

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on April 5, 2017, at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Norman G. Dill, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, Mr. Rick Randolph, and Mr. Brad L. Sheffield (arrived at 1:48 p.m.).

ABSENT: None.

OFFICERS PRESENT: Interim County Executive, Doug Walker, County Attorney, Greg Kamptner, Clerk, Claudette Borgersen, and Senior Deputy Clerk, Travis Morris.

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

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

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Agenda Item No. 2. Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

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Agenda Item No. 4. Adoption of Final Agenda.

**Motion** was offered by Ms. Palmer, to adopt the final agenda. Ms. Mallek **seconded** motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

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

Ms. Mallek announced that she had attended a retreat for the State Workforce Board the previous weekend and was encouraged by the progress made by the state in understanding the importance of One Stop Centers to job trainers and local businesses. She also recognized the new work force certificates being offered by community colleges that allow for scholarship awards to students. She said she made contacts with many people from across the state, including the Director of the Eastern Polytechnic Institute (ECPI) in Virginia Beach. She said that ECPI serves as a great model for community colleges being tuned in to the training needs of local businesses, and she hopes local businesses will be more forthright regarding the skills they require of employees.

Ms. Mallek announced that Solarized Piedmont will offer solar projects for residential and commercial projects through the LEAP organization, which partners with the County. She said the registration deadline is April 30.

Ms. Mallek announced the upcoming deadline for tax relief applicants to refile for renewals. She said applicants should have received a letter from the Finance Department and announced that the deadline for first-time applicants was October 31, though she encouraged applicants to file this week in order to determine eligibility prior to the June 5 tax bills. She said applicants must be owners of record as of January 1, 2017 and either at least age 65 and/or certified as permanently and totally disabled, with income from all sources in 2016 not above \$69,000 as of December 31, 2016. She said the combined net worth of owners and spouses must not exceed \$200,000, with an exclusion permitted for the value of the house plus 10 acres. She expressed hope that people would take advantage of the program.

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Mr. Dill announced that he and his wife had recently attended a celebration at Tonsler Park recognizing the 60<sup>th</sup> anniversary of the independence of Ghana. He said Albemarle Fire and Rescue received an award for service to the community, which he received and passed on to Fire Chief, Dan Eggleston. He said one of the attendees was Mensa, who works for the County custodial staff.

Mr. Dill announced that Tish Taublin was the Sol Smart representative and had hoped to attend this meeting to make remarks during public discussion about the solar farm, but could not attend due to another engagement.

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Ms. McKeel announced that she and Supervisor Sheffield recently appeared before the Chamber of Commerce Board of Directors to discuss economic development, with a request that the Chamber join the County in doing outreach to the community about the importance of economic development.

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Agenda Item No. 6. Proclamations and Recognitions:

Item No. 6a. Certificate of Appreciation for Charles "Chuck" Lebo.

Ms. McKeel presented a Certificate of Appreciation to Mr. Lebo in recognition of his valuable contributions on the Architectural Review Board. She said that local communities are strengthened and uplifted by those who step forward to volunteer their services in support of improving the quality of life of our residents, and offered appreciation to Mr. Lebo for his dedication and commitment to preserving the quality of Albemarle County.

Mr. Chuck Lebo addressed the Board and stated that he served on the ARB for 15 years and worked on both small and large projects. He recognized the hard work of applicants, staff and Board members, and stated that they have done some great things. Mr. Lebo said the comprehensive sign review had made it easier for applicants to get projects through the County and allowed staff more leeway in reviewing projects so that not everything must come before the ARB for approval. He thanked Ms. Margaret Maliszewski of the ARB for putting applications together with great detail, diligence, professionalism, and hard work. He thanked Ms. Sharon Taylor for sitting through all the meetings and said she is a great asset to the County. Mr. Lebo stated that the current Board is among the finest he had worked with and they have seen eye to eye on many projects, with almost 100% of applications approved.

Mr. Bruce Wardel, Chairman of the Architectural Review Board, addressed the Board. He emphasized how entrance corridors have improved over the past 15 years in terms of consistency and composition, and attributes this to Mr. Lebo's work with applicants in a fair and efficient manner while being protective of the guidelines. He stated that it had been a pleasure to work with Mr. Lebo and commended him for his integrity and ability to listen.

