the needs for a housing rehabilitation in southern Albemarle, in the Alberene area. There will be a community meeting on Wednesday, January 13, 6:00 p.m., Alberene Church. 		
<p>11. Recognitions:</p> <p>a. Larry Davis as the 2016 Fellow of the Virginia Law Foundation.</p> <ul style="list-style-type: none"> • Recognized. <p>b. Government Finance Officers Association (GFOA) Budget Award.</p> <ul style="list-style-type: none"> • Recognized. 		
<p>12. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Robbi Savage</u> announced that the Rivanna Conservation Society and StreamWatch have merged and is now the Rivanna Conservation Society. She then provided an update on their programs and services. • <u>Kirk Bowers</u>, resident of the Rivanna District, welcomed new Board members and said he looks forward to working with everyone. • <u>Mitch Willie</u>, owner of Clifton Inn, spoke about the Board's consideration of his proposed zoning text amendment and thanked the community for its support of the Clifton Inn. • <u>Nancy Carpenter</u>, a resident of the City of Charlottesville, spoke about affordable housing. Suggested the Board and the City Council look at different options to address the need. (Mr. Randolph asked Ms. Carpenter to provide the Board with the source of for the 86 hours of minimum wage to afford rent.) • <u>Neil Williamson</u>, Free Enterprise Forum, encouraged the Board to look at its regulatory regulations and processes with regard to how long it takes to get things done in the County. (Ms. Palmer asked that the County Executive provide the Board with specifics in relation to Mr. Williamson comments.) 		

<p>13.2 FY 16 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to approve appropriations #2016043, #2016050, #2016051, #2016052, and #2015053 for local government and school division projects and programs. 	<p><u>Clerk:</u> Notify OMB, Finance and appropriate individuals. Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 2)</p>
<p>13.3 Study for Pedestrian Crossing(s) on Route 29 North Route 250 East.</p> <ul style="list-style-type: none"> • Pulled from the consent agenda and added to the regular agenda as Item 26a. 	
<p>13.4 County Code Regulations Regarding Applications for Rezonings and Special Use Permits.</p> <ul style="list-style-type: none"> • Pulled from the consent agenda and added to the regular agenda as Item 26b. 	
<p>13.5 Hydraulic Road and Barracks Road Sidewalk Project.</p> <ul style="list-style-type: none"> • ADOPTED Resolution authorizing the purchase of the rights-of-way and easements necessary for the Hydraulic Road and Barracks Road Sidewalk Project for amounts not to exceed just compensation, as confirmed by the County Attorney, in amounts not to exceed the current project budget; and AUTHORIZED the County Executive to sign, in a form approved by the County Attorney, all documents necessary to complete the acquisitions. 	<p><u>Clerk:</u> Forward resolution to OFD and County Attorney's office. (Attachment 3)</p>
<p>13.6 Ivy Road Sidewalk Project.</p> <ul style="list-style-type: none"> • Pulled from the consent agenda and added to the regular agenda. 	
<p>13.7 Community Development Block Grant, Approve Plans and Certifications of Compliance required to receive CDBG Funds.</p> <ul style="list-style-type: none"> • APPROVED and AUTHORIZED the County Executive to execute the Local Business and Employment Plan; AUTHORIZED the County Executive to execute the Fair Housing Certification; and AUTHORIZED the County Executive to execute the Residential Anti-Displacement and Relocation Assistance Plan Certifications. 	<p><u>County Executive:</u> Proceed as approved.</p> <p><u>Ron White:</u> Provide Clerk with copy of signed documents. (Attachment 4)</p>
<p>13.8 Community Development 2016 Work Program – Amendment 1.</p> <ul style="list-style-type: none"> • ADOPTED amended Work Program. 	<p><u>Community Development:</u> Proceed as approved. (Attachment 5)</p>
<p>13.9 Legislative Support Against Hostile Attempts to Require Re-Justification or Elimination of Nutrient Allocation.</p> <ul style="list-style-type: none"> • ADDED the following legislative position to its legislative program: "The County opposes any effort that would require re-justification of nutrient allocations for existing wastewater treatment facilities in our region or that would reduce or eliminate nutrient allocation or related treatment capacity serving the region." 	<p><u>County Executive:</u> Notify RWSA of County's position.</p> <p><u>County Attorney:</u> Include in County's legislative program.</p>
<p>Action: Ivy Road Sidewalk Project.</p> <ul style="list-style-type: none"> • Discussed and then moved for further discussion to later in meeting. 	
<p>14. Reorganization of the Department of General Services and the Office of Facilities Development.</p>	<p><u>Clerk:</u> Forward copy of adopted resolutions to County Attorney's office, Human Resources and</p>

<ul style="list-style-type: none"> • ADOPTED Resolution to approve the establishment of the Facilities and Environmental Services Department effective February 1, 2016, which will combine the Department of General Services and the Office of Facilities Development, and will consist of the divisions of Environmental Services, Public Works, and Project Management; and ADOPTED Resolution to appoint the current director of the Office of Facilities Development as the director of the new Department of Facilities and Environmental Services effective February 1, 2016. 	Trevor Henry (Attachments 6 and 7)	
15. Brooks Family YMCA - Construction Status Update. <ul style="list-style-type: none"> • RECEIVED. 		
16. Albemarle County Service Authority (ACSA) Quarterly Update. <ul style="list-style-type: none"> • RECEIVED. 		
17. Albemarle County Service Authority (ACSA) Quarterly Update. <ul style="list-style-type: none"> • RECEIVED. 		
Recess. The Board recessed at 2:54 p.m., and reconvened at 3:08 p.m.		
18. VDOT Culpeper District, Albemarle County Monthly Report, January, 2016. <ul style="list-style-type: none"> • RECEIVED. 		
19. County Transportation Planner Quarterly Update, January 2016. <ul style="list-style-type: none"> • RECEIVED. • Mr. Randolph asked staff to look at bike lanes and interfaces in the urban ring with City roads. • Ms. Mallek asked staff to consider a map overlay for "Do Not Pave Gravel Roads." 	<u>Gerald Gatubu:</u> Include in report back to the Board.	
Ivy Road Sidewalk Project. <ul style="list-style-type: none"> • By a vote of 6:0, DIRECTED staff to proceed with the project from the City of Charlottesville limits to Stillfried Lane based on Option 2, and to phase the construction as shown on Attachment A (to the staff report) to maximize the amount of sidewalk that may be built within the budget; and DIRECTED staff to request waiver from VDOT to allow a reduction of lane width to 11 feet to allow for bike lane on the southside. 	<u>Jack Kelsey:</u> Proceed as approved. (Attachment 8)	
20. Route 29 Solutions Project Delivery Advisory Panel (PDAP) Monthly Update. <ul style="list-style-type: none"> • RECEIVED. 		
26a. Study for Pedestrian Crossing(s) on Route 29 North Route 250 East. <ul style="list-style-type: none"> • CONSENSUS that staff take Board feedback and bring back for further discussion. 	<u>Gerald Gatubu/County Executive:</u> Schedule on agenda when ready to come back.	
21. Closed Session. Personnel and Legal Matters. <ul style="list-style-type: none"> • At 4:19 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1): to consider appointments to boards, committees 		

