

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on June 1, 2016, at 9:00 a.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Norman G. Dill, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, Mr. Rick Randolph, and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Greg Kamptner and Acting Clerk, Travis O. Morris.

Agenda Item No. 1. The meeting was called to order at 1:04 p.m., by the Chair, Ms. Palmer.

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Agenda Item No. 2. Pledge of Allegiance.  
Agenda Item No. 3. Moment of Silence.

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Agenda Item No. 4. Adoption of Final Agenda.

Ms. Palmer also introduced staff present and the presiding security officer, Officer Garnett Riley.

Ms. Mallek stated that she would like to add under Item 23 a discussion of Board response to the SCC comment period on the Dominion Power Doooms to Cunningham transmission line changes, because a letter should be issued regarding the County's concern. She noted the major issue is that Dominion refuses to tell how high it is going to be, and the reflective towers stick out like aluminum foil into perpetuity, which is disruptive to scenery and driving safety, with previous locations in the Shenandoah Valley causing great concern among residents there.

Ms. McKeel **moved** to adopt the final agenda as modified. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

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Agenda Item No. 5. Brief Announcements by Board Members.

Ms. Mallek stated that the Earlysville Road paving is halfway done, and everyone has been driving slowly to accommodate the additional traffic due to Route 29 construction. She said it has been 15 years since this section of the road has been paved, with that route having a significant amount of truck traffic.

Ms. Palmer and Ms. McKeel commented that the timing of the paving is a bit concerning.

Ms. Mallek responded that the project is proceeding very quickly with work being done at night and paving up to the roundabout already done, and she hopes they are going to the Earlysville center.

Ms. Mallek reported that she and Ms. Palmer had attended the District Five board meeting for VACO, which featured a report on the legislative summary with discussion among the six counties as to improve strategies for next season, as well as a presentation from several individuals regarding broadband.

Ms. McKeel reported that 441 students had graduated from Albemarle High School the previous evening, with CATEC's graduation taking place the previous week; Monticello High School's graduation will be later that evening; Murray High School's graduation will be June 2; and Western Albemarle High School's graduation will take place June 3. She stated that all of the graduations are live-streamed for anyone wanting to watch them.

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Agenda Item No. 6. Recognitions.

Item No. 6a. Proclamation of Support for the Albemarle Amateur Radio Club's Field Day Exercises.

Ms. Mallek read and **moved** to adopt the following proclamation, and presented to Mr. Michael Rein:

**Proclamation  
Albemarle Amateur Radio Club Field Day Exercises  
June 2016**

**WHEREAS,** Amateur Radio Operators have provided countless hours of community services to our many Emergency Response organizations and to other local organizations; and

- WHEREAS,** these Amateur Radio services are provided wholly uncompensated; and
- WHEREAS,** these same individuals have further demonstrated their value in public assistance by providing free radio communications for local parades, bike-a-thons, walk-a-thons, fairs, and other charitable public events; and
- WHEREAS,** the state of Virginia recognizes and appreciates the diligence of these “hams” who also serve as weather spotters in the Skywarn program of the US Government Weather Bureau; and
- WHEREAS,** the ARRL Amateur Radio Field Day exercise will take place on **June 25-26, 2016** and is a 24hour emergency preparedness exercise and demonstration of the Radio Amateurs’ skills and readiness to provide self-supporting communications without further infrastructure being required;
- NOW, THEREFORE, BE IT RESOLVED** that we, the Albemarle County Board of Supervisors, do hereby recognize the Albemarle Amateur Radio Club for its Field Day activities and its service to the community.

Mr. Michael Rein accepted the recognition and thanked the Board for the proclamation, which he said demonstrates their appreciation for the club’s service to the community, and said that the group’s activities are made possible by a mountaintop repeater. He stated the club is dedicated to teaching knowledge, skills and abilities in electronics, as well as interesting young people in electronics, and includes a group of hams with special training who are members of ARES, the Amateur Radio Emergency Service. Mr. Rein said the group has frequently assisted with critical communication emergency activities, including two major telephone outages within the last year that impacted the ECC center and fire stations 2 and 5. He stated the club has also provided emergency communication during hurricanes and is in the process of establishing a MESH network that is computer controlled, which will further reduce the possibility of losing all communications function. Mr. Rein said the club has provided amateur radio equipment and antennas at several critical spots, including UVA and Martha Jefferson hospitals, the Red Cross, several rescue squads and the Health Department. He stated that this is done entirely on a volunteer basis without external support, and said the club provides emergency communication practice at its field day exercises, using independent power, as well as a get on the air (GOTA) station for amateurs of all ages. Mr. Rein noted that the club’s session will be held from 2 p.m. on Saturday, June 25 to 2 p.m. on Sunday, June 26, located next to the ECC center.

Ms. Mallek mentioned that she was born in 1950 and her father had an amateur radio station under the handle “KIG-959” which everyone in the house used to accept and relay messages.

Mr. Rein stated that originally the radio stations were assigned to people because they were deemed useless, and the group does its public service as a payback for those station assignments.

Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

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Item No. 6b. Government Finance Officers Association (GFOA) *Certificate of Achievement for Excellence in Financial Reporting* for FY 15.

Ms. Renee Hoover, President of the Virginia Government Finance Officers Association and coordinator of payroll and accounting for Charlottesville City Schools, presented a Certificate of Achievement to Albemarle County for excellence in financial reporting for the 2015 comprehensive financial report. Ms. Hoover said the GFOA’s mission is to develop leaders with financial and management expertise through education, fellowship and professional development, to foster excellence in government. She stated that the VGFOA appreciates the opportunity to recognize Albemarle County for its accomplishment and particularly Director of Finance, Betty Burrell. Ms. Hoover said the program was established in 1945 to encourage state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare the comprehensive annual financial report (CAFR) and recognizes individual governments operating in the spirit of transparency and full disclosure, with the goal of the program being to provide the information to users to assess the financial health of a government entity. She stated the Certificate of Achievement is the highest form of recognition in the area of financial reporting and government accounting, and this is the 20<sup>th</sup> consecutive year Albemarle County has received the award.

Ms. Betty Burrell, Director of Finance, addressed the Board and thanked Ms. Hoover for the award, and she recognized individuals on County staff who were instrumental in preparing for the audit: Lisa Breeden, Chief of Financial Management; Tammy Critzer, Holly DeGraff, Susan Worrell, Jonathan Kern, and Brenda Neitz, among others. She also thanked the County’s auditing firm, Robinson, Farmer & Cox, and particularly David Hughes and David Foley. Ms. Burrell stated that they are already starting to work on the FY16 CAFR and fully expect an award for that next year.

Ms. Barbara Cruickshank addressed the Board and stated that she owns property in the Whitehall District and is a resident of the City of Charlottesville. Ms. Cruickshank stated that the National Toxicology Program had just released a study showing significant increases in brain cancers and heart schwannomas in rats exposed to whole body radio frequency radiation, the type emitted by cell phones, cell towers, and multiple other sources. She said the lead designer of the study, Ron Melnick, stated that the NTP tested the hypothesis that cell phone radiation could not cause health effects, and that hypothesis had now been disproved, with extensive reviews bringing consensus that there was a carcinogenic effect. Ms. Cruickshank stated that the study was in line with previous studies showing increases in cancers for those exposed to radio frequency radiation, with cell towers emitting high levels of radio frequency radiation, and studies have shown increases in cancer in people who live or work within 500 meters of these towers. She asked that the Board find a way to stop the cell tower installation at Albemarle High School, which is a 125-foot tower. Ms. Cruickshank stated that the findings just released have been reported in multiple news broadcasts, and the findings are part of a very large \$25 million study, with the full report due in 2017, at which time the Bio-Initiative Report will also release a very large radio frequency radiation report. She encouraged the Board to stop the tower at AHS and review everything they are doing in terms of exposure to children of all sources of radiation.

Ms. Anne Tilney addressed the Board on behalf of Apprenticeship Connections, a newly formed nonprofit organization, and relayed the story of a student in the program who was interested in jewelry design and worked in a Stonefield shop operated by Sue Summersal. Ms. Tilney said the student mastered a CAD program and taught it to everyone at the store, and has been running the shop on Saturdays, as well as creating tutorials on engaging young women in mechanical engineering. She stated that the apprenticeship program is a 200-hour program with mentors who are good at what they do and are very good teachers, adding that this complimentary program can feed students into universities, CATEC, and then into a job, and the program costs just \$2.50 per hour of training. Ms. Tilney said the program is “a means to a beginning,” with mentorship opportunities in blacksmithing, woodworking, graphic design and videography, and has grown from 12 mentors to 15 just in the last month. She left materials with the Clerk.

Ms. McKeel suggested that Ms. Tilney also give some materials to Albemarle County School Board Chairman, Kate Acuff, who is present at the meeting.

Mr. Jeff Werner, Piedmont Environmental Council, addressed the Board, stating that there are some questions about how development rights were treated on Parcel 75-2 when it was divided and noting that The Nature Conservancy had placed an easement on a large portion of that, then gave it to the County. Mr. Werner stated that his colleague who does easement work, Rex Linville, had contacted TNC to ensure there were no loose ends. Mr. Werner commented that the staff report references development area policies, but this parcel is located 1.5 miles south of the growth area boundary.

Ms. Palmer asked Mr. Werner if he could reiterate what Mr. Linville had said about the easement on this site.

Mr. Werner explained that he had asked Mr. Linville to evaluate the conservation easement, as he does with any parcel having a conservation easement associated with it, and whether there were division rights that got lost in the shuffle or if TNC believed they were applied to a parcel gifted to them, which would possibly have extinguished those rights. He stated that he wants to make sure they are not extinguished and wants Mr. Linville to have TNC check on whether those division rights had been accounted for, or whether there was an error being fixed.

Ms. Palmer stated that she had some questions about that, so they can pull it from the Consent Agenda and have Mr. Kamptner address them.

Mr. Neil Williamson, Free Enterprise Forum, addressed the Board and stated that the Free Enterprise Forum has inquired over the years why conservation easements, which are permanent, do not go through a public hearing, as this would be a valuable exercise. Mr. Williamson stated that he is also concerned that creating a conservation easement that close to the development area could create a “donut” that would have development leapfrog over it, and said that while voluntary conservation easements are great, the public process should be more involved.

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Agenda Item No. 8. Consent Agenda.

Ms. Mallek stated that regarding the taxation ordinance changes, she wants staff to be very thorough about what the consequences will be. She has found that things will come back to bite them when items are adopted on someone else's wording that loses flexibility and puts the Finance Department in a trap and creates problems for citizens.

Mr. Kamptner noted that the executive summaries will be a bit more comprehensive in their discussion of the changes.

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Ms. Mallek stated that she also has a question about 8.11 regarding “extension of time for permanent seeding,” whereas erosion control regulations call for “establishment of permanent vegetation,” so she wonders if this is intending they will not seed until the extension is done, and she does not want the language uncertainty to cost them another year.

Mr. Mark Graham, Director of Community Development, addressed the Board and explained that the intent is that this is a firm deadline by which all permanent seeding is done, and they will have temporary seeding that is done when the sections of work are completed.

Ms. Mallek said that in this project, the applicant is using the example of the airport, which has seeding done every time they move off a quarter acre.

Mr. Graham stated that is correct.

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Referring to Item 8.7, Mr. Randolph commented that regarding the appropriation for \$100,000 for the East Rivanna Fire Company, he wants to thank Chief Eggleston for all the work he and his staff have done to ensure the \$100,000 set aside through Rivanna Village purchasing easement rights on the property would be freed up as quickly as possible to address HVAC and roofing issues in the fire house. Mr. Randolph said that Chief Eggleston had referenced standard operating procedure by which emergencies are to be addressed by volunteer fire companies, and said he appreciates that the money will be expedited for the use in an emergency situation in the best interest of the building, the fire company and potential users.

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Ms. Palmer asked if there is a reason why for Item 8.12 the County has to apply for something in addition to the extension, and if it has anything to do with the fact the County has a lot of projects in the works and was told not to apply for anything else.

Mr. Jack Kelsey, Transportation Engineer, addressed the Board and stated that there are two types of agreements for revenue-sharing, a project specific agreement and a program agreement, and as more projects are approved for revenue sharing, they are added to that one agreement. He stated this was the case with the awards for FY14 revenue-sharing projects, and the agreement must be renewed after three years. He said that during that time period, the County also received in FY15 a revenue-sharing award for the Ivy Road sidewalk project, so the agreement needs to continue to be extended because there are active projects going on.

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Ms. Palmer asked Mr. Kamptner to comment on the Parcel 75-2 development rights, adding that she thought it was going to be the parking lot of the new Hedgerow Park, but the map is confusing.

Mr. Kamptner explained that Andy Herrick had responded and Mr. Crickenberger had responded to the question related to parking lots, which will be on Parcel 2-D, the County-owned parcel. He stated that regarding the County holding a single development right, whatever was assigned to that parcel at the time of the subdivision had to have at least one development right, so the error in assignment of development rights resided with the parent parcel, because 2-D never obtained more than the one development right. Mr. Kamptner said the conservation easement was held by The Nature Conservancy, which is a private organization, so this is a different type than those held by ACE or County easements that go through a more public process. He stated that whatever development rights exist on the Hedgerow parcel, Parcel 2, they will be affected by that easement to the extent it has restricted development rights below what is allowed, so the subdivision process is independent of the conservation easement in that regard.

Ms. Mallek asked if anything can be problematic in the future in terms of tax credits, with TNC being involved at that point.

Mr. Kamptner said it will not come back to the County, and the development right is the right to carve off one piece of land less than 21 acres, and because the County is making this a park and has no intention to use that development right, having the right is not critical to the County's interest. He added that it is important to maintain adherence to the subdivision regulation requirements, which stipulate that plats assign all the development rights that may exist, and he added that development rights are always theoretical.

Ms. Mallek noted that she was reminded of Central Park when Mr. Williamson made his comments and how fabulous it is for residents of New York City to have a 200-acre park right there, and in Albemarle she feels they have done a very good thing with the new park in Albemarle.

Mr. Kamptner noted that there was a question about the strategic plan goal stated, and said that when the executive summaries are being prepared, staff is obligated to include a strategic plan goal, and the author of the executive summary feels that the provision, while not fitting neatly, was the closest applicable one to this unusual issue.

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Mr. Randolph asked if there is an opportunity to talk about the informational items on the Consent Agenda, and said the senior population is increasingly using CAT as well as JAUNT, and it would be helpful if Mr. Jones could provide route-specific information as to ridership in the County, especially with a revised Route 3 and service to 5<sup>th</sup> Street Station.

Mr. Foley responded that he will convey that to Mr. Jones.

Ms. Mallek commented that with the new fare boxes, they should easily be able to get that information.

Ms. Mallek stated that she needs to pull her minutes.

Ms. McKeel **moved** to approve the Consent Agenda as modified. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

Item No. 8.1. Approval of Minutes: January 19, February 3, February 10, February 23, March 2, March 8, March 9, March 15, March 17, March 23, March 31, April 5, April 6, April 13 and May 6, 2016.

Item No. 8.2. FY 2016 Appropriations.

The executive summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc. The total increase to the FY 16 budget due to the appropriation itemized below is \$2,479,105.54. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

This request involves the approval of six (6) appropriations as follows:

- One (1) Appropriation (#2016080) to appropriate \$1,700,000.00 to the school division;
- One (1) Appropriation (#2016081) to appropriate \$250,000.00 to the school division;
- One (1) Appropriation (#2016082) to appropriate \$498,930.04 to the Acquisition of Conservation Easements (ACE) program;
- One (1) Appropriation (#2016083) to appropriate \$55,175.50 to various local government programs; \$55,000.00 of the appropriation will not increase the total County budget;
- One (1) Appropriation (#2016084) to appropriate \$30,000.00 to the replacement playground equipment project at Meriwether Lewis Elementary School; and
- One (1) Appropriation (#2016085) to appropriate \$100,000.00 from the CIP to Fire Rescue Services for the contribution to the East Rivanna Volunteer Fire Company (ERVFC) for building/facility repairs. This appropriation will not increase the total County budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve appropriations #2016080, #2016081, #2016082, #2016083, #2016084, and #2016085 for local government and school division projects and programs as described in Attachment A.

**Appropriation #2016080** **\$1,700,000.00**

Source:	General Fund-School Reserve Fund fund balance	\$	500,000.00
	General Fund-School Reserve Fund fund balance	\$	1,200,000.00

This request is to appropriate the School Division's appropriation requests approved by the School Board on April 14, 2016:

One request is to appropriate \$500,000.00 from the General Fund-School Reserve Fund fund balance into a revenue reserve account, similar to revenue reserve accounts maintained by local government. This may in the future allow the School Division and school departments to reduce (or eliminate) the practice of "holdbacks" at the beginning of the year. The term "holdback" refers to the School Division's practice over the years of limiting funding for operational expenses earlier within the fiscal year in order to maintain sufficient reserves to meet potential revenue shortfalls that may occur later within that fiscal year. However, as operational budgets have declined, this practice has materially impacted schools' ability to serve students in a timely manner since fiscal holdbacks are often unavailable to be released until very late in a fiscal year. This appropriation will allow schools and school departments to more effectively plan and spend allocated monies to benefit students in the year in which it was initially allocated.

The second request is to appropriate \$1,200,000.00 from the General Fund-School Reserve Fund fund balance into a more specific health care reserve account. This is to segregate these monies into a reserve account for this specific purpose. The Health Care Fund is continually being monitored and this reserve funding will not be used to infuse the Health Care Fund unless it is required.

**Appropriation #2016081** **\$250,000.00**

Source:	Donations and Contributions	\$	250,000.00
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On July 11, 2012, the Board of Supervisors approved a streamlined appropriation process for anticipated School Fund revenue associated with miscellaneous grants, donations, and School Activity Funds. In accordance with this process, an appropriation of \$250,000.00 is needed to cover donations and other miscellaneous revenue received by the School Division to date and for anticipated contributions through the end of FY16. Funds will not be expended until the revenues are actually received.

**Appropriation #2016082** **\$498,930.04**

Source:	State Revenue	\$	498,930.04
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This request is to appropriate a total of \$498,930.04 in state revenues to support the Acquisition of Conservation Easements (ACE) program. The state revenue is a reimbursement from the Virginia Department of Agriculture Consumer Services (VDACS) of the Office of Farmland Preservation for fifty percent of the cost incurred for the purchase of agricultural conservation easements, including the cost of obtaining the appraisals and title insurance.

The revenue received is for two ACE easements; \$144,999.07 for the purchase of the Clark's property and \$353,930.97 for the purchase of the Sweeney property.

Note: For budgeting purposes, this funding is requested for initial appropriation in FY 16, and is also included in the Resolution to Appropriate FY17 Ongoing Funding of Multi-Year Capital Projects being presented to the Board for its consideration on the same day, June 1, 2016, under a separate executive summary, as while this Capital Improvement Plan project is underway, these funds are planned to be expended in FY 17.

**Appropriation #2016083** **\$55,175.50**

Source:	State Revenue	\$	175.50
	Reserve for Contingencies*	\$	55,000.00

\*The Reserve for Contingencies component of this appropriation will not increase the County Budget.

This request is to appropriate the following:

- \$40,000.00 from the Reserve for Contingencies to Human Resources to support anticipated unemployment insurance overages. Due to an unexpected increase in the number of unemployment claims this fiscal year thus far, along with the projected fourth quarter claims, an additional \$40,000.00 is needed to cover these claims;
- \$15,000.00 from the Reserve for Contingencies to the County Attorney's Office for one-time expenses related to the retirement of the County Attorney and filling the resulting vacancy in the office, including annual leave pay-out and advertising expenses; and
- \$175.50 from State revenue to support the Charlottesville Albemarle Society for the Prevention of Cruelty to Animals' (SPCA) spay and neuter efforts. This revenue is provided by the State specifically for this purpose and is provided in addition to the County's formula-based contribution to the SPCA.

After the approval of this appropriation, the balance remaining in the FY 16 Reserve for Contingencies is \$50,603.

**Appropriation #2016084** **\$30,000.00**

Source:	Local Non-Tax Revenue	\$	30,000.00
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This request is to appropriate the School Division's appropriation request approved by the School Board on May 12, 2016:

This request is to appropriate a \$30,000.00 donation from the Meriwether Lewis PTO to Meriwether Lewis Elementary School. The donor requested that the funds be used toward the replacement playground equipment project at the school.

**Appropriation #2016085** **\$100,000.00**

This appropriation does not increase the total County budget.

Source:	ERVFC Facility Repair Capital Project	\$	100,000.00
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As recommended in the Executive Summary entitled *Proposed Use of Proceeds from Sale of Easement on East Rivanna Volunteer Fire Company Property* that is also scheduled on the June 1, 2016 consent agenda, this request is to appropriate \$100,000.00 from the East Rivanna Volunteer Fire Company (ERVFC) Facility Repair General Government CIP capital project to the Fire Rescue Services Fund as this is where the contribution to the East Rivanna Volunteer Fire Company (ERVFC) will be expended. The proceeds from the sale of the easements were specifically designated to complete needed building and facility repairs of the East Rivanna Volunteer Fire Company (ERVFC) in accordance with County Policy SAP-DEP-018, Volunteer Capital Funding for Facilities. This appropriation will not increase the total County budget.

**By the above-recorded vote, the Board adopted the following Resolution to approve appropriations #2016080, #2016081, #2016082, #2016083, #2016084 and #2016085 for local government and school division projects and programs:**

**RESOLUTION TO APPROVE  
ADDITIONAL FY 16 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2016080, #2016081, #2016082, #2016083, #2016084, and #2016085 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.

**COUNTY OF ALBEMARLE  
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2016080	3-3911-63911-351000-510109-6599	500,000.00	Revenue Contingency Account
2016080	3-3912-63912-351000-510109-6599	1,200,000.00	Health Care Reserve Account
2016080	4-3911-63911-493010-930000-6599	500,000.00	Revenue Contingency Account
2016080	4-3912-63912-493010-930000-6599	1,200,000.00	Health Care Reserve Account
2016080	4-1005-93010-493010-930233-9999	500,000.00	Transfer to Health Reserve
2016080	4-1005-93010-493010-930000-9999	1,200,000.00	Transfer to Revenue Contingency
2016080	3-1005-51000-351000-510100-9999	1,700,000.00	Health Reserve and Revenue Conting.
2016081	3-2000-62000-318100-181109-6599	250,000.00	SA2016081
2016081	4-2000-62101-461101-580240-6599	125,000.00	SA2016081
2016081	4-2000-62101-461101-580250-6599	125,000.00	SA2016081
2016082	3-9010-24000-324000-240767-1008	498,930.04	ACE State Reimbursements Sweeney Clark
2016082	4-9010-81010-481020-580409-1240	498,930.04	ACE State Reimbursements Sweeney Clark
2016083	3-1000-22000-322000-220106-9999	175.50	SPCA-state sterilization program
2016083	4-1000-39001-439000-565510-1003	175.50	SPCA-state sterilization program
2016083	4-1000-12040-412040-110000-1001	15,000.00	County Attorney leave payout
2016083	4-1000-12030-412030-260000-1001	40,000.00	VEC charges
2016083	4-1000-99900-499000-999990-9999	(55,000.00)	CAO leave payout and VEC charges
2016084	3-9000-69000-318100-181109-6599	30,000.00	Playground Donation
2016084	4-9000-69980-466200-800140-6106	30,000.00	Playground Donation
2016085	4-9010-32020-432020-561100-3140	(100,000.00)	ERVFC Facility Repairs Contribution
2016085	4-9010-93010-493010-930050-9999	100,000.00	ERVFC Facility Repairs Contribution
2016085	3-1805-51000-351000-512090-9999	100,000.00	ERVFC Facility Repairs Contribution
2016085	4-1805-39001-439000-561101-1003	100,000.00	ERVFC Facility Repairs Contribution
<b>TOTAL</b>		<b>8,558,211.08</b>	

Item No. 8.3. Business License Ordinance Amendments – Set for Public Hearing.

The executive summary forwarded to the Board states that Upon review of the County’s business license ordinance, the Finance Department is recommending updates and improvements to seven sections of Chapter 8, Licenses, of the Albemarle County Code. These proposed revisions are intended

both to improve the County's collection practices and to bring the County Code into compliance with recent changes in state law.

The proposed regulations attached would revise seven sections of Chapter 8 (Licenses) of the Albemarle County Code. Many of the proposed revisions are needed to stay current with recent changes to state law.

- Sec. 8-402 -- BPOL License Fee -- due date -- Requires payment of business, professional, and occupational license (BPOL) tax with the application in the case of any license not based on gross receipts, in conformance with Virginia Code § 58.1-3703.1(A)(2)(B).
- Sec. 8-403 -- BPOL License Fee -- proration -- Repeals the proration of license taxes based on a flat rate for beginning businesses. Proration is not required under Virginia Code § 58.1-3710.
- Sec. 8-406 -- BPOL Penalty -- Allows a 10% penalty for the failure to file a business license application. The proposed ordinance language tracks the applicable enabling language of Virginia Code § 58.1-3703.1(A)(2)(d).
- Sec. 8-502 -- BPOL Penalty -- Deletes the 50% additional penalty for the fraudulent or evasive failure to obtain a business license. The proposed ordinance would still maximize allowable collections under Virginia Code § 58.1-3703.1(A)(4)(b).
- Sec. 8-600(E) -- Removes the allowed deduction for alcoholic beverages flat tax from the BPOL tax on retail gross receipts. This is a system driven change. The current system does not have the capability to allow for this deduction.
- Sec. 8-603(C) -- BPOL -- threshold for out-of-County contractors -- Lowers from \$100,000 to \$25,000 the minimum gross receipts threshold over which out-of-County contractors must submit to County BPOL taxes, as enabled in Virginia Code § 58.1-3715(A). This proposed amendment would allow the County to collect BPOL revenue that would otherwise go to other localities.
- Sec. 8-620 -- BPOL Rate -- Federal Research and Development Contractors -- Adds a new classification for federal research and development contractors to the BPOL ordinance: Virginia Code § 58.1-3706(D) provides a special (low) \$0.03 BPOL tax rate for certain principal or prime contractors receiving identifiable federal appropriations for research and development services. Though County staff is already correctly assessing these businesses in accordance with state law, incorporating this section into the County Code would make it less likely to be overlooked in the future.

Staff recommends that the Board schedule and advertise a public hearing for July 6, 2016 to consider the attached proposed ordinances.

**By the above-recorded vote, the Board set a public hearing for July 6, 2016 on proposed amendments to the Business License ordinance.**

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#### Item No. 8.4. Vehicle License Ordinance Amendments -- Set for Public Hearing.

The executive summary forwarded to the Board states that upon review of the County's vehicle license ordinance, the Finance Department is recommending updates and improvements to four sections of Chapter 9 (Motor Vehicles and Traffic) of the Albemarle County Code. These proposed revisions are intended both to improve the County's collection practices and to bring the County Code into compliance with recent changes in state law.

The proposed ordinance attached would revise four sections of Chapter 9 (Motor Vehicles and Traffic) of the Albemarle County Code. Many of the proposed revisions are needed to stay current with recent changes to state law.

