

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 8, 2016, at 1:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from March 3, 2016.

PRESENT: Mr. Norman G. Dill, Ms. Ann Mallek (arrived at 1:31 p.m.), Ms. Diantha H. McKeel, Ms. Liz A. Palmer.

Mr. Rick Randolph and Mr. Brad L. Sheffield (arrived at 3:10 p.m.)

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, Clerk, Ella W. Jordan, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. The meeting was called to order at 1:03 p.m., by the Chair, Ms. Palmer.

---

Agenda Item No. 2. Planning Academy Training and Overview.

Planning Commission Members Present: Mr. Tim Keller, Mr. Mac Lafferty, Ms. Jennie More, Mr. Bill Palmer, Ms. Pam Riley, and Ms. Daphne Spain.

At 1:03 p.m., Mr. Keller called the Planning Commission to order.

---

Ms. Palmer introduced County staff. Planning Commission members introduced themselves.

Ms. Lee Catlin, Assistant County Executive, addressed the Board, stating the County has been in the process of orienting new Board members, and based on good feedback from previous Board members who did not get as full of an orientation, staff decided to enhance it this year with things like a joint budget boot camp with School Board members. Ms. Catlin stated the planning academy with Planning Commissioners is a great opportunity as part of that effort, and will cover three major topics: an overview of growth management, the updated Comprehensive Plan and how it guides decisions on growth, and fundamentals of Virginia land use law. She noted there are also several topics that people wanted to focus on during the question and answer period, and said that staff has given them copies of many of the issues Mr. Kamptner will be going over. Ms. Catlin mentioned that the meeting is being video-streamed because the material is valuable for community advisory committees or citizens in general to be able to reference it.

---

Mr. Wayne Cilimberg, Director of Planning, addressed the Board, stating that he will provide background to help them understand how planning has evolved in the County and the decisions behind current growth management efforts and why they are important. He stated they will talk about initiatives dating back to before the first comprehensive plan, and in Albemarle the first plan followed the adoption of a zoning ordinance and a zoning map, which is not the normal order, as typically a plan would be in place first and then zoning would follow that plan. Mr. Cilimberg said that for various reasons in the 1960s, it was decided that zoning should go through a referendum process in the County, and ultimately by referendum it was approved and the first ordinance was adopted in 1969, which preceded the first comprehensive plan, adopted in 1971. He stated that also during the 1970s, there was a major rewrite of the subdivision ordinance, which was the first land regulation document in the County, adopted in 1949. Mr. Cilimberg said this was the first plan, and in that plan a lot of what they do today with growth management policy was set out. He noted that a major focus at that time was water resource and water supply protection, and even in the 1970s there was acknowledgement of the need to protect the water supply, which set out the basic growth management goals that remain today of how to use resources in designating development areas and rural areas, and focusing growth to the development areas while protecting natural, scenic and historic resources, trying to discourage rural residential development not related to bona fide agriculture. Mr. Cilimberg stated there was a well-recognized need to implement those kinds of provisions, public facilities, service delivery and utilities that supported that approach of having development areas as the focus for new growth.

Mr. Cilimberg said the land use plan in 1971 was this plan and in reality this was a growth accommodation type of plan, focused on areas that were designated for development but intended to accommodate a population projection of 185,000 in 1995. He stated the County is at about 110,000 now, so it is not even close to what was envisioned for potential growth of the County. Mr. Cilimberg said that in the 1970s, during the rapid growth of UVA when it went coeducational, there was an associated growth of County population at a much higher rate than experienced previously or experienced since. He stated that in the 1971 plan, there were 20 areas designated for development and about 37,000 acres, not including the 14 villages, designated. Mr. Cilimberg said that in the current comprehensive plan, there are five designated development areas and about 23,000 acres including the Village of Rivanna. He stated that in the 1977 plan, the issues were predominantly about watershed protection and growth occurring in the rural areas and how it might impact water supply. Mr. Cilimberg said there was emphasis in the recommendations on reducing rural growth, focusing on how that affected water supply both within development area boundaries and the number of boundaries. He stated that with lower growth projections in 1977, there was not envisioned to be the need for the extent of development areas that the 1971 plan had identified.

Mr. Cilimberg presented a map showing the land use plan in 1977, stating that major initiatives from the plan were water resource protection provisions, stormwater runoff control provisions for the reservoir watersheds and urban stormwater, the first capital improvement program, and a comprehensive rezoning of the County, which occurred in December 1980, creating new urban zoning districts, and a new rural areas district with the development rights included, which is the same district as today. He noted the County went from rural area zoning that was basically unlimited two-acre lots before the rezoning took place to the approach of five development right lots and unlimited 21-acre lots in rural area zoning, and there was a new zoning map that accompanied that. Mr. Cilimberg said it is worth noting that while most of the rural area got zoned to Rural Areas District, there was zoning allowed to continue in association with that. He stated that some of today's disjointed areas of zoning that are in the Rural Areas, but are mostly commercial or on occasion industrial, were the result of the zoning of 1980. Mr. Cilimberg said there were many lawsuits that followed, but the courts upheld what had been approved and the zoning ordinance has been the base ordinance the County has worked with since that time. He stated that in 1982, there was another update of the plan and there was still a lot of residential development in the rural areas and concern of water supply impacts from development, and further adjustments were made to development area boundaries to try to be consistent with water supply and watershed boundaries. Mr. Cilimberg noted there was also a reduction in the villages, further emphasis on protecting rural areas, but not a lot devoted to real initiatives that supported the development areas. He said there was also the concept of the City, County and University more jointly planning, and ultimately in the 1980s, the three-party agreement resulted, which today is seen through the Planning and Coordination Council (PACC) work.

Mr. Cilimberg presented the 1982 plan and said that it was followed by a 1989 plan, which recognized that there was a lot of residential growth in the rural areas and focused on land conservation, how to make the development areas work more successfully, and housing affordability became a fairly important topic in that plan. He said that in recommendations, there was more of a proactive approach to development areas, with a recommendation to undertake neighborhood plans, to focus on public facilities and services at a higher level to support the development areas and develop standards for community facilities. Mr. Cilimberg said that on the rural area and land conservation side, the concept of rural preservation developments arose from that plan, and the idea of clustering lots and preserving larger areas in open space with new subdivision ultimately became the rural preservation development. He stated there have not been any RPD projects for a while, but there is one in process currently that will go before the Planning Commission at their meeting later that night. Mr. Cilimberg said the idea of a more proactive approach to conservation easements and an open space plan resulted from the 1989 comprehensive plan, and they moved more into affordable housing initiatives, with a change to remove two more villages that were not possible to serve with public utilities or were in water supply watersheds. He noted this was the County's rural area plan as well as the plan around the City of Charlottesville, which was not significantly different from the 1982 plan.

Mr. Cilimberg said that following the 1989 plan, there were several significant comprehensive plan amendments for expansion of the development area that were ultimately approved by the Board of Supervisors. He stated that Rivanna Village was created after the 1989 plan through a comprehensive plan amendment process, as well as the area that became the North Fork Research Park expansion, the area that is now approved for Northpointe development on 29 North, and the area where Rivanna Station and NGIC are located in Piney Mountain. Mr. Cilimberg said that over 2,400 acres were added in the early 1990s as a result of those amendments. He said that in the 1996 land use plan, the County started on a full-fledged review of the 1989 plan, and ultimately only a land use plan was adopted, with other elements of the comprehensive plan not adopted at that time. Mr. Cilimberg noted that this was when the County first did a piecemeal approach in the comprehensive plan of adopting different chapters, and the land use plan focused on how development in the rural areas was impacting the County and how development areas were experiencing a low-density form that would create more needs for expansion of development areas if continued.

Mr. Cilimberg stated that recommendations out of the 1996 plan were to better emphasize how the development areas could work through infill with new form and density and in aesthetics and quality to become more attractive and marketable. He said the development areas initiative steering committee (DISC) that ultimately recommended the Neighborhood Model was also the result of the 1996 plan, and there were a few villages removed because they could not get public utility service or were in water supply watersheds. Mr. Cilimberg stated that other initiatives that followed the 1996 plan were acquired conservation easements (ACE), dark skies and a greenway plan, and that was how the County arrived at the roughly 35 square miles in the development area. He said that other chapters after 1989 included an economic development chapter, a rural area chapter, a natural resources and cultural assets chapter, and an affordable housing chapter.

Mr. Cilimberg stated the most recent plan, as adopted in 2015, was intended to address the idea of having a full, integrated comprehensive plan rather than separately adopted documents and focus on issues that seem to be most important, development area capacity and whether to expand it; how to improve the local economy; other land uses that might be acceptable or appropriate in what is otherwise known as the rural area, for agricultural purposes; time spent on the Monticello viewshed, solid waste, urban agriculture, and master plans for the southern and western neighborhoods. He said the recommendations were basically in response to that, and minor changes to the development area boundaries, the adoption of the master plans, different approaches to economic vitality, identification of appropriate non-agricultural land uses, how to potentially address allowance of urban agriculture, protection of the Monticello viewshed and solid waste management policies were all part of that update. Mr. Cilimberg said that Elaine Echols will go into more specific aspects of the plan and where they are in 2016.

Mr. Dill said he is interested in knowing which villages were removed. Mr. Cilimberg responded there were 14 total in the first plan, including Earlysville, Stony Point, Ivy and North Garden, and there were different levels of villages, with some of them considered crossroads communities.

Mr. Dill commented that Free Union was probably one. Mr. Cilimberg said that Advance Mills may have been also, and the primary reason they were decommissioned was that it was not possible to serve them with public utilities in a cost-effective way, and some of them were in the water supply reservoir areas.

Mr. Keller stated this was a great history of planning and land use in the County, and asked if it exists in written format or just in PowerPoint.

Mr. Cilimberg said the core of the presentation was developed six or seven years ago, and it was not in written format to his knowledge, but the presentation is available.

Mr. Keller asked Board members if it might be valuable to commission a written history, so it can be written down and articulated for future generations of planners and supervisors.

Ms. Palmer said that is a great idea, and Elaine Echols has a wonderful 10-minute video on Albemarle County comprehensive planning.

Mr. Cilimberg noted that it is available online.

Ms. Palmer said they have talked about disjointed zoning leftover after the 1980 down zoning, and asked for an example of industrial zoning areas in the rural areas. Mr. Cilimberg responded that one industrial area is outside of Earlysville, and there is one in Ivy, as well as a small parcel off of 29 South. He said there is also some scattered commercial zoning west of Crozet on the Route 250 corridor toward I-64, and those were some of the leftover parcels of rural area zoning.

Ms. McKeel stated there are a lot of close-in neighborhoods in her district, and she has received several emails recently from constituents questioning why they are in the "rural area" and referencing the fact that it is obviously a mistake and asking when they would be pulled into the development area. Mr. Cilimberg responded this was more of the older zoning that was on the other side of the watershed boundary for the South Fork Rivanna Reservoir, and it was decided that those areas on the western side of the line that drain to the reservoir would be shown as rural area and designated as such in the plan, but would keep the zoning they had, which predated that designation.

Ms. McKeel said these properties are along Georgetown Road and Hydraulic Road, and people are not understanding why they are in rural area.

Mr. Cilimberg mentioned that those properties on the west side sit on a high point, and that drainage goes to the South Fork.

Mr. Lafferty asked about the Highway Commercial zoning on 250 West, where there is development occurring outside of the development area that is claimed to be "by right." Mr. Cilimberg responded that is also leftover zoning from the original zoning and part of what he was referring to west of Crozet, as well as some west of the urban area.

Mr. Lafferty asked what the process would be for changing that. Mr. Cilimberg explained that it would be a downzoning, and that would need to be done comprehensively and very carefully, which Mr. Kamptner would touch on that in his presentation. Mr. Cilimberg said that downzoning must be done in a comprehensive manner, reflecting policies that have been passed through the comprehensive plan. He stated that it would also render properties that are developed nonconforming.

**(Note:** Ms. Mallek joined the meeting at 1:31 p.m.)

Mr. Lafferty stated that it is along a scenic highway and goes through historic districts, and he does not feel it would be in the County's interest to have that developed significantly.

Ms. Elaine Echols, Senior Planner, addressed the Board, stating the history is online on the County's website, and there is a page in the background chapter of the comprehensive plan that documents everything Mr. Cilimberg was talking about so there is history available for future planners.

---

Ms. Echols reported that staff worked on this for a long time, and it was challenging to compress this much information into a half hour, so she will hit on many of the high points they have touched on when they did the comprehensive plan update. She stated they started with articulating the vision for the County, the vision that guides growth and development, and this is something the Board of Supervisors worked on very closely with the Planning Commission, then did more with it. Ms. Echols said this is what guides everything that comes after this section in the plan, and important issues include preservation, healthy ecosystems, healthy lifestyles, a thriving economy and education. She stated that growth management is a key part of how they do business in Albemarle County from a land use perspective, and these particular policies guide what goes on in both the rural and development areas, and they emphasize the importance of livability in development areas and preservation in rural areas.

Ms. Echols presented key features of natural resources that are important to the County, water quality, water preservation, mountain protection and biodiversity, which are all part of the natural resources chapter of the plan. She stated there are a number of recommendations in the plan that relate to these items as well as others, and the plan talks about the importance of natural hazard protection as well as having a section that addresses debris flow and floodplain preservation as well as planning for hazards in the future. Ms. Echols noted that a new piece that came into the plan is how the County plans to respond to climate change. She reported the next chapter pertains to historic, cultural and scenic resources, which includes historic preservation activities that take place in both the rural area and the development area, with an adjunct historic preservation plan in the appendix that was put together many years ago but has a list of strategies as to how the County can preserve its historic resources. Ms. Echols said the other part of this section is scenic and cultural resources that the County hopes to maintain through guidelines for entrance corridors, which have been designated as important roadways that lead to historic parts in the County and the City, and localities are enabled by law to have guidelines and regulations around them so the integrity of these important corridors can be maintained for historic and tourism purposes.

Ms. Echols reported that economic development was previously a policy, and when the comprehensive plan started to include it as a chapter, it was a bit imbalanced in terms of how much information there was on each particular item. She explained that with the new plan, they tried to call out the individual important features so they had their own chapter, so instead of having a housing policy and an economic development policy, there was a chapter devoted for goals, objectives and strategies for the County in these areas. Ms. Echols said most of the Economic Development chapter came from the economic development policy as well as the former economic vitality action plan, and staff has completed many of the strategies that were in the plan.

Ms. Echols stated that the rural area, the corollary to the development area, is the County's designated area for agriculture and is also the place for crossroads communities that help to support the people who live in the rural areas and those who are involved in agriculture. She said that natural resource preservation is a key feature as well, and there were a number of items in the comprehensive plan process regarding how preservation is accomplished. Ms. Echols noted that this included encouraging people not to build their houses in the rural area, and making the development areas places where people want to live, work and play.

Ms. Echols reported that the Development Areas chapter is another in the plan, and the County has spent a lot of time working on this chapter, including the DISC work that began in 1997. She stated the development areas guidelines govern everything that goes on within that boundary, and there are also master plans for each one of the designated development areas that Mr. Cilimberg described. Ms. Echols said the goals for the development areas serve to create high-quality, attractive, livable areas rather than rural suburbia. She stated the first goal is pedestrian orientation, and having sidewalks is an important piece of how people get around in neighborhoods, which has been around for a while but was emphasized as the most important principle of the Neighborhood Model when DISC put it together and still is the top goal. Ms. Echols reported that a mixture of uses is also important, and the model of downtown Charlottesville was used as a mixed-use place to provide an illustration of what development areas could be, with mixed-use centers such as the Shops at Stonefield that are under construction or have been built in the development areas since the adoption of the Neighborhood Model.