	and commissions in which there are pending vacancies or requests for reappointments; and to discuss the retirement of a department head; and under subsection (7) to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to: the negotiation of an agreement for the Ivy Landfill transfer station; the negotiation of easements on the County Office Building property; and the negotiation of an agreement for Court facilities.	
22.	Certified Closed Meeting. <ul style="list-style-type: none"> At 6:03 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
23.	Boards and Commissions: Note: This item was taken up later in the meeting.	
24.	From the Public: Matters not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> Jeff Werner, Charlottesville-Albemarle Land Use Field Officer for the Piedmont Environmental Council, spoke about the role of PEC. 	
25.	Pb. Hrg.: Virginia Community Development Block Grant (CDBG). To solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for potential projects in the locality. <ul style="list-style-type: none"> By a vote of 6:0, SET public hearing on Wednesday, March 9, 2016, for the second required public hearing to review and approve the submission of any proposed applications. 	Clerk: Advertise and schedule public hearing on agenda.
26.	Pb. Hrg.: PROJECT: SP-2015-00021. Tandem School. <ul style="list-style-type: none"> ADOPTED, by a vote of 6:0, Resolution to approve SP-2015-00021 subject to the conditions listed therein. 	Clerk: Forward copy of resolution to Community Development and County Attorney's office. (Attachment 9)
26b.	County Code Regulations Regarding Applications for Rezonings and Special Use Permits. <ul style="list-style-type: none"> ADOPTED, by a vote of 6:0, Resolutions of Intent. 	Clerk: Forward copy of resolutions to Community Development and County Attorney's office. (Attachments 10 and 11)
27.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Discussed bill that Steve Landes agreed to sponsor that would require mandatory objective criteria be used by the General Assembly in redistricting decisions. Mentioned that on December 10, 2015, the School Board voted to transfer \$200,000 from its Fund Balance to the CSA Program as a result of actual program experience that exceeded projections. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Expressed condolences on the death of the son of Cassandra Stish, Buckingham County Supervisor. 	<u>County Attorney:</u> Follow-up.

<ul style="list-style-type: none"> Discussed creating a special exception for a school already located in the growth area instead of the school going through the special use permit process. Discussed job description for the Natural Resources position. <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Announced that he and Ms. Palmer visited Yancey Elementary School to see the opening of All Gods Children daycare program. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Mentioned that a discussion of the Solid Waste Implementation Committee will be on the Board's February 3, 2016 agenda. <p><u>Brad Sheffield:</u></p> <ul style="list-style-type: none"> Discussed and received CONSENSUS to schedule joint City Council and Board meeting in February. 	<p><u>County Executive/Clerk:</u> Proceed with scheduling meeting as discussed.</p>	
<p>28. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p><u>Tom Foley:</u></p> <ul style="list-style-type: none"> Announced that he is continuing to pursue the equal taxing authority position with Delegate Steve Landes. Highlighted various items on the Monthly County Executive's report. Mentioned that work session has been scheduled for February 10, 2016, to discuss a potential bond referendum. 		
<p>29. Closed Meeting.</p> <ul style="list-style-type: none"> At 7:10 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia under subsection (1) to consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments. 		
<p>30. Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 8:10 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>Boards and Commissions:</p> <p>a. Board Member Committee Appointments.</p> <p><u>APPOINTED Board members to serve on the following committees:</u></p> <p><u>Norman Dill:</u></p> <ul style="list-style-type: none"> Audit Committee with said term to expire December 31, 2016. CIP Oversight Committee with said term to expire December 31, 2016. Darden Towe Park Memorial Committee with said term to expire December 31, 2016. High Growth Coalition with said term to expire December 31, 2016. Pantops Community Advisory Committee, Board liaison, with said term to expire December 31, 2016. Places 29 (North) Community Advisory Committee, Board liaison, with said term to expire December 31, 2016. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	

- Rivanna River Basin Commission with said term expire December 31, 2017.

Ann Mallek:

- Acquisition of Conservation Easement (ACE) Committee with said term to expire December 31, 2016.
- Agricultural and Forestal Advisory Committee, Board liaison, with said term to expire December 31, 2016.
- CIP Oversight Committee with said term to expire December 31, 2016.
- Crozet Community Advisory Committee, Board liaison, with said term to expire December 31, 2016.
- Historic Preservation Committee, Board liaison, with said term to expire December 31, 2016.
- High Growth Coalition with said term to expire December 31, 2016.
- Metropolitan Planning Organization (MPO) with said term to expire December 31, 2017.
- Rivanna River Basin Commission with said term to expire December 31, 2017.
- Piedmont Workforce Network Council (designee in absence of Chair) with said term to expire December 31, 2016.
- Workforce Investment Board (designee in absence of Chair) with said term to expire December 31, 2016.

Diantha McKeel:

- Charlottesville/Albemarle/UVA Planning and Coordination Council (PACC) with said term to expire December 31, 2016.
- Jail Authority Board to fill an unexpired term ending December 31, 2017.
- Metropolitan Planning Organization (MPO) with said term to expire December 31, 2017.
- Places 29 (Hydraulic) Community Advisory Committee, Board liaison, with said term to expire December 31, 2016.
- Police Department Citizens Advisory Committee, Board liaison, with said term to expire December 31, 2016.

Liz Palmer:

- 5th and Avon Community Advisory Committee with said term to expire December 31, 2016.
- Audit Committee with said term to expire December 31, 2016.
- Piedmont Workforce Network Council with said term to expire December 31, 2016.
- Rivanna Solid Waste Authority with said term to expire December 31, 2017.
- Rivanna Water and Sewer Authority with said term to expire December 31, 2017.
- Workforce Investment Board with said term to expire December 31, 2016.

Rick Randolph:

- 5th and Avon Community Advisory Committee with said term to expire December 31, 2016.

- Hazardous Materials Local Emergency Planning Committee with said term to expire December 31, 2016.
- Property Committee with said term to expire December 31, 2016.
- Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2017.
- TJPDC Rural Transportation Advisory Council with said term to expire December 31, 2017.
- Village of Rivanna Community Advisory Committee, Board liaison, with said term to expire December 31, 2016.