- Sec. 9-401 -- Vehicle License -- registration deadline -- Imposes a \$250 penalty on out-of-state vehicles not registered in Virginia within 30 days of residency, as enabled in Virginia Code § 46.2-662(B).
- Sec. 9-404 -- Vehicle License Tax -- Updates the amounts of various County vehicle licenses, in accord with the adopted County budget.
- Sec. 9-405 -- Vehicle License Tax -- proration -- Allows for the monthly proration of the vehicle license tax for both new and previously registered vehicles. Also deletes the rounding of the prorated vehicle license tax to the nearest dollar, and the minimum prorated vehicle license tax of \$2. These proposed amendments are system driven. The current system does not have the capability of rounding the prorated license tax to the nearest dollar. The current ordinance requires manual computation and adjustment entry in the system.
- Sec. 9-406 -- Vehicle License Tax -- refund -- Deletes the rounding of prorated vehicle license tax to the nearest dollar, and the minimum prorated vehicle license tax of \$2. These proposed amendments are also system driven. Again, the current system does not have the capability of rounding the prorated license tax to the nearest dollar. The current ordinance requires manual computation and adjustment entry in the system.

Staff recommends that the Board schedule and advertise a public hearing for July 6, 2016 to consider the attached proposed ordinance.

**By the above-recorded vote, the Board set a public hearing for July 6, 2016 on proposed amendments to the Vehicle License ordinance.**

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Item No. 8.5. Tax Ordinance Amendments – Set for Public Hearing.

The executive summary forwarded to the Board states that upon review of the County's tax regulations, the Finance Department is recommending updates and improvements to eight sections of Chapter 15, Taxation, of the Albemarle County Code. These proposed revisions are intended both to improve the County's collection practices and to bring the County Code into compliance with recent changes in state law.

The proposed ordinances attached would revise eight sections of Chapter 15 (Taxation) of the County Code. Many of the proposed revisions are needed to stay current with recent changes to state law.

- Sec. 15-100 – Minimum Tax Penalty -- Imposes a \$10 minimum penalty on unpaid taxes: Virginia Code § 58.1-3916 generally allows a penalty of 10% or \$10 (whichever is greater) on unpaid taxes. The corresponding provision of the County Code currently allows only a penalty of 10%. In cases where the unpaid tax is less than \$100, this proposed amendment would impose the \$10 minimum penalty allowed by state law.
- Sec. 15-702 – Tax Relief for the Elderly/Disabled -- Clarifies definition of “income” for purposes of tax relief for the elderly and/or disabled: In determining qualification for tax relief for the elderly and/or disabled, Virginia Code § 58.1-3212 previously specified that income include only those sources of gross income that are subject to federal income tax. Now that the General Assembly has deleted that specification from state law, County staff is recommending that it likewise be removed from the definition of “income”.
- Sec. 15-706 – Tax Relief for the Elderly/Disabled Applications – Reduces the current requirement that existing tax relief recipients file an affidavit of financial information every year to once every three years, allowing annual re-certifications in the intervening years as enabled by Virginia Code § 58.1-3213(B).
- Sec. 15-802 – Use Value Assessment Applications – Deletes an unnecessary “late” filing extension for use value assessment applications, as those applications are already timely if filed within 30 days of the mailing of notices of a general reassessment
- Sec. 15-910 – Transient Occupancy Tax Penalty – Deletes the unnecessary specification that the Finance Director personally impose transient occupancy tax penalties. The amounts and conditions of those penalties would remain unchanged.
- Sec. 15-1102(F) – BPP Penalty – Allows a 10% penalty for the failure to file a business personal property return. This penalty is enabled by Virginia Code § 58.1-3916.
- Sec. 15-1213 – Food and Beverage Tax Penalty - Deletes the unnecessary specification that the Finance Director personally impose food and beverage tax penalties. Also conforms the minimum penalty to the amount allowed by Virginia Code § 58.1-3916.
- Sec. 15-1603 – Disabled Veterans' Property Tax Exemption -- The 2011 legislation that initially granted property tax exemptions to disabled veterans raised a number of questions, many of which were answered by a 12-point opinion of the Attorney General. The General Assembly responded with a number of clarifying amendments. County staff is recommending amendments to the County ordinance to track the most current state law.

Staff recommends that the Board schedule and advertise a public hearing for July 6, 2016 to consider the attached proposed ordinance.

**By the above-recorded vote, the Board set a public hearing for July 6, 2016 on proposed amendments to the Tax Ordinance.**

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Item No. 8.6. Establishment of Risk Management Fund for Claim Payments.

The executive summary forwarded to the Board states that the County pays an annual insurance premium to VACORP for its property and casualty (P&C) insurance coverage. The County has historically paid significantly more in annual premiums than it receives in claims reimbursements. Finance staff have evaluated the County's current P&C insurance plan and the potential of significant savings in insurance premiums by increasing the per claim deductible amount from \$1,000 to \$25,000 as a first step in moving toward a self-insurance plan. Please see the attached Report for more information regarding staff's analysis and recommendation.

Staff has concluded that a more efficient use of insurance premium dollars would be for the County to retain a greater portion of its insurance risk. In order to do so, a separate Risk Management (RM) fund needs to be established from which property claims are paid. This step will move the County towards P&C self-insurance over a multi-year period. Any year-end balance in the RM fund would be re-appropriated to the fund for use in the next fiscal year. As the RM fund balance increases over time, funds not used to pay claims can be used to support other risk management initiatives.

Staff recommends that the Board approve the establishment of a Risk Management Fund to be used to pay up to \$25,000 per property claim.

If the Board approves the establishment of the fund, staff will present an appropriation request to the Board for approval as part of the July 6, 2016 Appropriations agenda item. The appropriation request will be for \$32,751, which is the amount the County will save in its FY17 insurance premium by increasing the per claim deductible from \$1,000 to \$25,000 effective July 1, 2016.

**By the above-recorded vote, the Board approved the establishment of a Risk Management Fund to be used to pay up to \$25,000 per property claim.**

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Item No. 8.7. Proposed Use of Proceeds from Sale of Easement on East Rivanna Volunteer Fire Company Property.

The executive summary forwarded to the Board states that on January 16, 2013, the Board adopted a resolution authorizing the sale of easements on the East Rivanna Volunteer Fire Company (ERVFC) property (TMP 93A1-2), jointly owned by the County and the ERVFC, to the Albemarle County Service Authority (ACSA) for the installation of a water storage facility and water lines to serve the Rivanna Village community in exchange for \$100,000.

The January 16, 2013 executive summary set forth a proposed process whereby the proceeds from the sale of the easements would be dedicated to the County's CIP fund, and would be specifically allocated to the ERVFC to complete needed building/facility repairs, in accordance with County Policy SAP-DEP-018, Volunteer Capital Funding for Facilities (Attachment A).

The sales contract was executed on December 22, 2014 and the proceeds were appropriated to the CIP as part of the Board's adoption of the FY16 Capital Budget on May 6, 2015.

Since the funds were appropriated to the CIP in May 2015, staff has been working with the ERVFC to assess and prioritize its building repair needs. The County's Facilities and Environmental Services Department (FESD) worked with a third party contractor to assess the condition of the ERVFC building, and it was determined that the most urgent and highest priority repairs are related to the building's HVAC system and roof. Staff and the contractor estimate that the \$100,000 proceeds should be adequate to repair the failing HVAC units and the leaking areas of the roof.

Initially, at the request of the ERVFC, staff developed a process meeting the County's procurement policies and allowing the ERVFC to oversee and manage the project while establishing the Fire Rescue Department as the fiscal agent to pay the contractor upon completion of the work and approval by the ERVFC.

As an alternative, the ERVFC is requesting that the Board appropriate the \$100,000 from the CIP and allocate the funds to the ERVFC for the project to make repairs to the building's HVAC system and roof, and other repairs as needed. The County and the ERVFC have a mutual interest in tending to the most critical facility needs and there is no objection to this approach.

The Board will be requested to approve the appropriation of \$100,000 as part of the separate June 1, 2016 Appropriations executive summary agenda item (Appropriation #2016085).

Staff recommends that the Board approve the appropriation of \$100,000 by approving Appropriation 2016085 included in the June 1, 2016 FY16 Appropriations executive summary.

**By the above-recorded vote, the Board accepted staff's recommendation to approve appropriation #20160685.**

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Item No. 8.8. Building Permit #B201600518ATWR Ntelos Earlysville Waster Tank Wireless Service Facility. (*Rio Magisterial District*).

The executive summary forwarded to the Board states that a request has been submitted by Ntelos Wireless associated with its building permit application to replace antenna and equipment on an existing 125' water tank at 391 Reas Ford Road. The applicant requests a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(b) to allow antenna to exceed the size limit of 1,400 square inches.

County Code §§ 18-5 and 18-33.5 allow special exceptions to waive or modify the requirements of County Code § 18-5.1.40 for personal wireless service facilities. The requested special exception would modify County Code § 18-5.1.40(b)(2)(b) to allow two of the three antenna on this personal wireless service facility to exceed 1,400 square inches and be up to 1,677.6 square inches. A detailed analysis is provided in the attached Staff Report (Attachment A).

Staff recommends that the Board adopt the attached Resolution (Attachment E) approving the special exception, subject to the condition attached thereto.

**By the above-recorded vote, the Board adopted the following Resolution approving the special exception subject to the attached conditions of approval:**

**RESOLUTION TO APPROVE SPECIAL EXCEPTION FOR  
B201600518ATWR NTELOS EARLYSVILLE WATER TANK**

**WHEREAS**, 4F LLC is the owner of Tax Map and Parcel Number 03100-00-00-021A0 (the "Property"), including the water tank located thereon, and Virginia PCS Alliance, L.C. (Ntelos) leases space on and around the water tank for a personal wireless services facility; and

**WHEREAS**, Ntelos filed an application for a building permit to: 1) upgrade its existing wireless equipment located on the water tank by replacing six existing panel antennas with three tri-band panel flush mounted antennas at 110' above ground level; 2) to add six remote radio head amplifiers on the handrail of the water tank beside the proposed antenna; and 3) to make changes to its ground equipment within the existing 10' x 16' Ntelos lease area, which application is identified as Building Permit 2016-518ATWR Ntelos Earlysville Water Tank ("B 2016-518"); and

**WHEREAS**, Albemarle County Code § 18-5.1.40(b)(2)(b) requires that antennas proposed under the pending application shall not exceed the size shown on the application, which size shall not exceed one thousand four hundred (1,400) square inches; and

**WHEREAS**, B 2016-518 included a request for a special exception to modify the foregoing requirement.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the Executive Summary and staff report prepared in conjunction with the application, all of the factors relevant to the special exception in County Code §§ 18-5.1.40(b)(2)(b) and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby approves the special exception to authorize the modification of County Code § 18-5.1.40(b)(2)(b), subject to the conditions attached hereto.

\* \* \*

**B201600518ATWR Ntelos Earlysville Water Tank  
Special Exception Conditions**

1. The antenna and all equipment shall be installed as depicted on the site plan referred to as "Ntelos Earlysville WT CV 330, prepared by Carl J. Bowyer, P.E., last revised on February 5, 2016.
2. No more than two antennas authorized by this special exception shall exceed 1,400 square inches, and such antennas shall not exceed 1,677.6 square inches, as depicted on the above-referenced site plan.

\_\_\_\_\_

Item No. 8.9. Resolution to accept road(s) in Briarwood Subdivision into the State Secondary System of Highways. (*Rivanna Magisterial District*)

**By the above-recorded vote and at the request of the Department of Community Development, the Board adopted the following resolution:**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 1<sup>st</sup> day of June, 2016, adopted the following resolution:

**R E S O L U T I O N**

WHEREAS, the street(s) in **Briarwood Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 1, 2016**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Briarwood Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 1, 2016**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\* \* \* \* \*

The road(s) described on Additions Form AM-4.3 is:

- 1) **Briarwood Drive (State Route 1576)** from Rt 29 Seminole Trail to .049 miles North as shown on plat recorded in office of the Clerk of Circuit Court of Albemarle County in Deed Book 4453, pages 520-528, for a length of 0.05 miles.
- 2) **Briarwood Drive (State Route 1576)** from 7 Lane Section of Briarwood Drive to .2 miles North to Existing Briarwood Drive as shown on plat recorded in office of the Clerk of Circuit

Court of Albemarle County in Deed Book 4111, pages 477-528, for a length of 0.20 miles.

Total Mileage – 0.25

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Item No. 8.10. Resolution to accept road(s) in the Sun Ridge Subdivision into the State Secondary System of Highways. (*Rio Magisterial District*)

**By the above-recorded vote and at the request of the Department of Community Development, the Board adopted the following resolution:**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 1<sup>st</sup> day of June, 2016, adopted the following resolution:

**R E S O L U T I O N**

WHEREAS, the street(s) in **Sun Ridge Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 1, 2016**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Sun Ridge Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 1, 2016**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\* \* \* \* \*

The road(s) described on Additions Form AM-4.3 is:

- 1) **Sun Ridge Road (State Route 1397)** from 0.14 Miles West of Rt 1427 to 0.04 Miles to End CDS, shown on plat recorded in office of the Clerk of Circuit Court of Albemarle County in Deed Book 3766, pages 665-675, with a 50-foot right-of-way width, for a length of 0.04 miles.

Total Mileage – 0.04

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Item No. 8.11. Request for Extension to Establish Permanent Vegetation-RWSA South Rivanna Facility.

The executive summary forwarded to the Board states that the Rivanna Water and Sewer Authority (RWSA) is making improvements to its South Rivanna Water Treatment Plant (Project: WPO2014-00073). This activity is a permitted land disturbance pursuant to the County's Water Protection Ordinance. Pursuant to County Code § 17-808, the permittee is required to obtain Board approval for a land disturbance lasting more than fifteen months (nine months plus a possible six month administrative extension). RWSA has not requested an administrative extension from the expiration of the initial time limit of April 17, 2016. Given the complexity of the improvements and the necessary sequencing of the project, RWSA is requesting Board approval of an extension until December 17, 2017 (See Attachment A).

Staff has reviewed the attached request against the criteria in County Code § 17-808(A).

- ***Additional time is necessary due to factors beyond the control of the owners.*** Staff concurs that the extra time is necessary as a result of the required sequencing for a complex infrastructure rather than factors in the owner's control.
- ***The owners has made good faith efforts to comply with the time limit.*** RWSA has repeatedly shown County staff it is taking all reasonable measures to comply with the time limit. ***The owner has plans to effectively control or has effectively controlled erosion and sedimentation on the property during the land disturbing activity.*** Staff notes the owner has been an excellent steward and there are no concerns with RWSA continuing to effectively control erosion and sedimentation.

Staff recommends approval of the extension request for WPO2014-00073 to December 17, 2017.

**By the above-recorded vote, the Board approved the extension request for WPO2014-00073 to December 17, 2017.**

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Item No. 8.12. Revenue Sharing Programmatic Project Administration Agreement Extension.

The executive summary forwarded to the Board states that a Programmatic Project Administration Agreement (PPAA) between the County and the Virginia Department of Transportation (VDOT) was approved on October 21, 2013 to allow County administration of projects awarded Revenue Sharing funds by the Commonwealth Transportation Board (Attachment A). Bound to this PPAA are the sidewalk projects awarded FY14 Revenue Sharing funds (Rio Road, Avon Street Extended, Rockfish Gap/Route 250W, and Old Lynchburg Road) and the awarded FY15 Revenue Sharing funds for the Ivy Road sidewalk. PPAA's have a three-year term, and may be extended by addendum for an additional three-year term, after which the PPAA must be renewed. Any ongoing projects, as well as any additional projects awarded Revenue Sharing funds and added to the PPAA during the term, are then included in the new PPAA.

In mid-February, County staff was informed by Greg Banks (VDOT Programming Management Analyst) that the three-year term for the County's 2013 revenue sharing PPAA would expire on June 30, 2016. Mr. Banks provided a PPA Extension Addendum for signature by the County Executive to extend the PPAA for an additional three-year term. The signed Addendum was returned to Greg Banks on March 8, 2016.

Greg Banks informed County staff on May 11, 2016 that the VDOT Central Office (Richmond) did not approve the format of the Addendum and would not approve the PPAA extension. The VDOT Central Office requires the submission of a Board resolution requesting the PPAA extension, assuring the Board's commitment to funding the local share, and authorizing the County Executive to sign the PPAA Extension Addendum. Staff has prepared the required Resolution using the VDOT template (Attachment B). The certified Resolution and a new signed PPAA Extension Addendum (Attachment C) must be provided to Greg Banks for his delivery to the VDOT Central Office before the June 30, 2016 expiration of the current PPAA.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to extend the PPAA and authorizing the County Executive to sign the PPAA Extension Addendum subject to approval as to content and form by the County Attorney.

**By the above-recorded vote, the Board adopted the Resolution to extend the PPAA and Authorized the County Executive to sign the PPAA Extension Addendum subject to approval as to content and form by the County Attorney.**

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Item No. 8.13. RSWA Support Agreement from McIntire Road Recycling Center.

The executive summary forwarded to the Board states that the County, the City of Charlottesville (City), and the Rivanna Solid Waste Authority (RSWA) entered into an Agreement dated August 23, 2011, providing the terms of the County's and City's shared financial support for, and the RSWA's operation of, recycling services at the McIntire Road Recycling Center (McIntire). There have been four (4) amendments to this agreement to extend the term of the agreement. The current agreement amendment, Amendment No. 4, expires on June 30, 2016. The County desires an additional extension of services through June 30, 2017. The attached Amendment No. 5 (Attachment A), which extends the Agreement through June 30, 2017, was approved by the RSWA Board and is provided to the Board of Supervisors for its approval.

The Amendment No. 5 to the Local Government Support Agreement for Recycling Services (Attachment A) continues the current funding arrangement and services at McIntire from July 1, 2016 through June 30, 2017. Because the City is a party to the McIntire agreement, the Amendment No. 5 requires City Council approval. City Council is expected to consider this extension at one of its June meetings.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the Amendment No. 5 to Local Government Support Agreement for Recycling Programs and to authorize the County Executive to sign the Amendment No. 5 subject to approval as to content and form by the County Attorney.

**By the above-recorded vote, the Board adopted the following Resolution to approve the Amendment No. 5 to Local Government Support Agreement for Recycling Programs and authorized the County Executive to sign the Amendment No. 5 subject to approval as to content and form by the County Attorney:**

**RESOLUTION APPROVING AMENDMENT NO. 5 TO LOCAL GOVERNMENT SUPPORT  
AGREEMENT FOR RECYCLING PROGRAMS**

**WHEREAS**, the County, the City, and the Rivanna Solid Waste Authority ("RSWA") entered into an Agreement dated August 23, 2011 providing the terms of the County's and City's shared financial support

for, and the RSWA's operation of, the Recycling Services through June 30, 2012, with an option for the County and the City to extend the agreement for two successive one-year periods; and

**WHEREAS**, the County and the City exercised their first option to extend the term of the Agreement through June 30, 2013; and

**WHEREAS**, the County, the City and the RSWA entered into Amendment Nos. 1, 2, 3, and 4 to extend the term of the Agreement through December 31, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, respectively; and

**WHEREAS**, the County desires an additional extension of the term of the Agreement through June 30, 2017, and the City is agreeable to an extension for such period.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves the Amendment No. 4 to Local Government Support Agreement for Recycling Programs and authorizes the County Executive to sign the Amendment subject to it being approved as to content and form by the County Attorney.

\* \* \*

**AMENDMENT NO. 5 TO  
LOCAL GOVERNMENT SUPPORT AGREEMENT FOR RECYCLING PROGRAMS  
AMONG  
THE CITY OF CHARLOTTESVILLE  
THE COUNTY OF ALBEMARLE  
AND  
THE RIVANNA SOLID WASTE AUTHORITY**

This **Amendment No. 5** to the **Local Government Support Agreement for Recycling Programs** (this "Amendment") is made this \_\_\_\_ day of \_\_\_\_\_, 2016 by and among the **City of Charlottesville, Virginia** (the "City"), the **County of Albemarle, Virginia** (the "County") and the **Rivanna Solid Waste Authority** (the "Authority", individually a "Party", and together referred to as the "Parties").

WHEREAS, the City, the County and the Authority entered into a certain Local Government Support Agreement for Recycling Programs dated August 23, 2011 (the "Original Agreement") providing the terms of the City's and County's shared financial support and Authority's operation of the Recycling Services; and

WHEREAS, the Original Agreement provided that such financial support and operations continue through the Authority's fiscal year ending June 30, 2012, with the City and County retaining an exclusive option to extend the Original Agreement for two successive one-year periods by giving prior written notice to the Authority; and

WHEREAS, the City and County exercised their first option to extend the term of the Original Agreement through June 30, 2013, but the County elected not to exercise its second option to extend the term through June 30, 2014 and instead requested, with the concurrence of the City, an extension of the Original Agreement through December 31, 2013; and

WHEREAS, the City, the County and the Authority entered into Amendment No. 1 to the Original Agreement dated June 5, 2013 extending the term of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 2 to the Original Agreement dated October 23, 2013 extending the term of the Original Agreement through June 30, 2014; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 3 to the Original Agreement dated January 28, 2014 extending the term of the Original Agreement through June 30, 2015; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 4 to the Original Agreement dated July 1, 2015 extending the term of the Original Agreement through June 30, 2016 (the Original Agreement, as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3 and Amendment No. 4, hereinafter, the "Agreement"); and,

WHEREAS, the County desires an additional extension of the term of the Agreement through June 30, 2017, and the City is agreeable to an extension for such period.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 4.** Section 4 of the Agreement, entitled “Term of Agreement,” is amended and restated as follows:

4. **Term of Agreement**

This Agreement shall be effective upon execution and the financial participation requirements shall be retroactive to July 1, 2011 and shall continue through June 30, 2017.

2. **Miscellaneous.** Capitalized terms used herein shall have the meanings ascribed to them in the Agreement unless otherwise specifically defined herein. Except as expressly modified hereby, all other terms and conditions of the Agreement shall remain unchanged and shall continue in full force and effect. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates below.

CITY OF CHARLOTTESVILLE:

\_\_\_\_\_  
Maurice Jones  
City Manager

\_\_\_\_\_  
Date

COUNTY OF ALBEMARLE:

\_\_\_\_\_  
Thomas C. Foley  
County Executive

\_\_\_\_\_  
Date

RIVANNA SOLID WASTE AUTHORITY:

\_\_\_\_\_  
Thomas L. Frederick, Jr.  
Executive Director  
77491846\_1

\_\_\_\_\_  
Date

\_\_\_\_\_

Item No. 8.14. Hydraulic Road and Barracks Road Sidewalk Project.

The executive summary forwarded to the Board states that the Hydraulic Road and Barracks Road Sidewalk Project originally included the construction of 1,700 linear feet of sidewalk on the north side of Hydraulic Road and three segments of sidewalk (Areas 1, 2, and 3) along the north side of Barracks Road totaling 1,650 linear feet. The acquisition of public rights-of-way and/or easements across 25 parcels is necessary to construct this project. Discussions and negotiations with the property owners have been in progress since February 2016.

The purpose of this executive summary is to recommend eliminating the section of sidewalk on Barracks Road identified as Area 3 from the project scope. Area 3 is illustrated on the third page of the enclosed Project Maps (Attachment A). The scope to be removed consists of approximately 350 linear feet of new sidewalk from S. Bennington Road (SR 1407) eastward to the Barracks Road-250/29 Bypass west-bound ramp and a new crosswalk at the signalized Barracks Road-250/29 Bypass intersection. This area of sidewalk crosses the fronts of three parcels belonging to two owners (TMPs 060A0-00-0A-00200, 060D0-00-0A-00300, 060D0-00-0A-00400).

Staff provides the following justification for eliminating Area 3 from the project:

1) The construction of a sidewalk in this location would require significant utility relocations resulting in the removal of mature evergreen trees along the frontage of these properties that provide visual screening from the road. The Owners object to the proposed sidewalk because of these buffer impacts and have stated they do not support the project.

2) Area 2 includes the construction of a sidewalk along Barracks Road (SR 654) from the Canterbury Hills neighborhood's Westminster Road to the signal, crosswalk and sidewalk improvements at the Georgetown Road/Barracks Road intersection; thereby providing pedestrian connections to the Out of Bounds development and across Barracks Road.

3) S. Bennington Drive was recently extended to the Out of Bounds development and provided a second connection to the Canterbury Hills neighborhood and access to the signal and crosswalk at Georgetown

Road (SR 656).

4) In discussions with VDOT staff, County staff learned that there is a potential future project to construct a turn lane to accommodate right-hand turns from Barracks Road onto the 250/29 Bypass west-bound ramp. If a future turn lane is constructed, the sidewalk proposed with this project would need to be demolished. However, a sidewalk could be included with that project. Furthermore, staff and the Jack Jouett District Supervisor discussed these issues and agreed that Area 3 is not a critical connection for this project. VDOT reviewed and approved this change to the project scope with the condition that the Board approve the change.

Staff recommends that the Board authorize staff to reduce the project scope by eliminating the Area 3 improvements along Barracks Road (SR 654) from S. Bennington Drive (SR 1407) eastward to the Barracks Road-250/29 Bypass intersection.

**By the above-recorded vote, the Board authorized staff to reduce the project scope by eliminating the Area 3 improvements along Barracks Road (SR 654) from S. Bennington Drive (SR 1407) eastward to the Barracks Road-250/29 Bypass intersection.**

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Item No. 8.15. Parcel 75-2 Development Rights.

The executive summary forward to the Board states that in 2006, the owner of Parcel ID 07500-00-00-00200 (Parcel 75-2) subdivided Parcel ID 07500-00-00-002D0 (Parcel 75-2D) from the original Parcel 75-2. The 2006 subdivision plat indicated that each of the resulting two tracts retained one development right. In 2007, an official determination of parcels and development rights was issued by the Zoning Division stating that the 2006 subdivision did not assign three development rights that were eligible to be assigned to Parcels 75-2 and 75-2D. In 2015, The Nature Conservancy donated Parcel 75-2D (and five others) to the County among the six-parcel Hedgerow tract. Hedgerow Holdings II, LLC, the current owner of Parcel 75-2, has recently approached the County, claiming that Parcel 75-2 was and is in fact entitled to the three remaining development rights for a total of four development rights assigned to Parcel 75-2.

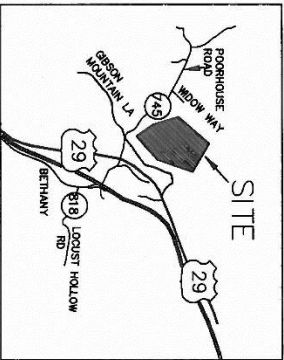
County staff has reviewed and agrees with Hedgerow Holdings' request. At staff's suggestion, Hedgerow Holdings has prepared a proposed corrected plat for recordation (Attachment A). The proposed plat correctly notes, "Tax Map 75 Parcel 2 retains 4 development rights." Because the County now owns Parcel 75-2D, the other subject parcel on the subdivision plats, the County's signature is needed on the corrected plat before it can be recorded.

Staff recommends that the Board authorize the County Executive to sign a corrected subdivision plat and certificate of plat (Attachments A and B) for Parcel 75-2 on behalf of the County, as owner of Parcel 75-2D, once both are approved as to form and content by the County Attorney.