Ms. Echols reported that places in the development areas help to create identity for neighborhoods, and those are called "centers", and neighborhood centers should be walkable by residents who live about a quarter mile from that center, which can be a church, a community center or a school. She said that centers create the sense of identity and uniqueness for a community, and another principle is the importance of having a mixture of housing types as well as a mixture of opportunities for all different age levels to live in development areas and have different choices for housing as well as accessibility. Ms. Echols stated that a key feature in the Neighborhood Model is the aspect of affordability, and the concept that affordable units should not look like different units within a neighborhood. She presented an image of Wickham Pond and the townhouses there, some of which include accessory apartments that help to create affordability.

Ms. Echols stated that interconnected streets and transportation networks are aspects that help the County not have to widen large corridors that are not walkable and to create interconnections between neighborhoods. She presented images of an early interconnection between Wayland's Grant and Grey Rock subdivisions, noting there are also interconnections such as Hillsdale Drive, which run parallel to Route 29 and make the connections that keep people from having to get out onto the really heavily congested roads just for local traffic. Ms. Echols stated that regarding multi-modal aspects of development areas, there have to be opportunities for people to travel outside of their cars, and they must have alternatives such as sidewalks, bikeways, paths, and transit in order to get to and from work or play or shopping without having to drive.

Ms. Echols stated that parks and recreational amenities are extremely important to help create high-quality neighborhoods, and she presented images of Wayland's Grant and a park at Belvedere. She said that before the Neighborhood Model came along, parks and open space were looked at as the leftover space of floodplains, steep slopes and stream buffers, and this aspect of the Neighborhood Model tries to bring that front and center to help create a place and identity in a neighborhood. Ms. Echols stated that another principle of the model is to create buildings and spaces of human scale, providing pedestrians with a sense of comfort in terms of their relationship to buildings and helping to create more inviting places than with a monolithic building. She said that walking around a building such as a big box store creates a feeling of intimidation, and the model tries to bring those down to a personal,

more human scale. Ms. Echols noted that relegated parking is a principle that seeks to have parking to the side and/or back of buildings, and she presented an image of Luxor in Pantops, with parking behind the building and to the side. She stated that redevelopment is another aspect that helps keep boundaries firm, and the firmer the boundaries are, the better the opportunities are for redevelopment and creating higher quality places inside those boundaries.

Ms. Echols reported that building with terrain and respecting slopes, the Neighborhood Model suggests that having terraced retaining walls is preferable to having tall monolithic walls, and building with the terrain rather than grading it all out for flat paths helps to retain some of the County's identity as a hilly area rather than looking like everywhere, USA. She said that when you flatten out a site, you create something like a mesa with a flat top and steep sides, and that becomes difficult to walk because a person cannot get from one side to another easily. Ms. Echols noted that it also has an impact on the stability of slopes, and what the County has been working with in the model is to try to have regulations with more gently graded slopes and to encourage people to build into the hills, and if there has to be grading and retaining walls, to do something more than building a tall monolithic wall. Ms. Echols stated there were some new things that came out of the Development Areas chapter that some Board members have strongly embraced, and that is an urban development and revitalization emphasis whereby improvements for older neighborhoods such as sidewalks, drainage improvements, parks that people can walk to, and maintenance of older buildings.

Ms. Echols reported the County has taken the affordable housing policy and some of the recommendations of the Neighborhood Model and put them in the Housing chapter, which helps to guide decisions made on improving the quality and appearance of housing in the County and to make sure that affordable housing is provided with new developments. She stated the next chapter is Transportation and it contains the long-range transportation plan and key links, the six-year secondary road plan, and information on multi-modalism. Ms. Echols said there is a lot of overlap with terms between chapters because it is all interconnected, and at the beginning of every chapter in the plan there is a link to both the vision as well as the other chapters that work together to achieve the County's vision in the comprehensive plan.

Ms. Echols stated the next chapter pertains to parks and green systems, setting out expectations for rural area parks and development area parks, and houses the greenway plan, as well as addressing how the County interacts with City parks and recreation facilities and some of the natural areas the County works with the City on. She stated the final chapter is Community Facilities, which talks about the different roles that staff plays in the County with providing public services and facilities, things such as solid waste and utilities, stormwater management, how utilities from private utility companies are actually provided in the County, a personal wireless policy, and a new broadband policy. She said they also have standards for fire/rescue, police, school size and access, which this does not deal with the operations of schools but with the physical improvements that help provide the context for education, courts and government administrative buildings, libraries, and the emergency communications center.

Ms. Echols stated the Implementation chapter addresses how the comprehensive plan is brought to life, which is done through the CIP; the Board's budget work; programming of different activities, schedules, facilities and new construction; the work programs of different departments; transportation plans; and policies such as the proffer policy. She said about half of Board and Commissioners worked on the update comprehensive plan, which had a lot of citizen participation and thoughtful work from the Board and Commission, and she feels that it reflects a good roadmap for the future of the County.

---

Mr. Greg Kamptner, Deputy County Attorney, addressed the Board and Commission, stating that he will provide an introduction to Virginia land use law. Mr. Kamptner presented a distilled version of the Land Use Law handbook, which has been condensed to about 19 pages, and said this presentation has 16 slides as well as a review of specific issues in the comprehensive plan. He stated that counties have no elements of sovereignty or inherent powers, so all powers, particularly with respect to zoning, come from the General Assembly and the state, which can be frustrating. Mr. Kamptner said the County has some broad grants of zoning power and the authority to regulate some of the subdivision of land and plan land uses, but each year the General Assembly revises the laws that apply, and there are certain bills that take power away from localities. He stated there are a number of limitations on powers, and he will address several, particularly those related to land use issues, including the Dillon Rule.

Mr. Kamptner stated that John Forrest Dillon was an Iowa Supreme Court Chief Justice in the post-Civil War era, at which time local governments were viewed as being corrupt. He said in his writings, Chief Justice Dillon wrote that local governments should have only specific powers, and they should come from the state legislative bodies, with localities having only the expressed powers delegated. Mr. Kamptner stated that when the County Attorney's office is asked whether something can be done, the first step that he and Mr. Davis take is to see whether or not the General Assembly has provided that authority. He said the next step they will take is to determine whether those powers can be necessarily and fairly applied, but once they get in that arena, the presumptions are against the County having those powers, but there are circumstances where those powers can be granted. Mr. Kamptner cited an example of transferrable development rights policy, which enables localities to transfer development rights from rural areas to urban areas. He said at the time there was no statute in place, and the Virginia Attorney General at the time determined that the power could not be necessarily and fairly implied because the General Assembly had given localities other powers to protect rural areas, through zonings, ag/forestal districts, open space easements, etc.

Mr. Kamptner stated the third area his office evaluates is whether a power is found to be essential and indispensable, and that issue came up as a minor issue in the YMCA case litigated a few years earlier, because localities have the power to make charitable contributions, and the statute provides that contributions can be made to certain qualifying charitable entities. He said the plaintiffs in that case said the County did not have the power to enter into an agreement, but there was an agreement in that case that laid out the County's expectations as to how the contribution would be spent, and the case law stipulated that localities also had the power to enter into an agreement to actually implement the power as an essential and indispensable power. Mr. Kamptner stated the fourth area that restricts the County's authority is the concept of preemption, which is found in the U.S. Constitution's supremacy clause and also appears in the state and recognized that in the hierarchy of governments, local government is at the bottom. He stated there are three ways in which local laws can be preempted: through expressed preemption such as restriction of wireless policies through the Federal Telecommunications Act, which indicates that local government cannot base a wireless siting decision based upon radio frequency emissions, providing those emissions comply with FCC standards.

Mr. Kamptner said there are also situations where the state or federal government may adopt laws and have a body of regulations that are so comprehensive that they occupy the field, and one example in Albemarle is the biosolids statute. He noted that 10-15 years ago, the state's statutes and regulations pertaining to the land application of biosolids were deemed to "occupy the field," so local government even under its zoning powers could not exercise any regulatory authority over that kind of activity. Mr. Kamptner said that since then, the state has backed off and has given localities certain inspection rights, but in terms of actual ability to apply biosolids, that is a state matter. He reported that the final area of conflict is where a local regulation simply places a landowner in the land use context in conflict with state law, whereby a person cannot comply with both state and local laws, so in that situation, the government that is higher up in the hierarchy will prevail.

Mr. Kamptner stated that every type of application has constitutional issues that may arise, such as the First Amendment and signs, and any type application dealing with religious institutions because those decisions may affect the establishment clause of the First Amendment, which deals with the government's entanglement with religious institutions, either promoting or discouraging. He said it can also impact the free exercise clause, which pertains to how religious institutions conduct their business, and cited an example of an application a church in the rural area that wanted to establish in the western part of the County. He stated the neighbors were complaining about wedding ceremonies, but it turned out during the public hearing that those events were religious exercises for this particular church, so the Commission was advised not to impose a condition that could limit the number of weddings held at that particular church.

Mr. Kamptner said he will report on the seven bodies and individuals who are the key players in making the various land use decisions for the County. He stated the Board of Supervisors is the elected body and the one vested with legislative power, so comprehensive map amendments, zoning map amendments, zoning text amendments, special use permits, special exceptions, which are all legislative matters, versus ministerial matters. Mr. Kamptner said the Board of Supervisors is the appellant body for a number of matters that may eventually get to them, such as disapprovals of subdivision plans or site plans, disapprovals of certificates of appropriateness by the ARB, interpretation of proffers by the zoning administrator, with that appeal going to the Board Supervisors instead of the Board of Zoning Appeals, and certain decisions by the program administrator under the water protection ordinance.

Mr. Kamptner stated that touching on the legislative matters versus ministerial items, under longstanding case law, there is a presumption of reasonableness and a presumption of validity to those decisions, so the person challenging the Board's legislative decisions has a heavy burden to overcome those presumptions. He stated they also involve the exercise and the application of policy, so when they are considering a zoning map amendment and the comprehensive plan in relation to that, they are evaluating different policies and setting a direction for the County as to how its land will develop. Mr. Kamptner said that subdivision plats and site plans are addressed at the staff level, and there is no discretion to be exercised, with the sole task for the planner reviewing them being to determine whether or not the application meets the minimum requirements of the subdivision ordinance, and if it does, the plat has to be approved.

Mr. Kamptner reported the Planning Commission is an advisory body to the Board, making recommendations to the Board on all legislative matters and having the first review of certain requests for variations and exceptions under the subdivision ordinance. He stated there were some variations requested recently with Old Trail, curb versus curb and gutter, but the County does not get many of those requests. Mr. Kamptner noted the Planning Commission will also consider appeals of disapprovals of subdivision plats and site plans by staff. He pointed out that while the Commission makes recommendations on legislative matters, they are not a legislative body and are considered "creatures of statute," so unlike a legislative body like the Board that has a number of implied powers, statutory bodies like the Commission and the ARB can only exercise powers that are expressly granted to them.

Mr. Kamptner reported the Architectural Review Board is appointed by the Board of Supervisors and is another creature of statute, administering the entrance corridor overlay districts in the County, the arterial streets that lead to tourist destinations either inside the County or in adjoining localities. He said the ARB's tasks are primarily to consider and act on requests for certificates of appropriateness, which are decisions in which they are evaluating applications within the entrance corridor to determine whether or not they are consistent with design guidelines that the ARB promulgates but the Board approves.

Mr. Kamptner reported the Board of Zoning Appeals stands apart from the other bodies and are more independent, with BZA members appointed by the circuit court, and in a few Virginia localities by the governing body. He said this process reflects the independence that BZAs are intended to have from the Planning Commission or ARB. Mr. Kamptner said the BZA has several other functions by statute that have never been considered in his 21 years with the County including interpreting the boundaries of a district map, as that issue had not come up. He explained the most common applications the BZA considers are appeals and applications for variances, and the Albemarle BZA currently only meets about twice per year, whereas back in the mid-2000s they were sometimes meeting twice per month. Mr. Kamptner said there were a lot of contentious hearings and a lot of appeals to the circuit court, and one of the reason things have quieted down is because the way County regulations have changed.

Mr. Kamptner stated the laws of variances are complicated and controversial, but staff does a great job in working with applicants who might otherwise want to apply for variances to find alternatives within the framework of the zoning regulations. Mr. Kamptner said the BZA has also been delegated the power to consider special use permits for electric message signs and offsite signs. He explained the question often arises as to why that authority was delegated to them, and when that decision was originally made, the standards for considering those types of special use permits were very similar to those for a variance, and it was felt at the time that the BZA would be in a better position to consider those applications. Mr. Kamptner said the Board is aware of several applications that have been submitted for offsite signs, which are signs that are advertising a business but are not located on the same parcel as that business.

Mr. Kamptner stated the zoning administrator plays a very key role in administering the zoning ordinance, and it is a brutal job with the primary function being to interpret the zoning ordinance. He said the County Attorney's office meets with the zoning administrator and members from Community Development each week to hash out particular pieces of the zoning ordinance that are creating problems. He stated the zoning ordinance was created in 1980, with the Board seeing a lot of zoning text amendments coming forward, but as often as it is amended, there is still a lot of text that has its origins in 1980. Mr. Kamptner said that parts of it were drafted by laypeople, and there are phrases in the ordinance today that stem from the 1969 ordinance, and that is one of the codes of development that needs a comprehensive update. He stated the zoning administrator's key responsibilities include enforcing the zoning ordinance, sending out zoning inspectors, issuing notices of violation, going to general district court to enforce violations of the ordinance if they are not abated, and making a vested rights determination in consultation with the County Attorney's office. He noted that vested rights are when regulations change and make an approved plan noncompliant with existing regulations, so if an applicant is far enough along in the approval process of expended funds, they have vested rights, but those issues do not come up very often. Mr. Kamptner mentioned the subdivision agent, site plan agent and program administrator, who administers the water protection ordinance, and currently Mark Graham serves in all three capacities.

Mr. Kamptner reported the comprehensive plan in broad terms is the plan for the physical development of the County; the zoning ordinance regulates how land may be used within zoning districts and establishes minimum lot sizes and standards for building heights and setbacks; the subdivision ordinance establishes standards for dividing land and imposes requirements for providing public and private improvements. He stated that site plan regulations are in the zoning ordinance and are an interesting hybrid, with most of the enabling authority for site plans falling under the state subdivision law, so in most respects a site plan and a subdivision is going to be evaluated in the same way. Mr. Kamptner said the review is ministerial in nature, with both of them establishing minimum requirements for design, minimum requirements for necessary improvements, road design requirements, and what types of easements are expected to be dedicated for utilities and roads. He stated that site plan regulations also introduce some elements of zoning and have the requirements for landscaping, for example. Mr. Kamptner said the water protection ordinance deals with erosion and sediment control, and stormwater management both during and in perpetuity.