Brad Sheffield:

- Charlottesville/Albemarle/UVA Planning and Coordination Council (PACC) with said term to expire December 31, 2016.
- Darden Towe Park Memorial Committee with said term to expire December 31, 2016.
- Fiscal Impact Advisory Committee with said term to expire December 31, 2016.
- Places 29 (Rio) Community Advisory Committee, Board liaison, with said term to expire December 31, 2016.
- Property Committee with said term to expire December 31, 2016.
- Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2017.
- TJPDC Foundation Board with said term to expire December 31, 2017.

b. Boards and Commissions Vacancies and Appointments.

- **APPOINTED** Ms. Leah Jung to the Acquisition of Conservation Easements (ACE) Committee with said term to expire August 1, 2018.
- **APPOINTED** Ms. Angela Lynn to the Agricultural/Forestral District Advisory Committee with said term to expire April 17, 2020.
- **APPOINTED** Mr. Richard Armstrong as the Scottsville District representative to the Albemarle County Service Authority with said term to expire December 31, 2019.
- **REAPPOINTED** Mr. Bill Kittrell as the White Hall District representative and Mr. Clarence Robert as the Rivanna District representative to the Albemarle County Service Authority with said terms to expire December 31, 2019.
- **APPOINTED** Mr. Victor Schiller to the Charlottesville-Albemarle Joint Airport Commission to fill an unexpired term ending December 1, 2017.
- **REAPPOINTED** Mr. James Atkinson as the Samuel Miller District representative and Mr. Elton Oliver as the Scottsville District representative to the Economic Development Authority with said terms to expire January 19,

2020.

- **APPOINTED** Mr. Peter Wiley as the Scottsville District representative to the Equalization Board with said term to expire December 31, 2016.
- **REAPPOINTED** Ms. Tammie Moses as the Jack Jouett District representative, Ms. Nancy Fleischman as the White Hall District representative, Mr. Steven Janes as the Rivanna District representative and Mr. John Lowry as the Samuel Miller District representative to the Equalization Board with said terms to expire December 31, 2016.
- **APPOINTED** Lt. Todd Hopwood to the Jefferson Area Community Criminal Justice Board with said term to expire June 30, 2018.
- **REAPPOINTED** Col. Steve Sellers to the James River Alcohol Safety Action Program with said term to expire January 1, 2019.
- **APPOINTED** Ms. Nancy Weiss and Mr. Peter Hatch to the Natural Heritage Committee with said terms to expire September 30, 2019.
- **REAPPOINTED** Mr. J. Timothy Keller as the At-Large representative to the Planning Commission with said term to expire December 31, 2017.
- **REAPPOINTED** Ms. Julia Monteith as the UVA representative to the Planning Commission with said terms to expire December 31, 2016.
- **APPOINTED** Ms. Daphne Spain as the Rivanna District representative, Ms. Jennie More as the White Hall District representative and Ms. Pam Riley as the Scottsville District representative to the Planning Commission with said terms to expire December 31, 2019.
- **APPOINTED** Mr. Trevor Henry to the Rivanna Solid Waste Authority effective February 1, 2016 with said term to expire April 10, 2017.
- **REAPPOINTED** Mr. Tom Foley to the Rivanna Solid Waste Authority with said term to expire April 10, 2017.
- **REAPPOINTED** Mr. Tom Foley and Mr. Gary O'Connell to the Rivanna Water and Sewer Authority with said terms to expire April 10, 2017.
- **REAPPOINTED** Ms. Elizabeth Knotts as the Scottsville District representative, Ms. Angela Lynn as the White Hall District representative and Mr. Lynwood Bell as the Rivanna District representative to the Social Services Advisory Board with said terms to expire December 31, 2019.
- **REAPPOINTED** Mr. Stephen Elliott to the Thomas Jefferson Emergency Medical Services Council with said term to expire January 1, 2019.
- **REAPPOINTED** Mr. Stephen Murray to the TJ Water Resource Protection Foundation with said term to expire January 31, 2020.

31. Adjourn to January 13, 2016, 3:00 p.m., Room 241. <ul style="list-style-type: none">• The meeting was adjourned at 8:15 p.m.		
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ewj/tom

Attachment 1 – Rules of Procedures/Policies

Attachment 2 – Resolution – FY 16 Appropriations

Attachment 3 – Resolution - Hydraulic Road and Barracks Road Sidewalk Project

Attachment 4 – Community Development Block Grant Documents

Attachment 5 – Community Development 2016 Work Program – Amendment 1

Attachment 6 – Resolution – Establishment of Department of Facilities and Environmental Services

Attachment 7 – Resolution Appointing Director of Department of Facilities and Environmental Services

Attachment 8 – Ivy Sidewalk Project

Attachment 9 – Resolution and Conditions - SP-2015-00021. Tandem School

Attachment 10 – Resolution of Intent for Proffer Amendments

Attachment 11 – Resolution of Intent for Definition of Owner

ALBEMARLE COUNTY BOARD OF SUPERVISORS

RULES OF PROCEDURE

Adopted January 6, 2016

Albemarle County Board of Supervisors Rules of Procedures

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RULES OF PROCEDURE
ALBEMARLE BOARD OF COUNTY SUPERVISORS

These rules of procedure are designed and adopted for the benefit and convenience of the Albemarle County Board of Supervisors. Their purpose is to help the Board conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert's Rules of Order's Procedure in Small Boards* and applicable Virginia laws. The rules of procedure do not create substantive rights for third parties or participants in proceedings before the Board. Further, the Board reserves the right to amend the rules of procedure whenever a majority of the Board decides to do so or to suspend the rules by a majority plus one vote, as set forth herein. The failure of the Board to strictly comply with the rules of procedure shall not invalidate any action of the Board.

A. *Board Members*

Unless otherwise specifically provided herein, all Board members have equal rights, responsibilities, and authority. Board members will act in a collegial manner and will cooperate and assist in preserving the decorum and order of the meetings. Changes to rules, policies, or procedures can only be made at a public meeting of the Board.

B. *Officers*

1. *Chair.* The Board at its annual meeting shall elect a Chair who, if present, shall preside at such meeting and at all other meetings during the year for which elected. In addition to being presiding officer, the Chair shall be the head official for all the Board's official functions and for ceremonial purposes. The Chair shall have a vote but no veto. (Virginia Code §§ 15.2-1422 and 15.2-1423)
2. *Vice-Chair.* The Board at its annual meeting shall also elect a Vice-Chair, who, if present, shall preside at meetings in the absence of the Chair and shall discharge the duties of the Chair during the Chair's absence or disability. (Virginia Code § 15.2-1422)
3. *Term of Office.* The Chair and Vice-Chair shall be elected for one-year terms; but either or both may be re-elected for one or more additional terms. (Virginia Code § 15.2-1422)
4. *Absence of Chair and Vice-Chair.* If the Chair and Vice Chair are absent from any meeting, a present member shall be chosen to act as Chair.