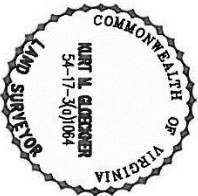
**By the above-recorded vote, the Board authorized the County Executive to signed the following corrected subdivision plat and certificate of plat for Parcel 75-2 on behalf of the County, as owner of Parcel 75-2D, once both are approved as to form and content by the County Attorney:**



CURVE	LENGTH	RADIUS
C1	327.81	2403.83
C2	241.39	2403.83
C3	107.36	198.87



VICINITY MAP



**GLOECKNER ENGINEERING/SURVEYING INC.**  
ENGINEERS - SURVEYORS - LAND PLANNERS  
1980 FOX RUN LANE  
CHARLOTTESVILLE, VIRGINIA 22901

LINE	LENGTH	BEARING
L1	22.11	S78°32'31"W
L2	31.92	S53°52'44"W
L3	89.23	S24°31'12"W
L4	140.80	S74°07'44"W
L5	64.82	S18°32'28"W
L6	188.45	S40°00'28"W
L7	143.39	S63°21'18"W
L8	43.32	S36°23'17"W
L9	52.22	N65°22'08"W
L10	53.93	S50°43'10"W
L11	40.15	S34°01'14"W
L12	31.23	S42°49'35"W
L13	15.28	S42°49'35"W
L14	119.08	N64°19'52"W
L15	48.51	S30°57'54"W
L16	81.88	S84°45'11"W
L17	77.66	S45°52'10"W
L18	57.50	N84°42'20"W
L19	66.44	S04°27'24"W
L20	66.13	S61°52'05"W
L21	47.08	N69°24'44"W
L22	76.90	N40°28'08"W
L23	86.26	N85°59'48"W
L24	42.44	N17°42'15"W
L25	97.92	N57°44'53"W
L26	54.36	N19°52'57"W
L27	215.78	N23°27'39"W
L28	137.75	N42°45'22"W
L29	42.54	N04°33'53"W
L30	88.13	N74°14'48"W
L31	26.48	N19°10'35"E
L32	91.78	N36°28'32"W
L33	92.09	N63°59'24"W
L34	47.97	N83°59'38"W
L35	27.72	N40°09'33"W
L36	31.73	S66°38'48"W
L37	77.96	N33°24'58"W
L38	107.10	N66°14'11"W
L39	46.24	N30°41'07"W
L40	49.99	N01°04'40"W
L41	14.32	N25°49'28"W
L42	42.29	N33°47'21"W
L43	29.44	N33°24'38"E
L44	25.83	N37°40'37"W
L45	14.30	N17°09'42"W
L46	155.35	N73°02'23"W

LINE	LENGTH	BEARING
L47	69.39	N16°00'55"W
L48	57.79	N08°37'36"E
L49	99.00	N26°19'24"E
L50	89.57	N49°49'24"E
L51	179.39	N31°33'52"E
L52	83.12	N13°37'57"E
L53	202.69	N69°31'46"E
L54	131.50	S80°12'28"W
L55	227.56	S66°08'37"W
L56	99.49	S45°13'05"W
L57	107.30	N73°53'36"E
L58	117.65	S21°09'37"E
L59	55.00	S22°01'11"E
L60	59.23	S16°22'57"E
L61	80.28	S14°52'51"E
L62	60.65	S28°09'24"E
L63	76.02	S29°30'12"E
L64	94.41	S29°42'24"E
L65	78.28	S44°34'30"E
L66	42.31	S46°22'30"E
L67	56.08	S41°19'22"E
L68	62.49	S34°31'21"E
L69	158.66	S75°56'27"W
L70	15.88	S73°08'03"E

OWNERS' APPROVAL

THE DIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, ANY REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

HEDGEROW HOLDINGS II LLC  
AGENT: JAMES ANDREWS  
DATE

NOTARY PUBLIC

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MY COMMISSION EXPIRES \_\_\_\_\_.

COUNTY OF ALBEMARLE  
AGENT: THOMAS C. FOLEY, COUNTY EXECUTIVE  
DATE

NOTARY PUBLIC

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MY COMMISSION EXPIRES \_\_\_\_\_.

PLAT SHOWING  
NEW DIVISION RIGHTS  
FOR  
RURAL SUBDIVISION  
OF  
TAX MAP 75 PARCEL 2  
INTO

TRACTS "A" AND "B" CONTAINING  
144.38 AND 80.08 ACRES RESPECTIVELY  
AND ALSO SHOWING BOUNDARY SURVEYS OF  
TAX MAP 74 PARCELS 28B1 AND 30 CONTAINING  
3.79 AND 3.13 ACRES RESPECTIVELY  
LOCATED AT THE INTERSECTION OF  
U.S. ROUTE 29 AND STATE ROUTE 745  
(POORHOUSE ROAD)

APPROVED FOR RECORDATION

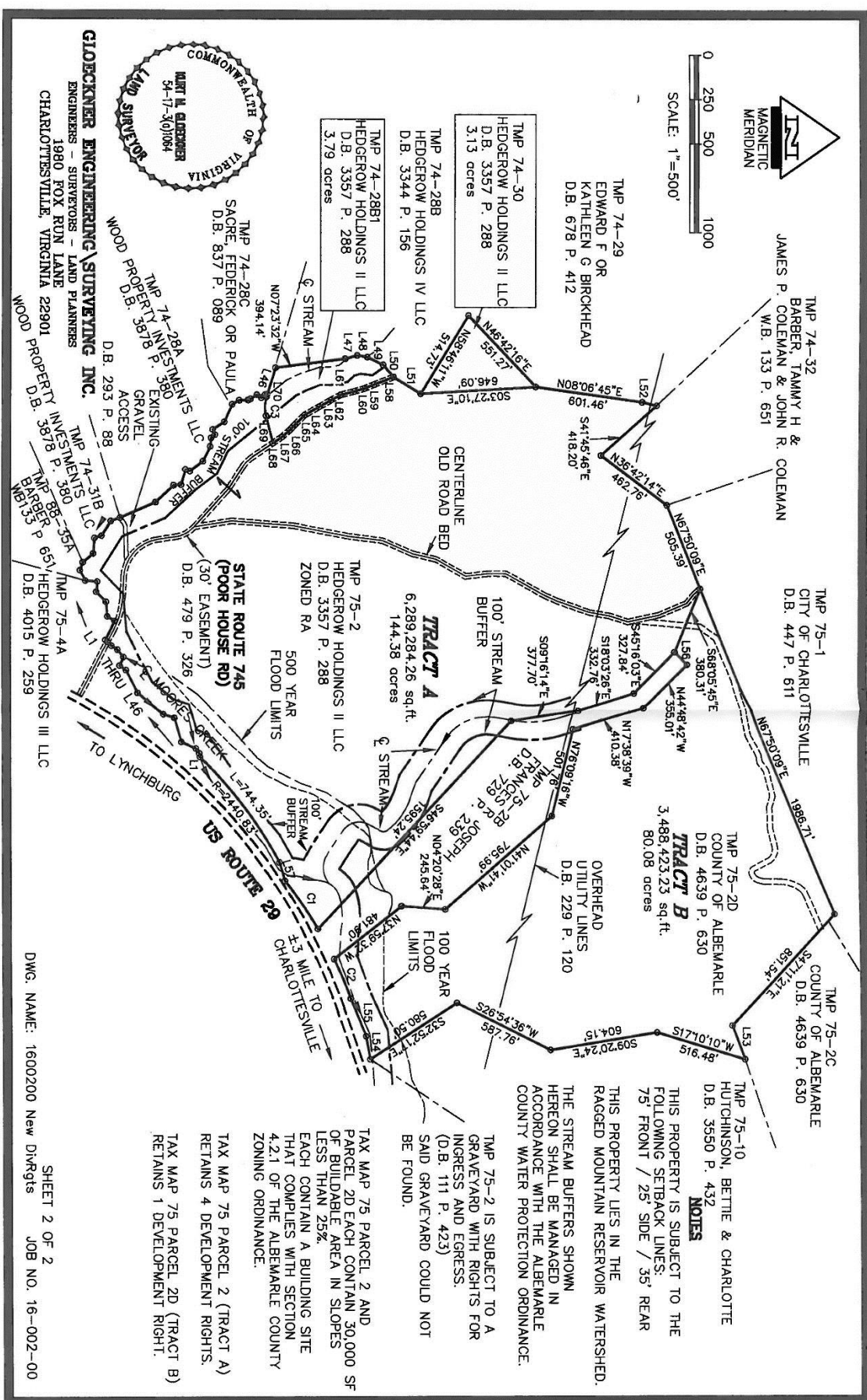
SAMUEL MILLER MAGISTERIAL DISTRICT  
ALBEMARLE COUNTY, VIRGINIA

JUNE 19, 2006

REVISED APRIL 10, 2016

DWG. NAME: 1600200 New DivRgts JOB NO. 16-002-00

SHEET 1 OF 2



Prepared by:  
James H. Andrews, Manager  
of Hedgerow Holdings II, LLC

Parcel ID: 07500-00-00-00200 and Parcel ID 07500-00-00-002D0

**CERTIFICATE OF PLAT**

The attached plat and the courses, distances and descriptions shown thereon, made by Gloeckner Engineering/Surveying, Inc. dated June 19, 2006, and revised April 10, 2016, captioned "Plat Showing New Division Rights For Rural Subdivision Of Tax Map 75 Parcel 2 Into Tracts "A" and "B" Containing 144.38 and 80.08 Acres Respectively And Also Showing Boundary Surveys Of Tax Map 74 Parcels 28B1 And 30 Containing 3.79 and 3.13 Acres Respectively Located At The Intersection Of U.S. Route 29 and State Route 745 (Poorhouse Road) Samuel Miller Magisterial District Albemarle County, Virginia" (the "Plat") is hereby confirmed and submitted for recordation by the owner of record with respect to Tract A, Hedgerow Holdings II, LLC (the "Owner of Tract A") and the owner of record with respect to Tract B, the County of Albemarle (the "Owner of Tract B"). The Plat correctly states the number of development rights retained by Tract A (Tax Map 75, Parcel 2), which are 4 development rights.

Tract A (Tax Map 75 Parcel 2) is a portion of the same property conveyed to Hedgerow Holdings II, LLC by Deed of Correction from Hedgerow Corporation, dated January 20, 2007, and recorded in the Clerk's Office for the Circuit Court of Albemarle County, Virginia (the "Clerk's Office") in Deed Book 3357, Page 288. Tract B (Tax Map 75 Parcel 2D) is a portion of the same property conveyed to The Nature Conservancy by Deed of Gift from Hedgerow Corporation, dated December 29, 2006, and recorded in the Clerk's Office in Deed Book 3346, Page 488, and subsequently conveyed to the County of Albemarle by Deed of Gift from The Nature Conservancy, dated March 2, 2015, and recorded in the Clerk's Office in Deed Book 4639, Page 630.

WITNESS the following signature and seal this 27<sup>th</sup> day of April, 2016.

HEDGEROW HOLDINGS II, LLC

By James H. Andrews  
James H. Andrews, Manager

STATE OF OHIO  
MAHONING COUNTY

The foregoing instrument was acknowledged before me this 27 day of April, 2016 by James H. Andrews, Manager on behalf of Hedgerow Holdings II, LLC.

My commission expires: \_\_\_\_\_

Melanie L. Leonard  
Notary Public  
Melanie L. Leonard  
Notary Public, State of Ohio  
Commission Expires March 26, 2019

WITNESS the following signature and seal this \_\_\_\_ day of \_\_\_\_\_, 2016.

COUNTY OF ALBEMARLE

By \_\_\_\_\_  
Thomas C. Foley, County Executive

STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016  
by Thomas C. Foley, County Executive for the County of Albemarle, Virginia.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

2

Item No. 8.16. Appointment of Travis O. Morris as Acting Clerk to the Board of Supervisors.

**By the above-recorded vote, the Board appointed Travis O. Morris as Acting Clerk to the Board of Supervisors.**

Item No. 8.17. County Grant Application/Award Report, ***was received for information.***

The executive summary forwarded to the Board states that Pursuant to the County's Grant Policy and associated procedures, staff provides periodic reports to the Board on the County's application for and use of grants.

The attached Grants Report provides a brief description of five grant applications made during the time period of April 15, 2016 through May 13, 2016.

This report also includes a comprehensive look at potential Five Year Financial Plan implications if projects and/or programs that are supported by grants are continued with local funding after the grants end. As grant funding ends, recommendations will be included in the County Executive's proposed annual budgets for the Board's consideration as to whether local funding should be used to continue those projects and programs. No County funds will be used to fund the continuation of those projects and programs without Board approval.

The budget impact is noted in the summary of each grant.

**GRANT REPORT ACTIVITY – April 15, 2016 through May 13, 2016**

Applications were made for the following grants:

Granting Entity	Grant Project	Type	Amount Requested	Match Required	Match Source	Department	Purpose
Virginia Department of Criminal Justice Services	FY17 Pre-Trial Services and Comprehensive Community Corrections Act (CCCA)	State	\$962,630	\$75,000	Central Virginia Regional Jail	Offender Aid & Restoration	These grant funds will be used to provide continued screening, interviews and investigations at the Central Virginia Regional Jail for the jurisdictions served by the Jail. This grant will also provide local probation, supervision, risk assessment, case planning, and many other services to the OAR's nine-locality service area. DCJS combined the two programs into one grant for FY17.
Virginia Department of Criminal Justice Services	FY 17 Justice Assistant Grant – Problem Oriented Policing (POP)	State	\$97,848	\$31,821	Police Department	Police	These grant funds will be used to provide continued funding for a police Sergeant position to lead the ACPD Problem Oriented Policing (POP) Team.
Virginia Department of Criminal Justice Services	FY 17 Justice Assistant Grant – Crime Analyst	State	\$16,939	\$50,819	Police Department	Police	These grant funds will be used to provide continued funding for the Crime Analyst position for FY17. This is the last year of grant funding for this position.
Virginia Department of Housing and Community Development	Proposal for Planning Grant for Southwood Redevelopment	Federal	Undetermined (around \$15,000-\$30,000)	\$0	None	Housing	These grant funds will provide support for a planning process to create a plan of development for the first phase and beyond with Habitat for Humanity for the eventual redevelopment of the Southwood community.
Virginia Department of Housing and Community Development	Alberene Housing Rehabilitation	Federal	\$855,000	\$0	None	Housing	These grant funds will provide support for housing rehabilitation in coordination with the Albemarle Housing Improvement Program (AHIP) for homes in the Alberene community.

Awards were received for the following grants:

None at this time.

**Comprehensive Look at Potential Five Year Financial Plan Grant Impacts:**

The following chart includes grants that are expected to end within the next five years and an estimate of the County's cost over the next five years if the grant-supported position, project or program is continued after the grant ends. The continuation of those positions, projects and programs will be considered as part of the County's annual budget process.

							Potential Financial Impact - Includes Five Year Plan salary assumptions				
Grant Entity	Grant Name	Summary	# of FTE	Designation of Current Budget Match	Expected End Date	FY16 Grant Amount*	FY17	FY18	FY19	FY20	FY21
Virginia Department of Criminal Justice Service	FY16 Byrne/Justice Assistance Grant (JAG) Law Enforcement	This grant provides funding for a current police Sergeant position to form and lead the new Problem Oriented Policing (POP) Team and includes equipment/ supporting costs. This grant requires the local match to increase each year with the goal at the end of the grant to be for a full time employee to be hired.	1	Grants Leveraging Fund	6/30/2020	\$125,910.00	\$ 35,961.74	\$ 73,308.49	\$ 112,096.36	\$ 152,383.46	\$155,383.98
Virginia Department of Criminal Justice Service	FY16 Byrne/Justice Assistance Grant (JAG) Crime Analysis	This grant provides funding for the current Crime Analyst position. The grant requires the local match to increase each year with the goal at the end of the grant to be for a full time employee to be hired.	1	Police Department	6/30/2018	\$33,879.00	\$ 52,420.18	\$ 71,785.57	\$ 73,752.87	\$ 75,798.46	\$ 77,925.47
*does not include local match funds							\$ 88,381.92	\$ 145,094.07	\$ 185,849.23	\$ 228,181.92	\$233,309.45

The following chart includes an estimate of the County's cost over the next five years for the replacement of equipment that was purchased with grant funding. The replacement of such equipment will be considered as part of the County's annual budget process.

						Potential Financial Impact				
Grant Name	Summary	# of FTE	Designation of Current Budget Match	Actual End Date		FY17	FY18	FY19	FY20	FY21
2006 Assistance to Firefighters	This grant provided funds for the purchase of turnout gear in 2006. The equipment life is now expiring and the estimated amount of approximately \$140,000, which is typically budgeted in a given year for this expense, is now estimated to be inadequate to replace the equipment over time. The additional funds listed in this chart reflects the additional costs estimated to replace this equipment each year. Costs in the out years is estimated to decrease due to the newly centralized management process and expected efficiencies.	0	Fire Rescue Fund	6/30/2006		\$ 158,068.76	\$236,700.23	\$ 191,830.46	\$ 147,090.10	TBD
Equipment Grant	This grant provided funds for the purchase of fitness equipment. The equipment life span is now expiring.	0	Fire Rescue Fund	6/30/2009		\$ 37,878.00	\$ 39,117.00	\$ 40,356.00	\$ 53,345.00	\$ 54,934.00
						\$ 195,946.76	\$275,817.23	\$ 232,186.46	\$ 200,435.10	\$ 54,934.00

Item No. 8.18. Charlottesville Area Transit (CAT) Quarterly Report – 3<sup>rd</sup> Quarter FY 16, ***was received for information.***

Item No. 8.19. Copy of letter dated April 28, 2016, from Francis H. MacCall, Principal Planner, to Ross L. Stevens, ***re: LOD-201600006 – OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 09000-00-00-014C1 (property of CRICKET'S HEARTH LAND TRUST; ALEXANDER SLIVINSKE JR TRUSTEE) - Samuel Miller Magisterial District, was received for information.***

Non-Agenda.

**(Discussion:** From the Public: Matters Not Listed on the Agenda for Public Hearing.

Mr. Sheffield stated that he has not yet had an opportunity to speak with Frances Campbell regarding a gray infrastructure issue and asked if Mr. Campbell could speak for a few minutes first.

Mr. Frances Campbell addressed the Board and stated that he is a resident of Commonwealth Drive and has a sinkhole in his driveway due to a stormwater easement, with the sinkhole becoming increasingly worse. Mr. Campbell stated that the ACSA put cameras underground and determined that there is a pipe broken with water leaking out causing the sinkhole. He said he is retired and has been caring for a son that just had surgery, so he would appreciate anything the County could do to look into it.

Mr. Sheffield stated that the runoff from the road goes through Mr. Campbell's property to the stream in the back, and an underground concrete pipe there has dislocated.

Mr. Campbell noted that the pipes were there before he bought the property.

Mr. Randolph asked Mr. Campbell if he could send the Board some pictures of his property.

Mr. Sheffield stated that he could do that, and mentioned that he and Mr. Kamptner had been out to the site and had scoped the pipe, and this is a situation from back in the 1970s when Commonwealth Drive was built, as no ownership of those infrastructures were placed on the County. He noted that this situation is similar to that of Carrsbrook in which there is a public facility on private property, but no direct access or accountability, and added that Mr. Campbell has a public issue on private property.

Mr. Foley stated that staff can provide background for the Board on this and noted that this is not without precedent, adding that they can have a discussion on this in the context of their strategic plan, because the easements will need to be turned over to the public for future maintenance, which will have financial implications. He said the County has done this before and has accepted public easements, a practice that started in the early 2000s.

Mr. Kamptner said that in developments this age, when looking at the plats there might be easements but with no maintenance or dedication to the public, so no one is aware of responsibility.

Mr. Foley stated that this would be a precedent for the County moving forward and there would be multiple requests for these to be addressed, with cost implications and the need for a prioritization process and prescribed criteria, but obviously this a challenge to those who are affected by it.

Mr. Campbell thanked Mr. Sheffield for his help and said that he has been on top of it the whole time.

Ms. Mallek commented that this is a perfect example of why they need a stormwater resources fund, because Greg Harper's map shows a very tight spider web of easements that are un-designed and not on GIS but are out there, and can damage someone's house, which will be much more costly.

Mr. Foley mentioned that there already are criteria, so they need to look at the whole thing to determine if they need to approach this more aggressively.

Ms. Mallek said these people cannot afford to wait until the sinkhole swallows their house, and said that it took two years to get anything done in Carrsbrook.

Mr. Sheffield stated that with the recent deluge of rain the problems are getting visibly worse, and he feels they will see more and more of these cropping up so it is a strategic issue for the Board to address.

Ms. McKeel commented that there are a lot of them around.

Mr. Sheffield pointed out that Mr. Kamptner and staff have been very responsive to this problem and have been out to the site numerous times, and as with other issues, sometimes staff just has to say there is not much they can do unless the County changes its policy.

Mr. Foley stated that the approach in the past has been to deal with these on a case by case basis, so the question is whether to do something different in the future.

Ms. Palmer noted that the Board has been told that the price tag for all of this was gigantic, so the question is how they address it as a strategic issue.

Ms. Mallek commented that if they have a case by case process right now, they need to deal with those situations while they tackle the larger issue, and people get very upset with having to wait for a three-year process to happen.

Mr. Randolph stated that they are already seeing the effects of increased rainfall, and the County has an infrastructure that made an assumption about the volume of water that would move through the stormwater system, with failures already seen in places like Glenmore. Mr. Randolph stated that the country club there was built approximately 20 years ago and the infrastructure was installed, but they are now having to take out some of the stormwater management duct work that led into retaining pools because the volume of water exceeds the piping that is there to handle that volume. He added that he thought they would see not only sinkhole issues but also lack of adequate flow capacity, and will have to look at ways to handle it, including a funding mechanism to cover the cost, so the whole burden is not all placed on the property owner, who is affected through no negligence or adverse actions of his own.

Mr. Foley stated that the purpose of the strategic process on June 7 is for the Board to put this up against other challenging issues faced, and if the Board wants to deal with some of the case by case items, that will be more of an agenda discussion than something for the 7<sup>th</sup>, but the background on it is critical and staff will get some information for the Board.

Mr. Sheffield thanked Mr. Campbell for his patience with the process.

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#### Agenda Item No. 9. Rio/29 Small Area Plan Public Engagement Plan.

The executive summary as presented by staff states that In February 2015, the Board approved the inclusion of the Rio/29 Small Area Plan, including a typical community engagement plan, as part of the Community Development Department's Work Program for FY16. In March 2016, the Board directed staff to proceed with a consultant scope of work for Phase I of the project. This first phase will identify and



develop land use alternatives for the study area that are based on a market assessment of future business potential and capture rates and will include a trip generation analysis for each land use alternative, incorporating the new grade-separated intersection at Rio Road and US-29. The attached public engagement plan has been developed in accordance with the County's guidelines for citizen involvement to ensure robust, meaningful engagement.

Staff has developed a draft public engagement plan (Attachment A) focused on creating opportunities for effective public involvement to support the consultant team, the Planning Commission, and the Board of Supervisors in developing land use alternatives that are data-driven and context-sensitive. This will be achieved through the use of the Small Area Plan Advisory Committee, as constituted by the Places29-Hydraulic and Places29-Rio Community Advisory sub-Committees; focus groups with representatives from the business, development, and civic communities; and the community at-large, with targeted outreach to area residents.

The specific goals of the plan are as follows:

- Provide educational opportunities for Places29-area residents regarding general planning processes and the Small Area Plan process
- Gather public feedback about community desires for the Small Area Plan land use alternatives
- Disseminate community input to ultimate decision-makers for their consideration
- Establish realistic expectations about the process and timeline for completion
- Keep the public informed about the Small Area Plan as it moves through the process
- Provide a transparent process for how public input is used in developing alternatives and strategies.

The use of a project website, County A-mail, meetings of the Small Area Plan Advisory Committee, and survey instruments will facilitate open communication throughout the process.

Staff recommends that the Board provide any desired changes and approve the public engagement plan.

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Ms. Lee Catlin, Assistant County Executive, addressed the Board and stated that she and Emily Kilroy will discuss the small area plan, and specifically the public engagement part of that. Ms. Catlin said the Board had already held discussions and received information about the planning process itself, and what staff will focus on today is the public engagement plan. She stated that these plans are brought before the Board for major policy initiatives like this to ensure there is transparency, a fair and clear process that ensures meaningful citizen engagement, and to establish that there are shared expectations about how the public process will proceed. Ms. Catlin said there are several particular issues that she and Ms. Kilroy will review with the Board.

Ms. Catlin reported that the small area plan will be completed in two phases, phase one will develop two to three land use alternatives for the study area, running from May 2016 to March 2017; phase two will conduct a comprehensive transportation analysis for the land use alternatives, with the preferred alternative used to develop a series of transportation improvements. Ms. Catlin stated that phase one of the small area plan is being supported by a consultant funded by the Virginia Office of Intermodal Planning, with the consultant team consisting of Renaissance Planning Group and Michael Baker, International. She said it had been mentioned that one of the really important considerations is that this is a process intended to yield results as it goes along, so if there are strategies or initiatives identified that can be helpful as the process proceeds, there will be the opportunity to bring those forward rather than waiting until the last stage of the plan before considering action.

Ms. Catlin stated that the goals established for public engagement are to provide educational opportunities on the small area plan and on general planning process; to gather feedback on community desires for land use alternatives; to disseminate information to the Board as the ultimate decision-makers; to establish and maintain realistic expectations for the process and timeline; to keep the public informed about the small area plan as it moves through the process; and to provide a very transparent process for how public input is used in developing alternatives and strategies. She said the small area plan is a catalyst for a lot of opportunity in an area that is very strategic for the County, receiving public investment from the County as well as other sources, and a great vehicle for bringing together and catalyzing citizen, staff, and business owner discussions towards those important goals.

Ms. Catlin said that staff is charged with working with the community to ensure the effectiveness of the public engagement process, provide review and recommendations to the Planning Commission and the Board, keep the community informed regarding progress, communicate how public input has shaped decisions, and present final recommendations to the Planning Commission and the Board. She stated that the consultant team is charged with preparing materials and participating in key meetings in order to convey findings and to be responsive to feedback. Ms. Catlin said that the technical committee is comprised of staff from various County departments and divisions and other agencies such as the Virginia Department of Transportation, the MPO, the service authority, Jefferson-Madison Regional Library, etc., to bring those perspectives together and provide general coordination and guidance on technical aspects. She stated that staff has shaped this effort for the community so that participation can include anyone who wants to be engaged sporadically, as well as an ongoing committed focus group that can stay with the process as it proceeds. Ms. Catlin said that staff has designated the Places 29 Hydraulic/Rio Advisory subcommittees to be the group that will serve as the vetting group to form the basis of the initial study assessment, and these two subcommittees will be the primary stakeholder group.



She noted they will provide general advice and input to staff, review information before each community meeting and provide a sounding board, and review key recommendations and provide feedback to staff on a regular basis.

Ms. Catlin stated that there are other groups that staff feels should be involved in a meaningful way, including the other Places 29 subcommittee, which is not in the immediate geographic area but has expressed an interest in being involved. She said that staff has also talked about convening some focus groups, such as the businesses interests in the area including large landowners and developers, who can provide insight into economic opportunities and incentives, so that feedback is available early in the process. Ms. Catlin said that staff has also spoken with Mr. Sheffield and Ms. McKeel about certain individuals they would want to invite in addition to their Places 29 subcommittees, and the community at large will have opportunities for engagement through the website, large open house meetings, and online engagement. Ms. Catlin stated that the Planning Commission has liaisons to the Places 29 subcommittees, so they will be able to listen and provide an interface between the Commission and the community, and the Commission will be making a recommendation to the Board in terms of a comprehensive plan amendment, with the Board having the final decision-making authority for approving the amendments to the comp plan of which the small area plan will be a part.

Ms. Emily Kilroy addressed the Board and pointed out the consultant team's deliverables, as well as the engagement pieces to match that effort and the timing of that. Ms. Kilroy stated that staff has already done a briefing to all three subcommittees of the Places 29 community advisory committees; once the plan is adopted, staff will have an A-mail list created so that people can get regular updates, a YouTube video explaining what a small area plan is, why it is important, and how you can stay engaged with it for on-demand information, and a press release to get the word out to the community at large. Ms. Kilroy stated that regarding the study area analysis, staff will have another briefing to the CACs, with A-mail updates to advertise those meetings. She said the pace will accelerate at the start of the land use alternatives process, with a community meeting to share the findings of the early deliverables from the consultant team, with a plan as to how to best do that with the CACs. Ms. Kilroy said at that point they will convene their first focus group, have an online survey, do another YouTube video that goes through the land use alternatives process, and regular updates through A-mail and press releases.