Mr. Kamptner reported the Board's outline includes a table that puts all of the pieces together as to who does what between the Board, Commission and ARB. He said an application can be an amendment to the comprehensive plan or its text, amendment to land use designation such as residential to industrial, or amendment to the cash proffer policy. Mr. Kamptner stated there was a 2005 Rural Area Plan, a 1999 Natural Resources Plan, and other similar amendments. He said there are also comprehensive plan reviews delegated to the Planning Commission, 2232 reviews, where there is a proposed public feature that is not shown in the comprehensive plan and is not part of a larger site plan or subdivision plat, such as a school site. Mr. Kamptner said it goes through the Planning Commission review to determine whether the character and location are in substantial accord with the comprehensive plan, and the Commission reports its decision to the Board of Supervisors, which can elect to take up the issue or leave it alone. He stated that rezonings are zoning map amendments and are legislative decisions that involve Planning Commission review and recommendation and then go onto the Board of Supervisors for decision. Mr. Kamptner said that zoning and subdivision text amendments are both legislative acts that go first to the Planning Commission for recommendation, then onto the Board. He commented that the impacts of zoning map amendments and zoning text amendments, rezonings, are offset all or in part by proffers. He said the Governor is expected to sign Senate Bill 549 pertaining to proffer legislation, which will change the way localities do business.

Mr. Kamptner reported that special use permits, special exceptions, and conditional use permits are all the same thing, with localities using them for different purposes. He said in Albemarle, special use permits allows a particular use in a zoning district, and the uses allowed in zoning districts included about 20-30 that were by right and another 20-30 that were allowed by special use permit. Mr. Kamptner stated

that when the district was created, it was envisioned that the special uses were generally consistent with the purpose of that particular district, but the nature of those uses may present unique circumstances where a case by case review of the special use permit process allows that kind of evaluation and imposing conditions to address the impacts. He said that both proffers and conditions were intended to address impacts, but with the rezoning the applicant offers them and the Board and Commission can decide whether the impacts are adequately addressed to support the rezoning. Mr. Kamptner stated that conditions attached to special use permits are imposed by the Board, and staff works with the applicant while they are developing the conditions to get them into a format and a substance that would be recommended if the Board approved the permit. He noted that special exceptions serve a slightly different role and allow certain standards to be waived or varied, and the code lays out those requirements. Mr. Kamptner stated that certificates of appropriateness are evaluated based on whether a proposed development is consistent with the ARB's regulations.

Mr. Kamptner stated that in looking at the development process, subdivision plats are schematic drawings that shows how land will be divided, site plans show how land will be developed as a parcel or parcels but does not create a new division of boundary lines, and variations or exceptions are provisions in the subdivision ordinance or site plan regulations that expressly allow certain standards to be modified or varied, with applicants having the opportunity to persuade the subdivision agent or Planning Commission as to how certain elements in a development could be better accomplished.

Mr. Kamptner presented a hypothetical example of a parcel zoned R-1 with a comprehensive plan designation of neighborhood residential allowing 3-6 dwellings per acre, and an applicant wanting to rezone it to R-4 designation. He stated that after an applicant that goes through a rezoning process of a zoning map amendment and decides they want to put a daycare center in the area, they will apply for a special use permit to allow the daycare center within that development. Mr. Kamptner said if the Board approves the rezoning and the special use permit, the application will move into the development stage, when the subdivider is determining how to divide the property into residential lots and the land for the daycare center. He stated that in looking at the R-4 regulations, the applicant will see that the maximum setback in that district is 25 feet, but makes the case that the project is unique and warrants a maximum setback of 30 feet, so that gets approved as well. Mr. Kamptner said that in conjunction to the subdivision plat, the owner applies for a special exception to require only curb in certain locations where curb and gutter will typically be required because the area drains into open space area. He stated that while the subdivision plat is being reviewed, the applicant has also submitted erosion and sediment control plans and stormwater management plans that show how erosion will be dealt with during the construction process, how the stormwater will be treated and released, and how permanent management of stormwater will take place once construction is finished.

Mr. Kamptner reported that the Board and Commission have much more flexibility and latitude in decision making with legislative matters than with ministerial, and knowing that distinction is critical as it will shape their analytical framework in looking at a particular application. He stated that he has prepared a list of 12 applications, and that section of the outline lists all of the considerations. He noted that a lot of the factors, as listed in the subsections for those types of applications, are incorporated into staff's analysis, so the staff report is evaluating the application in the context of the factors that need to be considered. Mr. Kamptner stated that the probative factors are relevant and tend to establish whether a rezoning should be approved or disapproved, and decisions need to be based on the facts in the record, with the staff report itself serving as a document of facts on which they can base their decisions. He said that applicants and members of the public present facts but also express fears, desires, conjecture and speculation.

Mr. Kamptner presented examples of government bodies getting off track and not making decisions based upon land use principles, including a situation where a Board denies an application on the sole basis of preventing competition for a retail store that is already in place. He stated that in another example, the Chesapeake City Council denied an application for a palm reader because the public felt that it was contrary to the teachings of the Bible, but the federal appellate court sent it back with a finding that the Council could not base its decisions on reasons not based on land use principles. Mr. Kamptner said that serving socio-economic purposes without express enabling authority, such as the zoning ordinance requiring affordable housing without offering some quid pro quo like a density bonus, is also prohibited under state law.

Mr. Kamptner stated the growth management policy, economic development section, and development areas part of the comprehensive plan should all fit together so there is consistency, as that promotes better decision making. He stated the growth management policy in the comprehensive plan has been consistently applied, particularly over the last 16 years, and when the development areas chapter refers to directing growth to the development areas, it is referring to the boundaries at that point in time. Mr. Kamptner said the development areas policy does not provide a trigger or criteria as to when development area boundaries should be expanded. He stated the economic development section of the comprehensive plan is to be accomplished along with and within the framework of the other goals and objectives of the comprehensive plan, and acknowledges the need for strategic assessment of properties as well as ongoing assessment. Mr. Kamptner stated that before the comprehensive plan was adopted in June there had been an assessment, which was discussed in the plan, and it noted that in the development areas there is commercial land available, but they are small parcels and there is inadequate infrastructure. He stated that the development areas policy in the comprehensive plan states that premature expansion would frustrate the goals of the growth management policy, rural area and the neighborhood model.



Mr. Kamptner stated the County is trying to create a sense of place, and a consultant from McGuire Woods had worked with Albemarle in early 2014 on this principle. Mr. Kamptner said that along with that, he has been compiling excerpts from studies and writings about economic development and tourism, and several recurring themes have emerged: preserving sense of individualism and identity, preserving natural resources, and creating a sense of place. He emphasized if the County is a land use free for all, it scares away businesses, and if the community begins to look like sprawl, tourists will not want to come here, and if Albemarle looks like everywhere else, people will just stay home.

Mr. Lafferty asked how health, safety and welfare apply under "decision making." Mr. Kamptner responded that it comes into play for legislative decisions, under zoning map amendments, zoning text amendments, and special use permits. He said that for the subdivision and site plan regulations, the health, safety and welfare principle is addressed through the minimum standards in the regulations, so that does not come into play. Mr. Kamptner stated the old versions of the subdivision ordinance and site plan regulations had a provision that allowed the County to disapprove a plat or site plan if the decision maker concluded that it was contrary to public health, safety and welfare, but that is no longer in either of the ordinances because the County must establish minimum standards, and that is all the applicant has to address.

Ms. Spain asked how many special use permits or exceptions have been denied over the last five years. Mr. Kamptner responded that it is not many, as most of them have been approved, and staff works with applicants to get applications into a shape where they can at least recommend approval.

Ms. Spain asked if that is what the work sessions are for, or if it is just staff working with the applicants.

Ms. McKeel asked for some examples of public health, safety and welfare, as this is not clear to her.

Mr. Kamptner explained that it can be as general as an applicant for a zoning map amendment proposing a density that is in a location where something like water capacity is limited, so extreme density can be contrary to health, safety and welfare. He said another example would be a school in an area that is mixed use and a particular restaurant that is proposing to serve alcohol, with that use allowed by special use permit, but having a bar right next to a school can be considered an issue of health, safety and welfare.

Ms. Mallek said that something like hunting within 300 feet of a school can be an issue, and said that in 2002 when there was no water in the reservoir, the County quit taking building permits altogether.

Ms. McKeel commented that those examples are a bit different than not having infrastructure, transportation or adequate school capacity.

Ms. Mallek asked for clarification that the County was denied the ability to use impacts in their decision making, and is not allowed to charge impact fees. Mr. Kamptner responded that they cannot charge impact fees, but can consider the impacts and the extent to which they are addressed or not as part of the Board's consideration. He stated that Biscuit Run was proposing 3,000 dwelling units, and if there was no cash contribution for schools, Cale, Stone Robinson or Walton would be immediately overcrowded, so the decision could be based on the failure to address impacts, which was contrary to public welfare because there would not be the capacity to handle students. Mr. Kamptner said it was also possible that the water and sewer infrastructure were inadequate, which would be a consideration in terms of public health.

Ms. Palmer said that if there is a development with only 30 or 40 houses that had enough students to require a school to enlarge, if those impacts could be considered. Mr. Kamptner responded that they could look at impacts, and the cash proffer policy is a cash contribution per dwelling unit, with a portion of the amount proffered by the applicant going to address the capital impact on schools.

Ms. Palmer asked if the application could be denied because an addition or school would need to be built, such as an addition on Woodbrook, due to that marginal increase in students. Mr. Kamptner stated he would want to see a broader analysis as part of that, and he would like to see something in the comprehensive plan that provides a hard, objective number as the threshold for school capacity, and once a school reaches a certain size there would be a tipping point, such as Cale reaching 698 students.

Ms. McKeel commented that the School Board has already established what they believe an adequate school size should be, such as middle schools not exceeding 800 students, but that does not sound to her like what Mr. Kamptner is talking about. Mr. Kamptner said he is referring to when a project timing is deemed to be appropriate, and they had to have objective numbers as to capacity.

Ms. McKeel said the Fire Marshal citing schools for having classes in the hallway might work. Mr. Kamptner stated that currently under the County's policy, if an applicant contributes their fair share under the policy, it is deemed to be sufficient to address those impacts.

Ms. McKeel noted that often there is a share put towards elementary schools, when the impact is also on middle schools and high schools. Mr. Kamptner stated it is intended to apply to all three.

Ms. McKeel said she had not heard that before now, and it is good to know it is broader than just elementary schools. Mr. Kamptner stated the County is broken into three feeder patterns for schools.

Ms. McKeel said the reason she is mentioning this now is because the County is in such a critical situation with urban schools.

Mr. Keller said his understanding is that they can do a comprehensive plan amendment in the middle of the review time period, so they do not have to wait for five years to follow up on what Mr. Kamptner has said. He stated that with the proffers being an item of consideration, he wonders if they should think about taking specific numbers from the schools and adding them to a section of the comprehensive plan so there would be something tangible with impacts from development.

Ms. Mallek stated it can be a matrix that includes every school and its capacity. Mr. Kamptner said they would need to study a lot of issues in response to the new legislation, because it is changing the way localities are dealing with this issue.

Ms. McKeel commented that it cannot take two years, as the schools do not have that long to wait.

Mr. Keller stated that it is more than the schools because they are talking about planning, and if certain abilities are taken away, they are looking at new ways to respond, and he assumes they will be hearing from staff on this fairly soon.

Mr. Kamptner said he will be talking to them next week.

Ms. More said she is wondering about by-right projects in order to respond to constituents that have questions, and she wonders if extreme density is a concern that can be expressed by the public. Mr. Kamptner responded that he would never dissuade a member of the public from raising a concern, but the County has no ability to disapprove a by-right project if it complies with the zoning ordinance, site plan regulations, and permitting requirements. He said if an applicant complies with all of those laws, the County does not have the ability to deny a project. Mr. Kamptner stated the County has some stale zoning, and there were some big fights off of Morgantown Road with the Falconer Construction site because there is a business park in the middle of rural areas. He explained they have to live with that in a lot of respects, and in order for there to be downzoning, there either has to be fraud in the original upzoning or "change in circumstances." Mr. Kamptner said there are a few examples of "change in circumstances" in case law, including one where the downzoning was comprehensive in nature. He stated the 1980 downzoning was comprehensive in nature, as it downzoned 95% of the County. Mr. Kamptner said that Virginia Beach downzoned 3% of land, but that was not comprehensive; and in Prince William County they downzoned even a lesser percentage than that, which was also not comprehensive. He stated that in terms of changing circumstances, there was an area that had been zoned high-density residential, and the area all around it had developed as single family low-density residential, and the city downzoned the pocket of high-density residential in the center of that, but the courts felt it was no longer appropriate even though the downzoning was not comprehensive, so it fell under the change of circumstances exception.

Ms. Mallek asked if a former master plan adoption of a certain density in the middle of a neighborhood that was later regretted, if they could go back and re-master plan it. Mr. Kamptner explained the comprehensive plan is not subject to the same constraints as amending the zoning regulations, as it is advisory in nature and is a policy document that guides decision making, but does not impose any regulatory requirements on the land.

Ms. Mallek asked if something would have already had to have its rezoning for it to be considered by right now. Mr. Kamptner explained that it was assigned a zoning designation that was consistent with the use that may have been on that particular property in 1980.

Ms. Mallek commented that she enjoyed the walk through the comprehensive plan but it also pointed out different places where there are conflicts throughout it, such as the need for walkability and sidewalks, because in some of the older Crozet neighborhoods there have been significant degradation because the only access points to the new townhouses is across the streets with no sidewalks.

Ms. McKeel stated the comprehensive plan does an excellent job with neighborhoods, but where it is lacking is economic development, and they need to figure out how to make it stronger.

Ms. Mallek commented there needs to be a process laid out.

Mr. Keller said that Ms. McClintic will be presenting to the Planning Commission on the process of the strategic plan, then they will have a meeting that focuses just on the interface of economic development and land use. He said that perhaps the Board of Supervisors can be part of that, and confirmed that the meeting date is April 12.

Ms. McKeel stated she would like for them to be a part of that.

---

**Recess.** The Board recessed at 2:58 p.m., and reconvened at 3:10 p.m. All supervisors were present.

---

Agenda Item No. 3. **Work Session:** FY 2016-2017 Operating and Capital Budgets.

Item No. 3a. Wrap Up – review any remaining areas and/or outstanding issues from previous work sessions.

---

Item No. 3b. Finalize Board's proposed budget and finalize tax rate for advertising.

Ms. Lori Allshouse, Director of the Office of Management and Budget, addressed the Board, stating that this is their fourth and final budget work session, the main purpose of which is to finalize their tax rate for advertisement and approve the Board-proposed budget that goes to public hearing on March 30. She stated that at this meeting they will talk about the recommended budget in total and will have a Board discussion on the items identified previously as well as any new ones. Ms. Allshouse said the Board will make decisions on those items and on what to include in their proposed budget, with OMB doing calculations on any changes from the County Executive's budget, then review any calculations that may have changed and establish a final approach. She noted at that point, the Board will approve the proposed tax rate and the proposed budget for the upcoming public hearings, then talk about next steps.

Ms. Palmer asked when they will have further discussions about some of the specifics in the budget, as Board members would like to have those conversations but those meetings are not scheduled. Ms. Allshouse stated that her understanding is that this is the fourth work session on the budget, and the Board will make a decision on their tax rate cap, which is the highest tax rate level they would be willing to go, identifying items for the proposed budget that may be different from what is before them today. She said after that, the Board has a lot of opportunities for public input and opportunities to consider changing the budget before it is finally adopted. Ms. Allshouse stated the Board will have a public hearing on April 12, and the tax rate can be finalized then or on April 13.