C. *Clerk and Deputy Clerks*

The Board at its annual meeting shall designate a Clerk and one or more Deputy Clerks who shall serve at the pleasure of the Board. The duties of the Clerk shall be those set forth in Virginia Code § 15.2-1539 and such additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code § 15.2-1416)

D. *Meetings*

1. *Annual Meeting.* The first meeting in January held after the newly elected members of the Board shall have qualified, and the first meeting held in January of each succeeding year, shall be known as the annual meeting. At such annual meeting, the Board shall establish the days, times, and places for regular meetings of the Board for that year. (Virginia Code § 15.2-1416)
2. *Regular Meetings.* The Board shall meet in regular session on such day or days as has been established at the annual meeting. The Board may subsequently establish different days, times, or places for such regular meetings by passing a resolution to that effect in accord with Virginia Code § 15.2-1416. If any day established as a regular meeting day falls on a legal holiday, the meeting scheduled for that day shall be held on the next regular business day without action of any kind by the Board. (Virginia Code § 15.2-1416)

If the Chair (or Vice Chair, if the Chair is unable to act) finds and declares that weather or other conditions are such that it is hazardous for Board members to attend a regular meeting, such meeting

shall be continued to the next regular meeting date. Such finding shall be communicated to the members of the Board and to the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement shall be required. (Virginia Code § 15.2-1416)

Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business of the Board is complete. (Virginia Code § 15.2-1416)

3. *Special Meetings.* The Board may hold special meetings as it deems necessary at such times and places as it deems convenient. A special meeting may be adjourned from time to time as the Board finds necessary and convenient. (Virginia Code § 15.2-1417)

A special meeting shall be held when called by the Chair or requested by two or more members of the Board. The call or request shall be made to the Clerk and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the Clerk, after consultation with the Chair, shall immediately notify each member of the Board, the County Executive, and the County Attorney. The notice shall be in writing and delivered to the person or to his place of residence or business, or if requested by a member of the Board, by electronic mail or facsimile. The notice shall state the time and place of the meeting and shall specify the matters to be considered. No matter not specified in the notice shall be considered at such meeting unless all members are present. The notice may be waived if all members are present at the special meeting or if all members sign a waiver for the notice. (Virginia Code § 15.2-1418) The Clerk shall notify the general news media of the time and place of such special meeting and the matters to be considered.

E. *Order of Business*

1. *Agenda.* The Clerk of the Board shall establish the agenda for all meetings in consultation with the County Executive and the Chair. The County Executive and Clerk shall review the agenda with the Chair and Vice Chair prior to the meeting. The first two items on the agenda for each regular meeting of the Board shall be the Pledge of Allegiance and a moment for silent meditation.

a. At regular meetings of the Board, the order of business shall generally be as follows:

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Proclamations and Recognitions.
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda.
9. General Business.
10. From the Board: Committee Reports and Matters Not Listed on the Agenda.
11. From the County Executive: Report on Matters Not Listed on the Agenda.
12. Adjourn.

A Closed Meeting shall be held whenever necessary. Generally, a Closed Meeting will be scheduled either at the midpoint of the agenda or at the end of the agenda prior to adjournment.

b. The above order of business may be modified by the Clerk to facilitate the business of the Board.

2. *Adoption of Final Agenda.* The draft agenda will be provided to the Board six days prior to the regular meeting date. The first order of business for a regular meeting of the Board shall be to adopt a final agenda for that meeting. The Board may modify the order of business as part of the adoption of the final agenda. In addition, any Board member may propose to add additional items to the agenda presented by the Clerk for action if notice of that item has been given in writing or by email to all Board members, the Clerk, and the County Executive by 5:00 p.m. two days before the date of the meeting or upon the unanimous consent of all Board members present. Any such item shall be added

to the end of the agenda for discussion or action unless a majority of the members of the Board agree to consider the item earlier on the agenda. The final agenda shall be adopted by a majority vote of the members of the Board. No matter for action not included on the final agenda shall be considered at that meeting.

Resolutions may be proposed by a Board member requesting the Board to take a position on an issue of importance to the Board. A Board member requesting the Board to adopt a resolution should give notice of the intent to request action on such resolution on a specified meeting date and submit a draft of the proposed resolution. The Clerk will distribute the draft resolution with background information, if available, to all Board members. Board members may submit proposed changes to the proposed resolution to the Clerk in a redline format. The Clerk shall forward all comments received from Board members to the Board. The Board member requesting the resolution will then coordinate with the Clerk to prepare a resolution for consideration by the Board. The Clerk shall poll the Board members to determine if a majority of the Board members support adding the resolution to the agenda for consideration. If a majority of the Board members indicate support for considering the resolution, the resolution will be added to the proposed final agenda. If all Board members indicate support for the resolution, the resolution may be placed on the proposed consent agenda unless any member requests otherwise.

3. *Brief Announcements by Board Members.* “Brief Announcements by Board Members” are announcements of special events or other items of interest that are not considered committee reports and are not otherwise on the meeting agenda.
4. *Proclamations and Recognitions.* Proclamations are ceremonial documents or recognitions adopted by the Board to draw public awareness to a day, week, or month to recognize events, arts and cultural celebrations, or special occasions. Recognitions are ceremonial acknowledgements by the Board of a person for service or achievement.

A request to place a proclamation or recognition on the agenda must be made at least four weeks in advance of the meeting date. The request to advance a proclamation or recognition shall be submitted to the Clerk. If the request is made to a Board member, the person making the request will be directed to make the request to the Clerk. The Clerk will advise the person making the request of the process and submittal requirements. Upon the submittal of the request, the Clerk will review the submittal for completeness and forward it to Board members for review. The Clerk will poll Board members to determine if a majority of the Board supports adding the proclamation or recognition to the agenda. The Clerk will advise the person requesting the proclamation or recognition whether the proclamation or recognition will be considered by the Board.