Ms. Kilroy stated that at the end of the land use alternatives, staff will hold another briefing for the CACs, with the consultant having prepared two or three land use alternatives and various iterations of the impacts of those, which will be worked through with the CACs. She said that staff will plan a large community meeting to unveil those once the initial transportation analysis information is back, and there will also be a survey so that people can react to the alternatives in that meeting, as well as a kiosk at the Northside Library and online outreach. Ms. Kilroy stated that as they move to the final document and presentation, there will be updates via A-mail and web, and because the small area plan is a comp plan amendment, it will follow the normal public hearing process with the Planning Commission and Board of Supervisors.

Mr. Sheffield said that as part of the strategic planning they had talked about comprehensive rezoning, and he wonders how this might fit into that, stating that they would not want to do just one small area, but also would not want to drag the issue of comprehensive rezoning along for another year.

Mr. Foley responded that this work is going to go exactly as it was laid out here, but that is a top priority for early consideration and staff will be forming a team to think through different strategies on how to accelerate some improvements, including looking at how to implement some of these areas. He noted that there were a number of implementation ideas talked about, such as comprehensive rezoning, financing mechanisms, and even changing zoning. Mr. Foley stated that staff will be talking about these things on the front end so they can engage with the Board as this work is going on in parallel.

Mr. Sheffield clarified that he is referring to County-initiated proactive rezonings so they can prepare for any economic potential.

Mr. Foley stated that there is a balance between the work the community is doing and the County's efforts, and this will go on in parallel, with staff looking for opportunities they can bring forward sooner, particularly those with economic development potential. He said that staff has heard that message from the Board and will be proceeding with that in mind, and will share details about that going forward.

Mr. Sheffield said the Rio committee has already been engaged in consideration of what rezonings might need to occur, so another path might be the CACs giving some thought as to what they want to see in terms of the land use plan and comp plan reflected in actual zoning.

Mr. Foley responded that there is a lot of energy around staff on this whole effort, and the Board will see that coming forward, with some more discussion on June 7 as they figure out how high priority this is compared to some other things as it relates to this work.

Ms. Mallek said that with the displays at the library, she would encourage staff to have the material start at the beginning, because everything else mentioned is internet-based. She stated this will help bring people visiting the library up to date and show them what is going on, and as the project changes, the materials can be updated.

Ms. Catlin responded that this is a good point, and there will be other areas targeted for outreach, such as Fashion Square Mall.

Ms. Mallek stated that people who do not have the opportunity in a large group will have time to go over the information. She asked if the consultants will be working from the County's documents, which will involve learning what the County has been doing for the last 20 years, and not copying and pasting from other sources.

Mr. Graham explained that they will be working from the County's documents as a starting point, then there will be ongoing research, some of which has already started through the economic development effort, and will build from that. He added that this is not a cut and paste exercise with other localities.

Ms. Mallek said the other parallel group to the zoning changes Mr. Sheffield mentioned is things within the ordinance where uses were described, and if they can figure out how to make them impact-based, it might make it easier than establishing long lists.

Mr. Kamptner said they will be looking at something more similar to a form-based code with broader user groups.

Mr. Dill commented that the program seems very good to him, the involvement, the thoughtfulness, the broad scope, but he is not clear on the focus groups and input from the community, as it is important to emphasize this to people who are not just in the community. Mr. Dill said that an example of this would be a convention center, which would not have to be in a particular place, as it seems important to see what the overall community needs as it could be an economic driver if it were bigger. He stated that they are not just trying to serve the community in the area between Hydraulic and Woodbrook with an office park or shopping center, and that is by far the biggest concentration of transportation activity, going up to Greene County and beyond. Mr. Dill emphasized that the focus should be a broader community need, as this is not an emergency plan to help a few blocks of 29.

Mr. Foley stated that this is focused on that particular area, but they should be looking at opportunities to do some broader things in that area so the concept of some public infrastructure there that helps to generate the activity that moves them to a plan is something to focus on.

Ms. Catlin said any feedback staff receives that may not be pertinent to that particular area but may have value elsewhere, they will hang onto and channel to the right place so it does not get lost so they do not lose the value of that.

Mr. Dill stated that getting more people coming down from Northern Virginia and having an attraction of some kind in that area can be really good, but that is not something that someone in the Rio/29 area who owns a small piece of property would think about.

Mr. Foley stated that in addition to the focused work on land use in that area and the transportation system, there would be a parallel effort regarding proactive rezonings and how ordinances could be changed and applied anywhere, as well as considering where other public infrastructure might support the land use plan. He said the comments made will be good to include in the committee in terms of where there might be broader opportunities to meet needs, focusing to achieve that as part of the parallel effort.

Ms. Palmer noted that the Southern Environmental Law Center has been very active in land use and transportation in that area for several years, and she wonders if they are going to be asked to be involved in this effort at any level.

Ms. Catlin responded that they have not been asked yet because staff wanted to get the Board's approval of the plan first, but there would be several opportunities for them such as focus groups convened on particular topics, or if Ms. McKeel or Mr. Sheffield want to invite representatives to be a part of the Places 29 subcommittee for the duration of the meetings, they can do that.

Mr. Sheffield stated that there are specific landowners they will want to make sure are at the table.

Ms. McKeel stated that she and Mr. Sheffield had discussed it with Ms. Catlin as well, and asked if staff is looking for a motion.

Ms. Catlin responded that they are, and would like to have it approved with some understanding that there is flexibility and it may change, but at least they are starting with a shared understanding.

Mr. Sheffield **moved** to approve the Rio/29 small area plan public engagement plan. Ms. Mallek **seconded** the motion.

Mr. Randolph said the one thing he did not see in this plan is involvement of the County's Economic Development Office.

Ms. Catlin responded they are on the technical committee, and the work Faith McClintic has done on their economic development analysis is feeding into this, and they are certainly an important player moving forward.

Mr. Randolph commented that the plan was very well done and thought out, and this might provide an opportunity to incorporate some form-based zoning in this region to see if it might work better in terms of meeting community goals and objectives. He said they can do this in a way that is consistent with County code, but more from a form perspective, and he would encourage them to think in those terms as it will foster innovation and creativity.

Mr. Foley emphasized that economic development is one of the most important aspects of what will happen at Rio, as those areas are not just going to redevelop and turn into economic engines by the County doing a planning exercise. He stated this has to be about implementation, and implementation has to be about economic development strategies, and Ms. McClintic is extremely engaged in this process and has already begun talking to the development community about opportunities, so he wants to emphasize that staff feels this is an essential piece.

Mr. Kamptner asked for clarification that the changes discussed, providing information at the Northside Library, opportunities for input for persons outside of the small area plan, and opportunities for groups to participate as discussed, should be incorporated in the engagement plan.

Ms. Catlin stated that Northside is already a part of the plan.

Mr. Sheffield and Ms. McKeel restated their motions.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

Ms. Catlin stated that staff is very excited about this project and there is a lot of interest and energy around it from the community advisory committees.

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#### Agenda Item No. 10. Capital Improvement Program (CIP) General Obligation Bond Referendum Discussion.

The executive summary as presented by staff states that On March 8, 2016, during the FY17 Budget review work session, the Board of Supervisors directed staff to schedule a follow up discussion on the Capital Improvement Program (CIP) and the possibility of adding projects that could be included on a November 8, 2016 bond referendum coincident with the presidential election. Local Government and School staff presented information to the Board regarding the referendum process and potential additional projects at the May 4 and May 11 Board of Supervisors meetings. The Board directed staff to immediately schedule a meeting with the Planning Commission and the CIP Oversight Committee to review the School Board's request to add projects and to provide feedback to the Board prior to its June 1 meeting. On June 1 the Board will consider amending the FY 2017-2021 CIP to include those additional projects requested by the School Board. The Board of Supervisors will also need to decide if, and to what extent, it would like to proceed with a November 2016 referendum.

Based on legal and procedural considerations and the Board of Supervisors' direction, the following timeline has been established for a potential 2016 bond referendum:

**May 4:** BOS work session on referendum process and projects

**May 11:** BOS work session on referendum projects

**May 12:** School Board formally requested, by resolution, that specific school projects be included

**May 24:** Public hearing held by PC on projects proposed to be added to an amended CIP

**May 26:** Meeting with CIP Oversight Committee on projects proposed to be added to an amended CIP

**June 1:** BOS adopts amended CIP and discusses question strategy

**July 6:** BOS approves referendum questions and adopts a resolution to request the Circuit Court to order a special election in November to conduct referendum

**July:** Circuit Court enters order for special election for purpose of conducting bond referendum

**August – November:** Public Education program

**November 8:** General election and special election for bond referendum questions

As directed by the Board of Supervisors, staff scheduled a meeting/public hearing with the Planning Commission and a meeting with the CIP Oversight Committee to review the School Board's request to add projects to the adopted CIP and provide feedback to the Board. Due to the tight timing of these meetings and the Board of Supervisors' June 1 meeting, feedback from these two sessions is not available for inclusion with this executive summary, but a written summary will be provided to the Board in advance of June 1. At the June 1 meeting, staff will ask the Board of Supervisors to take action on the adoption of the CIP with the additions requested by the School Board and will ask for preliminary guidance regarding the development of questions for a bond referendum if that is the direction of the Board of Supervisors.

Staff recommends that the Board take action on the amended CIP. If the Board directs staff to proceed with planning for a referendum, staff recommends that the Board discuss options and provide preliminary direction regarding question development for a November 8, 2016 General Obligation Bond Referendum. The Board would need to approve referendum questions and adopt a resolution to request a special election in November to conduct a referendum during its July 6 meeting to meet the identified timeline.

Mr. Trevor Henry, Director of Facilities and Environmental Services, addressed the Board, stating that he and other staff from local government and schools are available to answer questions, in addition to his presentation, and they are returning at the Board's request after meeting with the Planning Commission and Oversight Committee over the past week. Mr. Henry stated that the timeline for the bond referendum is tight, and they will be moving along at a rapid pace to meet the benchmarks. Mr. Henry stated that the previous week, Rosalyn Schmitt from the schools presented to the Planning Commission and public the same general information the Board had received in May, and the School Board had received before that. He said this was a deep dive into the project as well as the mechanics of the potential referendum and amendment to the CIP. Mr. Henry said the Planning Commission secretary had provided a draft memo of minutes to the Board, and the summary was a general consensus that supported all the bricks and mortar projects, with a lot of conversation pertaining to the high school capacity study, including the costs of it and its appropriateness of the referendum. He added that there was strong consensus support for the bricks and mortar projects with a note of question about the capacity study. Mr. Henry said that two members of the public came to the podium and provided comment, including someone from the Woodbrook area who was not in favor of that set of projects, and another Woodbrook resident had a question related to implementation as far as scale, scope and impacts that schools were able to address after the public hearing.

Mr. Henry stated there was an abbreviated group of the Oversight Committee to consider the same information, with a more in-depth look at the financing side that included the list of projects and what the model is. He said that staff had good discussions with the group, and the Oversight Committee is endorsing an amendment to the adopted CIP as presented by staff for the referendum, consistent with the timing and amount of revenue. Regarding the high school capacity planning project, he said there has been a lot of discussion about its appropriateness for referendum, and one of the things staff discussed was modeling it as cash, not to be debt financed. Mr. Henry stated that because of the scope of that project and the fact it is connecting an analysis of multiple options, there is some urgency in timing to get it figured out, and the recommendation coming out of Oversight was to include that in the adopted CIP, but not make it a referendum scope project. He said the committee recommended adopting that early and coming back to the Board to appropriate \$100,000 in FY17 to allow that initial planning, transportation, traffic, and general broad scope impacts right away, to help tailor the second half of that, funding in FY18 of \$400,000. Mr. Henry said that Oversight endorsed the idea of amending the CIP, with the only change being the approach to the capacity project.

Mr. Henry stated that there would be a net change to the CIP of \$33.9 million if they moved forward with these projects, with cash funding of the capacity study and not including it in the referendum. He referenced the adopted CIP model by the Board and pointed out the additional 1 penny dedicated in FY17, with another 2.1 cents in FY19. He noted that the goal for financing of the CIP is to have approximately \$2 million in fund balance at the end of each year for the five years, but they are pushing below that in FY19 and FY 21. Mr. Henry said the proposed plan would be the same as the currently adopted increases, and another 1.3 cents in FY18 for another \$3-3.5 million increase to the program.

Ms. Palmer asked where most of these projects were in the CIP before and how they changed to where they are now.

Mr. Henry explained that the County had gone through its CIP process, with all departments and schools making CIP requests, and all of the projects, except for high school capacity, were in the request and were in at the timing being considered now. He stated that through the CIP process and the different scenarios explored, what was ultimately adopted were maintenance, mandate and obligation projects with a few minor additions, including the Woodbrook design money. Mr. Henry said that while these projects were requested at a certain timing based on the financing model and discussion between the executive office and Board, they adopted a plan that did not include them. He noted that the Oversight Committee had a fourth scenario with nearly \$100 million in additional projects, and all the projects now being discussed were a subset of that scenario.

Ms. McKeel stated that she supports pulling out the \$500,000 for the design study, and she had attended the Planning Commission meeting as well as hearing questions from the community, including concerns that the \$500,000 was a lot of money for the study.

Mr. Henry responded that it is multiple studies within one, looking at traffic, transportation and growth, as well as architectural work that needs to be done at multiple sites.

Ms. McKeel stated that two of the Commissioners had questions about why the schools were asking for that much money for it, which was a legitimate question, but she feels it would be good to have it on the record with some clarification.

Ms. Mallek said that her question to Oversight was how they will explain it, which is why it was suggested to be taken out and funded with cash.

Mr. Dean Tistadt, Chief Operating Officer of the Public School System, addressed the Board and stated that as they have been exploring the solution to high school overcrowding, the original premise was that they were going to do an addition to a high school, most likely at Monticello. He explained that when the redistricting work was done, the conclusion was reached that this was not the answer and the solution needed to be more to the north, where growth was occurring. Mr. Tistadt stated that the decision was made to move the addition to Albemarle, but there was concern about whether it made sense to

make the largest school even larger and continue to have traffic coming down 29 from distances to the north, and that perhaps they needed to expand their consideration to multiple options. He said what they are contemplating with the study is whether it makes sense to build an addition to Albemarle or a high school to the north, or something completely different that changes the fundamental way they deliver instruction, possibly a magnet school or converting a middle school to a high school. Mr. Tistadt noted that as they consider the options, there are implications to the curriculum, to instruction, to transportation, and to economics, and they felt it was important to do this thoughtfully because the difference in investment between a \$20 million addition to AHS versus a \$70 million high school built somewhere else warranted them doing it thoughtfully with a lot of help from experts they do not have in house.

Ms. Palmer asked if one of the reasons for the change in looking at development to the north versus the south at Monticello was the fact that a huge development area at Biscuit Run was taken off the books and instead reserved for a park.

Mr. Tistadt responded that although it was before his time here, it was assumed that Biscuit Run would develop, and that influenced a number of decisions that later turned out to be wrong when that development did not occur. He stated that development is happening to the north up the 29 corridor that could influence the need for schools, and he does not know what they will do for analysis if they have no site for a high school because it would be hard to do without a transportation or economic analysis without a location to relate to. Mr. Tistadt said now that there is some potential for a proffered site, the thinking is to look at that proffered site, which will allow them to do the kind of transportation modeling and other work that needs to be done to compare that to the alternative of an addition to the school or other options.

Ms. Mallek commented that this makes good sense.

Ms. McKeel agreed that it does make good sense, but emphasized that Albemarle High School has continued to grow pretty rapidly. She asked Mr. Tistadt how long of a timeline they are anticipating with the study.

Mr. Tistadt responded that doing a referendum would have delayed the availability of money to FY18, which would have cost them a year of time, so this is a better scenario on a variety of levels to have some funding in FY17 to begin doing the work. He stated that in a perfect world, he would like for them to be prepared to go to referendum in two years with whatever the outcome of the analysis is, so they can hopefully have a solution in place within five years, which is probably as optimistic as they could expect, which means that Albemarle High School will continue to struggle with their issues for that time period.

Ms. McKeel stated that at one point there were ongoing discussions about a possible high school that would look very different and would be located at the UVA Research Park, and there have been ongoing discussions that for various reasons had to be stopped.

Mr. Tistadt said if they conclude that the high school would be located to the north, they would need to contemplate whether it would be a conventional high school or something very different, and in looking at the demographics, if they are considering a high school further north or west of the proffered site, it would pose some challenges on the demographic implications, so they should also be looking at that.

Ms. Mallek stated that she will move for adoption if the Board has no further questions.

Ms. McKeel said that she agrees with the Oversight Committee's decision.

Ms. Palmer asked if they are just talking about the CIP, not the referendum.

Mr. Sheffield stated that they have to do this in order to do the referendum, and he will be voting in favor of it, his Woodbrook opposition notwithstanding, because this moves them toward that referendum position.

Mr. Kamptner said that for the CIP action today, he would like to get a vote from the Board to direct staff to return with a resolution.

Ms. Mallek **moved** to adopt the CIP recommendation as presented, Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel and Ms. Palmer.

NAYS: Mr. Randolph.

Mr. Kamptner clarified that the vote includes removal of the high school capacity planning project from the bond referendum.

Mr. Foley stated that there was a recommendation that the planning be done, which means the CIP will need to be amended to include it, and whether it is on a referendum or not will be the next question. He said that staff agrees with school staff that they need to spend the money to do the planning for the high school, so they should clarify that all of that is included in the CIP amendment and deal with the referendum separately.

Ms. Mallek said that her motion was to include everything in the CIP recommendation.

Ms. Palmer asked if it is the \$100,000 or the entire \$500,000.

Ms. Mallek responded that it is \$100,000 for this year, and it is not certain yet about the costs of future contracts although they are estimated at \$150,000 a year.

Mr. Henry clarified that the adopted plan would show \$100,000 for design in FY17, and the balance in FY18, and staff will bring back an appropriation in July that would authorize the \$100,000 for the FY17 budget.

Mr. Foley noted that the CIP is a five-year document, so staff will come back each year with appropriations toward that \$500,000.

Mr. Henry said that staff recommends the referendum include everything except the high school capacity study, with two sample questions developed, the first being a more generic question that authorizes through referendum expenditures of up to \$35.5 million for the use of general obligation bonds to fund projects related to the schools such as expansion or renovation. He stated that another option will have similar construction but will ask voters if they approve the use of \$35.5 million towards capital project, but the scope of the projects will be listed. He noted that staff has kept the high school capacity planning in the question, but based on the Board's discussion at this meeting, staff would recommend taking it out. Mr. Henry said they can simplify the questions further, but the Board should establish if they are interested in the higher level question with maximum flexibility, or the second question with the scope of the projects defined. He noted that in both cases, there would be a heavy public engagement plan led by the schools and supported by local government, with much more detail provided.

Mr. Sheffield asked if there will be additional information handed out at polling places.

Ms. Mallek said that in the past with meals tax referendums, there was a lot of information available.

Mr. Kamptner stated that there will be a statement available to explain the issue, and individual County representatives can speak about the issue on their own behalf.

Mr. Sheffield said that with the eminent domain question on the ballot, there was a palm card handed out that explained what the question was.

Mr. Foley said that it is more of an educational process, which is the public engagement.

Ms. Catlin explained that staff would get the ballot questions out in advance so the public has a chance to see what they are, and her understanding from Mr. Davis is that at polling places, the County is able to provide actual statements, factual information and objectives, explaining the projects, but any advocacy has to be done by other groups.

Mr. Sheffield said that it really speaks to whether it is question one or two, because people will be looking for specific information and if factual information can provide that, it affects the question.

Ms. Palmer stated that at her polling place, an interior wall features prominent information on ballot measures that can be easily read from a distance by several people at once, and she is assuming that this is the kind of thing they would have.

Ms. McKeel said that people would have questions at the polls and would need those facts.

Mr. Foley emphasized that staff will do an extensive job to make sure the public is educated on the projects and will work closely with the schools on it, with a plan for that laid out for the Board with opportunity for their input on other ideas, and added that Mr. Tistadt has a lot of experience doing this in other communities.

Mr. Sheffield asked if school committees are prohibited from advocating for this, as community advisory committees are.

Mr. Kamptner responded that committees are prohibited from advocacy, but individuals in their own capacity can speak to the issue.

Mr. Sheffield stated that it is important to get a letter to every committee member because there are people who say they are on the long-range planning committee, and he reminds them that they cannot advocate as committee members.

Ms. Mallek pointed out that as long as they say they are on committee but are speaking for themselves, it is acceptable.

Mr. Sheffield said that he would like for Mr. Kamptner to define that fine line.

Ms. Palmer asked Mr. Kamptner to add to that a clarification as to whether the same restrictions apply to speaking against something versus speaking for it.

Mr. Kamptner stated that he will provide the necessary guidance for anyone who might be speaking.

Ms. Mallek commented that people will probably respond better to something more definite, and asked if the language for the addition to Woodbrook Elementary would allow the School Board the flexibility to change the specifications, or even a different location.

Mr. Kamptner responded that the way the question is worded does not assign specific dollar amounts, so there is some flexibility in the wording of the projects, but they cannot exceed the \$35 million bond amount, and staff will make sure to write the questions in a way to make the most for opportunities.

Ms. McKeel said that she would be interested in hearing comments from Mr. Tistadt on his preference for the two bond referendum questions.

Ms. Palmer said that she thinks that is a great idea, especially because most people do not even know where the schools are located.

Mr. Tistadt stated that his experience shows the greater success is found with more generic language for the questions, and the information shared with the public in advance of the vote is the most important piece. He said if they decide that the solution for the elementary schools is something other than the proposed addition at Woodbrook, including language that says "Woodbrook" might be more limiting than they intend. Mr. Tistadt added that his recommendation would be that the first question, with the information provided to the public with brochures and other materials, would provide the details to the community on what they propose to do, with the goal of informing the public as much as possible.

Ms. Palmer asked why he is in favor of the first question.

Mr. Tistadt responded that he would advocate for maximum flexibility on what they are doing, and it is clear they are doing school-related projects, so there is no ambiguity with the referendum, but the more flexibility they have within the school projects, the better. He stated that he understands the idea that building an addition to Woodbrook and later building a new elementary school seems like total costs would exceed the cost of building one school currently, but the issue the schools are facing is the timing of the development and when there would be enough students to occupy the space. Mr. Tistadt said that as they launch this and get more detail, they could take another look at it and if the language in the referendum gave them flexibility, they may reach a different conclusion. He noted that he does not think this is likely, but at least it will keep it on the table while they explore different options.

Ms. Palmer said the specifics would be on the wall and on the palm cards.

Mr. Tistadt responded that when they finalize the documents in the coming weeks or months, they will have to make a commitment, and that is what will have to be listed on the detail documents.

Mr. Dill asked if there is a legal obligation if it is listed on the detail documents.

Ms. Mallek noted that it is not perceived to be, which is the problem, and that is what is different between voters here and those in Northern Virginia who just vote for whatever is on the ballot.

Mr. Tistadt stated that there was no history locally with voters on a referendum that documents the County's follow through with specific projects, and while the County does not have the legal obligation, they have a moral obligation in their commitment to the public.

Ms. Palmer said that when a person walks into the voting place, what they will see will be the specific items that will be on the referendum, and what the Board is talking about is the actual language on the ballot.

Ms. Mallek said that in her 30 years of experience of working tables at the polls, it is clear to her that people are generally annoyed at the language of constitutional amendments from the state because the language does not convey the truth in a way people can legitimately understand. She stated that an example was the eminent domain item, which complicated things for VDOT and increased costs for everyone, was not well explained and while she and others tried to explain that to people at the tables, the referendum sailed through. Ms. Mallek said that she supports doing this, but wants to make sure it is anchored very clearly to bricks and mortar so people know what it is for, for children who need a place to sit, and not that it is being given to the School Board for them to figure out later what it is for.

Mr. Tistadt said that his earlier comments notwithstanding, he does not object to the second question at all.

Ms. McKeel stated that the language provided here is so much clearer and easier to understand than other referendum language that has been included for other items put on ballots, and she likes the flexibility offered in question one. She emphasized that it will really be incumbent upon the School Board and the school system to really fight for this and explain these projects, and she understands that the details can still be explained clearly at the polling sites.

Ms. Palmer said that she likes the first question option, but wonders if voters would be reading the wall or the palm card they are handed.

Ms. Mallek stated that the County needs to be on the radio to explain this all the way through.

Ms. McKeel commented that Mr. Tistadt made an interesting point about the flexibility for question one.

Mr. Foley stated that the decision on this has to be made by July 1, although they can make it now if desired, and amending the CIP was the critical item for this meeting.

Ms. Mallek commented that she will not draw a line in the sand on this item, but wants to share her point of view.

Mr. Sheffield asked what the pennies on the tax rate the referendum equates to.

Mr. Henry confirmed that it is 1.3 cents.

Ms. Palmer noted that they are also getting a lower interest rate by doing it in a bond referendum.

Mr. Henry confirmed this is the case.

Ms. Mallek said that it will hopefully save more than it costs to do the referendum.

Ms. Palmer responded that this is a good point, and asked how much it cost taxpayers to do the bond referendum.

Ms. Mallek said they had \$1/2 million in the budget in the early discussions a year or so ago, but that may have been refined by now.

Mr. Foley stated that one way or another, the County will need to finance projects, whether through a GO-bond or lease-revenue bonds, with the GO interest rates lower but issuance costs slightly higher. At the end of the day it is less than the other method, and depending on the volume of work the difference becomes greater with an advantage to the GO bonds.

Ms. Palmer said there is obviously a cost to take this to the voters, and she is not sure about a cost to actually put it on the ballot.

Ms. Catlin stated that staff's intention is to come back to the Board in August with a public engagement plan that will detail those costs for them, and they would be able to give direction about what they feel is appropriate to spend to get this passed.

Mr. Dill said that the public engagement will be the major cost, not getting on the ballot or legal requirements.

Ms. Mallek stated that it is the financing and paying the bond people and those types of costs, and reaching out to the public will need to be people such as School Board members on their own talking, and that will not be an expensive thing.

Ms. Palmer and Mr. Dill responded that there will be some costs with that.

Mr. Foley said that it is not a factor to make the decision on, but there will be a cost for materials and staff time.

Ms. McKeel stated that if they make the decision on this today, they would not have to come back to it at the next meeting, and then everyone will know they are moving forward.

Mr. Dill said that he has a preference for the first option, although it is not a strong preference.

Mr. Sheffield stated that he prefers the transparency in option two.

Ms. McKeel said that she likes the flexibility with option one.

Mr. Randolph said that since he voted against the proposed referendum, he will abstain from stating a preference, and that is consistent with his previous vote.

Ms. Palmer noted that Ms. Mallek had stated a preference for option two.

Ms. Mallek said that she does not want to have a stalemate.

Ms. Palmer stated that she is fine with either as long as they have the information clear when people go to vote.

Mr. Dill said the point Mr. Tistadt made was that they should make a commitment to follow what they say unless there is some extenuating circumstance.

Mr. Kamptner said that when they prepare the information statement, they can build in some of the flexibility in case the schools need to reallocate, but those projects would be identified.



Mr. Henry stated that the CIP amendment authorized by the Board has specific projects by name, scope and timing, so even if they went with a more generic question, if something changed that would cause them to change an appropriation, staff would have to come before the Board to authorize that.

Mr. Foley noted that the Board would have to take action.

Ms. Palmer said that it sounds as though they are generally supporting sample question one.