Ms. Mallek said she is talking about a meeting the third or fourth week of March, because she feels the Board has not really talked about the items they have identified in the work sessions for further discussion.

Ms. Palmer stated they had talked about not needing another budget work session once they set the tax rate, but it seems that they do.

Ms. Allshouse suggested that Mr. Davis provide information on the timing from a legal standpoint.

Mr. Davis said that in order to finish up the fiscal year budget work, the Board needs to set a tax rate for real property taxes, and in order to increase the tax rate, they have to advertise the proposed increase at least 30 days in advance of the public hearing on it, and must adopt the tax rate prior to April 15. He stated that in order to meet the scheduled public hearing date on the tax rate, which is April 12, the Board will need to finalize the highest tax rate today in order to get the advertisement into the newspaper in proper legal format to meet the deadline. Mr. Davis said the second part of the legal requirement is the adoption of the budget document itself, and the public hearing for that is scheduled for March 30, and the ad for that must be published at least seven days prior to the public hearing. He said that to run it the weekend before and allow time for staff to prepare the ad with the proposed tax rates, the deadline to make that final decision will be March 14, but the Board would at least need to forward a budget for public hearing today to be consistent with the schedule they previously adopted. Mr. Davis stated this does not mean they cannot change the budget, but the budget advertised for public hearing will be what is proposed by the County Executive and the changes made to it by the Board by the end of their meeting today. He said that between now and the adoption of the budget, they will have a lot of meetings and a public hearing, and this schedule does not stop them from doing that, so they do have time to make changes.

Mr. Sheffield said that under the current proposed tax rate scenario, they would be taking things away from one place and moving them to another. Mr. Davis confirmed that this is the case, and it would lock in the amount of revenue generated from real property rates.

Ms. Palmer said that some of the concern is when they will be able to have the discussion on things such as the bond referendum, and they can see how far they can get in their budget discussions today.

Ms. Allshouse asked Mr. Foley if he would share information on the bond referendum, as there is another meeting scheduled for that.

Mr. Foley stated that at their last meeting, they had talked about adopting a CIP and possibly having to amend it based on discussion that will occur in May. He said after their last conversation, staff believes they should come back to the Board on April 13 and use that work session to have a preliminary discussion on projects that would be put into a bond referendum in November, so that staff can run some financial scenarios for the May discussion on strategic planning. Mr. Foley stated it is critical for staff to understand what projects should be put out to the voters. They have already talked with the schools about putting forward some of their preferred scenarios. Staff can do that with local government projects also and come back to the Board in May in a strategic context to see how this plays out with the rest of the budget. He said this is all premised on the idea that the Board will move forward with a CIP.

Mr. Foley said that in terms of the work sessions up to this point, staff has tried to go through functional areas and ask Board members if they had questions or want to make changes. If they want to

wait until the public hearings, staff will need to determine fairly quickly when the Board would like to consider expenditure changes. Mr. Foley stated in the past two years, they have held all of the work sessions to get Board input on what they wanted to change but have also typically held one other session at which they talked about the expenditures after setting the tax rate, so that will need to happen sometime after March 30 and before April 12. He said if the Board wants to consider other major changes on the expenditure side, it would be good for staff to know that as soon as possible so they can do the financial analysis necessary for the Board to make decisions, and they would like to have another date clarified if there is to be further discussion.

Mr. Sheffield suggested scheduling the bond referendum conversations so the CACs can be involved, as they can be advocates for the projects that might be included, since they are related to the planning that those groups want to see. He said he understands it will be a tight schedule, but he does not want the CACs to feel left out.

Mr. Davis pointed out that the CACs are public bodies so they cannot advocate for the referendum, although they can help educate.

Mr. Sheffield commented that educate is a better term but the idea is to make sure the CACs that have been around for a while, such as the Pantops group that wants the pedestrian bridge, will have a chance to get that into a bond referendum, and if they are not given an opportunity they will feel like they have no purpose.

Mr. Foley clarified they would want to have that input prior to April 13, when the Board would have to give some direction on what they feel should be in a bond package.

Mr. Sheffield stated that he will definitely have a conversation with at least the Rio CAC before then.

Mr. Foley said that things will move pretty quickly after April 13 into the May session, at which time the School Board will also have to make some decisions about what to put in a referendum.

Ms. Palmer stated the reason she brought it up is because if they are doing a referendum it may influence what they are going to put in their regular budget, and that is where her concern lies.

Mr. Randolph agreed that a bond referendum will mean a significant capital outlay, and that will influence the decisions being made today in terms of what will be included in the budget or omitted. He stated they will need to be ruthlessly strategic about what to include in a bond referendum so that the floodgates are not opened and everyone thinks their own project should be funded. Mr. Randolph said their conversations previously have focused on education and the need to be more proactive, so he will recommend parking some items on a CIP list and then having a discussion about them. He stated in the ideal world, they would want to think about where their biggest expenditures would be and then do the rest of the budget accordingly once agreement is reached on a bond referendum.

Ms. McKeel commented that the bond referendum has to be worded in certain ways, and they cannot take projects from every magisterial district in the referendum.

Mr. Foley stated there is a lot of work to be done with a referendum in terms of identifying the projects, working with the courts, and having the schools take action on their projects. He said he had seen an email from a citizen that seemed to imply that there is no cost attached to paying that back, but that is not the case. Mr. Foley emphasized that the adopted CIP is the list of priority projects for the County, and those had gone through a lot of vetting with the Oversight Committee, the School Board and others, so the public can look at that and identify what is important to them. He said it can be tweaked a little bit, but when they get to April 13, they need to be in a position to say that these are the things they want to move forward with so that in May they will understand the costs, not just in terms of debt service, but in terms of operating costs. Mr. Foley stated that in their strategic planning meetings, the Board will also be going through a financial analysis of other priorities identified, including transit expenses that may be part of the future. He commented that staff will move forward with a referendum at the Board's discretion, but there is a lot to be accomplished in making it happen, and he suggested they continue this meeting and revisit the idea at the end.

Ms. Allshouse reported that when staff put the FY17 recommended budget together for the Board, the goals were to meet current commitments and obligations, hold the line on existing expenditures, and minimize the impacts on the current level of services, being more careful and thinking more long-term regarding budgeting. She stated they invested in some more meaningful solutions and recommended they work with the Board and citizens on priorities long-term, and embark on "priority-based budgeting" over the next year, and move to a more realistic two-year fiscal plan. Ms. Allshouse said those are the main budget goals identified, and staff still feels very strongly about this direction. She stated that when the County does long-range financial planning, they put a lot of energy in it and the Board gets very involved with many work sessions about the five-year plan, and when put together with the best projections and estimates available, there is a widening gap between revenues and expenditures. Ms. Allshouse stated this is nothing that can be fixed in one year, because structurally the gap widens along the way. She said that staff believes they should hold the line in FY17 while strategically developing a plan for the future, so there are two parts to it.

Ms. Allshouse said when looking at FY18 and FY19, they need to keep in mind future challenges, and she presented a slide illustrating some of the pending fiscal challenges. She stated that in FY18, the

widening gap will get larger, and if real estate reassessments would grow at 5%, that can help close that gap, but staff estimates they will only grow by about 1.4%. She stated the other way to generate revenues for schools and local government and to fund the general government gap of about \$3 million, sharing the 60/40 formula, the Board will have to raise the tax rate to 88.8 cents next year. Ms. Allshouse said these are just projections and assumptions that may change, but this is what staff predicts for FY17 and FY18. She stated there are some good signs in the economy with the new building at 5<sup>th</sup> Street and so forth, but even if the economy would increase by 5% the County would still have to have a 4% increase in reassessments to get the same dollar amount, and staff does not see natural economic growth being enough to address the gap in five-year planning and long-range budgeting. Ms. Allshouse said there would also not be any new general government positions to meet service demands for a growing population, so that would mean two years without new police officers or other new positions. She noted that with the current capital plan in the work session, there is already an increase of 2.1 cents in FY19 just to meet capital needs, and if they add the Woodbrook Elementary School expansion, they will have to increase the rate by 2.6 cents, which will bring the rate to 91.4 cents in FY19.

Mr. Foley pointed out that anything put on a referendum that has an impact would be on top of the 91.4-cent rate.

Ms. Allshouse stated that part of the FY17 budget process is that they are identifying items for a future strategic discussion, as identified in the work sessions and in their overall discussions. She presented a list of ongoing items that Board members have identified to talk about more in a longer-frame strategic discussion, such as geo-policing and problem-oriented policing, leveraging funds with items like the SPCA agreement and possibly re-evaluating it, encouraging fundraising for community priorities, increasing hours for the regional libraries to enhance community access, increasing support for the Department of Social Services and their rising caseloads, expanding transit as part of the urbanization of the County, and exploring new school construction versus maintenance of the older schools. She stated this would be part of future strategic planning discussions that will take place after the FY17 budgeting process.

Ms. Allshouse stated the recommended total County budget for FY17 is \$375 million and includes schools, CIP, and general government operations. She said the FY17 budget proposal includes a 2.5-cent tax increase on real property, with 1 cent dedicated to the CIP, 1.1 cents dedicated to general government operations, and 0.4 cents dedicated to school division operations, changing the tax rate from 81.9 cents to 84.4 cents. Ms. Allshouse stated that on the revenue side is an increase in vehicle license taxes, and the proposed increase in the registration taxes will change from \$38.50 to \$40.75 for vehicles 4,000 pounds or less; for vehicles greater than 4,000 pounds, the rate will change from \$43.50 to \$45.75; and motorcycle taxes will change from \$26.50 to \$28.75. She said this increase will generate an additional estimated \$250,000 per year, and that amount will be dedicated to the capital program to support transportation revenue sharing.

Ms. Allshouse presented a list of items identified by Board members for discussion although there could be others that they want to talk about, and said that she had prepared a slide for each topic and if the Board wants to put forward any of these items in their budget, they will talk about the funding to be able to do that. She stated the current items include Legal Aid Justice Center funding, tax relief for the elderly and disabled, and the CAT Route to serve the new 5<sup>th</sup> Street Station area. Ms. Allshouse said they have talked a lot about the Woodbrook Elementary School project, planning to add the design for the project in FY17 and constructing it in FY18 and FY19, and staff will show the CIP impact of adding that to the budget. She stated there are three ways the Board can fund new items: generating additional revenues, which would primarily be through further raising the real estate tax rate; reducing expenditures somewhere in the budget; or utilizing funding from contingencies or set-asides.

Ms. Allshouse stated there had been discussion of restoring funding for the Legal Aid Justice Center to the current level, with the funding in the FY17 budget based on ABRT's recommendation for \$11,700 for their programs, a \$27,000 decrease from the amount included in the current budget. She said the center's total budget is around \$4.5 million, according to their application, and they requested \$68,375 from the County and \$108,288 from the City to fund four programs. Ms. Allshouse stated the ABRT recommended, based on their review and the scoring system, that the County fund the health law initiative program and provide no funding for the other three programs requested, one of which was a brand new program, and there is no funding for new programs under their budget goals.

Mr. Sheffield said that either he or Mr. Dill had asked to have the item included, and he would like to have Legal Aid's funding restored to the current year's level, stating the City had recommended full funding of Legal Aid's request in their budget, but that is contingent on the County funding the request. He said it would be a double-whammy for Legal Aid because if the County will not provide the additional funding, neither will the City.

Ms. McKeel stated that she had spoken with Kathy Galvin earlier that day, and City Council had discussed the City Manager's budget the night before but had not discussed whether they would fund Legal Aid. She said that she and Ms. Galvin had met with Mike Murphy of the City as well as Gretchen Ellis to discuss Legal Aid funding, and after those discussions she talked extensively with Ron White of County Housing. Ms. McKeel stated that she learned a lot about how carefully and thoughtfully the process works and how technical assistance is offered to all groups applying for funding. Ms. McKeel said that Ms. Ellis was pretty clear that she had worked hard with Legal Aid and other groups to offer technical assistance for the submission, and the information provided by her, Mr. Murphy and Mr. White was the same. She stated it seems as though the Legal Aid issue is recurring, and she does not want to

continue to be in this position. Ms. McKeel asked if the funding for the public defender's office is contractual.

Mr. Davis explained that in localities where public defender's offices have been created, they are state-funded entities, and three years ago the local public defender's office came before the County for the first time and asked for supplemental salary funding, which is enabled by state code but is not required. He stated that the public defender's office made a presentation to the Board at that time, comparing their salaries to the Commonwealth's Attorney's Office to request that they be brought more in line. Mr. Davis said the Board committed to providing some funding for them based on a formula presented by the public defender's office that was also funded again last year with an increase equivalent to a salary increase given to the Commonwealth's Attorney's Office and County employees in general. He stated the recommendation again this year is just the salary adjustment increase.

Ms. McKeel stated that in looking at Legal Aid's work, there is no other entity in the community handling these programs, which is different from the situation with other organizations. She said that Legal Aid has some specific critical needs they are addressing in the community, but at the same time the County is struggling in terms of the process and Legal Aid's ability to prove their outcomes. Ms. McKeel asked if there is any possible way to fund Legal Aid with more of a contract that might be different from the way others go through the process, to provide more accountability and outcomes. Mr. Davis responded that the County can make a donation contingent upon them doing a certain program, they can enter into an agreement with them, and that is sort of what has been presented to the ABRT, but that has been evaluated and their recommendation was not to support those programs based on the ABRT process.

Mr. Foley said this is similar to what the County might put into a contract, with performance and outcomes.

Ms. Mallek commented that she would like the item to stay alive until the Board gets further down the list, and said that over the years there have been agencies for whom the ABRT process is not compatible, so they have been taken out of it. Ms. Mallek stated that Legal Aid is the only organization providing their specific services, and she would like to see them put into the judicial category where they belong.

Mr. Dill stated that the Board is dealing with million-dollar issues but is spending a significant amount of time on a \$20,000 issue, although it is important. He said they have already decided to fund the health law initiative program, and he suggested that they fund the civil law program and the Just Children program, which they have supported in the past, and in the spirit of trying not to do any new programs, they should not do the immigrant youth program, although he feels it can be valuable.

Ms. Mallek asked if the \$27,000 decrease is the amount they are talking about keeping alive for now.

Staff confirmed that it is.

Ms. McKeel stated that she agrees with Mr. Dill's points, but she wants to make sure the Board addresses the situation so they are not in the same position next year.

Ms. Palmer asked staff what being in the "judicial category" even means.

Mr. Dill said there are no statistics provided for public defender, and he does not understand why they would be in a special category.

Mr. Davis stated the category does not really impact the funding, as the only consideration is whether to fund them directly rather than going through the ABRT process.

Ms. Allshouse stated if the County funds them at the current level they are funded in FY16, which is how all ABRT programs have been treated for the FY17 budget, the increase would be \$27,000. She said they had set aside \$50,000 in one-time money as a contingency for a high-profile trial that was expected to cost some additional funds, but ended up not taking place, and she suggested taking \$27,000 out of that funding for FY17, and then work with Legal Aid between now and next year's process.

Ms. McKeel stated she is not sure whether this would work out for funding next year, and perhaps they want to work with the City to see how they plan to fund this.

Mr. Foley said that staff will work on that with the City going forward, but are suggesting that for FY17 they can use one-time money to address the \$27,000 requested by Legal Aid.

Ms. Allshouse asked if that would be agreeable to the Board.

Ms. McKeel responded that it would be acceptable to her as long as it is a one-time occurrence.