5. *From the Public: Matters Not Listed for Public Hearing on the Agenda.* The procedures for receiving comment from the public for matters not on the agenda shall be at the discretion of the Board. Unless otherwise decided, due to the number of speakers or for other reasons, individuals will be allowed a three-minute time limit in which to speak during the time set aside on the agenda for “From the Public: Matters Not Listed for Public Hearing on the Agenda”.
6. *Consent Agenda.* The “Consent Agenda” shall be used for matters that do not require discussion or comment and are anticipated to have the unanimous approval of the Board. There shall be no discussion or comment on consent agenda matters. Board members should ask the County Executive or the staff member identified in the executive summary any questions regarding a consent agenda item prior to the Board meeting. Any Board member may remove an item from the consent agenda. Any item removed from the consent agenda shall be moved to a specific time or to the end of the meeting agenda for further discussion or action. A matter requiring only brief comment or discussion may be considered immediately after the approval of the consent agenda. A motion to approve the consent agenda shall approve consent agenda items identified for action and accept consent agenda items identified for information.
7. *General Business.* General Business shall include public hearings, work sessions, appointments and other actions, discussions, and presentations.

8. *From the Board: Committee Reports and Matters Not Listed on the Agenda.* “From the Board: Committee Reports and Matters Not Listed on the Agenda” shall be limited to matters that are not substantial enough to be considered as additional agenda items to be added to the final agenda. Such matters are not matters to be acted upon by the Board at that meeting. Routine committee reports and information updates by Board members shall be presented under this agenda item.
9. *Report from the County Executive.* The County Executive will report on matters that the County Executive deems should be brought to the Board’s attention and provide updates, if necessary, to the monthly County Executive’s Report.
10. *Zoning Public Hearings.* Zoning applications advertised for public hearing shall be on the agenda for public hearing on the advertised date unless the applicant submits a signed written deferral request to the Clerk no later than noon on Wednesday of the week prior to the scheduled public hearing. The first request for a deferral will be granted administratively by the Clerk. The Board will be notified of the deferral in the next Board package and the deferral will be announced at the earliest possible Board meeting to alert the public of the deferral. Any request received later than the Wednesday deadline and any subsequent request for a deferral for the same application previously deferred will be granted only at the discretion of the Board by a majority vote. The deferral shall not be granted unless the Board determines that the reason for the deferral justifies the likely inconvenience to the public caused by the deferral. The staff will make every effort to alert the public when a deferral is granted.

It is the Board’s preference that a public hearing for a zoning matter should not be advertised until all of the final materials for a zoning application have been received by the County and are available for public review. To achieve this preference, applicants should provide final plans, final codes of development, final proffers, and any other documents deemed necessary by the Director of Community Development, to the County no later than two business days prior to the County’s deadline for submitting the public hearing advertisement to the newspaper. Staff will advise applicants of this date by including it in annual schedules for applications and by providing each applicant a minimum of two weeks advance notice of the deadline.

If the applicant does not submit the required materials by this date, the public hearing shall not be advertised unless the applicant demonstrates to the satisfaction of the Director of Community Development that good cause exists for the public hearing to be advertised. If not advertised, a new public hearing date will be scheduled. If the public hearing is held without final materials being available for review throughout the advertisement period due to a late submittal of documents, or because substantial revisions or amendments are made to the submitted materials after the public hearing has been advertised, it will be the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application, unless the Board finds that the deferral would not be in the public interest or not forward the purposes of this policy.

Final signed proffers shall be submitted to the County no later than nine calendar days prior to the date of the advertised public hearing. This policy is not intended to prevent changes from being made to proffers resulting from comments received from the public or from Board members at the public hearing.

F. *Travel Reimbursement*

Board members will be reimbursed travel expenses pursuant to uniform standards and procedures that will allow Board members to travel for official County business purposes consistent with the prudent use of County funds as follows:

1. Board members may be reimbursed for the following routine travel expenses at the County’s authorized car mileage reimbursement rate, provided there are available funds:
 - a. Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Board member is appointed, from home or work, if a work day, which is not part of routine personal travel;

- b. Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters scheduled for consideration on the Board's agenda which is not part of routine personal travel (i.e., site visits, informational meetings); and
 - c. Parades and other community gatherings not advertised as Supervisor's town hall meetings to discuss County business. Travel to use the COB office between other personal travel or meetings, shall not be covered.
- 2. Board members may be reimbursed for the following educational conference travel expenses, provided there are available funds:
 - a. All necessary, actual and reasonable meal, travel and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Board member represents the County, as approved by the Board; and
 - b. All necessary, actual and reasonable meal, and travel (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.
- 3. Board members will not be reimbursed for the following travel expenses:
 - a. Travel to events which are political in nature (i.e., campaigning or partisan events);
 - b. Personal expenses incurred during travel; or
 - c. Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Sections 1 or 2.
- 4. This policy will be applied and overseen in the following manner:
 - a. Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board and shall itemize the date, number of miles of travel expenses and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be for the amount of costs expended and shall be documented by receipts for actual amounts paid.
 - b. The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
 - c. When all allocated funds for Board reimbursements have been expended, there will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

G. *Quorum*

A majority of the members of the Board shall constitute a quorum for any meeting of the Board. If during a meeting less than a majority of the Board remains present, no action can be taken except to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code § 15.2-1415)

A majority of the members of the Board present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning such meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.

H. *Remote Electronic Participation*

The Board will permit a Board member to participate in a Board meeting electronically from a remote location, provided that:

- 1. On or before the day of the meeting, the member shall notify the Chair that the member is unable to attend the meeting due to an emergency or a personal matter or that the member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the

member's physical attendance. The member must identify with specificity the nature of the emergency or personal matter.

2. A quorum of the Board must be physically assembled at the primary or central meeting location. The Board members present must approve the participation; however, the decision shall be based solely on the criteria in Section H, without regard to the identity of the member or matters that will be considered or voted on during the meeting. The Clerk shall record in the Board's minutes the specific nature of the emergency, personal matter or disability and the remote location from which the absent member participated. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board's minutes.
3. Electronic participation by the absent member due to an emergency or a personal matter shall be limited in each calendar year to two (2) meetings.
4. The Clerk shall make arrangements for the voice of the absent member to be heard by all persons in attendance at the meeting location. If, for any reason, the voice of the absent member cannot reasonably be heard, the meeting may continue without the participation of the absent member.

(Virginia Code § 2.2-3708.1)

I. Meeting Decorum

1. Meetings shall be conducted so as to provide a civil decorum. To preserve the order and decorum of the meeting, persons will use civil language and will not be permitted to clap or make sounds in support of or in opposition to any matter during the meeting (except for applause during the recognitions portion of the meeting) or act in any way to disturb or disrupt the presentation of any matter on the agenda or the conduct of any discussion, public hearing, or public comment time. Signs shall be permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting. Cell phones and other electronic devices shall be muted so as not to disrupt or interrupt the meeting.
2. The Chair may ask any person whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease such conduct. If the conduct continues, the Chair may order the removal of that person from the meeting.