Ms. McKeel asked if staff wants a vote or consensus.

Mr. Foley stated that it would be good for them to vote on it, and to provide clarification as to whether the question regarding the planning money for the high school is in or out.

Ms. Mallek **moved** that the planning money be a regular appropriation in the CIP, not in the bond referendum, Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel and Ms. Palmer.

NAYS: None.

ABSTAIN: Mr. Randolph.

Ms. Mallek **moved** to adopt the language of sample question one as presented, Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel and Ms. Palmer.

NAYS: Mr. Sheffield.

ABSTAIN: Mr. Randolph.

Mr. Henry said that staff will be back before the Board in July with a resolution requesting a special election, which he and Mr. Kamptner will work on, as well as an appropriation request for FY17; the special election will be entered in Circuit Court in July, in August they will come back with a County public engagement plan for schools and local government.

Mr. Foley stated that the CIP will have to be formally amended through resolution.

Ms. Mallek said that the Board had discussed also having a public hearing, which she would recommend, and that should take place on July 6.

Mr. Foley asked for clarification on the purpose of the public hearing.

Ms. Mallek responded that it would be on the referendum idea.

Mr. Dill asked if it is appropriate to have a public hearing since they have already voted to have the referendum.

Ms. Palmer said the public hearing is the voting in November.

Mr. Foley said that the Planning Commission had a public hearing, which was where the Board left their last meeting in terms of a process.

Ms. Mallek said that is acceptable to her.

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Agenda Item No. 11. Board-to-Board, ***A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.***

Ms. Kate Acuff of the Albemarle County School Board addressed the Board and thanked them for their support of the amended CIP, stating that these projects have been thoroughly studied and the School Board strongly believes they are necessary going forward. Ms. Acuff said that the schools are committed to the success of the referendum and to getting all the information out in coordination with the County so people can make informed decisions, and noted that the history of school referendums is quite favorable. She stated that last week, the School Board worksession focused on how its strategic priorities are being implemented in the school, and participating in the working groups were principals, teaching coaches, staff and School Board members. Ms. Acuff said that the group she was in was focused on improving the efficacy of teachers in contemporary learning, and one of the principals in the group, Lisa Molinari of Woodbrook Elementary, made the point that contemporary classrooms, which are a goal of the modernization program, change how learning happens. She stated that contemporary learning places are focused on the student, not the teacher, with the goal of facilitating student learning and making that possible. Ms. Acuff stated that this means spaces designed with flexible tables and seating areas to promote collaboration and project-based learning, the application seamlessly of technology into the curriculum, and it is working as evidenced by the metrics that students can be measured in. She said this is what is wanted for all the students in Albemarle County schools, which is why the initial implementation plans were designed so that every school would be touched so everyone would get a piece of that, with every school getting a piece of the modernization in year one.

Ms. Acuff reported that last week was the official unveiling of the environmental studies academy at Western Albemarle High School, and she recognized Ms. Mallek, who has been a longtime advocate of the program, and Mr. Dill. She said there was a wonderful turnout from business and community leaders, with the students being the highlight of the event. Ms. Acuff stated that students from any of the school feeder patterns can apply to be a part of the academy, and students from all three high schools have been a part of the academy, as well as those who had previously been in private schools. Ms. Acuff said the students showcased their work in research and hands-on horticulture, showing guests their outdoor garden and discussing the field trips, internships, and participation of local businesses in their work. She stated that next year will be the third year of the environmental studies academy, with an additional 40 students and a full capacity of 160 students when the modernization is complete. Ms. Acuff said this is one of the reasons with the capital improvement plan that there are three new classrooms and the modernization of seven others, with one science lab already modernized.

Ms. Acuff reported that of the students graduating from Albemarle County high schools this spring, over 80% of students were accepted to two to four-year colleges, and many others having certifications that enable them to go directly into the workforce, and a number of students entering military service in some form. She stated that in addition to the 441 students graduating from Albemarle High School, Monticello, Murray High School and Western Albemarle will graduate over 1,000 students. Ms. Acuff said that one of the School Board's priorities is to engage every student, with not all students coming from the same place or having the same interests, and one of the reasons the schools have such a high on-time graduation rate is because they take that commitment seriously to craft programs to get students engaged.

Ms. Acuff stated that last week, there was a documentary film crew at AHS – "One Potato Productions" – which produced an award-winning film, *Most Likely to Succeed*, about an innovative high school in San Diego. Ms. Acuff said that the same film crew came to AHS to work with "Team 19," a program focusing on students with low engagement and frequent absences who were deemed to be at risk of not finishing high school. She stated that Team 19's concept is to foster connections with other students, teachers and the school, with 57 students currently participating under the instruction of 4 teachers who collaborate on English, science, social studies and math in the Team 19 room, which is modernized with different seating. Ms. Acuff noted that the lesson plans are developed to be multi-disciplinary, project-based learning, and the students are with their team for half of the school day and are significantly more engaged. She stated that she would be happy to share students' feedback, which has been very positive, and many of the students who used to call in sick or go to the school nurse to get out of classes now love going to school and even show up before the classroom is unlocked and spend their lunch periods or study halls there. Ms. Acuff said that many of the students, who are 13-14 year olds, have made friends for the first time and truly like their teachers. Ms. Acuff stated that one of the Team 19 projects was called "Lift Off," a look at astronomy with 3-D projects of the constellations, studying navigation and looking at Greek culture, including reading Homer's *Odyssey*, and writing papers. She said that she has observed the students being completely engaged when putting their projects together. She said that Albemarle High School plans to continue this project and is already working to identify potential students for next year, and the educators who were successful in the film are planning to visit here to see if this effort toward student engagement is scalable elsewhere. Ms. Acuff stated that in addition to Albemarle's program, Monticello High School is also working to develop a project at that school.

Ms. Acuff mentioned that student learning will continue over the summer, with two popular summer programs beginning in the near future, a fine arts academy, beginning at the elementary schools in mid-June; and the Coder Dojo academy offering programs beginning June 6, with more than 1,000 students participating in summer programs each year.

Mr. Dill asked how he can find out more about the film and search for it.

Ms. Acuff responded that the film is called *Most Likely to Succeed*.

Ms. McKeel suggested that Ms. Acuff share a link with the Board.

Ms. Mallek expressed appreciation for Team 19, and said that it is a way to include everyone in project-based learning, adding that she hopes it will continue to expand.

Mr. Randolph stated that in doing a search for the "public education foundation" on Yahoo, the results come up with the Charlottesville Schools' website, and Sharon Diehl's organization is listed as the public education fund.

Ms. Mallek said that those are not funding County schools.

Mr. Randolph said they are both private entities, but suggested that they could get it reoriented to show up on the joint website.

Ms. Acuff stated that she is the School Board representative on that board, and prior to Ms. Diehl coming on as Executive Director six months ago, there were some problems with the website. She clarified that the official name of the organization is the "Public Education Foundation," not "Fund," and it is established to provide funding for both City and County Schools, although they are working on the funding part of the equation.

Ms. McKeel said that it has been that way since its inception.

Ms. Mallek noted that the mayor had said it was primarily to fund students in Charlottesville.

Ms. McKeel stated the foundation determines whether the funding goes to City or County schools, or shared projects.

Ms. Acuff commented that it was not established solely for the benefit of Charlottesville schools, and with the hiring of the first Executive Director, there is a focus on developing funding, with a luncheon planned in the fall. She stated that the focus of the fundraising will be to raise money for teachers' professional development, which in turn will help students.

Ms. Palmer stated the more she has learned about the school modernization projects, the more she appreciates them.

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Agenda Item No. 12. Overview of the County's High Performance Efforts.

Mr. Foley stated that he feels it is important to discuss the efforts at becoming high performance and efforts to achieve excellence, which makes a difference for citizens at the end of the day because it relates to how the County serves them. He said that one of his primary goals in assuming his position five and a half years earlier was to increase the County's focus on excellence, and while they have made good progress with performance in the past, it was clear that they needed to look at ways to change the culture and engage the workforce at a different level. Mr. Foley stated that since that time, a lot has happened to move the County forward, which staff will review with the Board today, and reallocating Louise Wyatt's position within the organization, as well as engaging the Leadership Council at a whole new level have made a significant difference. He said that engaging the entire workforce to improve levels of performance is no small task, and it has taken Ms. Wyatt's consistent efforts with employee engagement, strategic planning and other areas.

Mr. Foley stated that none of this progress would have been made without the commitment of the entire leadership staff and Leadership Council, and he recognized Ms. Catlin and the leadership team particularly for the progress made over the last five years. He said that "high performance" is not just a general phrase, but is defined by a set of standards that top organizations use to achieve excellence, and these standards of excellence have been incorporated into the County's organizational vision, which Ms. Wyatt will address. Mr. Foley stated that sometimes these are called "pillars of excellence" and they are areas of focus that best define what "excellence" or "high performance" mean for the County, and staff will provide an overview of what that philosophy is for the organization and how the County has made strides over a number of years, but particularly over the last five years.

Mr. Foley reported that the entire effort has its foundation within the County's mission statement: "To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service, consistent with the prudent use of public funds." He stated that achieving the highest level of public service requires that there is a philosophy and approach on how to get there. Mr. Foley said that by one definition, a high performance organization is one with engaged employees, and an engaged employee is one who is fully absorbed by and enthusiastic about work and so takes positive action to further the organization's reputation and interest. He cited the example of two janitors who work for NASA, one who says he is a bathroom janitor and the other who says he is helping to put a man on a moon, two totally different employee attitudes with the latter being much more likely to go above the other. Mr. Foley noted that in 2015, a national Gallup poll showed that 32% of employees were "engaged" at work, which means that 68% are not engaged. He said this means these employees are not going the extra mile to seek out citizen and customer feedback, are not proactively doing process improvements, and are not thinking strategically.

Mr. Foley stated that he would like to think more than 32% of County employees are focused on these improvements, but they have to continue to work on this and have room for improvement, and the high performance organization model the County has adopted allows the County to develop leaders at all levels who will use their full capacity to boost collective results. He said the model requires discipline and attention to strategic thinking throughout the organization, and then being committed throughout the organization to following it. Mr. Foley stated that it is about creating engaged employees who go the extra mile, which leads to improved service delivery, customer service and problem solving, and by adopting the model, the County seeks to engage the entire workforce, not just 32%, creating the expectation of engagement and leadership from them and creating opportunities for that to happen. He noted the most important thing about this is results, and some of the work associated with employee engagement, such as teambuilding or the Countypalooza event, may seem like feel-good activities, but they both significantly contribute to employees feeling engaged and connected to the work of the County.

Mr. Foley said that moving to higher levels of performance has been and still is a journey, and the County has been doing this kind of work around high performance since the mid-1990s, beginning with creating the first community vision, doing the first citizens survey, establishing mandatory training for all employees, and creating a set of core values. He noted that at that time, there were 18 core values compared to 4 now, so there has been a continuous process of improvement with this work. Mr. Foley said that while these efforts continue to move them forward, they realize that more needs to be done, in particular, more clarity around what a high performance organization means, not just to the leadership team but to the entire staff. He stated that they need to get to higher levels of employee connection and engagement and need to look at systems to change them more fully and integrate high performance

principles into the culture of the organization, not just a lot of talk, but systems that reflect the culture staff believes in.

Mr. Foley stated that fast forwarding from that history to the last five years, the County has renewed its HPO efforts by fully embracing the model taught by the Weldon Cooper Center, which has been adopted as a philosophy for organizational improvement by local governments around the Commonwealth including Fairfax, Prince William and Lynchburg. He said that during the past few years, the County has made significant strides to clarify aspirations and expectations for employees, then to move systematically to integrate them into daily work. Mr. Foley stated that specifically, the County has created several guiding documents that create a clearer framework for HPO efforts so there is more connection and engagement with the entire workforce. He said those include the organizational vision of one organization committed to excellence, articulating leadership philosophy, and clarifying leadership expectation through all levels of the organization. Mr. Foley noted that these documents begin to define what high performance and excellence really mean in Albemarle County, and Ms. Wyatt will talk about the documents and what they mean, and how change has been implemented, particularly change in organizational culture.

Louise Wyatt, Organizational Development Manager, said that staff created several guiding documents, the first one trying to establish and articulate the organizational vision of being one organization committed to excellence, and while there is a vision for the community, this is a vision for how the organization acts and behaves. She stated that the organizational vision was first crafted in 2014, drafted by the Leadership Council comprised of department heads and County executives, then later adopted and endorsed by employees. Ms. Wyatt said the first statement reflects the idea of one organization, the concept of sharing leadership, ownership and responsibility for achieving goals and focusing on what is best for the organization rather than just individual departments. She stated the next concept is related to commitment to excellence and striving always to do the best job possible, with the third being the "seven pillars of excellence" adopted by the County. Ms. Wyatt stated the first relates to leadership and professional development at all levels, strategic planning at the County and department levels, a focus on customers and engaging them, continual improvement through performance feedback such as data and key performance indicators, a focus on building an effective and supportive workplace environment with the right workforce in place, looking at key work processes and systems with an eye toward improvement, and an assessment of results to ensure that these areas are yielding the desired outcomes.

Ms. Wyatt stated the next focus needed as an organization was to define what "leadership at all levels" means, with some employees feeling that leadership meant they had to supervise someone or stand up and give speeches, so it was important to clarify what was meant by leadership. She said that staff put together some bullet points with the first focused on looking beyond your team and department and how your work affects others and how you can better serve internal and external customers. Ms. Wyatt said the next bullet pertains to taking ownership of problems and assuming responsibility for solving issues in an effort to establish a unified team. She stated that in thinking about the future, employees can show leadership in areas such as developing strategies for serving an aging population, or better coordinating Housing and Social Services departments. Ms. Wyatt said the final focus area is staying on the cutting edge and making sure you are always learning, such as job shadowing and observing more about what other departments or offices are doing.

Ms. Wyatt presented a document on the County's leadership philosophy, which is still in the process of being drafted and is a series of statements that describes what the organization believes about the workforce, the nature of work, and behaviors, as it is important that everyone in the organization has a similar understanding of what they believe and how they agree to act. She stated that examples are related to widely sharing knowledge to enable effective problem-solving, such as employee town hall meetings implemented by Mr. Foley several years ago with the idea of getting consistent information out across the organization. Ms. Wyatt said that another one of the County's beliefs is that those closest to the work often know best how to direct and improve it, with programs put in place, such as the Innovation Fund, with the idea that anyone with a good idea can come forward, recognizing that the person who sits at the front desk has a different perspective and knowledge about customers' wants and needs than a department head might have.

Ms. Wyatt stated that going from paper to practice, the County has done a lot of training, with select employees and all department heads going to the Weldon Cooper Center, which teaches this model for local governments as a week-long class. She noted they have recently brought the training in-house and have condensed it from a week into a one-day course that all managers are expected go through, as well as a shorter version for all employees, also integrated into new employee orientation with the idea to try to build it into the culture and set the expectation that when someone joins the County this is what is expected and it is hoped they will demonstrate leadership. Ms. Wyatt stated that the County has also done some systems alignment, which is an effort to ensure that systems, policies and procedures actually reflect what the County says it believes in. She noted that up until last year, only managers were evaluated on things such as strategic thinking, which did not align with the expectation of leadership from everyone. Ms. Wyatt said that this year, for the first time, that expectation of showing leadership was built into performance evaluations. She stated that they have also implemented quarterly town hall meetings and Countypalooza, a job shadowing program, an innovative leaders institute to develop leaders among high-potential employees, and the Innovation Fund for initiatives that either enhance services or achieve cost savings or cost avoidance as a result of implementation. Ms. Wyatt said that employees have provided feedback on Countypalooza and job shadowing that indicates they feel a lot more connected and better understand how they fit into the big picture, which makes them better at their jobs.

Ms. Wyatt reported that about 75 employees have participated in the innovative leaders institute, with some great things coming out of the program, which includes job shadowing, and several departments have started to work together more closely as a result of the relationships that started to develop. She said that someone in IT shadowed someone in Finance and realized there was a much easier way to accomplish some tasks through technology than the process being used by the employee he was shadowing. Ms. Wyatt said that Housing and Social Services also did job shadowing that revealed they had a lot of overlapping clients and could find ways to better support one another in supporting them. She presented some examples of Innovation Fund projects, such as DSS using seed money to implement an automated check-in service that provides more private check-ins for clients and freed up a lot of staff time.

Ms. Wyatt stated that fire/rescue invested some money to get the training and equipment needed to bring their turnout gear repair process in-house rather than sending it out, which saved \$15,000 in the first year. She said that fire/rescue is also using some money to put tanks at the Earlysville and North Garden stations, which will bring everyone onto state contract pricing and will cut down on travel time for units to fill up, with an estimated savings of \$20,000 per year. Ms. Wyatt noted that the County has also implemented a Craigslist-style website, created by an employee in Finance, which departments can use to list inventory office supplies they have, saving about \$2,000. She stated that the County has also worked to go from paper-based to an electronic payment system with a comprehensive strategy that brought in over \$27,000 in FY14 and has significantly reduced billing costs. Ms. Wyatt commented that a lot of the efforts to become high performing are showing hard numbers in changing the culture and making a difference in delivering results.

Mr. Foley mentioned that staff put this on the agenda because Board members had asked for more information about the efforts, with some Board members, such as Ms. Mallek, already involved. He stated the results presented are the result of the focus over the last five years and building on a foundation going back to 1990, and while there is more work to be done, staff is trying to saturate this into the entire organization so it is not about the County Executive or the current leadership team in place, but is part of the culture that carries on and improves service for citizens. Mr. Foley said there is still more to be done, and some of the things that lie ahead are to continue expanding this throughout the organization, including enhancing training; identifying what currently does not support aspirations and expectations and making the necessary systems alignment; ensuring that the hiring process gets the kinds of employees who embrace leadership as part of their job; using the recently completed climate survey data at the organizational and department level; and assessing the organization against the seven pillars of excellence and doing an assessment of how the County is doing in each of the individual areas. Mr. Foley stated that excellence and high performance is an aspiration and expectation of employees, but it cannot be achieved without engaged employees throughout the organization, leadership at all levels, and a mentality of ownership. He said that he is more excited today than he has ever been in his 17 years with the County about where they are and the progress they have made, and the things that lie ahead, particularly in challenging times and the aspirational aspects of what they all want to get to. Mr. Foley stated that this will not only happen on the dais, but with all of the organization working together, and this philosophy will help them get there.

Mr. Dill commented that he is impressed at how much depth there is to this and how much it is permeated through the whole organization, and his experience is that someone with a pessimistic or negative personality brings that wherever they go, and it may be difficult to change that later. He stated that he would like to be involved as a Supervisor, and has been to a few classes that Learn Well has done, as well as attending a budget projection meeting led by Steve Allshouse. Mr. Dill said that there was a lot of camaraderie at that meeting, and he was glad to meet some people there that he now sees around the building, adding that it is a really great program.

Mr. Foley stated that the County has the classes and staff will let them know about other opportunities, and there is a book on high performance that the Leadership Council has used that is based on the training they have been through, so copies of that can be shared with the Board.

Mr. Dill asked if that was originally in a business context that expanded to nonprofits.

Mr. Foley responded that it came from some business principles that were applied to the public sector, and then there were some unique things that were developed by Weldon Cooper and some of the people who have been working on this for a number of years and have since retired and written other books. He said that at the employee orientation, he along with Lee Catlin, Doug Walker and Bill Letteri talk to the class at the beginning and emphasize the high performance model and what it means to them. Mr. Foley stated that even in the interview process, candidates are asked whether they understand high performance and what it means to them, and whether candidates have a mindset about being focused on the future, so this starts at the hiring process and works all the way through.

Ms. Palmer commented that she loves the Craigslist idea and hopes that the recycling of paper goes a lot more smoothly because of interaction with the staff and the organization.

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Agenda Item No. 13. Closed Meeting.

At 11:43 a.m., Mr. Dill **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under Subsection One to 1) consider appointments to boards, committees

and commissions in which there are pending vacancies or requests for reappointments; and 2) to conduct the annual performance review of the County Executive. Ms. Palmer **seconded** the motion.

Roll was call and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palme and Mr. Randolph.  
NAYS: None.

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Agenda Item No. 14. Certify Closed Meeting.

At 1:38 p.m., Mr. Sheffield **moved** that the Board certified by a recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

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Agenda Item No. 15. Boards and Commissions:

Item No. 15a. Vacancies and Appointments.

Ms. McKeel then offered motion to make the following appointments:

- **APPOINTED** Mr. Ted Miller to the 5<sup>th</sup> & Avon Community Advisory Committee to fill an unexpired term ending September 30, 2017.
- **REAPPOINTED** Ms. Jane Kulow to the Jefferson Madison Regional Library Board with said term to expire June 30, 2020.
- **REAPPOINTED** Ms. Diane Berlin to the Pantops Community Advisory Committee with said term to expire June 30, 2018.
- **APPOINTED** Ms. Mary Sullivan to the Region 10 Community Services Board with said term to expire June 30, 2019.

Ms. Mallek **seconded** the motion.

Roll was called, and the motion passed by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

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Agenda Item No. 16. From the Public: Matters Not Listed for Public Hearing on the Agenda.

There were no public comments made, and the Chair closed this portion of the agenda.

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Agenda Item No. 17. Phase II Work on Target Industry Labor Study.

Ms. Morgan Romeo of the Piedmont Workforce Network addressed the Board and stated that the network is the workforce development board for Central Virginia, one of 15 such boards in the Commonwealth of Virginia, covering Fauquier to Nelson to Louisa to Orange for a service area of about 4,100 square miles. Ms. Romeo stated that the network has two main tasks: to provide oversight and monitoring of federal funds, with approximately \$1.2 million awarded each year to help job seekers and employers match up and to train job seekers to meet the skills needed by thousands of employers in the region. She said the network is also the regional convener for workforce development, bringing together partners such as the Virginia Employment Commission and the Department of Rehabilitative Services. Ms. Romeo presented a map showing the network's service area of 10 counties and the City of Charlottesville, noting that it is one of the largest of the 15 boards. She stated that the network's mission is to be a proactive partner with employers and economic development leaders to provide a qualified workforce that meets current and future job demand, and it works closely with all economic development representatives, including Faith McClintic from the County, in addition to employers.

Ms. Romeo stated that the One Stop Center on Hydraulic Road has a resource room to provide job search assistance, resume help, and career counseling, for walk-in job seekers, and once those goals have been established, the center has a referral network to make sure they have access to funding and resources to pay for them to go to school, get their job search off the ground, and make them more marketable. She stated the main center on Hydraulic Road contains 12 workforce partners and is a model in the state, and the One Stop is one of only 3 out of 26 centers that was recognized as a certified center that met all the requirements for federal legislation. Ms. Romeo said there are also 3 satellite

centers, including the Albemarle Career Center at the 5<sup>th</sup> Street Extended Social Services Office, which the County supports. She stated the network also provides employer services, and through federal money the network provides existing worker training as well as reimbursement to employers for portions of salaries for those hired through the One Stop center while they are retraining in their jobs. Ms. Romeo noted that the network works closely with all workforce partners, including community colleges to help employers with what they need, providing customized training options, and if they cannot provide the services the network tries to find someone who can. She said that while there is federal funding, the money through the federal Workforce Innovation and Opportunity Act has restrictions, so the network also seeks opportunities for additional funding, such as grants to help with childcare, with a lot of constituents saying they cannot find affordable childcare and do not have the resources to pay for it. Ms. Romeo stated that the network has also applied for \$200,000 to provide more existing worker training, and also seeks locality funding such as support from Albemarle County.

Ms. Romeo said the labor sector strategy is directly related to locality funding, and that money is used for things such as data research and employer roundtables to formulate the industry information as presented. She stated they took research with databases including Job ZQ, the Virginia Employment Commission's labor market information, and real-time information from economic development partners. Ms. Romeo said they started with three target markets, health services, manufacturing and information technology, because those are areas where job seekers are going and where there has been the most growth. She stated the network held employer roundtables, involving health services including UVA, Martha Jefferson, Westminster Canterbury and smaller facilities from outlying localities; the manufacturing roundtable included many manufacturers such as Custom Ink, Northrup Grumman, and the Wal-Mart distribution center; and the network also communicated with the community college because they are the ones providing the training and they have advisory groups with a lot of information available.

Ms. Romeo stated that the booklets of industry information are all the same format, and the health services booklet includes a definition of health services as well as overarching definitions of trends with employment, employment and wages in the industry, the change in employment such as replacement demand and how many new jobs there will be, to provide a picture of total employment demand. She said they also look at specific jobs for individuals in this area, then refine it to what skills are needed to get those jobs. Ms. Romeo stated that registered nurse is the top job needed in the health services industry, and RN certification would be needed for those jobs. She said now that the data is available, they will make research manuals for job seekers and guidance as to where to get that certification, how much it will cost, and where to get funding to complete that certification. Ms. Romeo said that should be done by June 30 for the three industries, then next year they will continue it for the rest of the target industries, agribusiness, business and financial services, defense and security, and bioscience and medical devices. She stated the network's end goal is to have data and develop the booklets for leaders and economic development staff, but also have something for job seekers to find jobs.

Mr. Dill asked what the process time is for someone using the workforce center to the time they get hired.

Ms. Romeo responded that it would depend on how skilled the individual is coming in, and if there is a highly invested individual looking for a job, they will be fairly self-sufficient on their own and could come in and use the center's resources; some job-seekers have been hired on the spot; and most short-term trainings take at least three months to get certification, but usually lead to an in-demand job.

Mr. Dill asked how much of the center's work involves job readiness preparation such as resume improvement, writing a cover letter, interview skills, etc., versus someone that already has a work history.

Ms. Romeo responded that the One Stop sees approximately 12,000 clients per year and after seeing a decrease in traffic is starting to see an increase again, including many under-employed, with about 60% of those coming into the center just looking for help with a resume or cover letter or help using the computer for job searches.

Ms. McKeel asked about the impact in the community of substance abuse on people getting jobs, noting that she had attended a workforce conference about two years ago that featured a speaker who was in charge of matching people up with jobs, and he indicated that it was a challenge to find people who could pass a drug test or were even willing to take it.

Ms. Romeo responded that she is not the right person to quantify the impact of that on the community, but the people coming into the center are those who did not compete well for the jobs that were open two or three years ago and need the soft skills help. She stated that the manufacturing representatives at the roundtable said they did not care about certifications employees had, but needed people who could pass drug tests and show up to work on time. Ms. Romeo said that Valerie Palamountain at PVCC and Ridge Schuyler have looked hard at best practices for soft skills, but the issue was a chronic problem that had been ingrained in people's lives for many years and could not likely be solved by going to a class. She stated that having an employer take someone into a workplace and demonstrate how their safety or productivity could be impacted by substance abuse has been more effective.

Ms. Palmer said that she had seen a PBS News Hour show that indicated that people could be using recreational marijuana in the evening but still have it in their system the next day, which was an interesting issue in light of the movement to legalize it in many states.

Ms. McKeel commented that the meth problem in the Shenandoah Valley is huge, and this ties into what the County could do in terms of referring people to Social Services and supporting programs that help people get off of drugs.

Ms. Mallek asked if the One Stop center has referral services for those kinds of things.

Ms. Romeo responded that they do, and said the Department of Aging and Rehabilitative Services has a specific counselor dedicated to substance abuse, and the center also works closely with Offender Aid and Restoration and has an onsite person who deals with ex-offenders and holds a job club each week in which they discuss employers that are hiring in the area. She stated that there are a lot of youth who have graduated from high school and get caught up in things, and it is hard for them to change their mindset to consider a real job with hard work.

Ms. McKeel commented that someone who had presented to the Board indicated that the feeder pattern sending young people into the homeless demographic was the foster care system, and young people in jobs or not being able to maintain jobs is a group needing attention.