Ms. McKeel said that many entrance corridors to other communities she had visited in Virginia are jarring and ugly with a lot of signage, and she appreciates the work of the ARB.

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Item No. 6b. Resolutions of Appreciation for Land Donors.

Ms. Mallek read and then offered **motion** to adopt the following resolution:

**RESOLUTION OF APPRECIATION**

**WHEREAS**, *the County of Albemarle envisions a community with abundant natural, rural, historic, and scenic resources; and*

**WHEREAS**, *land donations from the citizenry provide increased opportunities for the protection and management of Albemarle's natural resources; and*

**WHEREAS**, *donated lands are safeguarded by the Parks and Recreation department and a commitment to maintaining quality of life for future generations; and*

**WHEREAS**, *Albemarle County is appreciative of the generosity and commitment to community demonstrated by land donors; and*

**WHEREAS**, *the Board of Supervisors desires to express its gratitude for the lands donated.*

**NOW, THEREFORE, BE IT RESOLVED**, *that the Albemarle County Board of Supervisors do hereby recognize all individuals and entities who have contributed such philanthropic donations; and*

**BE IT FURTHER RESOLVED**, *that the Albemarle County Board of Supervisors do hereby recognize and honor the continued contributions these donated lands provide to the citizens of Albemarle County.*

**Signed and sealed this 5th day of April, 2017.**

Mr. Randolph **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

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Mr. Bob Crickenberger, Director of Parks and Recreation, addressed the Board. He said he would review the list of donors and their contributions to the County. He recognized Mr. Robert M. Byrum for the donation of 600 acres of his family farm in memory of his wife, Mrs. Patricia Byrum, for the Patricia Byrum Forest Preserve. He said the park is open, has over six miles of multi-use trails, and contains a memorial in honor of families displaced as a result of the creation of Shenandoah National Park. He recognized Mr. Montgomery Byrd Woods and Jose Lambert for a donation of 433 acres to create the William S. D. Woods Natural Heritage Preserve, honoring Mr. Wood's late father. He said the facility will focus on the protection and preservation of biodiversity and ecological features, and will have hiking trails and a wildlife viewing area. He recognized Jane Heyward for her donation of 340 acres for Hedgerow, which will be used for public recreation. He said it had always been her intention to donate this land to the County. He recognized Mr. Charles W. H. Hurt and Ms. Shirley L. Foster, trustees of the Virginia Land Company, for their donation of 1+ acre for the Milton Boat Launch. He said the donation would allow the

County to make necessary improvements to the current boat launch and improve parking, making it easier to access the Rivanna River. He recognized Mr. Wendell Wood for his donation of 5+ acres for the purpose of a public boat launch on the Rivanna Reservoir, which he said is greatly needed. He recognized Mr. Tom Dingeldine for his donation of 122 acres for Buck Island Creek Park, which will have several trails and access to the Rivanna River. He recognized Ms. Elizabeth Langhorne for her donation of 2+ acres to add to the Ivy Creek Natural Area, with this land providing additional protection and a stream buffer.

Mr. Crickenberger stated that over 1,500 acres were donated to the County this year, and in speaking with other parks representatives across the state, he is often asked the question as to how Albemarle has become so land rich. He said he attributes this to the community and governing body sharing the same vision of preservation of natural resources, improving the quality of life for present and future generations.

Mr. Jean Lorber of The Nature Conservancy, addressed the Board. He recognized the land donation to The Nature Conservancy by Ms. Jane Heyward and said the land had been transferred to the County per her wishes.

Mr. Wendell Wood stated that he was glad to be able to donate land along the reservoir that makes it accessible to the public.

Mr. Jose Lambert thanked the County for accepting his land donation on behalf of himself and Mr. Byrd Woods.

Ms. Mallek commented that they all need to remember that The Nature Conservancy was instrumental in stepping in for the land that became the Ivy Creek Natural Area when apartments had been planned for the site. She said they have been Johnny-on-the-spot numerous times over the past 50 years.

Ms. Mallek announced that Rivanna River Conservation Alliance is sponsoring a river sojourn later this month which will begin at the bridge off Route 29 and flow down to Darden Towe Park. She said she hopes many people will participate.

Ms. Palmer asked if a list of the property donors and donated land could be prepared.