Ms. Allshouse stated it is one-time money, so they will have to treat it that way and then work with the City and representatives from Legal Aid for future years.

Ms. McKeel asked if the County will be treating the immigrant program as all of the others and not a new program.

Ms. Allshouse responded they will be supporting Legal Aid's existing programs as they are funded in FY16, but not any new program.

Mr. Randolph commented that he will support this, but he has trouble funding programs that the ABRT does not recommend. He said that having worked for the United Way, he knows how hard people work in the assessment process, and the Board does not sit in and actually read the full applications and weigh them against one another. Mr. Randolph stated the Board is substituting that comparative analysis with what is essentially a political decision, which he feels is a slippery slope because it puts them in a position of choosing winners and losers for nonprofit funding. He said if they do invalidate the ABRT process, which he feels they are doing via this action, his concern is having many other organizations come forward for this consideration regardless of what the ABRT would recommend. Mr. Randolph stated that he works very closely with an economic director of the Chamber of Commerce Nonprofit Business Council, and that person wanted to apply for funding for the first time this year, but he advised her not to move forward until the following year because changes to the application process are pending. He said he would feel somewhat hypocritical now in telling someone to follow the rules, then turning around and breaking the rules for another applicant, and he feels that it is not in the community's best interest for the Board to do this long term.

Ms. Palmer stated that she agrees with him, but feels the Board has spent a great deal of time on a small amount of money and needs to move on.

Mr. Sheffield then **moved** to restore the current level of funding for the Legal Aid Justice Center to \$38,700 in the FY17 budget.

Ms. McKeel asked if his motion is for one-time funding.

Mr. Sheffield responded that he is not going to make that motion, but she can vote it down if she likes.

Ms. Mallek **seconded** the motion.

Ms. McKeel asked if this is assumed in Mr. Sheffield's motion.

Ms. Mallek said it is what Ms. Allshouse had told them.

Ms. McKeel commented that she wants to make sure it is assumed in his motion.

Mr. Sheffield said that it is not assumed in his motion, and it is .007% of the County's budget and staff will figure out how to fund the request from Legal Aid when it comes forward next year as part of the ABRT process.

Ms. Mallek stated they are going to go through all of that at the end of the process.

Mr. Sheffield said the County has made it clear to Legal Aid that they need to work on a better application, and if they do not succeed next year, they need to fall where the merits fall.

Mr. Foley stated that staff will need to know where they take the money from in the ultimate budget, and if the Board wants to put the budget forward with this item funded then decide later after the budget is adopted where it comes from, there is adequate one-time money in the budget currently but not an ongoing source identified.

Ms. Allshouse pointed out that staff will need to know in order to be able to advertise the budget.

Mr. Randolph asked if whether this is a single year of funding, and thus an isolated case with no precedent established.

Ms. Mallek responded that every budget is a single-year budget.

Mr. Sheffield **clarified** that his **motion** is to adjust the FY17 budget to reflect the \$38,700.

Ms. McKeel said she will amend it so that the funding comes from one-time money this year from the Matthews fund, then have staff re-evaluate it going forward. She asked if they can vote on the amendment and then the motion itself.

Mr. Davis asked if there is a second to Mr. Sheffield's motion, because Ms. McKeel's motion is to amend it.

Mr. Sheffield **amended** his **motion** to reflect Ms. McKeel's amendment.

Ms. Mallek **seconded** Mr. Sheffield's amended motion.

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

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

Mr. Foley said that he assumes staff's review will include consideration as to whether the ABRT process is the right process, which would avoid it being a precedent in terms of a change to that process.

Board members agreed.

Ms. McKeel stated that she does not need to discuss the tax relief program any longer, as Mr. Foley and Mr. Davis had alleviated her concerns at the last meeting.

Mr. Dill said his only comment is that this program needs to be publicized better, as word of mouth by Supervisors is probably not going to reach everyone, and this population may not be checking the County's website and so forth.

Mr. Foley stated the County publicizes it, but will look into ways to enhance that.

Ms. Palmer said the Board can announce it at all of their budget meetings and CAC meetings.

Ms. Mallek asked that Board members take the forms to those meetings.

---

Mr. Sheffield asked the Board how far they intend to take the discussion of transit, as he will recuse himself from this part of the discussion if they are going to talk about JAUNT.

Mr. Randolph stated they are making a decision based on the merits of what they need to do regarding transportation to and from 5<sup>th</sup> Street Station, not a decision based on JAUNT.

Ms. Mallek said they are interrelated, and said she is not sure how much information staff intends to provide, so it would be best for Mr. Sheffield to leave the meeting for this discussion.

**(Note:** Mr. Sheffield then read the following Transactional Disclosure Statement: "I am employed as Director of JAUNT, a regional public transportation provider owned by the City of Charlottesville and the counties of Albemarle, Fluvanna, Louisa, Nelson and Buckingham located at 104 Keystone Place, Charlottesville, Virginia 22902, and have a personal interest in JAUNT because I receive an annual salary from JAUNT that exceeds \$5,000 annually.") He noted that the Statement is on file with the Clerk, and then he left the meeting at 4:04 p.m.

Ms. Allshouse stated this option is to consider funding for the 5<sup>th</sup> Street Station CAT route, and said there is a \$50,000 contingency in the budget for it. She said that Andy Bowman from her office has been in touch with the CAT director and has had a lot of conversations since the Board's last meeting, and three options have been developed. Ms. Allshouse stated the first option is to provide service to 5<sup>th</sup> Street and the Mill Creek area, splitting the cost 50/50 between City and County. She said that for FY17, there would be 3/4 of a year of funding with the County's share of the costs being \$147,485; for a full year in FY18, the County's share would increase to \$204,000. Ms. Allshouse stated that the second option available is shown in the City Manager's recommended budget will provide service to 5<sup>th</sup> Street Station only and not include the Mill Creek area. She said that in FY17, the County's cost for 3/4 of a year would be \$123,815; for a full year in FY18, the County's share would increase to \$171,000. Ms. Allshouse stated the third option is just a stop in the general vicinity of 5<sup>th</sup> Street Station, but they would have to decrease services in another part of the system due to the schedule timing and how they run the buses.

Mr. Foley pointed out that option three is not necessarily something that CAT would support if it impacts all of the other stops, but staff's assessment is just to show impact.

Mr. John Jones, Transit Manager for the City of Charlottesville, addressed the Board and stated that he and Mr. Bowman had looked at this earlier in the day and determined that option two, which would leave the downtown station, go down to Southwood, and on its way north to downtown it would break off and go to 5<sup>th</sup> Street Station over to Avon Street Extended, and proceed south to Avon Street Extended to Mill Creek, out past Monticello High School to Route 20, then into Piedmont Virginia Community College, onto Route 20 to Monticello Avenue, then back into the downtown station. He said the program he had given to Mr. Bowman has one bus leaving the downtown station at the top of the hour and traveling the route as described; another bus would leave the downtown station at the bottom of the hour and reverse the route. Mr. Jones stated that under this scenario, both would serve 5<sup>th</sup> Street Station, and using that alignment they could take the portion of Route 1 and Route 3 that the County currently pays for and use federal dollars to roll that in, with the cost to the County for next year for the total service package ending up at \$98,700 versus the \$104,000 CAT had originally asked for. He said the route would provide robust service to 5<sup>th</sup> Street Station and service to Southwood and to PVCC, all rolled into one route versus three routes, realigning Route 1 and 3 that serve the City and using the federal dollars to continue operating that service within the City and not running into the County. Mr. Jones noted this realignment would actually provide an extra day of service to PVCC by running a Saturday route, which currently does not run to PVCC.

Mr. Foley asked if this is equivalent to the cost under County's option two. Mr. Jones responded the option would cost \$147,485, the County's option one and CAT's service option two, which is a long route at over an hour, so they would have to run it as a bidirectional in order to provide the same coverage from a revenue service standpoint. He emphasized it would roll a few of the County's routes together now, along with 5<sup>th</sup> Street Station, and CAT feels that it would work very well.



Ms. McKeel asked what the impact would be on the ADA area. Mr. Jones responded that it would increase the ADA area down Avon Street Extended and would not add very much because as Route 1 and Route 3 currently run, a lot of that area is almost included anyway, but it would pick up some of the housing developments along Avon Street Extended and would put Albemarle Health & Rehab Center totally in the ADA area, whereas now only half of it is.

Ms. Mallek asked if this is considered a good route to work, because it seems like a long run. Mr. Jones responded that he and Mr. Lee feel it is a very viable option, and it will run until midnight as the current Route 3 does.

Ms. Mallek said there already is a bus to Southwood, and asked if it is a shorter route currently. Mr. Jones clarified that it would run just as the current Route 3 does, and this would not expand it but would just take over the route. He stated the trip from downtown to Southwood would not take any longer than it does today, with the entire route taking one hour.

Mr. Randolph commented that you can get tied up at PVCC release time and traffic can stack up for 15 minutes trying to get out. Mr. Jones stated that CAT tries to schedule around those times.

Mr. Foley asked Mr. Jones for confirmation that option one provides more service than originally thought. Mr. Jones confirmed that it does.

Mr. Foley stated that regarding the budget decision for this service, there is \$50,000 in ongoing funding and \$100,000 in proffer money, so that would fund the \$147,485, but not on an ongoing basis. He noted the future of transportation and transit has been identified as an issue for the Board's strategic planning work.

Ms. Palmer said they need to hear from Karen Davis of JAUNT, because this will have an impact on ADA and their costs.

Ms. Allshouse asked for clarification that the costs for option one and option two would be the same as what is provided. Mr. Jones confirmed they would be the same as listed for FY17, but he could not yet project costs for the following year.

Ms. Karen Davis, Assistant Executive Director, of JAUNT addressed the Board and stated that whenever a fixed route changes, the 3/4-mile ADA boundary changes with it, and with the proposed option that includes Mill Creek and Albemarle Health & Rehab, all of those individuals in those communities would have the opportunity to apply for ADA service, which JAUNT is obligated to provide. Ms. Davis stated the federal dollars awarded to JAUNT to provide ADA service are a fixed amount, so upon careful examination of the boundaries and the Mill Creek area, this would put it back to the ADA urban area and would spread the dollars out a bit more, and not access rural dollars where there is a one to one match.

Ms. Mallek said her understanding is that the County would pick up the cost of the route where federal dollars were not available, making its costs go up, because they are used up in other places and the rural dollars are a separate set of money that would not cause the costs to go up. Ms. Davis agreed, and said that because the ADA dollars are fixed, when ADA service expands, the burden is on the locality to fill in the gap, and JAUNT is not allowed to raise fares.

Ms. McKeel asked if there is an estimate of how much those costs might go up. Ms. Davis responded that it is hard to estimate because it requires looking at demographics and approximating how many people would qualify for service and actually ride JAUNT, and the impact of Albemarle Health & Rehab is difficult to determine yet, but there are already applications for riders.

Ms. McKeel commented that it could be significant. Ms. Davis responded that it could be, and someone needing dialysis is the kind of person that would be served at a rehab facility.

Ms. Palmer asked Mr. Foley about how the money would be put aside if they decide to do the County's option two.

Ms. Mallek asked if there is an option that would not increase County costs for JAUNT, and asked if option one is better, worse or the same.

Ms. Davis responded that the inclusion of Albemarle Health & Rehab and Mill Creek will have a significant impact, and that is what will probably expand ADA service, and the County needs to consider that when it makes route decisions.

Mr. Foley said it is assumed it would be much less impact on JAUNT if they pursue option two, but what they would do in the budget specifically is project the proffer revenue and dedicate it to this route, along with the \$50,000 that is already in this budget, for whatever option the Board chooses to pursue. He stated this amount would be in the budget every year, so the difference between \$50K and \$123K or \$147K is the amount they would need to figure out how to pay for on an ongoing basis. Mr. Foley stated if the Board is trying to decide on this budget, they can make the adjustment showing the proffer revenue as the other component with the \$50,000 to include this expansion in the budget for one of the two options.

Ms. Palmer stated this is the proffer revenue from 5<sup>th</sup> Street Station, and this will only last for a certain period of time. Mr. Foley confirmed that it will take them through the first year, and they could spread it out over a few years, but that would require coming up with some more regular ongoing money. He added this can get them through the first year while they get through strategic planning and figure out a future direction.

Ms. Allshouse stated they might have a little left to go towards a second year, but then it would be gone.

Mr. Randolph asked Mr. Jones where the bus would go for the 5<sup>th</sup> Street Station only option. Mr. Jones explained the bus would go up to Avon Extended and make a left-hand turn and proceed into town, after it came out of 5<sup>th</sup> Street Station, and it would still grab a great deal of the ADA area. He stated that the highest impact they need to consider is Albemarle Health & Rehab, and either route option one or two will include that facility.

Mr. Randolph asked if the bus would go into Albemarle Rehab and then go back down Avon Street Extended. Mr. Jones responded the bus would not go into Albemarle Rehab, it would bypass it going past Monticello High School on a fixed route, and the rehab center would be in the ADA area regardless of which of the two options is chosen, and that 3/4 mile would go that far down either way, and is almost there right now.

Mr. Randolph said this would require a bus stop there. Mr. Jones stated there would be some accommodation made there.

Ms. Mallek said that both of these options will include going between Avon Street and Route 20 on Mill Creek. Mr. Jones responded that option two would come out to the end of 5<sup>th</sup> Street Station Parkway and make a left-hand turn onto Avon Street Extended to go through the Belmont area and back into downtown, but the 3/4-mile radius will capture Albemarle Health & Rehab for JAUNT either way.

Mr. Dill suggested they do this for FY17, and as one strategy going forward ask Albemarle Health & Rehab to help pay for it, since many of their patients will ride JAUNT. Mr. Jones responded if the first year pans out as he anticipates, with a highly improved area due to 5<sup>th</sup> Street Station, there will possibly be additional state and federal funding due to increased performance of service there, and the County is credited for those increases. He stated the way the federal appropriations coming through, it is impossible to determine how much they will get and they have been told the budget with FY15 dollars, so that is what they are using.

Ms. Mallek stated it would be very helpful if JAUNT could share the route and then provide feedback on increased costs, to inform the FY17 budget.

Ms. Palmer said that JAUNT does not know that amount at this point.

Ms. Mallek stated this is because they do not know the route, but if they share the route they can figure it out.

Mr. Jones stated that JAUNT has the map with the buffers dropped on it, and Ms. Davis's planning staff will have to figure out the demographics in the area to see what the potential might be for impact on JAUNT services.

Mr. Davis commented that it will still be a big guess though.

Ms. McKeel agreed.

Ms. Palmer stated it is clear that the Board is very interested in this, and they can use the proffer money to address any contingencies due to the impact on JAUNT.

Mr. Foley said that staff just needs to know whether the Board wants to move forward with option one or option two.

Ms. Allshouse clarified that option two is in the City Manager's budget, so it would need to be a joint decision.

Mr. Foley noted that City Council can increase that, but what has been proposed in the City Manager's budget is option two.

Ms. Mallek said this is the route that Mr. Jones described.

Ms. Palmer clarified this is the hour-long route that goes from Southwood to Mill Creek.

Mr. Foley said this is the option with the higher level of service, and it has a bigger impact on JAUNT.

Mr. Dill stated they can still be flexible about it, and it seems they are supporting the County's option two for now.