Ms. Mallek noted that the federal money cannot be used to help with childcare and transportation, both barriers to training, and asked Ms. Romeo if there had been any progress with that.

Ms. Romeo responded that the center recently got its budget and it started to show the impact of the mandate of using 40% of the money they get from the state for training activities, but the state narrowed the definition of "training" to include very limited things in an effort to reduce admin and overhead. She stated that, for example, there are case managers onsite who help navigate individuals to the appropriate training options and assessments, and none of that can be counted towards the state expenditure. Ms. Romeo said that when funds are all directed to one narrowly defined aspect, it reduces the number of case managers, which in turn reduces the number of people served. She stated that the center has tried to explain its concerns about what this will mean for future years, as the effects are starting to be seen and this is just in the first year of the funding restrictions. Ms. Romeo noted that Ms. Mallek serves on the state workforce board and perhaps could help advocate the center's position.

Ms. Mallek asked if she could provide a briefing paper for her when she goes on June 23.

Mr. Randolph commented that in looking at Planning District 10 over the 10-year forecast provided, nurses, psychiatric nurses, registered nurses and home health aides are projected to comprise 11,000 jobs, and the survey for manufacturing shows 126 jobs with 71 laborers and material movers. He stated that the higher technology jobs are the highest paying with 169 jobs over the next 10 years, all concentrated in Albemarle and Charlottesville, so in terms of the four priority areas and sectors, it confirms that collaboratively working on the high tech sector will be an investment that proves dividends long term for the City and County together.

Ms. Romeo noted that she can share any information specific to Albemarle County with the Board.

Ms. Palmer asked when the skills gap analysis is expected to be completed.

Ms. Romeo responded that they have not investigated it yet, but will probably start looking at it next year in terms of how to do it and who can help, adding that it is a pretty daunting task. She stated that they have gotten some examples of other workforce boards such as the New River Valley board, which did a study plus the skills gap analysis with the help of the Virginia Tech Economic Development Office, and it cost about \$80,000. Ms. Romeo said that the center there has shared their final report and the local board is looking as to whether it has the databases to do the work itself or whether the community college can help with that. She said that they will start looking at it next year, but will probably not delve into the details of it until the following year.

Ms. Mallek said that she appreciates the Board's continued support for this budget item, because in 2008 Albemarle did not pay its way and thus did not receive services, whereas Culpeper was tripling their payment and getting all sorts of job training to meet their needs.

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Agenda Item 18. Department of Forestry.

Mr. David Powell addressed the Board and thanked them for the opportunity to provide a report. He stated that historically the Department of Forestry (DOF) had addressed the Board on a yearly basis, but got away from that for a few years due to some staff changes, and said that Board members had recently had conversations with the department regarding activities happening on rural lands. Mr. Powell



said that he will review what the agency does as a whole as well as what they have been able to accomplish specifically in Albemarle County. He stated the agency mission is to protect and develop sustainable forestry resources for the state, and every Virginian defines forest resources and what is healthy and sustainable a little bit differently, so the DOF takes all of that input along with the best science and tries to address it for the benefit and betterment of the Commonwealth.

Mr. Powell said the main goals for the agency are to protect the forest resource from wildfire, as well as monitoring of insect and disease issues and information-gathering to try to find resolutions, and natural and manmade disasters that can occur and have negative impacts that the DOF is tasked with mitigating. He stated that another major focus is protecting water quality, and the DOF's definition and scope is narrower than some of its sister agencies, as forestry is working primarily with those who are practicing silviculture or working on the forest industry in the woods, with pollution generally defined as sediment, and other pollutions such as hydrocarbons regulated by the County or a sister agency. Mr. Powell said that in the DOF's case, pollution as "sediment" would occur primarily because of poor practice during a forest management activity. He stated that one of the other two main DOF responsibilities include providing advice to landowners so they will make good decisions for their lands, because healthy forests provide benefits to landowners themselves as well as providing public benefits such as clean water, clean air, or carbon sequestration.

Mr. Powell said the DOF also believes that healthy, scenic, beneficial forests help build resilient and happy communities, and recognition of the area such as a "number one mountain city" make him think they are doing a good job overall of getting this right. He presented some pictures and referenced a list of biological and societal benefits, such as a resource for renewable energies and biofuels such as alcohol, ethanol or methanol, and solid base such as wood chips or wood pellets, which is an emerging and growing business that was driven in part by Europe's decision to have a certain percentage of energy derived from natural resources, and the U.S.'s excess resources to fill that demand. Mr. Powell noted that the technology is now coming back across the shore, and Dominion Power has engaged a few wood-fire facilities in Virginia, with a small specialty company in the eastern part of the state using natural resources to create an energy source. He said that staff looked at that to continue, but it added another strain to the resource itself, so good decision-making would be required to sustain it and help build these new and emerging resources as well as providing the more traditional wood products. Mr. Powell stated that most of the information is based on a recent Weldon Cooper study, with a lot of the data dating back to 2011, when the economy had been through a rough patch, but is beginning to show signs of recovery. He said there is an estimate of about \$5.6 million for "stumpage," or the tree products that an individual landowner sells, made by Albemarle County landowners just for raw material, which could then become value added by going to places like Yancey Lumber to become lumber or to the fiber market for paper or energy. Mr. Powell stated that the Weldon Cooper study estimates a direct economic impact of about \$70 million to Albemarle County and 580 jobs either directly or in the value-added chain, with this market playing into the County's history and hopefully its future.

Mr. Powell stated that Albemarle and many other localities pay a small stipend to the DOF for fire protection every year, and that stipend provides quite a bit as an insurance policy to help manage incidents. Mr. Powell said that in Albemarle, there are two type six engines which are pickup trucks with a small water tank and a lot of specialty emergency tools; one tractor plow that is the primary firefighting vehicle for the department; and a type five one-ton chassis that is similar to the brush trucks in the Albemarle Fire and Rescue system. He stated the DOF also has access to the other 90 bulldozers, 12 engines, 120 pickup trucks, and 145 firefighters within the agency should a problem occur that exceeds local capacity. Mr. Powell said that while he does not have any quantifiable data on it, every dollar of prevention is worth a fortune, and the best fire is one that never started in the first place. He stated that some prevention activity is law enforcement based, with individuals who violate statutes going through the appropriate system, and a lot of it is education based through public outreach using either mass media or more personalized programs to educate landowners on the dangers, safety and things they can do to live and work in the rural areas without creating problems for others.

Mr. Powell said that pass-through money comes from several sources, with fire assistance grants supporting purchase of special equipment to fight wildland fires, and dry hydrant grants for dry hydrants, which are those built into the side of a pond. He explained that this allows landowners who have ponds and agree to that and fire departments to apply to have a water source installed so the fire department has resources available to them without having to drive to the service area to find a hydrant to get water. Mr. Powell noted that this enhances firefighting operations and also provides an insurance benefit for Albemarle County landowners so their insurance companies know there is a water source closer to the property they are protecting. He presented pictures of a five-acre fire on Route 250 near I-64, which is considered a large fire for Albemarle County, and said that it started by a downed powerline on the side of Afton Mountain during a dry period and had the potential to become much bigger, but there was quick response from Albemarle County, the DOF and landowners themselves, who were able to get the fire contained without damage to structures, injuries to the public, or impact to I-64. Mr. Powell presented pictures of a fire on Cedar Mountain, north of Afton Mountain, which started within hours of the fire in the park being discovered, and said that the dirt road pictured is about 1¾ miles from a public road and another ¾ mile back to the fire. He noted that while they do not have an exact cause, but are fairly certain that the origin was some off-road vehicle activity in that area, and fortunately the fire was discovered quickly, with a tremendous response from local resource and favorable environmental

conditions. Mr. Powell said that if variables had changed slightly, it might have been a bigger issue, and this is why fire programs remain dedicated to training and outreach.

Mr. Powell stated that the fire investigation reporting process is far from complete, but 10,400 acres of federal land burned, with an additional 256 acres of privately owned land, and 381 houses protected from the fire. He said there were 191 houses that were protected from the fire, with an estimated value of just under \$21 million. Mr. Powell noted that a few years ago, there was a smaller incident at the subdivision near Ragged Mountain, and one landowner's outdoor shop was lost, but there were quite a number of houses protected.

Ms. Mallek commented that the Ragged Mountain fire took about 20 hours to stop.

Mr. Powell responded that it was even more than that, with about 36 hours spent before they classified it as contained and time spent in investigating the fire going into years to try to come to some resolution, and he is not certain whether the one property owner's issues were ever fully resolved in the civil realm.

Mr. Powell stated the other major issue that he has not been able to discuss with the Board is the forest industry, and sometimes it is not done as well as it could be or is not as aesthetically pleasing as hoped, but the DOF takes enforcement of its pollution control very seriously. He stated that in Albemarle County alone, the department was notified of 53 logging jobs in 2015, which was about 40% less than before the economic downturn, and thus far in 2016 there has been notification of 33 jobs. Mr. Powell said that the DOF's procedure is to inspect the operations at least every 30 days. Once there is notification of an operation, the department will get out to the site within 15 days to meet with the landowner and operators, remind them of the policies so if there are difficult situations they need to be aware of these can be mitigated early, rather than getting out there 60 days later and finding a mess that needs to be cleaned up. He stated that within 30 days after that, DOF checks in with the operation to make sure they are maintaining consistently good work on the ground.

Ms. Palmer asked for an example of a "mess."

Mr. Powell responded that the largest problems are where bare ground is disturbed, where roads are built for trucks to remove products from the woods, or trails where large tractors have dragged trees from the woods to landing yards, and where they cause the most problems is where they intersect with waterways, either ephemeral, intermittent or perennial drainages. He stated if care is not taken to build the roads properly to ensure they drain properly and are stabilized, erosion can move and become sediment as it enters waterways, which is pollution that needs to be stopped. Mr. Powell said that if those problems are discovered, the department has certain responsibilities under the law to ensure the operators bring their operations into compliance.

Ms. Mallek asked if the DOF can require bridge crossings, which was successfully done on her property.

Mr. Powell responded that there are many tools, bridges, culverts, and fjords, but the DOF does not have the authority to prescribe a specific measure, so the DOF's goal is to match up the right tool to the right crossing. He stated that only when they get further down the law enforcement route do they gain the power to start requiring an operator to use a specific measure, which would be assumed at the operator's cost.

Ms. Mallek asked if it is correct that Albemarle County's lack of adoption of the forestry chapter of the Chesapeake Bay Act stopped the DOF's authority to require best management practices.

Mr. Powell responded that he favors the carrot over the stick, and DOF has seen tremendous improvement with voluntary programs, outreach and education, with compliance rates exceeding the 90<sup>th</sup> percentile, which aligns with the goals set out for the Chesapeake Bay. He stated that if they adopted all or parts of the Chesapeake Bay Act, enforcement would still be murky because that authority rests with localities and not with the DOF. Mr. Powell said that the DOF would be notifying the County of potential issues that do not fall within the normal definitions of a forestry operation, then the County would be tasked with enforcing the Chesapeake Bay Act.

Ms. Mallek asked if the County had adopted the forestry chapter, they would be obligated to do it, but at this point they are not.

Mr. Powell responded that he is not an attorney, but when there are operations that fall outside of the definition of "normal silviculture," the DOF will refer those to County staff for follow up. He stated that the department conducted an internal audit and inspection of the "Jefferson Team", which is seven counties including Albemarle, and found that they follow procedure 100% of the time and there were no pollution problems. Mr. Powell said that an internal audit also found that the private sector was following 93% of recommended BMPs in Albemarle, but that 7% difference did not result in degradation of water quality, which puts them at the higher goals of the Chesapeake Bay Act of BMP implementation on the ground, and their goal is to continue the upward trajectory with the work being done.

Ms. Palmer said that she occasionally has constituents call her to complain about logging operations, usually about trucks coming out to the roads, and she wonders how much control DOF has over the roads built on the property being logged.

Mr. Powell responded that DOF has a set of standards called "Best Management Practices for Water Quality," a 200-page document that lists measures that science and research have proven to work on how to build a road and how to stabilize a road to achieve the desired objectives. He stated that these roads were not designed for two vehicles to be able to easily pass each other, but were primarily one-lane roads designed to get large trucks to the public infrastructure. Mr. Powell emphasized that DOF's definition of "road" is much narrower than the definitions the County ENS people or engineer uses when having dialogue with landowners about building accesses for a house or cabin. He stated that one of the challenges DOF faces is trying to close the loop between their agency, VDOT and localities in terms of the public being safe on a road and a private landowner being able to retain economic benefit while maintaining public safety. Mr. Powell said that DOF cannot usually control aesthetics, but there are some things they can recommend to landowners such as forest roads having some curves and velocity rather than a straight corridor going from the public road back to the operations, but this costs more money, and some people will use the economic variable to build the shortest road possible. He stated that DOF has a very large publication of information with recommendations for landowners and operators to utilize, but when they stray from that and build something like a 20-foot road with ditches, DOF will reach out to County staff and try to meet with the landowners and operators because there is something going on that does not fall within the normal parameters of forestry. Mr. Powell said that some education needs to occur so that people do not try to build something that will become a de-facto road for multiple houses in the future. He stated that DOF can only go by what they see on the ground, and sometimes that changes by the time County staff sees it.

Ms. Palmer said that a lot of the logging roads become roads into future neighborhoods, and often become private roads instead of state maintained. She said that one of these roads ended up having a spring under it, and a staff member told her that in the past it was not unusual for logging roads to go right over a spring. Ms. Palmer asked if this is something that DOF would consider if they were looking at roads or if they would even know.

Mr. Powell responded that most of the time when a new road is put in to access a piece of property for an upcoming timber harvest, springs are uncovered, although sometimes if it is a dry stretch, they may not be known until it rains again. He stated if the silviculture operation is still ongoing, the DOF will require that the operator mitigate those problems. Mr. Powell said that once the harvesting operation is closed and the operator has finished the job, the DOF will call a final inspection and make sure there are no potential or active pollution problems, gauge the best management practices on that road. He said that this does not usually require that a road be obliterated, but might just include removal of stream crossings, and what a private landowner or neighbor does with a decommissioned road with off-road or recreational vehicles is not under DOF's purview. Mr. Powell stated that once DOF has looked at a job that is no longer being engaged in silviculture, how that road is maintained in the future is uncertain, and he has no doubt that some of them show up on plans for those wanting to build houses or a road. He said that just because there is an eight-foot-wide road does not mean there is neighborhood access, and a lot of things need to be improved upon to work through that process. Mr. Powell stated that occasionally there are people that try to short the system, but those processes work out but often take time, and this is collaborative between the DOF, County staff and sister agencies to make sure that landowners and operators are fulfilling their obligations and not navigating in gray areas.

Ms. Mallek asked if the stone put in the area where a logging road meets the highway is a requirement of DOF or the County.

Mr. Powell responded that it is a best management practice and something pointed out to loggers in terms of entrances being up to snuff, but DOF has no regulatory authority over that unless the mud is traveling into a defined waterway. He stated the entrance has partial regulation by VDOT through their entrance requirements published on entering into public roads and partial regulation by state police to try to keep the roads safe, but there is no one magic bullet and it can be a challenge to keep the operator, landowner, and public at large happy.

Mr. Powell stated the other goal DOF has is to spend time with landowners in the state so they can make wise decisions, whether it is preparing a forest management plan or providing advice on a sick tree. He said that DOF firmly believes that every landowner should avail himself to professional help from the forestry sector, either DOF or a private agency, and in Albemarle alone there is a stewardship plan for an entire piece of property looking out 10-20 years that includes detailed management recommendations to help meet needs for that property. Mr. Powell stated that DOF has also done numerous smaller "single objective" plans to address a specific question from a landowner, such as Ms. Mallek's question about how to care for 25-year-old pine trees. He noted that there are pots of money from the state and federal government to help landowners improve their forest resources and cost-share programs, so if a landowner wants to improve their property by planting trees or control an invasive species, DOF provides the technical information to help offset those costs.

Ms. Palmer asked if there is a minimum number of acres that DOF works with.

Mr. Powell responded that there is not, but five acres is the smallest parcel where management activities can be translated into an income for the landowner, and there are only eight DOF staff in the regional office to cover seven counties.

Mr. Powell stated that DOF is a willing easement holder with landowners whose objectives are to maintain forest land and keep them in the rural economy, and he referenced a map showing easements held by DOF with Albemarle County landowners as well as one in negotiation with a landowner that is hoped to be completed by the end of the year. He noted the easement program is statewide and has grown since its inception locally six years ago, with demonstrated success in efforts to partner with interested landowners to conserve rural lands within the County.

Mr. Powell reported that urban and community forestry represents an effort to work with Parks and Recreation and non-governmental organizations to help ensure that urban and suburban areas stay as green as possible and find ways to rehabilitate areas where there have been problems, through means such as urban renewal, tree plantings, greenways, riparian plantings, and other projects in and around urban areas. He added that DOF also plays a role in the ag/forestry committee and the natural resources committee within Community Development.

Mr. Dill said that he lives in a home where you are not allowed to cut down trees unless they are presenting a danger to a home, and asked if this is something the DOF could work on with the homeowners association.

Mr. Powell responded that DOF staff is happy to meet with individuals and homeowners associations to provide advice and information, and to provide mitigation for potential problems. He stated they have done that in the past with some homeowners and neighborhoods in the County that own land with trees they are interested in maintaining, and DOF makes recommendations until a regulatory line is crossed, at which time the HOA members must make the decisions.

Ms. McKeel asked if there is a way to track how many fires are caused by cigarettes.

Mr. Powell responded that if you talk to fire and rescue about incidents classified as outdoor fires, those that DOF gets involved in are those incidents that become larger than local responders can handle. He stated that on average, more than 90% of fires in the state are caused by humans, which can include cigarettes, powerline infrastructure, recreation, and burning of debris, and DOF has that information although he does not have it with him. Mr. Powell said that the cost estimates would be small unless the cigarette started inside a structure and caused a house to burn down, but most cigarette fires happen in more contained locations with minor damage costs, not factoring in the costs of a unit responding from its station.

Ms. Mallek said that in Massachusetts the only burn season was January through March when it was orchard season, but in Virginia the burning is more prevalent and there are only state rules that dictate when to impose restriction.

Mr. Powell responded that there are some local ordinances that further define what and when a homeowner can or cannot burn, but the 4 p.m. burn law in the spring is a state rule, and there is also the ability to enact burning bans outright should the conditions become bad enough that the Governor issues a proclamation.

Ms. Mallek asked if the County has the ability to require an inspection should they choose.

Mr. Powell replied that he cannot get into the legal aspects, but said that DOF works closely with the Fire Marshal's office to educate people as to other means of disposal besides burning, and said that DOF can offer its expertise should the County explore its ordinances further.

Ms. Palmer said that she has further questions, but will call Mr. Powell about them.

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Agenda Item No. 19. Route 29 Solutions Project Delivery Advisory Panel (PDAP) Monthly Update.

Mr. Mark Graham, Director of Community Development, addressed the Board and stated that work on the Rio grade-separated interchange project is moving very well, with the beams now in place for the bridge and about half the dirt removed for the underpass. He stated that at its present pace, the excavation and rough grading should be finished early, with the bridge slab to be poured by early July and completion of the bridge possibly by early August. Mr. Graham said the Berkmar project is also progressing well, with the abutments done as well as the drill shaft on the north side of the river, and the steel for that bridge should be set in late August or early September. He said the dirt taken from the Rio interchange is being taken up to Berkmar and used for some of those fill operations. Mr. Graham stated that some blasting still needs to take place along Berkmar as it was delayed, and it will be coordinated

with fire/rescue and ECC so that no one will be caught by surprise when it happens. He reported that the Route 29 widening is well into the phase two activities, with everything on schedule and boring and jacking of culverts done under the road and no particular issues emerging. He stated that bids for the Hillsdale project were opened the last week of May, with Fielder's Choice, the same contractor as used for the 29/250 interchange, is the apparent low bidder, although there must be an analysis period before the award. Mr. Graham said the contractor seems to be in the ballpark with their price, which means that construction would likely begin in the early part of July.

Ms. McKeel noted that the 250 bypass project is still being worked on, and the ramp at Barracks Road was completely closed the night before.

Mr. Graham said the contractor was supposed to be out by now but had a few small bits to finish, with some work leveling and grading behind the walls that needs to be finished.

Ms. McKeel responded that a little bit should not be closing the whole ramp.

Ms. Mallek commented that there was five inches of rain in the last two weeks, and that was bound to affect something.

Ms. McKeel said she did not think that was the reason, and the project was way over.

Ms. Mallek noted that she drove it after graduation for the first time, and it was spectacular.

Ms. McKeel stated that it will be great when it is finished, but it is really dragging on.

Mr. Dill asked if Hillsdale Drive will be done all the way from Whole Foods to Rio Road, and when it will be completed.

Mr. Graham responded that from above Greenbrier to Hydraulic will be one project, with completion slated for October 2017.

Ms. Mallek said the staging of the project elements has been fascinating, and the day before she had seen eight 60-foot trailers holding giant concrete beams waiting to drive up to the work zone.

Mr. Graham said those were going to the Rio grade-separated intersection.

Mr. Graham stated the next step in the project will be the retaining walls, and said there has been significant changes over the last few weeks.

Ms. Palmer said that if this all goes as planned, the Board should write a letter to VDOT, and she said she will read it at a Commonwealth Transportation Board meeting.

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Agenda Item No. 20. **PUBLIC HEARING:** Resolution to Appropriate FY 17 On-going Funding of Multi-Year Capital Projects. *(Advertised in the Daily Progress on May 22, 2016)*

The executive summary states that the County's Special Revenue and Capital Project Budgets most often affect multiple fiscal years, thus requiring a re-appropriation of the remaining funds from one fiscal year to the succeeding fiscal year.

Virginia Code § 15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The cumulative total of the FY 17 appropriations included in the comprehensive resolution itemized below is \$52,956,097.84 net of transfers between CIP funds. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required in order to re-appropriate unspent and unencumbered Capital Improvement Projects and Special Revenue funds.

The proposed FY 17 Budget Amendment and the comprehensive resolution funds and appropriates the remaining balance of \$52,956,097.84 (net of transfers between CIP funds) for encumbered purchase orders and contracts and the unencumbered special revenue projects and capital projects in a single resolution. The estimated expenses and revenues (net of transfers) included in the proposed amendment are shown below:

<b>ESTIMATED EXPENDITURES</b>		
Capital Improvements Funds	\$	52,954,277.89
Special Revenue Funds		1,819.95
<b>TOTAL ESTIMATED EXPENDITURES - All Funds</b>	<b>\$</b>	<b>52,956,097.84</b>

**ESTIMATED REVENUES**

Local Revenue	\$	93,746.84
State Revenue		4,556,109.56
Federal Revenue		159,000.00
Borrowed Proceeds		1,468,408.00
Other Fund Balances		46,678,833.44
<b>TOTAL ESTIMATED REVENUES - All Funds</b>	<b>\$</b>	<b>52,956,097.84</b>

After the public hearing, staff recommends approval of the \$52,956,097.84 Budget Amendment for FY 17 and adoption of the Resolution to Appropriate FY 17 On-going Funding of Multi-Year Capital Projects Appropriation #2017001 (Attachment A) that appropriates a total of \$52,956,097.84 to various capital improvement projects and special revenue projects that were funded in FY 16 but are on-going in FY 17.

Ms. Lori Allshouse, Director of the Office of Management and Budget, reported that Virginia code requires the County to hold a public hearing before amending its budget when the total amount of the funds appropriated exceeds 1% of the expenditures in the current adopted budget. She stated the County special revenue and capital project budgets often span multiple fiscal years, thus requiring re-appropriation of remaining funds from one fiscal year to the succeeding fiscal year. Ms. Allshouse said the proposed FY17 budget amendment included in this comprehensive resolution totals \$53 million and is for encumbered capital purchase orders and contracts, as well as unencumbered special revenue projects and capital projects, funding required, in FY17. She noted that there is carry-forward funding listed for "Station 8" that is actually for "Rescue 8." Ms. Allshouse stated that the resolution also authorizes the County Executive to adjust these amounts downward, if necessary, to accurately reflect any adjustments to the actual amounts at the end of the year as the numbers are finalized, and as projects are completed, authorization of closeout capital projects and transfer any unencumbered residual to the CIP fund balance. She said that after this public hearing, staff recommends approval of the budget amendment and adoption of the resolution to appropriate FY17 ongoing funding of the multi-year capital projects to the capital projects and special revenue projects.

The Chair opened the public hearing. There was no public comment, and the Chair closed the public hearing.

Ms. Mallek **moved** to that the Board approve the \$52,956,097.84 Budget Amendment for FY 17 and to adopt the Resolution to Appropriate FY 17 On-going Funding of Multi-Year Capital Projects Appropriation #20170001, with the change of Station 8 to Rescue 8, that appropriates a total of \$52,956,097.84 to various capital improvement projects and special revenue projects that were funded in FY 16 but are on-going in FY 17. Ms. McKeel **seconded** the motion.