J. Voting Procedures

1. *Approval by Motion.* Unless otherwise provided, decisions of the Board shall be made by approval of a majority of the members present and voting on a motion properly made by a member and seconded by another member. Any motion that is not seconded shall not be further considered. The vote on the motion shall be by a voice vote. The Clerk shall record the name of each member voting and how he voted on the motion. If any member abstains from voting on any motion, he shall state his abstention. The abstention will be announced by the Chair and recorded by the Clerk. A tie vote shall defeat the motion voted upon. A tie vote on a motion to approve shall be deemed a denial of the matter being proposed for approval. (Article VII, § 7, Virginia Constitution)
2. *Special Voting Requirements.* A recorded affirmative vote of a majority of all elected members of the Board shall be required to approve an ordinance or resolution (1) appropriating money exceeding the sum of \$500; (2) imposing taxes; or (3) authorizing the borrowing of money. (Virginia Code § 15.2-1428)
3. *Public Hearings.* The Board shall not decide any matter before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the holding of a public hearing or consideration of such matter. The procedures for receiving comment from the applicant and the public for public hearings shall be at the discretion of the Board. Unless otherwise decided, the applicant shall be permitted no more than ten minutes to present its application. Following the applicant's presentation, any member of the public shall be permitted no more than three minutes to present public comment. Speakers are limited to one appearance at any public hearing. Following the public comments, the applicant shall be permitted no more than five minutes for a rebuttal presentation.

4. *Motion to Amend.* A motion to amend a motion before the Board, properly seconded, shall be discussed and voted by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both the members making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.
5. *Previous Question.* Discussion of any motion may be terminated by any member moving the “previous question”. Upon a proper second, the Chair shall call for a vote on the motion of the previous question. If approved by a majority of those voting, the Chair shall immediately call for a vote on the original motion under consideration. A motion of the previous question shall not be subject to debate and shall take precedence over any other matter.
6. *Motion to Reconsider.* Any decision made by the Board may be reconsidered if a motion to reconsider is made at the same meeting or an adjourned meeting held on the same day at which the matter was decided. The motion to reconsider may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the matter for discussion in the exact position it occupied before it was voted upon.
7. *Motion to Rescind.* Any decision made by the Board, except for zoning map amendments, special use permit decisions, and ordinances, (these exceptions shall only be subject to reconsideration as provided above) may be rescinded by a majority vote of all elected members of the Board. The motion to rescind may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Zoning map amendments, special use permit decisions and ordinances may be rescinded or repealed only upon meeting all the legal requirements necessary for taking action on such matters as if it were a new matter before the Board for consideration.

K. *Board Members Appointed to Boards, Committees and Commissions*

The Board appoints its members to a variety of boards, committees and commissions to represent the interests of the Board on those entities. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

1. *Voting Representatives.* The Board members who are appointed to boards, committees and commissions are required to vote on matters that come before those entities in a manner which is consistent with the policies and positions of the Board as reflected in previously adopted resolutions or official actions of the Board on such matters.
2. *Liaison Representatives.* The Board members who are appointed to boards, committees and commissions as liaisons are to act as a resource for the board, committee and/or commission and are to report to the Board on the activities of the board committee and/or commission.

L. *Boards and Commissions*

1. Review and creation of boards and commissions shall be as follows:
 - a. By October 1 of each year, all boards and commissions shall submit a report to the Board to include key activities that support their mission and a summary of their activities and attendance.
 - b. On an annual basis the list of active boards and commissions will be evaluated and purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior twelve-month period.
 - c. Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.
 - d. Any newly created task force or ad hoc committee which is intended to serve for a limited time period may be comprised of magisterial or at-large members at the discretion of the

Board. The appointment process shall follow that adopted in Section B for other magisterial and/or at-large positions.

2. Appointments to boards and commissions shall be as follows:
 - a. All appointments to boards and commissions based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the supervisor of that district.
 - b. Prior to each day Board meeting, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next sixty days. The Board will then advise the Clerk which vacancies to advertise.
 - c. In an effort to reach as many citizens as possible, notice of boards and commissions with appointment positions available may be published through available venues, such as, but not limited to, the County's website, A-mail, public service announcements and local newspapers. Interested citizens will be provided a brief description of the duties and functions of each board, length of term of the appointment, frequency of meetings, and qualifications necessary to fill the position. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.
 - d. All interested applicants will have a minimum of thirty days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that such application may be released to the public, if requested. No applications will be accepted if they are postmarked after the advertised deadline, however, the Board, at its discretion, may extend the deadline.
 - e. Once the deadline for accepting applications is reached, the Clerk will distribute all applications received to the members of the Board prior to the day meeting for their review. For magisterial appointments, the Clerk will forward applications as they are received to the supervisor of that district who will then recommend his/her appointment.
 - f. From the pool of qualified candidates, the Board, at its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held during the next day meeting.
 - g. All efforts will be made to interview selected applicants and make appointments within ninety days after the application deadline. For designated agency appointments to boards and commissions, the agency will be asked to recommend a person for appointment by the Board.
 - h. All vacancies will be filled as they occur, except that vacancies occurring in Community Advisory Councils will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on any Council at the same time with more than three months remaining from the annual appointment date.
 - i. As a condition of assuming office, all citizen members of boards and commissions shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act and thereafter shall file such form annually on or before January 15.
 - j. If a member of a board or commission does not participate in at least fifty percent of a board's or commission's meetings, the Chair of the body may request the Board terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period.

M. *Amendment of Rules of Procedure*

These Rules of Procedure may be amended by a majority vote of the Board at the next regular meeting following a regular meeting at which notice of the motion to amend is given.

N. *Suspension of Rules of Procedure*

These Rules of Procedure may be suspended by a majority plus one vote of the Board members present and voting. The motion to suspend a rule may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to suspend a rule, if approved, is to make that rule inapplicable to the matter before the Board. Provided, however, approval of a motion to suspend the rule shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

O. *Rules of Procedure.*

Necessary rules of procedure not covered by these Rules of Procedures shall be governed by *Robert's Rules of Order Procedure in Small Boards*. Such rules provide:

1. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
2. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
3. Informal discussion of a subject is permitted while no motion is pending.
4. Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion having been introduced. Unless agreed to by unanimous consent, however, all proposed actions of a board must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often a better method in such meetings.
5. The chair need not rise while putting questions to vote.
6. The chair can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board (which should be uniformly followed regardless of how many members are present), the chair usually can make motions and usually votes on all questions.

* * * * *

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 1-6-2010; 1-5-2011; 1-4-2012; 1-09-2013; 1-8-2014; 7-9-2014; 1-7-2015; 1-6-2016)

**RESOLUTION TO APPROVE
ADDITIONAL FY 16 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2016043, #2016050, #2016051, #2016052, and #2015053 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2016.