Mr. Randolph said he is not in favor of option one because they will be putting a lot of resources into a gamble for a whole new bus route, and they are not sure how it is going to work. He stated that given the fact that Mr. Jones has indicated that the County's option two for 5<sup>th</sup> Street Station will still provide coverage through JAUNT for Albemarle Health & Rehab, and they will still have coverage on the bus for 5<sup>th</sup> Street Station Parkway and Avon Street Extended, and there will need to be a bus stop there. Mr. Randolph stated he would prefer to roll this out in steps and would like to have information on how many JAUNT customers there are on Avon Street Extended on a monthly basis, and he asked Ms. Davis to start tracking the information now so the County knows how many people are being served in that area. He said he has had one constituent request that JAUNT come down Avon Street Extended to Route 20, with three new communities coming on line there in the next 18 months. Mr. Randolph stated that given where the County is financially, he does not want to bet the whole house on a brand new bus route when they do not know if it will be overkill, so he would much rather start this off minimally and see what the ridership is, and if it is justified they can grow it next year. He said this will also give JAUNT a year to plan for this and address the financial impacts, because pulling this out suddenly is not really fair to them as an organization.

Mr. Randolph said he agreed with what he thought Mr. Dill was supporting in terms of the County's option two to service 5<sup>th</sup> Street Station, not doing the larger route, unless Mr. Jones can find a way to add additional coverage.

Mr. Dill commented there is also the advantage of having the City agree to that option.

Ms. Palmer said the difference between the two routes is only about \$20,000, and that does not seem like a huge amount to her.

Mr. Foley stated the annual cost is a bit different, and there is an unknown with JAUNT. Ms. Palmer responded there would likely be a contingency for that, and she is just looking at the minimal price difference.

Ms. Mallek asked if they need to choose an option now, or if they can say they want to have something between one and two and let the experts work out the routes. Mr. Foley stated they need to budget this for the public hearing at some level.

Ms. Mallek suggested they budget for the costs of option one, and then if they end up with the lesser cost of option two, it will at least be covered. Mr. Foley said it is totally up to the Board.

Ms. Mallek stated she does not think they can analyze the routes right now, and the government's issues have not been worked out yet anyway.

Ms. Palmer stated that she understands where Mr. Randolph is coming from and his assessment makes a lot of sense, but on the other hand she feels there is little difference in cost except for the JAUNT variable, and she was listening to Mr. Jones' professional opinion that this is going to be a pretty promising route.

Mr. Dill pointed out that they can always reduce the route going forward.

Mr. Randolph then **moved** to fund Option two, service to 5<sup>th</sup> Street Station only, with a 50/50 City/County split. Ms. McKeel **seconded** the motion.

Ms. Palmer stated that she is confused as to what this motion supports, but she is going to vote "no" because she would rather support the larger route.

Ms. Mallek said she will support the motion because if they get the extra money, they can enhance the route once they have some real information.

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

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

NAYS: Ms. Palmer.

ABSTAIN: Mr. Sheffield.

---

**(Note:** Mr. Sheffield returned to the meeting at 4:33 p.m.) Ms. Allshouse stated the last item the Board had wanted to discuss further is the Woodbrook Elementary School expansion project, and the discussion was focused on F17, which would include the design for the school, but staff wanted to show this as a complete project because once the design is done, there is a desire to complete the project. She reported that the cost of the Woodbrook Elementary addition totals approximately \$14 million, adding 300 seats to bring the student capacity to 600 students; the project adds a two-story addition, 16 classrooms, 6 specialized classrooms and various support spaces for staff; renovates and expands the cafeteria; adds a new gym and repurposes the old gym; improves the existing building and modernizes classrooms, bathrooms and the media center; replaces furniture; makes kitchen and serving line improvements, ADA improvements, signage and electrical switch gear; expands the administration area; and also improves the site with additional parking, a new parent drop-off area, playgrounds and outdoor learning areas. Ms. Allshouse commented that the project is fairly expansive and improves the actual building and the site.

Ms. Allshouse provided a funding model to illustrate how the project would impact the CIP, and said the County has a practice of looking at the bottom line from year to year when putting the entire CIP together, with a practice, not a policy, of ending the five-year process with at least a \$2 million fund balance. She referenced the projected fund balances at the end of each year beginning in FY17, and said that staff recommends for the Board to borrow for the Woodbrook project design at a cost of \$1,083,000. Ms. Allshouse noted the impact on the CIP fund balance in FY17 is not significant, because the equity would be the only portion using the fund balance. She referenced the new CIP fund balance of \$2 million in the first year, with proceeds of \$12.1 million borrowed and equity of \$3/4 million, with the total cost of almost \$12.9, with the fund balance dropping to about \$1.7 million. Ms. Allshouse said in FY19 they would finish the project, with a little more borrowing and equity, and in FY19 the debt service will come through and start being paid. She pointed out they cannot pay for it in the current model without increased revenue, so the 2.1-cent tax increase would need to be increased to either 2.6 or 2.8 depending on how much balance they want to retain in the CIP, with the higher amount needed to reach the \$2 million level.

Mr. Sheffield asked if the \$1 million in the FY17 column is the existing proposed tax increase. Ms. Allshouse confirmed that it is, and said the tax rate remains the same all the way through.

Ms. McKeel asked if the Woodbrook project could be a part of the bond referendum. Ms. Allshouse confirmed that it could be.

Ms. Mallek commented that it would still need to be paid for.

Ms. McKeel said she understands that, but just wants to be sure their actions today do not preclude it from being part of the referendum.

Mr. Randolph stated this is the first project he is going to recommend putting in the bond parking lot.

Mr. Sheffield said he would like to understand why they are talking about adding and expanding rather than building a new elementary school.

Ms. Mallek commented that the lot is very small.

Mr. Foley stated that whether the school project is on the bond referendum or not, the financial analysis ends up being the same.

Mr. Sheffield said he is supportive of funding some sort of elementary school expansion, but he feels strongly that the community would respond better to a new elementary school.

Mr. Dean Tistadt, Chief Operating Officer for School Division, addressed the Board and stated the schools have had a lot of deliberation about whether a new elementary school in the northern part of the County, and the proffered site at Northpointe is blocked by the Hollymead tennis area, so that is not a viable solution. He stated there is a rezoning that has been submitted that includes a proffered school site, but it is not clear whether that development will be approved by the Board or not. Mr. Tistadt said that as they look at certainty of solutions for something that needs to be addressed as soon as possible, the schools have concluded that they need to stay with the Woodbrook addition. He pointed out that if the rezoning ends up being favorable, they could likely downsize the addition to something much less than 300 students and reassign some of the funding for a new elementary school to handle the growth in the northern part of the County if development in the north corridor necessitates that.

Ms. Palmer asked for an estimated cost for a new elementary school. Mr. Tistadt responded that the cost would be about \$14-16 million depending on the size.

Mr. Dill asked how many students that would be in comparison to Woodbrook. Mr. Tistadt responded that for a small six-acre site and a two-story school, it would accommodate about 400 students.

Mr. Sheffield asked if he is referring to the Brookhill development, as they are open to the idea and it is always welcome to have that kind of contribution. Mr. Tistadt said the schools always embrace those offers, and the School Board will be discussing it in detail on March 10. He stated that within that context, it is felt that a smaller addition at Woodbrook is the short-term preferred option, and does not have the associated operating costs of a new school with additional staff, while still reserving another elementary school if development in the north necessitates it.

Ms. McKeel stated the other significant issue with that is the fact that elementary school students end up in middle school and high school, but the Board does not need to address that right now.

Mr. Sheffield stated with the community growing at 2,000 people per year, this issue is the symptom of a much larger problem, and if the Board does not start seriously addressing the need for new schools, they will fail. He said the community needs to understand that new schools are like the courts and are critical.

Ms. McKeel said she hopes the School Board and school system are prepared to discuss with the Board not just this current problem, but how they will address the need for new middle schools and high schools.

Mr. Tistadt noted the same developer has talked to the schools about proffering a site for a high school, so they are going to do an environmental assessment and a grading assessment as quickly as possible. He stated the cost for a new high school is about \$60-70 million.

Ms. Mallek commented that having a site will be a great step forward.

Mr. Sheffield stated that at some point he would like to discuss how they ended up in this position, as it seems they have missed some sort of growth in the urban ring that has caught them off guard, with Greer and other schools over capacity. He said that growth was expected in one area that ended up happening in the urban ring, and he would rather explore land in the urban ring for a school.

Mr. Tistadt stated the Greer situation is not due to growth in that district, it is because existing housing is producing a greater number students than they had in the past, due to factors such as permissive landlords allowing doubling up of families in housing there.

Mr. Sheffield asked if the opposite is happening in Hollymead. Mr. Tistadt explained that as residential neighborhoods aged, they generate fewer students, with a bit of turnover happening and younger families then moving in.

Ms. Palmer asked if the schools feel it might be prudent to wait for the bond referendum, given where they stand with Brookhill. Mr. Tistadt responded that the schools can make good use of the \$1 million for design in the intervening time period, and the school system needs to decide what the size of the addition will be, and if they are going to assume approval of the rezoning and a proffer there so they will have the site in their pocket, in which case the Woodbrook addition can be smaller and much less costly. He noted the Woodbrook addition at its present proposed size will likely get community resistance, which he understands, but he feels the schools would be ready to put the school in the bond referendum if they decide to move forward with an addition.

Ms. Palmer stated if they are talking about a new school, it seems they should be talking about it in the context of the bond referendum.

Mr. Foley said if the Board wants to move forward with this, the tax rate impact would not be impacted until FY19, but if they are going to amend the CIP anyway and are trying to decide on this package, they can leave the CIP as it is for now and make it a future decision. He stated that Mr. Tistadt is preparing a more comprehensive look at all of the schools' needs, that ultimately will drive what the County decides to put on the referendum, so the timing is not as critical if they are going to amend the CIP anyway.

Ms. Mallek asked if it is possible to phase the addition versus the modernization. Mr. Tistadt responded that the process would be phased, and typically that is accomplished by moving students into the new addition while the old spaces are being modernized.

Ms. Allshouse stated the Board needs to make a decision for doing the design work in FY17, and if they want to assign \$1 million now and hold off on the remainder until there is time to talk about the other projects in the referendum, they could do that, or they could plan the project into the CIP as described.

Ms. Palmer asked where this \$1 million will come from. Ms. Allshouse responded they will borrow \$1 million and use a little bit of equity, which they will still need to pay on, and the debt service will affect their bottom line throughout the CIP years.

Mr. Sheffield asked if this decision needs to be made in the context of the budget. Ms. Allshouse responded that they can wait on it and consider it as part of their bond referendum, but they will have to amend the FY17 budget.

Mr. Foley stated they are going to have to do that anyway, because the CIP will need to reflect whatever they want to put on the referendum. He said the timing of this is not critical unless the Board wants to make a statement about this now before looking at the other projects.

Mr. Sheffield expressed concern about spending \$1 million for a design that may be shelved in favor of building a new school.

Ms. McKeel commented that she understood Mr. Tistadt to say that a new school would not help overcrowding in the urban ring, and her impression was that the \$1 million is needed for the design this year. Mr. Tistadt responded the location of a Brookhill elementary school can provide urban ring relief, but the question is the timing of when that property will be available and when the schools can actually get to the site, so it is really the timing and not the location that is more of a concern.

Mr. Randolph stated the schools have talked about looking further out to a larger plot of land that will host a consolidated elementary, middle and high school, which will address the overcrowding of all three. He said he does not want to leave that out, and would like to ensure that whatever they decide, they maximize flexibility so that schools can come back and indicate exactly what they want to do based on the site's availability and viability.

Mr. Tistadt said the schools are putting an eight-room modular at Albemarle High School that will buy them some time, but at Greer they are struggling for a solution, with 4-year-old students bussed to

Greer and then to Broadus Wood. He stated they are also going to build some resource rooms at Greer to get the teachers out of the hallway and eliminate the Fire Marshal's concerns. Mr. Tistadt emphasized there is urgency for doing something at Greer, and overcrowding at Agnor-Hurt and Woodbrook is not far off, so any solution that is several years out is worrisome to him, and they need to move with a bit more expediency if at all possible.

Ms. McKeel said the \$1 million will at least allow for the design to start.

Mr. Dill stated the schools need to know what they are moving forward with.

Mr. Tistadt said the schools still need to decide on size and will be doing so within the next few months, then move forward with a design on the original scope of \$14 million or a reduced scope.

Mr. Dill commented that the design costs will be less for a smaller addition.

Mr. Tistadt stated that it can be somewhat less.

Mr. Dill said he is hearing that they need the \$1 million regardless because something needs to be done at Woodbrook.

Mr. Sheffield stated that getting to the point of construction is more of the timeline, not the design, because if this is put on a referendum for November, it will be more than a year for construction to begin.

Mr. Tistadt explained that the funds will be available July 1, 2017, so the schools can begin construction that summer if the design is ready.

Ms. Mallek suggested putting a placeholder in the budget for design until more information comes forward from the schools as to what they want to do.

Ms. Palmer asked how this should be handled in terms of advertising the budget. Mr. Foley explained they can just put the design money in, because the Board will be back in April to decide this, and the payback will still be in FY19.

Ms. Palmer asked if they have to name the school or just say "design for school expansion." Mr. Davis clarified that they can just say "design for school expansion," and at some point before the money is expended they will obviously have to be more specific.

Mr. Foley said that in the past, the County has said "purchase of school sites" in the advertisement without specifying exactly which ones.

Ms. McKeel stated they at least need to have the \$1 million, and for 16 years she has watched Boards talk about school capacity, so she does not want to end up back here without some progress.

Ms. McKeel **moved** to amend the CIP to include \$1 million in FY17 for the design of a school. Ms. Mallek **seconded** the motion.

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

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

NAYS: Mr. Sheffield.

Ms. Allshouse stated the amount is actually \$1,083,000, and she wants to be sure their motion is sufficient. Mr. Foley said that because it is a placeholder, it should be sufficient.

---

**Recess.** The Board recessed at 4:58 p.m. and reconvened at 5:10 p.m.

---

Ms. Allshouse stated if there are no other budget topics for discussion, the next part of the Board's conversation will relate to setting the tax rate for advertising.

Ms. Mallek said she has some items to discuss related to operations funding, but that does not need to be dealt with today.

Ms. Palmer stated she has some items to discuss as well, but they will also be at other times.

Ms. Laura Vinzant, Senior Budget Analyst, stated the Board had added a total of \$1,073,815 to their budget, with \$1 million for the set-aside for school expansion, \$73,815 for CAT, and the \$27,000 for the Legal Aid Justice Center has an offset already in the budget so it has no net impact.

Mr. Foley said it has no impact on the rate at this point.

Ms. Vinzant clarified that \$1 million will come from \$940,000 in borrowed proceeds and \$60,000 from use of fund balance, and \$73,815 will be the proffer.

Ms. Palmer asked if they are able to borrow the additional \$1 million without affecting the 10% cap or the tax rate, for the long term. Ms. Allshouse responded that in FY19 they will have to pay towards the debt, but paying debt service for \$1 million is very different than \$14 million.

Mr. Foley stated there is virtually no impact to guidelines for debt service, and with the \$1 million the County remains well under its limits.

Ms. Mallek commented that in 2008 and 2009, the County bumped up against its limits of borrowing because it was putting no cash into capital, and that got in the way of building libraries and other things, and the reason why they are so far behind now is because they did nothing to the CIP for four years.