Roll was called, and the motion passed by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

**Resolution to Appropriate FY 17 On-going Funding of Multi-Year Capital Projects  
For the Fiscal Year Ending June 30, 2017  
Appropriation # 2017001**

**Whereas**, purchase orders and contracts encumbered at the end of the fiscal year must be carried over into the next year for payments; and

**Whereas**, capital and special revenue projects that are not completed within one fiscal year necessitate the budgeting and appropriation of the remaining balance of project funds from one fiscal year to the succeeding fiscal year; and

**Whereas**, the encumbrances are estimated at \$10,747,219.97 as of June 30, 2016, and approval of an estimated remaining balance of \$42,208,877.87 for unencumbered capital project balances and special revenue project balances will give the responsible departments and agencies continuous access to project funding; and

**Whereas**, the total amount of estimated encumbrances and unencumbered capital project balances and special revenue project balances, net of transfers, is \$52,956,097.84 set forth as follows:

**Total School Division Capital Improvement Fund:**

School Division Capital Improvement Fund Appropriations	
Administrative Technology	\$133,133.15
Agnor Hurt Elementary School Addition/Renovation	\$411,326.48
CATEC Contingency	\$289,400.00
Henley Middle School Auxiliary Gym Addition	\$524,985.97

Learning Space Modernization	\$471,532.00
Red Hill Elementary School Modernization	\$14,003.32
School Bus Replacement Program	\$103,211.47
School Maintenance/Replacement Program	\$2,164,443.80
School Security Improvements Program	\$155,915.18
Telecommunications Network Upgrade	\$663,827.90
Western Albemarle High School Environmental Studies Academy	\$166,907.80
Total School Division Capital Improvement Fund Appropriations	\$5,098,687.07
School Division Capital Improvement Fund Sources	
Revenue From Local Sources (Other Transfers)	\$1,393,213.90
Use of Fund Balance	\$3,705,473.17
Total School Division Capital Improvement Fund Sources	\$5,098,687.07

**Total General Government Capital Improvement Fund:**

General Government Capital Improvement Fund Appropriations	
ACE Program	\$908,391.77
Burley Field & Lane Field Pole Light Replacement	\$200,049.51
City-County Owned Facilities Maintenance/Replacement	\$272,933.57
City-County Owned Parks Maintenance/Replacement	\$353,231.34
Computer Assisted Mass Appraisal	\$122,438.62
Cory Farm Greenway Connector	\$46,010.00
County E911 Road Sign Upgrade	\$461,325.17

*General Government Capital Improvement Fund Appropriations Continued*

County Server Infrastructure Upgrade	\$255,781.69
County View Project	\$8,339.12
County-Owned Facilities Maintenance/Replacement	\$1,283,122.09
County-Owned Parks Maintenance/Replacement	\$587,187.42
Court Facilities Addition/Renovation	\$2,274,321.00
Court Facilities Interim Modification	\$78,724.21
Crozet Park Maintenance/Replacement and Improvements	\$287,004.27
Crozet Streetscape Phase II	\$13,745.63
ECC Emergency Telephone System	\$499,519.91
ECC Integrated Public Safety Technology Project	\$1,717,623.77
ECC Regional 800 MHz Communication System	\$9,347,576.00
Economic Development Office Renovations	\$43,607.88
Fire Rescue Airpack Replacement	\$2,997,541.72
Fire Rescue Apparatus Replacement Program	\$2,772,260.40
Fire Rescue Mobile Data Computers Replacement	\$19,224.47
Fire Rescue Volunteer Facilities Assessments	\$80,250.00
GIS Project	\$358,125.23
Greenway Program	\$11,069.81
Greenways/Blueways Program	\$636,052.00
Increased Redundant Internet Services	\$25,600.00
Ivy Fire Station 15	\$51,659.02
Ivy Fire Station 15 Maintenance Obligation	\$50,000.00
Ivy Landfill Remediation	\$22,785.29
Ivy Materials Utilization Center New Facility	\$1,161,338.02
Keene Landfill	\$20,000.00
Microsoft Upgrade	\$18,403.11
Pantops Master Plan	\$217,462.90
Pantops Public Safety Station	\$161,528.30
Places 29 Small Area Study	\$113,186.00
Police County 800Mhz Radio Replacements	\$74,291.56
Police Mobile Data Computers Replacement	\$478,442.23
Police Tactical Truck Replacement	\$150,000.00

Police Technology Upgrade	\$361,431.13
Preddy Creek Park Phase II	\$342,508.70
Records Management System	\$70,042.41
Rio Property-Northside Library & Storage	\$158,647.75
Rivanna Master Plan	\$100,000.00
Roadway Landscaping	\$53,578.30
Seminole Trail VFD Renovation/Addition	\$198,806.96
Sidewalk, Crozet Ave N & South Pantops Dr/State Farm Blvd	\$1,369,395.33

*General Government Capital Improvement Fund Appropriations Continued*

Sidewalk, Fontaine Avenue	\$42,969.32
Sidewalk, Hollymead-Powell Creek Drive	\$375,398.48
Sidewalk, Hydraulic & Barracks Rd	\$3,058,753.18
Sidewalk, Ivy Road (US Route 250 West)	\$2,143,659.64
Sidewalk, Old Lynchburg Road	\$500,000.00
Sidewalk, Rio Rd . Avon St . Rt 250	\$6,701,119.12
Station 8 Renovation	\$853,947.39
Street Improvement - Local	\$8,860.44
Tax/Rev System Replacement	\$8,844.17
Time and Attendance System	\$619,864.90
Transfer to School CIP-Borrowed Proceeds	\$785,400.00
VFD Mobile Data Computers	\$28,245.66
Voting Machine Replacements	\$25,052.14
<b>Total General Government Capital Improvement Fund Appropriations</b>	<b>\$45,986,678.05</b>

**General Government Capital Improvement Fund Sources**

Borrowed Proceeds	\$1,468,408.00
Revenue From Local Sources (Other Transfers)	\$2,316,773.27
Revenue From Other Local Sources	\$162,746.84
Revenue From the Commonwealth	\$4,453,509.56
Use of Fund Balance	\$37,585,240.38
<b>Total General Government Capital Improvement Fund Sources</b>	<b>\$45,986,678.05</b>

**Total Regional Firearms Training Center Capital Improvement Fund:**

Regional Firearms Training Center Capital Improvement Fund Appropriations	
Regional Firearms Training Center	\$2,011,948.20
<b>Total Regional Firearms Training Center Capital Improvement Fund Appropriations</b>	<b>\$2,011,948.20</b>
Regional Firearms Training Center Capital Improvement Fund Sources	
Use of Fund Balance	\$2,011,948.20
<b>Total Regional Firearms Training Center Capital Improvement Fund Sources</b>	<b>\$2,011,948.20</b>

**Total Water Resources Capital Improvement Fund:**

Water Resources Capital Improvement Fund Appropriations	
Carrsbrook Sinkhole Repair	\$36,772.85
Dam Break Study 2015	\$55,686.30
Hollymead Dam Spillway Improvement	\$226,838.82
Large-Scale BMP Retrofits on Private Lands	\$159,000.00
Stormwater Management Program	\$30,951.38
Stormwater Multi-Facility Maintenance/Enhancement	\$30,165.87
Stormwater TMDL Study	\$102,949.35
<b>Total Water Resources Capital Improvement Fund Appropriations</b>	<b>\$642,364.57</b>

**Water Resources Capital Improvement Fund Sources**

Revenue From Local Sources (Other Transfers)	\$123,873.33
Revenue From the Commonwealth	\$33,600.00
Revenue From the Federal Government	\$159,000.00
Use of Fund Balance	\$325,891.24



Total Water Resources Capital Improvement Fund Sources	\$642,364.57
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**Total Special Revenue Funds:**

Special Revenue Capital Improvement Fund Appropriations	
Albemarle Place-Stonefield Proffer Fund	\$625,332.87
Avinity Proffer Fund	\$699,913.04
Avon Park Proffer Fund	\$64,596.33
Charlottesville-Albemarle Joint Health Center Fund	\$48,960.00
Estes Park Proffer Fund	\$320,582.30
Grayrock West Proffer Fund	\$40,923.00
Haden Place Proffer Fund	\$2,431.00
Hollymead Area C Proffer Fund	\$62,264.79
Hollymead Area D Proffer Fund	\$31,146.37
Hollymead Town Center A1 Proffer Fund	\$31,056.42
Liberty Hall Proffer Fund	\$6,432.22
Martha Jefferson Hospital Proffer Fund	\$430,764.17
North Pointe Proffer Fund	\$8,451.43
Old Trail Village Proffer Fund	\$116,080.99
UVA Research Park Proffer Fund	\$117.72
Water Resources Fund	\$123,873.33
Westhall 1.2 Proffer Fund	\$9,858.71
Westhall 3.3 Proffer Fund	\$3,170.90
Wickham Pond II Proffer Fund	\$104,802.84
Wickham Pond Proffer Fund	\$48,905.18
Willow Glenn Proffer Fund	\$268,796.89
Total Special Revenue Capital Improvement Funds Appropriations	\$3,048,460.50
Special Revenue Funds Sources	
Use of Fund Balance	\$3,048,460.50
Total Special Revenue Funds Sources	\$3,048,460.50

**Total Belvedere Bond Default Project Fund:**

Belvedere Bond Default Project Fund Appropriations	
Belvedere Bond Default Project	\$1,819.95
Total Belvedere Bond Default Project Fund Appropriations	\$1,819.95
Belvedere Bond Default Project Fund Sources	
Use of Fund Balance	\$1,819.95
Total Belvedere Bond Default Project Fund Sources	\$1,819.95

**Whereas**, approval of an estimated remaining balance amount at the beginning of the fiscal year facilitates the payment of outstanding bills and ensures continuity of ongoing projects; and

**Whereas**, a properly advertised public hearing was held on June 1, 2016 on the proposed amendment to the FY 17 budget and all interested citizens were heard;

**Now, therefore, be it resolved that the Albemarle County Board of Supervisors:**

1. Does hereby budget and appropriate the remaining balance of \$52,956,097.84 for encumbered purchase orders and contracts and the unencumbered capital and special revenue project balances of June 30, 2016, as set forth above;
2. Does hereby authorize the County Executive to adjust this amount downward, if necessary, to accurately reflect the actual encumbered amounts and actual unencumbered capital and special revenue project amounts at the end of FY 16; and
3. Does hereby authorize the County Executive to close out a Capital project and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance.

This resolution shall become effective on July first, two thousand and sixteen.

**COUNTY OF ALBEMARLE  
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2017001	4-9000-63905-462320-800506-6599	2095.47	Multi-Year - School Bus Replacement Program

2017001	4-9000-69000-496010-999999-6305	144700.00	Multi-Year - CATEC Contingency
2017001	4-9000-69980-464600-301210-6599	992540.27	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-464600-312350-6599	109336.36	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-464600-800949-6599	308709.08	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466200-312350-6599	130288.17	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466200-800675-6599	116054.5	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466740-312350-6599	32988.19	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466760-301210-6599	6211.49	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466760-312350-6599	75687.4	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69980-466790-800612-6599	29880	Multi-Year - School Maintenance/Replacement Program
2017001	4-9000-69985-464600-800200-6599	445059.2	Multi-Year - Learning Space Modernization
2017001	4-9000-69985-466730-312350-6107	14003.32	Multi-Year - Red Hill Elementary School Modernization
2017001	4-9000-69985-466730-312350-6116	5500	Multi-Year - Agnor Hurt Elementary School Addition/Renovation
2017001	4-9000-69985-466730-800200-6116	23700	Multi-Year - Agnor Hurt Elementary School Addition/Renovation
2017001	4-9000-69985-466730-800200-6252		Multi-Year - Henley Middle School Auxiliary Gym Addition
2017001	4-9000-69985-466730-800200-6252	74146.35	Multi-Year - Henley Middle School Auxiliary Gym Addition
2017001	4-9000-69985-466730-800200-6302	3025	Multi-Year - Western Albemarle High School Enviromental Studies Academy
2017001	4-9000-69985-466730-800605-6116	15200	Multi-Year - Agnor Hurt Elementary School Addition/Renovation
2017001	4-9000-69985-466730-800605-6252	263000	Multi-Year - Henley Middle School Auxiliary Gym Addition
2017001	4-9000-69985-466730-800605-6302	95000	Multi-Year - Western Albemarle High School Enviromental Studies Academy
2017001	4-9000-69985-466730-800605-6599	155915.18	Multi-Year - School Security Improvements Program
2017001	4-9000-69985-466730-999999-6116	20717.08	Multi-Year - Agnor Hurt Elementary School Addition/Renovation
2017001	4-9000-69985-466730-999999-6302	60623.3	Multi-Year - Western Albemarle High School Enviromental Studies Academy
2017001	4-9000-69990-468200-800700-6599	133133.15	Multi-Year - Administrative Technology
2017001	4-9000-69990-468400-800741-6599	657456.53	Multi-Year - Telecommunications Network Upgrade
2017001	4-9010-12140-412140-950004-1150	122438.62	Multi-Year - Computer Assisted Mass Appraisal
2017001	4-9010-12142-412140-800610-1150	8844.17	Multi-Year - Tax/Rev System Replacement
2017001	4-9010-12147-412140-800710-1150	619864.90	Multi-Year - Time and Attendance System
2017001	4-9010-12200-412200-800700-1160	231751.27	Multi-Year - County Server Infrastructure Upgrade
2017001	4-9010-12200-412200-800714-1160	18403.11	Multi-Year - Microsoft Upgrade
2017001	4-9010-12200-412200-800717-1160	25600.00	Multi-Year - Increased Redundant Internet Services
2017001	4-9010-13020-413020-800736-1170	25052.14	Multi-Year - Voting Machine Replacements
2017001	4-9010-21005-421005-800610-2180	71021.11	Multi-Year - Court Facilities Interim Modification
2017001	4-9010-21005-421005-800666-9999	236572.77	Multi-Year - County-Owned Facilities Maintenance/Replacement
2017001	4-9010-21009-421005-301200-2180	31504.00	Multi-Year - Court Facilities Addition/Renovation
2017001	4-9010-21009-421005-312350-2180	1942817.00	Multi-Year - Court Facilities Addition/Renovation
2017001	4-9010-21009-421005-800750-2180	300000.00	Multi-Year - Court Facilities Addition/Renovation
2017001	4-9010-21050-421005-331000-2140	34840.00	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-31010-431010-800305-3110	74291.56	Multi-Year - Police County 800Mhz Radio Replacements
2017001	4-9010-31010-431010-800317-3110	478442.23	Multi-Year - Police Mobile Data Computers Replacement
2017001	4-9010-31010-431010-800508-3110	150000.00	Multi-Year - Police Tactical Truck Replacement
2017001	4-9010-31010-431010-800714-3110	278376.13	Multi-Year - Police Technology Upgrade
2017001	4-9010-31055-435600-800305-9999	9347576.00	Multi-Year - ECC Regional 800 MHz Communication System
2017001	4-9010-31055-435600-800306-9999	1717623.77	Multi-Year - ECC Integrated Public Safety Technology Project
2017001	4-9010-31055-435600-800715-9999	499519.91	Multi-Year - ECC Emergency Telephone System
2017001	4-9010-32010-432010-312350-3140	80250.00	Multi-Year - Fire Rescue Volunteer Facilities Assessments
2017001	4-9010-32010-432010-800317-3140	19224.47	Multi-Year - Fire Rescue Mobile Data Computers Replacement
2017001	4-9010-32010-432010-800322-3140	2997541.72	Multi-Year - Fire Rescue Airpack Replacement
2017001	4-9010-32010-432010-810020-3140	382.27	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-810030-3140	80203.00	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-810035-3140	200000.00	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-810805-3140	1364848.00	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-811104-3140	33654.01	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-815802-3140	33427.6	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32010-432010-999999-3140	75568.5	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32018-432010-312350-3140	114780.8	Multi-Year - Pantops Public Safety Station
2017001	4-9010-32020-432020-800317-3140	28245.66	Multi-Year - VFD Mobile Data Computers
2017001	4-9010-32020-432020-810099-3140	37582.1	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32020-432020-810306-3140	787816	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32021-432010-331608-3140	50000	Multi-Year - Ivy Fire Station 15 Maintenance Obligation
2017001	4-9010-32021-432010-800605-3140	14000	Multi-Year - Ivy Fire Station 15
2017001	4-9010-32021-432010-999999-3140	23178.43	Multi-Year - Ivy Fire Station 15
2017001	4-9010-32022-432020-800605-3140	30000	Multi-Year - Seminole Trail VFD Renovation/Addition
2017001	4-9010-32022-432020-999999-3140	77179.48	Multi-Year - Seminole Trail VFD Renovation/Addition
2017001	4-9010-32028-432020-312350-3140	109145.94	Multi-Year - Rescue 8 Renovation
2017001	4-9010-32028-432020-312370-3140	15000	Multi-Year - Rescue 8 Renovation
2017001	4-9010-32028-432020-800120-3140	30000	Multi-Year - Rescue 8 Renovation
2017001	4-9010-32028-432020-800605-3140	699801.45	Multi-Year - Rescue 8 Renovation
2017001	4-9010-32030-432030-815108-3140	20876.33	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32030-432030-815502-3140	9045.87	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-32030-432030-815504-3140	27733.03	Multi-Year - Fire Rescue Apparatus Replacement Program
2017001	4-9010-41000-481020-950110-1240	68075.64	Multi-Year - Records Management System
2017001	4-9010-41020-441200-312350-9999	500.00	Multi-Year - Street Improvement - Local
2017001	4-9010-41020-441200-950136-9999	860.44	Multi-Year - Street Improvement - Local
2017001	4-9010-41023-441200-800605-9999	4079.16	Multi-Year - Crozet Streetscape Phase II
2017001	4-9010-41350-441200-950038-9999	1238519.04	Multi-Year - Sidewalk, Crozet Ave N & South Pantops Dr/State Farm Blvd
2017001	4-9010-41350-441200-950509-9999	1449733.84	Multi-Year - Sidewalk, Hydraulic & Barracks Rd
2017001	4-9010-41350-441200-950517-9999	1070379.07	Multi-Year - Sidewalk, Ivy Road (US Route 250 West)

2017001	4-9010-41350-441200-950519-9999	14468.66	Multi-Year - Sidewalk, Fontaine Avenue
2017001	4-9010-41350-441200-950522-9999	187699.24	Multi-Year - Sidewalk, Hollymead-Powell Creek Drive
2017001	4-9010-41350-441200-950524-9999	250000.00	Multi-Year - Sidewalk, Old Lynchburg Road
2017001	4-9010-41350-441200-950525-9999	3339180.56	Multi-Year - Sidewalk, Rio Rd . Avon St . Rt 250
2017001	4-9010-42042-442040-700006-1210	22785.29	Multi-Year - Ivy Landfill Remediation
2017001	4-9010-42042-442040-700008-1210	1161338.02	Multi-Year - Ivy Materials Utilization Center New Facility
2017001	4-9010-42043-442040-950059-1210	20000.00	Multi-Year - Keene Landfill
2017001	4-9010-43100-443200-332300-9999	461325.17	Multi-Year - County E911 Road Sign Upgrade
2017001	4-9010-43100-443200-800666-2113	32703.00	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-43100-443200-800666-2114	8621.76	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-43100-443200-800666-4650	1260.00	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-43100-443200-800666-9999	730347.07	Multi-Year - County-Owned Facilities Maintenance/Replacement
2017001	4-9010-43100-443200-950169-9999	47218.30	Multi-Year - Roadway Landscaping
2017001	4-9010-43100-443200-950222-4400	95160.00	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-71018-471010-800605-7100	636052.00	Multi-Year - Greenways/Blueways Program
2017001	4-9010-71018-473010-312350-9999	10000.00	Multi-Year - Cory Farm Greenway Connector
2017001	4-9010-71018-473010-800605-9999	30000.00	Multi-Year - Cory Farm Greenway Connector
2017001	4-9010-71018-473010-800750-9999	6010.00	Multi-Year - Cory Farm Greenway Connector
2017001	4-9010-71020-471010-950261-7100	154004.35	Multi-Year - Preddy Creek Park Phase II
2017001	4-9010-71020-471020-800948-7100	347848.34	Multi-Year - City-County Owned Parks Maintenance/Replacement
2017001	4-9010-71020-471020-800949-7100	247262.23	Multi-Year - County-Owned Parks Maintenance/Replacement
2017001	4-9010-71020-471020-800950-7100	200049.51	Multi-Year - Burley Field & Lane Field Pole Light Replacement
2017001	4-9010-71020-471020-800955-7100	237004.27	Multi-Year - Crozet Park Maintenance/Replacement and Improvements
2017001	4-9010-72030-471010-800949-7100	70158.80	Multi-Year - County-Owned Parks Maintenance/Replacement
2017001	4-9010-72030-471010-800955-7100	50000.00	Multi-Year - Crozet Park Maintenance/Replacement and Improvements
2017001	4-9010-72030-471010-950026-7100	11069.81	Multi-Year - Greenway Program
2017001	4-9010-72030-471010-950233-7280	17250.00	Multi-Year - Preddy Creek Park Phase II
2017001	4-9010-73025-473010-800666-9999	151147.11	Multi-Year - County-Owned Facilities Maintenance/Replacement
2017001	4-9010-73025-473010-800949-7145	4834.90	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-73025-473010-800949-7146	69263.91	Multi-Year - City-County Owned Facilities Maintenance/Replacement
2017001	4-9010-73030-473010-312350-9999	1050.00	Multi-Year - Rio Property-Northside Library & Storage
2017001	4-9010-73030-473010-800605-9999	40000.00	Multi-Year - Rio Property-Northside Library & Storage
2017001	4-9010-73030-473010-999999-9999	10151.75	Multi-Year - Rio Property-Northside Library & Storage
2017001	4-9010-81010-481020-580409-1240	908391.77	Multi-Year - ACE Program
2017001	4-9010-81010-481020-950147-1240	358125.23	Multi-Year - GIS Project
2017001	4-9010-81010-481020-950178-1240	8339.12	Multi-Year - County View Project
2017001	4-9010-81050-481050-800200-1008	6977.00	Multi-Year - Economic Development Office Renovations
2017001	4-9010-81050-481050-800605-1008	5260.00	Multi-Year - Economic Development Office Renovations
2017001	4-9010-81050-481050-800700-1008	6513.77	Multi-Year - Economic Development Office Renovations
2017001	4-9010-81050-481050-999999-1008	6857.11	Multi-Year - Economic Development Office Renovations
2017001	4-9010-81110-481020-312700-1240	113186.00	Multi-Year - Places 29 Small Area Study
2017001	4-9010-81110-481020-950560-1240	108731.45	Multi-Year - Pantops Master Plan
2017001	4-9010-81110-481020-950565-1240	50000.00	Multi-Year - Rivanna Master Plan
2017001	4-9010-93010-493010-930010-9999	785400.00	Multi-Year - Transfer to School CIP-Borrowed Proceeds
2017001	4-9011-91000-491000-800605-9999	1819.95	Multi-Year - Belvedere Bond Project
2017001	4-9050-31029-431010-312350-3110	22557.24	Multi-Year - Regional Firearms Training Center
2017001	4-9050-31029-431010-312370-3110	2271.82	Multi-Year - Regional Firearms Training Center
2017001	4-9050-31029-431010-800200-3110	21050.91	Multi-Year - Regional Firearms Training Center
2017001	4-9050-31029-431010-800605-3110	427551.60	Multi-Year - Regional Firearms Training Center
2017001	4-9050-31029-431010-999999-3110	388045.52	Multi-Year - Regional Firearms Training Center
2017001	4-9100-41038-482040-800975-9999	36772.85	Multi-Year - Carrsbrook Sinkhole Repair
2017001	4-9100-82040-482040-800975-9999	24339.18	Multi-Year - Stormwater Management Program
2017001	4-9100-82045-482040-800975-9999	55686.30	Multi-Year - Dam Break Study 2015
2017001	4-9100-82046-482040-312130-9999	102949.35	Multi-Year - Stormwater TMDL Study
2017001	4-9100-82046-482040-800975-9999	143906.75	Multi-Year - Large-Scale BMP Retrofits on Private Lands
2017001	4-9100-82059-482040-312350-9999	216210.91	Multi-Year - Hollymead Dam Spillway Improvement
2017001	4-9100-82068-482040-800605-9999	5000.00	Multi-Year - Stormwater Multi-Facility Maintenance/Enhancement
2017001	3-9000-69000-351000-510100-6599	3129570.04	Multi-Year - Fund Balance
2017001	3-9000-69000-351000-512090-6599	785400.00	Multi-Year - Borrowed Proceeds Transfer
2017001	3-9010-19000-319000-190207-1007	93746.84	Multi-Year - City
2017001	3-9010-24000-324000-240049-1007	69000.00	Multi-Year - Dept Of Conservation/Recreation Grants
2017001	3-9010-24000-324000-240231-1004	4453509.56	Multi-Year - VDOT - Revenue Sharing.
2017001	3-9010-41400-341000-410530-9999	1468408.00	Multi-Year - Borrowed Proceeds
2017001	3-9010-51000-351000-510100-9999	29627778.37	Multi-Year - Fund Balance
2017001	3-9010-51000-351000-512037-9999	117.72	Multi-Year - UVA Research Park Proffer
2017001	3-9010-51000-351000-512046-9999	62264.79	Multi-Year - Hollymead Area C Proffer
2017001	3-9010-51000-351000-512053-9999	31146.37	Multi-Year - Hollymead Area D Proffer
2017001	3-9010-51000-351000-512054-9999	56122.00	Multi-Year - Old Trail Village Proffer
2017001	3-9010-51000-351000-512055-9999	64596.33	Multi-Year - Avon Park Proffer
2017001	3-9010-51000-351000-512056-9999	30538.17	Multi-Year - Wickham Pond Proffer
2017001	3-9010-51000-351000-512059-9999	9858.71	Multi-Year - Westhall 1.2 Proffer
2017001	3-9010-51000-351000-512065-9999	6432.22	Multi-Year - Liberty Hall Proffer
2017001	3-9010-51000-351000-512066-9999	31056.42	Multi-Year - Hollymead Town Center A1 Proffer
2017001	3-9010-51000-351000-512069-9999	8451.43	Multi-Year - North Pointe Proffer
2017001	3-9010-51000-351000-512072-9999	295700.00	Multi-Year - Albemarle Place-Stonefield Proffer
2017001	3-9010-51000-351000-512075-9999	430764.17	Multi-Year - Martha Jefferson Hospital Proffer

2017001	3-9010-51000-351000-512078-9999	48960.00	Multi-Year - Ch'ville-Alb Joint Health Center Fund
2017001	3-9010-51000-351000-512083-9999	320582.30	Multi-Year - Estes Park Proffer
2017001	3-9010-51000-351000-512084-9999	3170.90	Multi-Year - Westhall 3.3 Proffer
2017001	3-9010-51000-351000-512086-9999	2431.00	Multi-Year - Haden Place Proffer
2017001	3-9010-51000-351000-512088-9999	699913.04	Multi-Year - Avinity Proffer
2017001	3-9010-51000-351000-512089-9999	214667.70	Multi-Year - Willow Glenn Proffer
2017001	3-9011-51000-351000-510100-9999	1819.95	Multi-Year - Fund Balance
2017001	3-9050-51000-351000-510100-9999	861477.09	Multi-Year - Fund Balance
2017001	3-9100-24000-324000-240049-9999	33600.00	Multi-Year - DCR Grant
2017001	3-9100-33000-333000-330034-1004	159000.00	Multi-Year - NFWF Grant
2017001	3-9100-51000-351000-510100-9999	268392.01	Multi-Year - Fund Balance
2017001	3-9100-51000-351000-512050-9999	123873.33	Multi-Year - Water Resources
2017001	3-1650-51000-351000-510100-9999	104628.47	Multi-Year - Water Resources
2017001	3-8525-51000-351000-510100-9999	117.72	Multi-Year - UVA Research Park Proffer
2017001	3-8527-51000-351000-510100-9999	62264.79	Multi-Year - Hollymead Area C Proffer
2017001	3-8528-51000-351000-510100-9999	31146.37	Multi-Year - Hollymead Area D Proffer
2017001	3-8529-51000-351000-510100-9999	430764.17	Multi-Year - Martha Jefferson Hospital Proffer
2017001	3-8534-51000-351000-510100-9999	64596.33	Multi-Year - Avon Park Proffer
2017001	3-8537-51000-351000-510100-9999	56122.00	Multi-Year - Old Trail Village Proffer
2017001	3-8538-51000-351000-510100-9999	8451.43	Multi-Year - North Pointe Proffer
2017001	3-8540-51000-351000-510100-9999	30538.17	Multi-Year - Wickham Pond Proffer
2017001	3-8542-51000-351000-510100-9999	9858.71	Multi-Year - Westhall 1.2 Proffer
2017001	3-8543-51000-351000-510100-9999	3170.90	Multi-Year - Westhall 3.3 Proffer
2017001	3-8544-51000-351000-510100-9999	6432.22	Multi-Year - Liberty Hall Proffer
2017001	3-8545-51000-351000-510100-9999	31056.42	Multi-Year - Hollymead Town Center A1 Proffer
2017001	3-8547-51000-351000-510100-9999	295700.00	Multi-Year - Albemarle Place-Stonefield Proffer
2017001	3-8548-51000-351000-510100-9999	699913.04	Multi-Year - Avinity Proffer
2017001	3-8550-51000-351000-510100-9999	48960.00	Multi-Year - Ch'ville-Alb Joint Health Center Fund
2017001	3-8575-51000-351000-510100-9999	214667.70	Multi-Year - Willow Glenn Proffer
2017001	3-8576-51000-351000-510100-9999	2431.00	Multi-Year - Haden Place Proffer
2017001	3-8578-51000-351000-510100-9999	320582.30	Multi-Year - Estes Park Proffer
2017001	4-1650-93010-493010-930202-9999	104628.47	Multi-Year - Water Resources
2017001	4-8525-93010-493010-930010-9999	117.72	Multi-Year - UVA Research Park Proffer
2017001	4-8527-93010-493010-930010-9999	62264.79	Multi-Year - Hollymead Area C Proffer
2017001	4-8528-93010-493010-930010-9999	31146.37	Multi-Year - Hollymead Area D Proffer
2017001	4-8529-93010-493010-930010-9999	430764.17	Multi-Year - Martha Jefferson Hospital Proffer
2017001	4-8534-93010-493010-930010-9999	64596.33	Multi-Year - Avon Park Proffer
2017001	4-8537-93010-493010-930010-9999	56122.00	Multi-Year - Old Trail Village Proffer
2017001	4-8538-93010-493010-930010-9999	8451.43	Multi-Year - North Pointe Proffer
2017001	4-8540-93010-493010-930010-9999	30538.17	Multi-Year - Wickham Pond Proffer
2017001	4-8542-93010-493010-930010-9999	9858.71	Multi-Year - Westhall 1.2 Proffer
2017001	4-8543-93010-493010-930010-9999	3170.90	Multi-Year - Westhall 3.3 Proffer
2017001	4-8544-93010-493010-930010-9999	6432.22	Multi-Year - Liberty Hall Proffer
2017001	4-8545-93010-493010-930010-9999	31056.42	Multi-Year - Hollymead Town Center A1 Proffer
2017001	4-8547-93010-493010-930010-9999	295700.00	Multi-Year - Albemarle Place-Stonefield Proffer
2017001	4-8548-93010-493010-930010-9999	699913.04	Multi-Year - Avinity Proffer
2017001	4-8550-93010-493010-930010-9999	48960.00	Multi-Year - Ch'ville-Alb Joint Health Center Fund
2017001	4-8575-93010-493010-930010-9999	214667.70	Multi-Year - Willow Glenn Proffer
2017001	4-8576-93010-493010-930010-9999	2431.00	Multi-Year - Haden Place Proffer
2017001	4-8578-93010-493010-930010-9999	320582.30	Multi-Year - Estes Park Proffer
2017001			
TOTAL		91,627,500.40	

Agenda Item No. 21. **PUBLIC HEARING: ACSA-2015-00001. W.A. Wells Jurisdictional Area Amendment.** To amend the Albemarle County Service Authority (ACSA) Jurisdictional Area to provide water service to Tax Map Parcel 046000000023D and 046000000023D1. The parcels are located on the south side of Polo Grounds Road approximately .80 mile east of the Route 29/Polo grounds Road intersection. (*Advertised in the Daily Progress on May 16 and May 23, 2016*)

The executive summary states that The applicant is requesting ACSA Jurisdictional Area designation for water service to two 2.3 acre parcels (TMP 046000000023D0 and TMP 046000000023D1), each with an existing single-family home. The parcels are located on the south side of Polo Grounds Road, just east of the SOCA field site and south of the Montgomery Ridge development. The parcels are located within the designated Rural Area and are in the Rivanna Magisterial District. Polo Grounds Road in this area forms the boundary between the Development Area (north side) and Rural Area (south side). A spring located on the Montgomery Ridge development property across Polo Grounds Road has historically served these parcels, but has been failing and is no longer a reliable source for water. The on-site well now serving these parcels contains a high level of iron and sediment, which make the water undrinkable and has caused damage to water filter systems (see the applicant's request and the letter from True North Environmental, Attachment A). The Virginia Department of Health has evaluated the information provided by the applicant and determined that the current wells create a health concern (see Attachment B), and there are no other viable well locations on-site where potable water can be assured.