**RESOLUTION TO AUTHORIZE ACQUISITION OF RIGHTS-OF-WAY
AND/OR EASEMENTS ON TWENTY-FIVE PARCELS
LOCATED ON HYDRAULIC ROAD AND BARRACKS ROAD**

WHEREAS, the County’s Office of Facilities Development is completing the right-of-way and easement acquisition phase for the Hydraulic Road and Barracks Road Sidewalk Project; and

WHEREAS, rights-of-way and/or easements on twenty-five parcels are necessary to construct the Project.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the acquisition of rights-of-way and/or easements on twenty-five parcels (listed below) that are necessary for the Hydraulic Road and Barracks Road Sidewalk Project for an amount not to exceed just compensation as confirmed by the County Attorney or his designee, in amounts not to exceed the current project budget, and further authorizes the County Executive to execute all documents in a form approved by the County Attorney that are necessary to complete the acquisitions.

Hydraulic Road

06100-00-00-04100
 06100-00-00-041A0
 06100-00-00-041A1
 06100-00-00-041B0
 06100-00-00-041D0
 06100-00-00-041E0
 06100-00-00-041F0
 06100-00-00-041H0
 06100-00-00-041I0
 06100-00-00-044A0
 06100-00-00-044B0
 06100-00-00-41C0
 061W0-03-00-021A0
 061W1-00-00-10000

Barracks Road

060A0-00-02-000A0
 060A0-09-00-02400
 060A0-09-00-02500
 060A0-09-00-025A0
 060A0-09-00-02600
 060A0-09-00-026A0
 060A0-09-00-02800
 060D0-00-0A-00200
 060D0-00-0A-00300
 060D0-00-0A-00400
 060D0-00-0E-00100

**SECTION 3
BUSINESS AND EMPLOYMENT PLAN**

1. The *County of Albemarle* designates as its Section 3 Business and Employment Project Area the County of Albemarle.
2. The *County of Albemarle*, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies the *County of Albemarle*, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
 - (a) The *County of Albemarle* shall identify the contracts required to conduct the CDBG activities.
 - (b) The *County of Albemarle* shall identify through various and appropriate sources including:

The Daily Progress
Local Newspaper of General Circulation

the business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
 - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
 - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The *County of Albemarle* and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
 - (a) The *County of Albemarle* in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.
 - (b) The *County of Albemarle* shall advertise through the following sources

The Daily Progress
Project Area Newspaper of General Circulation

the availability of such positions with the information on how to apply.
 - (c) The *County of Albemarle*, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
 - (d) To the greatest extent feasible, the *County of Albemarle*, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the *County of Albemarle* shall keep, and obtain from its

contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted at the regular meeting of the Albemarle County Board of Supervisors on January 6, 2016.

Signature of Authorized Official

FAIR HOUSING CERTIFICATION

Compliance with Title VII of the Civil Rights Act of 1968

Whereas, the County of Albemarle has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, the County of Albemarle agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Signature of Authorized Official

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN CERTIFICATION

The County of Albemarle will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County of Albemarle will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate- income households in the jurisdiction.

The County of Albemarle will provide relocation assistance to each low/moderate – income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The County of Albemarle FY 15 project includes the following activities:

Construction of public sewer and connection of 20 homes to public sewer in the Oak Hill Subdivision

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The County of Albemarle will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Signature of Authorized Official

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN CERTIFICATION

The County of Albemarle will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County of Albemarle will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate- income households in the jurisdiction.

The County of Albemarle will provide relocation assistance to each low/moderate – income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The County of Albemarle's proposed FY 16 project includes the following activities:

Rehabilitation of existing housing units in southern Albemarle County

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The County of Albemarle will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Signature of Authorized Official

Community Development Work Program -
Initiatives where CDD is lead department or major contributor
4-Nov-15

Attachment C

Program	Initiative	2016				2017				2018				2019				2020				
		1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
Master Plans	Rio Rd Small Area / Places 29 Update (Board Strategic Plan 3.C)																					
	Delay 6-9 months																					
	River Corridor Small Area / Pantops Update (Board Strategic Plan 3.D Comp Plan Priority 7a)																					
	Rivanna Update (Update Due 2015)																					
	Crozet Update (Update Due 2016)																					
	Southern Dev Areas (Update Due 2020)																					
	Hydraulic / Route 29 Small Area (VDOT design in 2018-2019)																					
	Comprehensive Plan Update																					
Board Strategic Plan	Multi-Modal Trans Options (Strategic Plan 3.G, Comp Plan Priority 2k, 3c, & 3f)																					
	Rural Transportation Plan (Strategic Plan 8.C)																					
	Revitalize Urban Areas (Strategic Plan 3.E, Comp Plan Priority 3.b)																					
	Urban Service District L.O.S. (Strategic Plan 3.F, Comp Plan Priority 3.b)																					
	Water Quality Program (Strategic Plan 6.B, Comp Plan Priority 1.c)																					
	Natural Resource Program (Strategic Plan 6.C, Comp Plan Priority 4a)																					
Per Oct 7th Board Direction	Economic Development																					
	(w/ 1 RA) Delay 6 months																					
	RA Small Churches																					
	Drive-thrus / Parking Garages																					
	Dark Skies / Lighting - Phase 2																					
	Transient Lodging																					
	Accelerate 15 months																					
RA Events																						
Stormwater - After the Flood																						
Accelerate 15 months																						
Wineres, Breweries, Distilleries																						
(w/ 1 RA Planner added)																						
Crossroad Communities																						

Community Development Work Program -
Initiatives where CDD is lead department or major contributor
4-Nov-15

Attachment C

Program	Initiative	2016				2017				2018				2019				2020			
		1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Remaining Issues Not Yet Programmed																					
Comp Plan Priorities Recommended by PC	Strengthen ACE (Comp Plan Priority 2e)	Funding Strategies, Resource Limited																			
	Affordable Housing Data (Comp Plan Priority 6e)	Resource Limited Until 2018																			
	Economic Development Assessment (Comp Plan Priority 4a)	Addressed Above																			
Comp Plan, Other Strategies	Historic Preservation (Comp Plan Priority 2c)	Not scheduled																			
	Update ARB Guidelines (Comp Plan Priority 8c)	Not scheduled																			
	Corridor Specific ARB Guidelines (Comp Plan Priority 8d)	Not scheduled																			
	Dark Skies Update (Comp Plan Priority 11d)	Addressed Above																			
	Rural Support Program (Comp Plan Priorities 1c & 3h)	Not scheduled																			
	Redevelopment Incentives (Comp Plan Priority 4c)	Not scheduled, to be based on Strategic Plan outcome																			
Transient Lodging (Comp Plan Priority RA-4c & DA-5e)	Addressed Above																				