Mr. Randolph stated that in looking at the CIP from 2005 to 2016, the CIP grew 21.3%, while during that same time period, wages went up 23.65%, public safety went up 148%, health and welfare went up 92%, education went up 85%, and general administration went up 85%. He said there is a conscious set of decisions not to fund the CIP at the level that would be sustainable in the long term to cover the County's capital needs, and the money went into other areas that were primary operational, and showed how they got into this situation with the CIP.

Ms. Mallek said that part of the public safety increase is because they have hired 16 police officers, as the County was so far below where they should have been at 127 out of 130 localities in terms of police staffing levels. She stated that she wants the Board to think about what was done before with the Ivy Fire Station and Berkmar Rescue Station and have that staff as daytime only, then have volunteers at night as had been the case in both locations for decades, because one of the other areas of tremendously expanded hiring for the last eight years has been in the area of fire services. Ms. Mallek pointed out that the County had done this to expand services dramatically, as did many other stations around the country that have now had to go back and close completely because they cannot afford them. She emphasized that she does not want this to be construed as an attack on fire and rescue services, as they are desperately needed, but she wonders if they are making the right choices by hiring new providers when night shifts could possibly be covered by volunteers. Ms. Mallek stated that when the Ivy Station was approved, it was approved with the operations being covered by the savings from the City contract, which would probably cover the day staff, but it cannot handle all the hiring required to have 24/7 coverage there with 12 or 14 positions. She said that she is not sure what the operational savings would be, and in the past eight years there has been a double digit turnover in personnel moving on to other places, so attrition would take care of the changes as well as the over hire previously approved.

Ms. McKeel asked Ms. Mallek if she is asking for more information from staff for later discussion.

Ms. Mallek said she does not expect any feedback from the Board at this point and wants Mr. Foley to have some time to provide information on this.

Mr. Foley clarified that Ms. Mallek wants to identify the savings of having volunteers cover evenings and weekends, rather than having career 24/7 at Ivy.

Ms. Mallek responded that it will also include Berkmar, because when the Board approved the Berkmar shift it was for the two day people and their ambulance who had been at CARS, and it ended up being a 24/7 station.

Mr. Foley stated that staff can calculate that.

Ms. Mallek commented that it is probably micro-managing, but the Board is going to have to do some of that because they have been talking about the need to do something new, yet have not been able to quite get there enough to make a significant change.

Mr. Foley said that staff will also check with volunteer leadership to see if they can cover it.

Ms. Mallek said the Earlysville station, for example, was able to go from 1,200 calls down to 500 calls, when Station 12 was opened. She commented this is the beginning of the discussion, but it might be a place where some savings can be generated.

Mr. Dill stated that this item should go into their strategic planning discussion, because clearly the costs over 10 years, fire and rescue has increased more than any other department, with almost \$1 million for equipment like defibrillators, and he wonders if there is a way to look at this more closely. He said he does not understand fire and rescue, but he wonders if there can be enhanced prevention and also wonders about the closeness of some of the stations to one another. Mr. Dill emphasized that he does not want this to be interpreted as lack of support for fire and rescue, as lives are very important, but there are other life-saving measures and agencies like the free clinic that also save lives. He stated that he feels this discussion is important to have in the context of the Board's strategic planning in terms of what their values are as a community.

Ms. Mallek noted that during the economic downturn, the Board gave very clear direction to staff that they wanted any money to be spent on emergency services and public safety, so staff did what they were supposed to do, but she is hoping they might be able to redirect.

Mr. Foley said he was not sure if Ms. Mallek was raising this issue as part of strategic planning or as part of the budget discussion.

Ms. Mallek responded that she was raising it as part of the budget discussion, and while the timing might be tight, a deadline could be a great motivator.

Mr. Foley said the strategic planning meeting is becoming very full with comprehensive issues, and his main objective is for the Board to make an informed decision, so he at least wants them to have the benefit of knowing how the station planning was done, because it is based on the Comprehensive Plan and response time standards based on a sophisticated GIS system. He said the strategic context is the right way to do this, and Ms. Mallek's question about staff versus volunteer coverage is a legitimate one. Mr. Foley stated that staff can provide the cost savings information and talk to the volunteer leadership about whether they can cover those times, adding that re-examining everything is part of the Board's effort to embrace a new approach in their planning.

Mr. Dill stated it is important to look at their core values and they cannot do everything perfectly.

Ms. Palmer said she likes Mr. Dill's idea of putting the Pantops station in a bond referendum to free up capital now for schools and so forth.

Mr. Dill stated this will broaden the interest so the bond referendum is for more than just schools.

Ms. Palmer pointed out that in their discussion of local government operations and the CIP, they have not really addressed the budget gap with school operating.

Ms. Mallek noted there is 0.4 cents of the tax increase dedicated to them.

Ms. McKeel commented that even with that, the schools are still facing a funding gap.

Ms. Vinzant stated that even with the 0.4 cents dedicated to schools, their budget still has a \$1.1 million gap.

Mr. Dill said he would also like some clarification on the money coming from the state, as they are talking about giving schools a 2% raise, but so is the County, so they will not both be doing it.

Mr. Tistadt said the original funding gap is \$1.5 million before the 0.4 cents dedicated, leaving about a \$1.1 million gap. He stated the Superintendent's budget includes \$1.4 million in initiatives, including \$1/2 million for professional development, funding for special education staff due to demographic changes in population, and deliberate changes to bring CSA students back on local campuses as a less expensive option than outside placement. He stated the majority of the controllable increase is the \$1/2 million in professional development, which the Superintendent feels is crucial for teachers to acquire the necessary skill sets to deal with special education students, ESL students and those below the poverty line. Mr. Tistadt said there is also some funding returned because enrollment numbers were less.

Ms. Palmer pointed out that the School Board will be deciding what they will have to cut to achieve that \$1.1 million, and they still do not know what the state is going to do.

Mr. Tistadt explained the Senate bill is not expected to provide additional funding of any appreciable nature, but might change the timing of the pay increase to come into year one instead of year two, and the House budget will provide some additional funding, but it is one-time funding and is not as advantageous as what the Senate is proposing.

Ms. McKeel asked him to explain the 2% raise from the state does not cover the 2% that the County will give, because the public needs to understand that this is not a wash. Mr. Tistadt stated for the \$2.4 million for pay raises, the state's 2% only covered about \$600,000 of that, because they do not fund all of the positions that the schools locally have and they fund to an average salary, not the salaries here.

Mr. Dill asked if the County's 2% would cover some of the gap if the schools are still getting something from the state. Mr. Tistadt responded that the accelerated 2% funding is in the state version and does not net the County any additional money over what the Governor proposed, so while there is funding for a raise it is not money on top of what is already proposed.

Ms. Palmer asked what that would mean to the advertised rate if the Board is going to fund the schools' gap completely. Ms. Vinzant responded that 0.7 cents will exceed their gap by about \$73,000.

Ms. Palmer said the Board will need to advertise 3.2 cents if they want to have the public be able to comment on whether they want to do that.

Mr. Sheffield asked if this accounts for the 60/40 split. Ms. Vinzant responded that this assumes the entire 0.7 will be dedicated to the school division.

Ms. Mallek pointed out that this will also raise the base for next year.

Ms. McKeel asked what the implications would be if it that was split 60/40. Ms. Allshouse explained that the Board is advertising the tax rate cap, the amount that they can go under but not exceed after hearing from the public, and said that Ms. Vinzant is working out the numbers if they were to do a split.



Ms. Vinzant stated it would be 1.2 cents going through the 60/40 split, which will generate about \$717,000 for general government as well as more for capital.

Mr. Randolph said they are doing a lot of add-ons today that will make the price tag go up for the voters, and while all of them are invaluable to the future of the County, they need to think long and hard about where they are fiscally. He stated they may be facing a situation where interest rates will go up, and while they may be adding more jobs and growth than anticipated they are still not seeing an appreciation in real estate values, which is the key indicator of economic performance and their ability to generate revenue. Mr. Randolph said that as a former educator, he is always the first person to support staff, clerical, professional, maintenance, receiving a pay increase. He stated it is not his first preference to even suggest eliminating the salary increase, because wages since 2001 adjusted for inflation have increased 2.3%. However, Mr. Randolph said he feels the County needs to spread the impact of the real estate assessment slowdown to more constituencies than just the taxpayers. He stated that a constituent had reminded him that Social Security had a zero percent increase the previous year, and while he does not like to be in the position to make this recommendation, he feels the most prudent fiscal thing to do is to delay the salary increase for local government and schools by six months and then increasing it by 1% in the second half of the year.

Mr. Randolph stated at that point they can assess where they are economically, and he hopes they are out of this trough in six to nine months, although there are reasons to truly be scared about the economic position of the U.S. given the political overlay. He emphasized that they need to air on the side of caution, and there is too much going on that is out of their control for them to bet boldly on a 2% salary increase. Mr. Randolph said he appreciates Ms. Allshouse laying out all of the implications for the Board to consider, but if they implement the 1% only they can cover the \$1.73 million as discussed today and potentially have the ability to close the deficit for the schools, although they have a responsibility to do their own work on that side of the ledger. He stated if the Board has any surplus created from making that change in wages, he would recommend adjusting taxes accordingly, down to 2.2 cents or even 2.0 cents.

Ms. Mallek asked if some of that will go to capital, as they will be saving \$3.3 million by not giving a raise. Ms. Palmer stated this is just for advertising purposes, to give the public a chance to discuss it.

Mr. Sheffield asked Mr. Randolph if he is expecting assessments to go up significantly over the next few years. Mr. Randolph responded that he is hoping that assessments will go up in the next year to cover that 1%.

Mr. Sheffield emphasized that this is a perpetual problem, and whether they give a raise this year or next, they still have the obligation, and if assessments continue at the rate they are, this issue will be compounded in the coming years, as they fight market rates.

Ms. McKeel commented they will dig themselves a deeper hole.

Ms. Mallek stated this has been the theory, but it has not come to fruition over the last nine years.

Mr. Sheffield said the last thing he endorses is cutting modest staff increases, and he is not banking on substantial property assessments in the future, which had been the mistake of past Boards, and where assessments were 10 years ago would have made any Board come to that decision. He added that he does not see the County having double-digit assessments again for a very long time.

Ms. Mallek responded that she does not see that happening again ever, as the rate at which things are being built versus the demand are holding assessment values down. She said that at her town hall meetings, the one thing constituents agree on regardless of their demographics is the desire to focus on bricks and mortar projects over staff having a raise right now.

Mr. Sheffield stated he is taking a very pessimistic view of real estate assessments in the coming years, and he would rather make a bold approach now and adjust accordingly.

Mr. Dill stated they just need to set the tax rate for advertising today and do not need to make all of the other decisions now, as they should talk about them further, and he feels they should pick 3 or 3.5 cents as the advertised amount and hope they can come down from that. He said he does not want the Board to put themselves in a box with no flexibility, and they certainly do not want to drop below 2.5 cents. Mr. Dill asked if Mr. Sheffield has any further thoughts.

Mr. Sheffield said that Mr. Foley's recommended 2.5 cents is an advertised rate, and the public has to respond to something with the town halls providing an opportunity for feedback. He stated they need to get items like Woodbrook out to the public for consideration now, as it is important for them to know what is being considered. Mr. Sheffield commented that the public responds very differently across the spectrum to an advertised rate versus what the County eventually decides on.

Mr. Dill asked if they usually come down on the rate. Mr. Sheffield responded they did last year, and it was a disconnected process from his perspective.

Mr. Davis stated the Board had advertised a tax rate of 82.4 cents and ended up adopting a tax rate of 81.9 cents.

Mr. Sheffield said he cannot remember what they had done the year before.

Ms. Palmer noted the Board had advertised a higher one, then came down.

Ms. Mallek commented that there were many years that rates were falling and they could not even get to the equalized rates, so the revenues went down considerably in 2009-2011.

Mr. Sheffield stated there were many negative assessments, and if you take the sum of residential assessments for the last five years the County is still -0.05% from 2007.

Ms. Mallek said this was a perfect description of the challenge Mr. Foley has in making things work and getting even current items to balance.

Ms. McKeel asked what an additional 0.5 cents would look like for schools if they did a 60/40 split. Ms. Vinzant responded that it would give the schools \$448,000.

Mr. Dill said it would pretty much solve their gap problem.

Ms. McKeel clarified that it would provide a portion of their \$1.1 million gap, and if the Board advertises that rate they would have that flexibility.

Mr. Sheffield stated the money needs to show up as a line item somewhere in the budget, because in the past when large amounts have been undesignated, the public has viewed them as a "slush fund."

Mr. Foley stated that if the intent is to provide it to the schools, they can add it to the local appropriation as \$448,000, and then the Board would have to decide where to put the local government amount.

Ms. McKeel said if they advertise the 3 cents and designate some of it to schools, at least the public would have something to react to.

Mr. Foley said they can do that with a dedicated amount also, and staff would recommend that it go into the reserve for contingencies in the general fund, which would be a good bank for next year's \$3 million problem, or it could be reallocated after the public hearings.

Ms. Palmer stated that it can also go into the CIP.

Ms. Vinzant said the formula already put in about \$80,000 for capital.

Mr. Dill stated that it sounds like 3 cents is on the table.

Ms. McKeel commented that she is suggesting that so they can help cover the schools' operational gap.

Ms. Palmer said she is happy with the 2.5 cents, but would be willing to go with 3, and they would need to define where it will be designated.

Mr. Sheffield stated his only concern about the additional 0.5 cents is that they do not have a specific designation for it.

Ms. Palmer said it can go to capital. Mr. Sheffield responded that he would like to be more specific.

Ms. Mallek stated there is a long list of CIP projects.

Ms. Palmer said that she had asked David Benish to explain the transportation revenue-sharing fund, and staff will be coming to the Board in May to discuss what projects to put forward for next year's budget.

Ms. Mallek said that for the budget, they can just call it "highway revenue sharing." Mr. Foley agreed they can just add it to the money that will pull down a state match.

Ms. Mallek asked if there was any money set in the fund so far. Mr. Foley responded there is \$250,000 to be generated from the increase in vehicle registration fees.

Mr. Dill asked if there was a maximum that could be drawn down. Mr. Foley said the maximum is \$10 million.

Ms. McKeel mentioned that it is a 1:1 match.

Mr. Sheffield stated that if they are trying to identify what to accelerate with the half penny, there are some sidewalk projects that are still not funded, and they should at least put something in as a placeholder.

Mr. Foley said that dedicating that money to transportation revenue sharing gives them full flexibility to apply it to certain projects to accelerate those.

Ms. Allshouse stated that she wants to remind them of a new tax classification for business personal property, which was adopted in August in response to enabling authority authorized during the 2015 General Assembly and allows businesses to aggregate their personal property items with an original cost of less than \$250,000. She said the recommended rate included is the same as all the other personal property categories.

Mr. Foley noted that for the first time, the County has been able to distinguish between those two classifications of property.

Mr. Dill asked if they were not taxed at all previously, or if they were required to be listed individually. Mr. Davis explained that they were not reported on the forms because of a process that had been instituted by the finance department a number of years ago, but it was discovered that they should have been reporting all of the personal property. He stated that last year, all of the property was taxed at the \$4.28 rate, and the General Assembly legislation was created because they complained about the burden of how it had to be reported. Mr. Davis said the purpose of the legislation was to allow an aggregation of the items rather than report them individually, and because of the Constitutional requirement that all property had to be taxed equally, the only way they could break it out and allow an aggregation of value was to create a new class of property. He stated this was how they fixed the reporting problem, and a consequence of having a different class of property, is that you can also legally have a different tax rate for that class of property. Mr. Davis said this was not the County's intent to have a different tax rate for that class of property, but when this was considered last August the Chamber of Commerce and others felt it should be considered because they had not been reporting the property in previous years. He stated the staff recommendation, since the property is being properly reported, is to do that by aggregation for convenience, and the tax rate should be the same.