The Community Facilities chapter of the Comprehensive Plan includes Strategy 9a regarding the provision of public water and sewer service, which states: "Continue to provide public water and sewer in jurisdictional areas." The explanatory text following Strategy 9a is provided below, and the specific criteria for the provision of public water and/or sewer service to the designated Rural Area is underlined.

"Water and sewer jurisdictional areas ensure the County's Growth Management Policy, Land Use Plan, and Development Area Master Plans are implemented by guiding the direction of public utility

placement. The areas also permit these services to be provided in a manner that can be supported by the utility's physical and financial capabilities. The jurisdictional areas are those portions of the County that can be served by water or sewer service, or both, and generally follow the Development Areas boundaries. Delineation and adoption of utility project jurisdictional areas by a local governing body is provided for in Virginia Code §15.2-5111. The boundaries of the Development Areas are to be followed in delineating jurisdictional areas. Change to these boundaries outside of the Development Areas should only be allowed when: (1) the area to be included is adjacent to existing lines; and (2) public health and/or safety is in danger.

Strategy 9a addresses the fact that public water and sewer systems are a potential catalyst for growth, and that capacities need to be efficiently and effectively used and reserved to serve the Development Areas. Continued connections of properties in the Rural Area should be the exception, as the further extension of lines into the Rural Area will strain limited water resources and capacity.

While water and sewer services by policy are intended to serve the designated Development Areas, this jurisdictional area request meets the Comprehensive Plan conditions for a Rural Area service exception under the criteria above because water lines are located on adjacent property to the north and there is a public health or safety danger present on-site. As explained in Attachments A and B, the existing private water supply has high iron content, is unsuitable for drinking and bathing, and based upon the geology of the parcels, there appear to be no other likely viable private water supply options available on-site.

Staff recommends that the Board approve an amendment to the Albemarle County Service Authority Jurisdictional Area to provide Water Only to Existing Structures on Tax Map Parcel 046000000023D0 (service to one existing residence/house) and 046000000023D1 (service to one existing residence/house).

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Mr. David Benish, Chief of Planning, addressed the Board and said this is a request for water service for two 2+ acre parcels, with each having a single-family residence. He stated the parcels are located on Polo Ground Road east of Route 29 and west of the SOCA ballfields, south of the Montgomery Ridge development. Mr. Benish said the parcels are in the rural area in the Rivanna Magisterial District, and he noted on a map provided that the floodplain boundaries provide for limited development opportunities.

The Chair opened the public hearing and invited the applicant to speak.

Mr. W. A. Wells addressed the Board and asked if they had seen the water samples he dropped off at the County, stating that he had a spring that had been used for 70 years, but when Montgomery Ridge was developed, it knocked off half the spring flow. Mr. Wells stated that a contractor who did some tree work in the development drove all over the spring, and he said the spring is now at about 20% of what it was. He said that he has gone back to wells and put in four different Culligan water systems at a cost of about \$5,000 a piece, and the company was coming out about once a month to change the filters and clean out the purification systems and jets. Mr. Wells stated he has been dealing with this for years and needs water, but it will cost him a fortune to run a pipe from the top of Montgomery Ridge down. He said that he has talked with the Albemarle County Service Authority and the fire department to see if they would put a fire hydrant down on the road, and he would give them a piece of property for it and provide a paved place for fire engines to pull off and hook to it. Mr. Wells pointed out that no one in that area has accessibility to water if they have a fire, and there are a few hundred homes with Bentivar and other residents. He stated that he goes to the laundromat to do his laundry, but needs water to drink and bathe, and he would appreciate any help the County can provide in getting him clean water.

Ms. Palmer asked when Montgomery Ridge was put in.

Mr. Wells responded that it was put in eight years ago, and the developers, Virginia Land Corporation and Southland Homes, promised to hook him to public water, but never did. He stated that he has been battling it ever since, and his problems started when they put in the road to Montgomery Ridge.

Ms. Karen Yates, President of the Charlottesville Area League of Women Voters, addressed the Board and said that her comments intend to address the importance of precedence. Ms. Yates said that the League has long supported Albemarle County's growth management policies, establishing growth areas and adhering to those boundaries limits the area over which the County must offer public services, transportation and public utilities. It also helps to protect rural areas from sprawl. Ms. Yates stated that ensuring the water jurisdictional area stays consistent with those growth area boundaries is one of the strongest growth management tools the County has, a tool maintained even in the challenging drought of 2002-2003. She said that as difficult it is to say "no" when sympathetic residents come before the Board, it is consistent decisions to hold onto strict standards before expanding water and sewer service that has made the County's growth management efforts successful. Ms. Yates mentioned that in May, County Attorney, Larry Davis had said to the Board that those consistent Board decisions have been the key to successfully defending the County's growth management efforts in court, and the Board held firm on an extension request where public safety was not threatened. She said the Board is faced with another challenging request today, and in light of the importance of precedent before them, the League urges the

Board to find out how many other residents living along the jurisdictional area boundary might be in a similar situation of having their property dominated by an iron-rich stone formation, as the applicant's geologist says is the case with this property. Ms. Yates said if the Board decides that this applicant's situation meets the criteria for expanding water service, it will need to be taken into account how many other parcels would have a strong argument that they need it too, including other rural area parcels to the southeast of this parcel that also sit on this formation. She said if that is the case, then granting this request could lead to a domino effect of expanding water service deep into the rural areas east of Route 29, and there is the question of whether there are other areas in the County where similar circumstances are likely to exist.

Mr. Jeff Werner of the Piedmont Environmental Council addressed the Board and stated that he sympathizes with this applicant and this is a difficult situation for the Wells, as they had a spring that got ruined from development, but he also wants to offer some context from both sides. Mr. Werner said that given the circumstances, he does not know if he could suggest that the Board say "no," but there have been a lot of requests on this road, particularly related to more development, although this request does not seem to be of that nature. He stated that he also agrees with what the League offered and has participated in their Natural Resources Committee discussions, and said if the Board looks further into this, they might be looking at a 500-700 foot band running north/south in the County, which is a significant amount of land. Mr. Werner urged the Board to take a look at it for the benefit of the County in the future, and said that True North Engineering asked about the "nature of this formation," so it is not something confined just to the Wells' backyard.

There being no further public comment, the Chair closed the public hearing.

Mr. Randolph asked Mr. Kamptner if it could be legally challenged if the County fails or refuses to remedy a valid health issue facing residents, for which a long-term remediation step is available and within the County's power to grant, and if the court could be sympathetic and responsive.

Mr. Kamptner responded that he hates to answer questions like this in a public forum, but it is doubtful, although in this situation, it severely limits the use of the property.

Ms. Mallek said that in her mind, it is a taking of property.

Mr. Kamptner responded that he would not go that far because there are some solutions, albeit difficult ones, other than the public water supply. He stated that this particular site and these two parcels represent unique circumstances.

Ms. Palmer stated that this meets all of the qualifications the County presently has in place, and in addition it is wise to ask the question whether this formation is ubiquitous and where else it might be, and whether there is anything they can be finding out to help other homeowners that are not along the jurisdictional line. She said it also concerns her that there have been several other people who have been affected by similar situations, as the report mentions the "ubiquitous nature of the formation", and she would like to know whether this is an issue for the future, and whether the Board should be finding out ways to help people who do not currently meet the standards and better understand the problem.

Ms. Mallek said that she wished the Virginia standards for building permits and well quality would be more thorough, because they barely look at things when they give well permits, and soil tests, compared to what other states do, are very weak. She stated that residents are at a disadvantage because of that, and the Department of Geology would be the resource for that rather than County staff.

Ms. Palmer said there was a groundwater person on County staff.

Ms. Mallek responded they are only supervising existing wells, not doing soil surveys, and she has wished for a long time that the standards would be better, but that will not help Mr. Wells right now. She said that she argued strenuously against the extension at their meeting the previous week because the application did not meet the statutory requirements stipulated in the ordinance for particular things for health effects for the inability to provide healthy water onsite. Ms. Mallek stated that the only other extension she recalled being granted in her nine years was one in Keswick where a well had been contaminated by a nearby gas station 50 years earlier, so she did not think there would be a large volume of requests.

Mr. Randolph said that he was in a similar situation in 1982 when he lived in Connecticut, where ethylene dibromide, not sediment as in the Wells case, was found in the water, and the issue he faced was whether the town was under any legal obligation to extend waterlines into the community. He stated that the League has alerted them to the possibility of a slippery slope, but the Board is elected not only to think about precedent, but also to think about simple case studies and the harm that is done to a family as a result of this kind of situation, which meets all the criteria to be eligible for the extension of waterline to the house. Mr. Randolph commented that he feels very strongly in this situation that this opportunity be extended for Mr. Wells.

Ms. Mallek clarified that the issue with Mr. Wells' water is not dirt, it is iron, and that is the health risk.

Mr. Randolph said that he knows that, and is referring to sedimentation.

Ms. Palmer asked Mr. Kamptner if there is any value in adding some language to the recommendation to point out that this does follow the standard.

Mr. Kamptner responded that for the next application, anything the Board and staff can have that memorializes this particular application presenting specific circumstances can help build on that information. He said the Board can likely identify the unique factors that exist with the Wells application, but he can also clarify them. Mr. Kamptner stated that parcels are small and are developed, and the approval the Board will be granting are for the structures currently onsite, so if they are torn down, they are no longer eligible for public water. He said the existing parcels also had potable water supplies for a long time, and circumstances outside of the owner's control have rendered the private water supply unavailable and not useful.

Mr. Dill **moved** to approve the amendment to the Albemarle County Service Authority Jurisdictional Area to provide Water only to Existing Structures on Tax Map Parcel 04600000023D0 (service to one existing residence/house) and 04600000023D1 (service to one existing residence/house). Ms. Mallek **seconded** the motion.

Roll was called, and the motion passed by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.

NAYS: None.

Ms. Palmer asked who they would contact at the USGS, or if someone on staff could make that contact, in order to get the information as described.

Mr. Benish responded that there is a soils report for the County, and staff will follow up with USGS to see if there is additional information.

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Agenda Item No. 22. **PUBLIC HEARING:** Ordinance to amend Chapter 2, Administration, of the Albemarle County Code, to amend Section 2-202, **Compensation of board of supervisors**, to increase the compensation of the members of the Board of Supervisors by an inflation factor of 2% effective July 1, 2016 from \$15,633.00 per annum to \$15,945.00 per annum. *(Advertised in the Daily Progress on May 16 and May 23, 2016)*

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Ms. Palmer explained that this item will amend the code to increase the compensation of the members of the Board of Supervisors by an inflation factor of 2%, effective July 1, 2016.

Mr. Kamptner reported that the salary structure has been amended multiple times since 1984, and the County's enabling authority for Board compensation allows for an annual inflation adjustment, and the ordinance before them provides for a 2% increase. He stated that the stipend for the Chair is the maximum amount allowed under enabling authority.

Mr. Dill stated that being a Supervisor is basically a full-time job now, and they will likely vote for it as a means to have a reasonable salary that allows a lower-income person to become a Supervisor, but asked if it is legally possible for the Board to set a timeframe for 10 years or at the end of sitting Supervisors' terms.

Mr. Kamptner responded that there is alternative enabling authority that establishes a different schedule by which the Board would adopt the salary, but the Board's salary was initially constrained by population and if that ordinance were adopted now, the salary would be set at \$11,000. He said that this was adopted long ago, so the inflation factor has allowed it to increase to its current amount, and the alternative enabling authority is not as constrained. Mr. Kamptner said the next population threshold is 105,000-199,000, and the base salary would be \$13,000; for populations of 200,000 or over, the base salary is \$15,000.

Ms. Palmer commented that she feels it is very important to, at least, do the inflation factor, because they need more people running for Supervisor and more people willing to serve, and this would help support additional diversity on the Board. She said it is impressive to her that Mr. Sheffield can hold down a full-time job, have two small children, and serve on the Board, but he is a unique individual, and it is very difficult to do this if you have to work full time, and she agrees with the recommendation to support the 2%.

Ms. McKeel commented that it is healthy for the Board to have a variety of ages as well, and younger people of different professions and from different parts of the community. She said that she

recently retired, but for two years of her time on the Board she was working full time, and it was difficult to work and get the job done, and she took all of her annual and comp time for her Board duties. Ms. McKeel said that she would be willing to talk about this to move it forward, and the School Board may also be willing to consider it as it is also difficult for people to run for those offices.

Mr. Randolph stated there is something that bothers him about voting their own salary increases, and he would like to see them involve a committee that decides on a salary increase for the Board every two years, occurring after the election, when half the Board is eligible to be replaced. He said at that point, it would be up to the voters whether to return those members to the Board or to bring in new people. Mr. Randolph suggested that a Board of Supervisors compensation committee, which could be comprised of the former Clerk of the Board of Supervisors, the former County Executive, the former City Manager, the president of the Chamber of Commerce, and a former Supervisor. He stated the committee could make a recommendation after the annual budget is completed and prior to July regarding salary for the Board of Supervisors, and he would like to see them move into a more "professional mode" so they are not voting themselves a salary increase. Mr. Randolph added that it is just a philosophical thing for him.

Mr. Dill said that he likes the idea philosophically, but the recommended increase before the Board now totals \$312, and he asked Mr. Randolph if he envisions this committee bringing the salary up to a living wage, or just to decide if it should be 2% or 3% or 0%.

Mr. Randolph responded that the committee would decide based on what the administrative and employee salary increases had been for the past year or two years, and the Board would decide whether to vote it up or down.

Ms. McKeel stated the reason they are at this point now is because the Board had made a decision years ago that Supervisors would just receive the same salary increase as classified employees, which is why it is 2% this year, and that decision was made in order to get out of this discussion every year.

Ms. Mallek said that this cuts down on the feeling of separation with having one set of employees versus another.

Mr. Randolph said his thought was that it would not be more than that.

Ms. McKeel stated that if there was a committee that made a recommendation, you could not tell them if it was more or less, they would have to make that decision.

Mr. Randolph said that within the guidelines, they should not go outside of what the rest of County employees are getting as a salary increase.

Mr. Dill stated there is no comparison, as employees are making a normal market-type wage.

The Chair opened the public hearing.

Mr. Jeff Werner, a City of Charlottesville resident, addressed the Board and stated that he is speaking as an individual. Mr. Werner stated that he was at Dennis Rooker's office several years ago, and someone came in with a dolly carrying the Board meeting materials that he had to read. Mr. Werner said that he admires what they are able to accomplish professionally, and he realizes how hard it is to leave work and do something else, so he will personally say he does not fault them for a \$300 raise.

Mr. Neil Williamson, Free Enterprise Forum, addressed the Board and said that he agrees with what Mr. Werner said, and he feels that creating a matrix that encourages uniformity of raises with staff makes a great deal of sense and takes the politics out of the equation. He stated that while he found Mr. Randolph's suggestion intriguing, there are already enough committees, and when broken down into a living wage, the dollars the Board makes are ridiculous.

There being no further public comment, the Chair closed the public hearing.

Ms. Palmer **moved** to adopt the ordinance 2016-0001 as presented. Ms. Mallek **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Mr. Sheffield, Ms. Mallek, Ms. McKeel and Ms. Palmer.

NAYS: Mr. Randolph.

#### **ORDINANCE NO. 16-2(1)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, ARTICLE II, BOARD OF SUPERVISORS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.



BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, Article II, Board of Supervisors, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained by amending Section 2-202, Compensation of Board of Supervisors, as follows:

## **CHAPTER 2. ADMINISTRATION**

### **ARTICLE II. BOARD OF SUPERVISORS**

#### **Sec. 2-202 Compensation of board of supervisors.**

The salary of the board of supervisors shall be fifteen thousand nine hundred forty-six dollars (\$15,946.00) for each board member effective July 1, 2016. In addition to the regular salary, the vice-chairman shall receive a stipend of thirty-five dollars (\$35.00) for each and every meeting chaired and the chairman shall receive an annual stipend of one thousand eight hundred dollars (\$1,800.00).

(6-13-84; 5-8-85; 5-14-86; 7-1-87; 7-6-88; 6-7-89; Ord. of 6-13-90; Ord. of 8-1-90; Ord. of 8-7-91; Ord. of 7-1-92; Ord. No. 95-2(1), 6-14-95; Ord. No. 98-2(1), 6-17-98; Code 1988, § 2-2.1; Ord. 98-A(1), 8-5-98; Ord. No. 99-2(1), 5-5-99; Ord. No. 00-2(1), 6-7-00; Ord. 01-2(2), 6-6-01; Ord. 02-2(2), 5-1-02; Ord. 03-2(1), 6-4-03; Ord. 04-2(1), 6-2-04; Ord. 05-2(1), 6-1-05, Ord. 06-2(1), 6-7-06; Ord. 07-2(1), 6-6-07; Ord. 08-2(2), 6-4-08; Ord. 11-2(1), 5-4-11; Ord. 12-2(1), 5-2-12; Ord. 13-2(1), 5-1-13; Ord. 14-2(1), 6-4-14; Ord. 15-2(1), 6-3-15)

**State law reference**--Compensation of board of supervisors, Va. Code § 15.2-1414.3.

**This ordinance shall be effective on and after July 1, 2016.**

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Agenda Item No. 23. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Palmer noted that Ms. Mallek had wanted to discuss the Dominion powerline.

Ms. Mallek stated that she thought Mr. Graham is the contact person for the Dominion response letter and noted that the deadline for input is Monday. She asked staff to brief the Board on the response and said that typically they have not done much in terms of providing this type of input, but this had been brought to her attention by numerous constituents in the western part of her district. Ms. Mallek explained that the redoing of the powerline is needed from Cunningham over Afton Mountain, but it goes through many historic districts and the height is unpredictable, with the Lexington line turning out to be much higher than originally planned. She stated that the citizens who came to the public meeting were lulled into a sense of complacency because the experience with the Hollymead to Keswick line had been very good and the company knew how important the view shed was to people. Ms. Mallek said that when people inquired about the color of the poles, they were told by Dominion staffers that it was off the table, so citizens did not leave comments about the pole color, which the company extrapolated into there being no complaints.

Ms. Palmer said that when she and Mr. Randolph met with Dominion Power officials with a planning staff member, the County questioned the average 25-foot increase and was told by Dominion that they could look at their GIS and tell where the highest ones would need to be.

Mr. Graham stated that there were two issues expressed, including one regarding the height, and Dominion had expressed a range for the height.

Ms. Mallek responded that the range is 127-146 feet, plus or minus 50 feet.

Mr. Kamptner stated that Dominion states a range of 108-174 feet.

Ms. Mallek said that her information came from Susan King's recent email to her.

Mr. Graham said that he asked specifically, and there was a range quoted to him for Albemarle County, and there was interest from some people to know the exact height of towers as related to their property, but that information was not currently available. He stated there was also a question as to whether the poles could be brown like the wireless poles in the County, but Dominion responded they could not be and they would be galvanized. Mr. Graham said that he has not drafted a letter, but the idea was to get input from the Board and it would be a simple letter to draft.

Ms. Mallek stated there is no comparison of the shiny poles in the County of the past to the current ones, which have doubled their life expectancy, and the technology will change long before the poles will wear out. She noted that here is a recognition from Dominion that because the line passes through two historic districts, they may need to do photo simulations as part of the cultural and architectural review for the Department of Historic Resources. Ms. Mallek emphasized that if the poles are going to be silver, the photo simulations will not matter because they will ruin scenery, tourism dollars, and conservation easements where people have made tremendous investment and sacrifices. Ms.

Mallek stated that she would like strenuously worded correspondence with Dominion that the County supports the non-silver structures, and to make sure that the extra heights put in for Doods to Lexington does not happen here, because once they are put up at 20-30% taller, they will never get back to what they were promised to be.

Ms. Palmer asked if there is anything at this point that can be done about the height.

Ms. Mallek responded that the height is dictated by the swing between the poles, but these are going higher and perhaps Susan King of Dominion can respond.

Mr. Kamptner stated that the statute that invites public comment, particularly for localities, focuses on three primary issues: environmental factors, including impacts on historic resources; the comprehensive plan and provisions that deal with tele-structures in the rural areas and other factors. He said that the County can request a public hearing, which is prompted if 20 or more people request one.

Mr. Randolph said that he has concerns about operating a de-facto public hearing.

Ms. Palmer stated that this is the end of the agenda, and the comment is needed by Monday.

Ms. Susan King of Dominion Power addressed the Board and stated that June 15 is the date by which a public hearing would need to be requested, and that will be a request that the FCC hold a public hearing, and public comment is through the length of the review period.

Ms. Mallek said she had seen a date of June 5, and it would still be good to get comments in sooner rather than later.

Ms. King stated that Dominion is also upgrading a line in Orange and Madison, and there would be an evidentiary hearing held in Richmond, with the public hearing held in Orange.

Mr. Dill asked if it is a reasonable thing to ask to have dark towers.

Ms. King responded that it is within the Board's purview as to have a public hearing and whether that is warranted or not.

Ms. Mallek thanked Ms. King for the corrected information, and said that she would be glad to request a hearing.

Ms. Palmer asked Mr. Kamptner to distribute the information about the things the County can consider in its comments, and if they need a Board letter they can approve it at their June 8 meeting.

Mr. Kamptner noted that Community Development will do the draft.

Ms. Palmer said that she is not sure what they would be drafting at this point.

Ms. Mallek responded that they are including the comments and requesting the hearing.

Mr. Randolph stated that during the Board's discussion of the budget, he expressed concern over the County's \$1/2 million expense for animal pound services. He said there was an initial agreement for \$3, which increased to \$5, and the rate is multiplied by the number of people in the County, which is why it has gone up to almost \$550,000 annually. Mr. Randolph stated that he would like to have a discussion about this before July 1 to see if Board members feel that is appropriate or whether it should be a different amount.

Ms. Mallek noted that the agreement was crafted in 2008 or 2009.

Mr. Randolph stated that it was drafted in 2003 and commenced July 1, 2009.

Ms. Mallek said that one of the County's most frugal staff members negotiated that agreement and had lots of research as to why it was more cost effective than having the County provide these services itself, which is why it seemed like a good choice at the time.

Mr. Foley stated that when this was brought up, staff thought of it as an item for the program and service review as they plan for the future, as it may be that other programs and services need to be reduced in order to get priority services funded. He said the discussion related to whether there may be other ways to fund these services rather than the typical taxpayer dollars, and there is an agreement in place that the Board would have to consider amending or renegotiating, but staff originally thought of this item to be part of the program and service review. Mr. Foley stated that staff will be providing information on all agencies as part of that, but if this is not the process the Board wants to follow, staff could bring this back as an agenda item.

Ms. Mallek asked if it is a big deal to have a one-year extension.

Mr. Kamptner responded that this is a one-year contract that automatically renews on July 1, but it also contains a provision that requires 12 months' notice if any parties want to terminate it.

Ms. Mallek said that is true for changes as well, so they would need to give notice now that they may want to change it in July.

Mr. Foley said that it is possible that they could suggest a renegotiation, and Mr. Kamptner could look into that.

Ms. Palmer commented that she saw this as part of the overall program and service review.

Ms. Mallek said the 12-month notice is her concern, because if they do not indicate an intent to change now, they might be stuck with it for another year.

Mr. Foley suggested that staff take a look at it between now and the following week, and if it does not require renegotiation, this could just be part of the program and service review, but if it requires renegotiation, the County can notify the SPCA that they might want to review it.

Mr. Kamptner clarified that the agreement does allow for amendments.

Mr. Dill asked why this fit into a programs and services category instead of a service such as custodial services.

Mr. Foley stated that it is a community agency funding, so all of those agencies will be under review and this will be part of a comprehensive look. He noted that this will not stop something from happening July 1 of this year, but it can affect future years.

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Agenda Item No. 24. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Foley said the Board is going to discuss legislative strategy at their meeting the following week, and staff is going to bring forward the existing legislative program because the Board has not reached any consensus on a new approach. He stated that David Blount will be present to answer questions and provide insight, but there will not be any particular analysis until after that conversation. Mr. Foley asked that Board members provide their strategic planning ranking responses by the end of the day on June 2, in preparation for their discussion the following week, and said that several Board members have indicated that the exercise is fairly simple to do.

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Agenda Item No. 25. Adjourn to June 7, 2016, 1:00 p.m., Room 241.

At 3:59 p.m., Mr. Randolph **moved** to adjourn the Board meeting to June 7, 2016 at 1:00 p.m., in Room 241. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Sheffield, Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.  
NAYS: None.

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Chairman

Approved by Board
Date 04/05/2017
Initials CKB