Staff / Development Time																					
Planning Comm. Review Time																					
Board Review Time																					

**RESOLUTION APPROVING THE ESTABLISHMENT OF
THE DEPARTMENT OF FACILITIES AND ENVIRONMENTAL SERVICES**

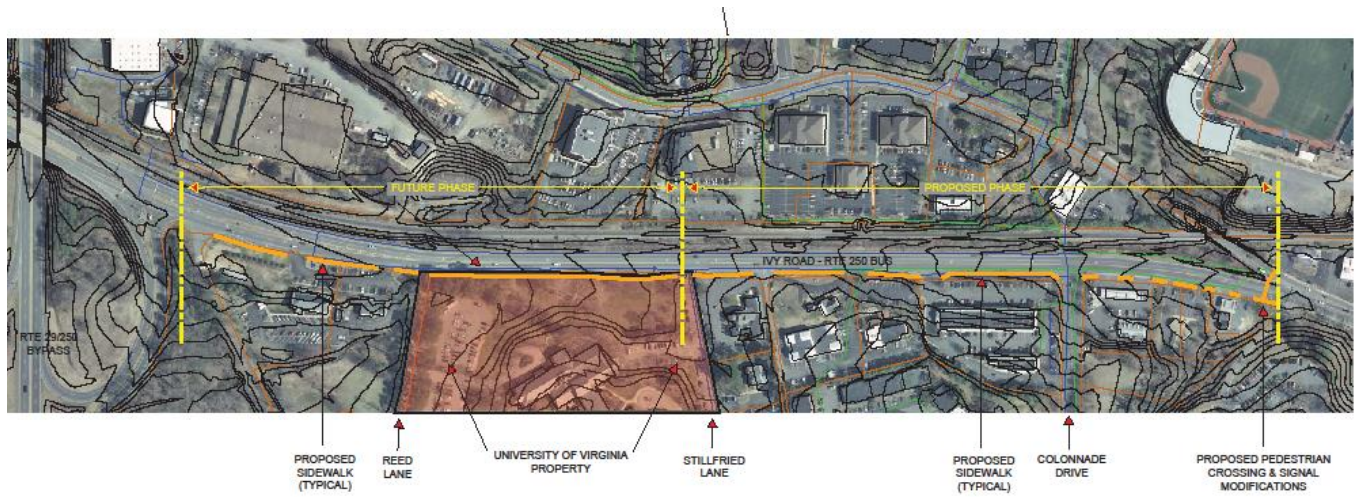
BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia, upon the recommendation of the County Executive, that the Department of Facilities and Environmental Services, which will combine the Department of General Services and the Office of Facilities Development, and which will consist of the divisions of Environmental Services, Public Works, and Project Management, is hereby established, effective February 1, 2016.

**RESOLUTION APPOINTING THE DIRECTOR OF THE
DEPARTMENT OF FACILITIES AND ENVIRONMENTAL SERVICES**

BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia, upon the recommendation of the County Executive, that Trevor Henry is hereby appointed the Director of the Department of Facilities and Environmental Services effective February 1, 2016.

Option 2:

Widens only the south side of Ivy Road to provide for shared vehicle/bike lanes. On the south side (eastbound) there would be curb and gutter, a variable width buffer strip (4' to 6') and a 5' wide sidewalk. Sharrows (share the road symbols) would be painted along both sides of the road similar to those painted on Rte. 250 west of the Rte. 29/250 Bypass interchange. With a VDOT waiver to allow for 11' shared center-turn and eastbound through lanes, this option could be modified to provide a separate 4' bike lane with curb and gutter along the south side (eastbound).



**RESOLUTION TO APPROVE
SP 2015-21 TANDEM SCHOOL**

WHEREAS, Tandem Friends School is the record owner (the "Owner") of Tax Map and Parcel Number 09100-00-00-002A0; and

WHEREAS, the Owner submitted an application for a Special Use Permit, and the application is identified as Special Use Permit 2015-00021 Tandem School ("SP 2015-21"); and

WHEREAS, on November 17, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-21 with conditions; and

WHEREAS, on January 6, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-21.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2015-21 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-13.2.2(5) and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-21, subject to the conditions attached hereto.

* * *

SP-2015-21 Tandem School Conditions

1. The development of the use shall be in general accord with the concept plan entitled "Special Use Permit Plan for Tandem Friends School," prepared by Dominion Engineering, and dated 07/20/15, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the specified plan, development and use shall reflect the following major elements as shown on the plan:
 - building orientation
 - building size
 - location of the buildings
 - limits of disturbance
 - parking - lot layout and landscapingMinor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Additional buildings may only be authorized by a new special use permit; and
3. Total school enrollment shall not exceed two hundred and fifty (250).

RESOLUTION OF INTENT

WHEREAS, the Albemarle County Zoning Ordinance includes regulations pertaining to the procedures and requirements for applications for zoning map amendments (“rezonings”) and special use permits; and

WHEREAS, Virginia Code § 15.2-2302 enables local governing bodies to establish an expedited process to amend proffers that do not affect use or density, and Albemarle County Code §§ 18-33.4 and 33.7 establish the procedures and requirements for rezonings in which the applicant seeks to amend such proffers, but applicants are currently required to file the application, pay the fee, and comply with certain procedural requirements, that apply to any other applicant-initiated rezoning; and

WHEREAS, in order to improve the efficiency of applications for rezonings seeking to amend proffers that do not affect use or density, it may be desirable to amend the regulations in Albemarle County Code §§ 18-33 and 18-35.1 pertaining to the application and procedural requirements, as well as the fees, for such rezonings.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-33 and 18-35.1, and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendations to the Board of Supervisors, at the earliest possible date.

RESOLUTION OF INTENT

WHEREAS, the Albemarle County Zoning Ordinance includes regulations pertaining to the procedures and requirements for applications for zoning map amendments (“rezonings”) and special use permits; and

WHEREAS, Albemarle County Code § 18-33.4 authorizes an “owner” to apply for rezonings and special use permits, which is defined in Albemarle County Code § 18-3.1 as the fee simple owner of the parcel to which the application pertains, and it has become apparent that the definition may be too restrictive in those cases where the prospective applicant is an easement holder seeking a special use permit for a use allowed by the deed of easement; and

WHEREAS, in order to improve the efficiency of the special use permit application process, it may be desirable to amend the definition of “owner” in Albemarle County Code § 18-3.1 to clarify that certain easement holders may be eligible applicants for special use permits when the permit they seek is consistent with the uses for which the easement was acquired.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-3.1, and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendations to the Board of Supervisors, at the earliest possible date.