Ms. Allshouse stated the motion also includes information about the vehicle license taxes for the 2017 tax year, which shares the changes also included in the FY17 budget.

Mr. Davis said if it is a 3-cent tax increase, the rate would be 84.9 cents.

Ms. Palmer asked Board members if anyone would like to make a motion.

Ms. Palmer **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 84.9 cents per \$100 of assessed value for real estate, public service property and manufactured homes; \$4.28 per \$100 of assessed value for business personal property with an original cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Mr. Dill **seconded** the motion. Roll was called and the motion failed by the following recorded vote:

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

NAYS: Mr. Randolph, Mr. Sheffield, and Ms. Mallek.

Ms. Palmer then **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 84.8 cents per \$100 of assessed value for real estate, public service property and manufactured homes; \$4.28 per \$100 of assessed value for business personal property with an original cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Ms. McKeel **seconded** the motion. Roll was called and the motion failed by the following recorded vote:

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

NAYS: Mr. Randolph, Mr. Sheffield and Ms. Mallek.

Ms. Palmer then **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 84.7 cents per \$100 of assessed value for real estate, public service property and manufactured homes; \$4.28 per \$100 of assessed value for business personal property with an original cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Ms. McKeel **seconded** the motion. Roll was called and the motion failed by the following recorded vote:

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

NAYS: Mr. Randolph, Mr. Sheffield and Ms. Mallek.

Ms. Palmer then **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 84.6 cents per \$100 of assessed value for real estate, public service property and manufactured homes; \$4.28 per \$100 of assessed value for business personal property with an original

cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Ms. McKeel **seconded** the motion. Roll was called and the motion failed by the following recorded vote:

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

Ms. Mallek then **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 83.9 cents per \$100 of assessed value for real estate, public service property and manufactured homes, which is a 2-cent increase to be dedicated to capital; \$4.28 per \$100 of assessed value for business personal property with an original cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Mr. Dill asked for clarification as to Ms. Mallek's intent with dedicating it to capital. Ms. Mallek explained she is recommending the increased revenue go to CIP.

Mr. Davis stated that by dedicating the tax rate increase to capital, she is essentially doing a tax rate motion and a budget decision in the same motion.

Ms. Mallek said she will change it to 83.9 without dedicating it to capital.

Mr. Sheffield asked if that is 0.5 cents less than what Mr. Foley has recommended.

Ms. Mallek said it is 2 cents more than the current rate.

Mr. Davis commented that the budget will be out of alignment with that recommendation.

Mr. Sheffield **moved** that the Board advertise the following rates for public hearing for the 2016 tax year: 84.4 cents per \$100 of assessed value for real estate, public service property and manufactured homes, which is a 2-cent increase to be dedicated to capital; \$4.28 per \$100 of assessed value for business personal property with an original cost of less than \$250; \$4.28 per \$100 of assessed value for machinery and tools; and vehicle license taxes for the 2017 tax year as follows: vehicles 4,000 pounds or less, \$40.75; vehicles over 4,000 pounds, \$45.75; motorcycles, \$28.75; trailers 1,500 pounds or less, \$18.00; and trailers over 1,500 pounds, \$28.50.

Mr. Dill **seconded** the motion. Roll was called, and the motion passed by the following recorded vote:

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

Mr. Davis clarified that the rate will be 84.4 cents per \$100 of assessed value, with all other taxes as stated, for advertising purposes.

Ms. Allshouse stated they are also ready to approve the FY17 budget for public hearing.

Mr. Davis said this is the motion that will set the budget to be advertised for the public hearing, not the adoption of the budget, and will consist of the the County Executive's recommended budget and any changes made by the Board.

Board members noted their changes do not have any net budget implications.

Mr. Randolph then **moved** that the Board authorize staff to advertise for public hearing the FY17 proposed budget, which includes the County Executive's recommended budget and the amendments made by the Board of Supervisors. Ms. Mallek **seconded** the motion.

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

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

Mr. Foley said that based on the conversation today about another work session, staff will just bring this for their discussion tomorrow at their regular Board meeting and try to lay out some alternatives, given the timing of some other issues.

Mr. Sheffield stated that at the last Board meeting, Ms. McKeel had asked about scaling back the Pantops Fire Station as she feels the design for Woodbrook is a better option.

Ms. Mallek said that Mr. Henry is going to bring something back related to design.

Mr. Foley said that staff brought back the impact of that, and the Pantops project was \$3.2 million total, whereas doing the school was \$14 million total, so the impact was totally different.

Ms. Mallek stated the Board had not yet gotten the phasing information, so they can still do that.

Mr. Sheffield asked if they are going to talk about that at some point, because he wants to make sure they are informed enough to know what the implications of that kind of scale-back would be. He stated this issue will not go away, and the Pantops Fire Station is the elephant in the room for him because he is not sure where they are headed with fire and rescue if he agrees with it, or if the community agrees with it. Mr. Sheffield said even if he supports spending \$3-4 million on the Pantops Fire Station, he is not even sure the location is ideal for him if they are talking about building a community centered around those kinds of landmarks as it is off the beaten path. He stated when he was growing up, going to the fire station was almost a daily occurrence, and if they want something like Seminole Trail Fire Station at Pantops, it seems that it would be in a different location. Mr. Sheffield said that he wonders when they might be able to have those conversations.

Mr. Foley responded they can have those conversations whenever he wants to, but he would like to know if there is a Board majority to support reconsidering it, location, project, etc., before staff is asked to do an analysis on it.

Mr. Sheffield stated he is torn about the project and feels that it would be a great asset to the community, and building it is not the problem, it is the dollar amount, and the legacy they will leave for future Boards.

Mr. Foley said there is a lot of analysis that led them to this station in this location, based on the Comprehensive Plan and the development areas being covered. He stated that beyond that, the land in the Pantops area was extremely expensive, and this parcel was donated to the County and saved them millions of dollars. He stated if there is hesitation about this, they should have a conversation about it and have staff bring back the information they need.

Mr. Dill stated that he would support having further discussions about it, because in talking with the CAC, everyone wants something at Pantops but there is huge disappointment that they cannot have any meetings there, and there also does not seem to be a lot of support for having a fire engine there, even though it is in the plan. He said he can see from the technical point of view in terms of response times, but to build a fire station to sit with an empty bay for the foreseeable future seems to be an ineffective thing to do.

Mr. Foley responded that this is a great example of how projects change over time with different Boards having different priorities, which is natural, and the original plan was for a larger station with a community service room in it, but the direction from the Board at that time was to scale it down, find some donated land, and have it be a two-bay station. He stated this has been in the cycle for seven years, which is not anyone's fault, but if the Board wants a different direction now they will have to deal with the financial realities of a larger station. Mr. Foley stated this would mean a larger cost and the need to find land for it, but if it provides a better service and functions as more than just a fire station, that would be more of the model of the original plan as well as what is found in other communities.

Ms. Palmer commented this might be something to consider for the bond referendum.

Ms. Mallek stated they had previously talked with Mr. Henry about what could be phased and how they might do rescue first, because it seemed as if they were moving ahead to do full buildout, a lot of which is fire services.

Mr. Foley said the Board had already provided direction for the station to be phased. Ms. Mallek responded the Board had never gotten an answer back on what that would mean, unless she had missed it.

Mr. Foley asked for clarification as to what she means.

Ms. Mallek stated she is referring to the cost of construction and even whether it was possible. Mr. Foley responded that it is a very small two-bay station to begin with and could not really be pulled apart, but there was no commitment from the Board to put fire service there, so there is no engine, no staffing, etc., and that is a future decision.

Ms. Mallek said all of the hoses and racks would not need to go in at this point, which is why she asked the question a few weeks ago.

Mr. Foley stated that staff will bring that information back to them, and if the model that has been in the CIP from the past Boards was a different model than what they want now, the most significant issue will be looking for different land to accommodate a different station altogether. He said if the Board wants to pursue that direction, the County will need to delay the project, push it out in the CIP, and budget for some land acquisition. Mr. Foley stated they would certainly pursue a donation, but the land in that area is prime and challenging to get.

Mr. Davis noted that they would also need to find a place for the ambulance if Martha Jefferson Hospital is not willing to extend the lease, which expires in January 2017.

Mr. Foley stated this is a big question and another strategic item, particularly if they want to redirect the project.

Mr. Davis said that Chief Eggleston had a great presentation on the Pantops Fire Station that he has given several times over the past few years. Mr. Sheffield responded that it is not a matter of being on board or not, it is a matter of whether this is the right direction, and if they are going in this direction he would hate to have a fire station that is inadequate the day it opens, as the firing range will be. Mr. Sheffield stated that he would not mind having a station like Seminole Trail at Pantops, and having it integrated into the community is important.

Ms. Mallek said that Seminole is a volunteer station that is 60 years old with 150 volunteers, and they cannot just start at Pantops at that level, it would have to be built over time.

Mr. Foley stated the majority of the Board had directed that they go through a public engagement process related to that station, and that effort is currently underway, so if there is a significant change in direction, that committee's charge may need to change or the County may need to redirect the whole effort.

Mr. Sheffield asked the Board if they feel that the scaling back dynamic is important to their budget discussions. Ms. Palmer said that scaling back or putting it off is crucial.

Mr. Foley pointed out that scaling it back is not an option for that station, given its small size to start with.

Mr. Dill stated there were a lot of people with a lot of enthusiasm at the last Pantops advisory committee meeting specifically for that station.

Mr. Sheffield said he does not feel that it is important to this budget conversation and decision, but he is one of six Supervisors and he wants to know how others feel.

Ms. Mallek stated that she would like to leave it in, and she was surprised that there was not even a small meeting space in the station where a committee could meet, because people have to hang out somewhere.

Mr. Dill said the limit would be about 10 people, so it is not a place they can have a meeting.

Ms. McKeel said she thought it had a community meeting room, so it seems they have different information.

Mr. Randolph stated the project is the right size given their fiscal situation, and with two different committees engaged at this point, to suddenly pull out of this project is not a good signal to send to them or the larger Pantops community. He said that since they need to be out of Martha Jefferson Hospital by January 2017, they need to come up with creative solutions. Mr. Randolph noted that he had heard something on NPR about the need for private support of national parks, as the parklands have increased yet Congress refuses to provide additional funding. He stated there is a similar issue here with the fire station, and he feels they should look into some corporate support and ways to get some funding.

Mr. Foley clarified that the lease date is through September 1, 2017.

Mr. Davis added that the lease is valid through that time unless it is sooner terminated by Martha Jefferson, and there is no indication that they intend to do that.

Ms. Mallek stated that there is room on this lot to be creative and make a meeting room when funding becomes available.

Mr. Dill said the parking is the issue, because there has to be enough parking to have the vehicles pull in and also have parking spaces. Ms. Mallek responded that there are a lot of parking spaces up on the Martha Jefferson mountain that are not being used.

Ms. Palmer noted that the property is two feet below the 100-year floodplain, so it has to be graded up, and that is another reason why the parking is an issue.

Mr. Dill said they said the same thing about Woodbrook, if they do the design, it is inevitable that they would do the project. He said the last Board specifically said they would do the design and then decide if they wanted to go ahead with it, and now they have 20 people on committees so it seems to stop the boulder once it starts rolling downhill. Mr. Dill stated that they need to be careful about giving people the idea that something is happening when it is not yet decided.

Mr. Foley clarified that the Board directed for this project to move forward, design and construction, but not to prepare for fire response out of the station, only rescue. He stated they have both design and construction money and are moving forward on schedule unless the Board redirects the effort. Mr. Foley said they wanted to engage the public as part of the entire process to talk about how they might best fund the future at the station through fundraising and corporate sponsorships, but the idea was to move the project forward and as it is included in the CIP before the Board.

Ms. Palmer stated there was a portion of their discussion regarding making this a volunteer station, and a big portion of their motion to approve it was to revisit it after they have had a chance to try to look at what component could be volunteer.

Mr. Foley said this was clearly part of the direction, and one of the reasons for the engagement with the public is the hope that some volunteers will come forward.

Ms. Mallek commented that the rescue part is important as far as the eastern part of the system, because first response now pulls people from East Rivanna and Stony Point, leaving their areas exposed because of the lack of enough rescue there. She said the meeting room is not the most important aspect of the station.

Ms. McKeel stated the rescue component is important to her, with all of the elderly population in the area, and asked how many rescue vehicle trips were used to transport people on planned trips to and from medical appointments, because she did hear that question in the community and would like to be able to respond. Mr. Davis confirmed there were none, and stated that the ambulances were only used for emergency transport.

Ms. Mallek noted that there are two or three emergency transport companies running in the community, and one of them is run by Sentara at Martha Jefferson.

Mr. Foley said the Pantops station sounds like a planned strategic planning session item, and there may be a broader discussion regarding the fire/rescue system.

Ms. Mallek said her proposal would be to leave the station alone in terms of the budget as it is now.

Ms. McKeel stated that she would like to have a broader discussion about fire/rescue at some point.

Ms. Allshouse reported that the next steps in their budget development schedule includes a March 30 public hearing on the proposed budget; April 12 is the public hearing on the tax rate, and at that time or on April 13, the Board will set the tax rate and adopt the FY17 budget. She stated that in May, they will amend the CIP to add additional items for the bond referendum, with the fiscal year beginning July 1, 2016. Ms. Allshouse noted that between March 10 and April 12, there will be a lot of additional citizen engagement opportunities in terms of webinars, community meetings and district meetings.

Mr. Sheffield thanked staff for their work and said this was robust outreach on staff's part in terms of public engagement, and having the discussion between staff and residents is going to be helpful. He added that he would try to attend as many meetings as he could.

Ms. Allshouse stated that Ms. Lee Catlin set a lot of that up.

The Board thanked staff for all of their work.

Mr. Foley said that staff will follow up with the Board about another budget work session.

---

Agenda Item No. 4. From the Board: Matters Not Listed on the Agenda.

Ms. Mallek said there is new video surveillance in the north parking lot of Sugar Hollow, and everyone in the community should know this so if they try to destroy the gates again they will be caught. She stated that someone had completely knocked down the gate with their vehicle, so she reached out to the police captain and he had taken care of it and recommended that she let people know not to come vandalize the gate.

Ms. Palmer stated that on March 3, they stocked the reservoir and the river, and on Friday someone crushed the front of the gate and pulled out the whole thing.

Ms. McKeel said this had happened at the University when the railroad put up a fence on Elliewood, with trucks pulling down the fence.

Ms. Mallek stated that Mr. David von Roijen had served two terms on an Ag/Forestral Committee and was very valuable to the process so they need him to continue, but she is not sure how to go about getting him an extra term because the current structure provides for two terms.

Mr. Davis said he will look into it and get back to her.

---

Agenda Item No. 5. From the County Executive: Report on Matters Not Listed on the Agenda.

There were none.

---

Agenda Item No. 6. Adjourn.

With no further business to come before the Board, the meeting was adjourned at 6:29 p.m.

---

Chairman

Approved by Board
Date: 06/01/2016
Initials: TOM