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Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Phillip Fassieux, White Hall District, addressed the Board and said he will address the issue of the solar farm proposed by SolUnesco. He expressed support for rural areas, including the watershed, land use and conservation, as well as support for solar energy. He asked how County residents would benefit if SolUnesco's client would be a national or electric utility provider and asked if there would be a reduction in electricity rates. He referenced a photo he had provided to the Board of a 12-megawatt facility in Ohio and emphasized the size of the facility. Additionally, he referenced the minutes of the Greenville County (OH) Planning Commission meeting held to discuss a zoning change for a SolUnesco proposal, which he said would shed light on what the Board of Supervisors would encounter should the zoning text amendment be approved. He said it would be like putting a stick in a hornets nest. He asked the Board to consider not changing the zoning to allow construction of a solar farm in a rural area as it should be located in an area already zoned for this type of facility.

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Ms. Alicia Lenahan, President of Piedmont CASA and a resident of the Scottsville District, addressed the Board. She invited the Board to attend a poverty simulation being conducted in partnership with the Batten School of Leadership and Public Policy. She said the simulation is designed to help participants better understand challenges faced by the working poor and those on fixed incomes. Ms. Lenahan stated that the simulation will last four weeks, and participants will assume roles and have to make decisions as to how to pay bills on a limited income. She said participation will allow them to gain insight, as some people assume that poverty is the result of weakness, lack of character, or laziness.

Mr. Randolph praised the program and said he had participated last year, and urged Supervisors to take part. He stated that this has given him a deeper understanding of how those in poverty struggle on a daily basis.

Mr. Dill said he will be assisting with the Bluebird Project, which will host a silent auction of bluebird-themed art produced by local artists, and said the auction will take place at The Haven.

Ms. Lenahan said the bluebirds represent children in foster care, and proceeds from the silent auction will benefit Piedmont CASA and Community Attention Foster Families.

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Mr. Neil Williamson of the Free Enterprise Forum (FEF) addressed the Board and expressed disapproval at the large number of resolutions of intent under consideration by the Board. He said that what started as code housekeeping had been greatly expanded to a seismic shift in Albemarle's planning philosophy. He addressed Consent Agenda Item 8.4, which will ban golf, swim, and tennis club special use permits in the rural area, which he says will effectively ban new golf courses in the County. Mr. Williamson stated that the concept of putting a golf course in the development area would be an

economic challenge and would eliminate 200 acres of developable land. He noted that earlier in this meeting, Supervisors had thanked donors of land for parks, and he noted that parks have many of the same impacts as golf courses. He next addressed the issue of shrinking the development area using net versus gross density, which he said would lower by right residential density and increase demand for rezonings, resulting in increased housing costs. Mr. Williamson stated that for two decades, the public has heard that placing residents in the development areas provides for a more efficient means of delivering services, and he asked why they are now going in the other direction. He said the unintended consequence of this action would be to significantly reduce the carrying capacity of development areas and therefore accelerate the need for expansion of the development areas. He said these two examples trace their lineage to individual applications or proposals that did not move forward as a result of NIMBY (Not in My Backyard) type opposition. Mr. Williamson said many of the same forces are pursuing regulatory challenges that are counter to the County's planning philosophies but that suit their needs. He said they are pursuing an anti-economic development spot-zoning decision and a NIABY (Not in Anybody's Backyard) agenda. He said he hopes that as proposed zoning ordinance changes are brought forward they will be fairly researched and debated and that the Board will stand up to the CAVE (Citizens Against Virtually Everything) agenda and consider the impact its decisions would have on the basic pillars of its planning philosophy.

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Mr. Seth Maughan of SolUnesco, addressed the Board. He thanked the Board and Planning Department for the work they have done to make sure the due diligence of the County process is followed and said he would address the concerns raised by a previous speaker. Mr. Maughan stated that the zoning text amendment they are seeking allows permit by rule, not by right. He said they would address the issue of buffers as they work towards project approval and said that during the DEQ process, they would look at environmental and other concerns raised.

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Mr. Jeff Werner of the Piedmont Environmental Council addressed the Board and thanked management of SolUnesco for contacting Monticello and the Thomas Jefferson Foundation. He referenced an email he had sent to each Supervisor yesterday and asked if they had questions. He said the solar farm looks really interesting and the PEC likes these kinds of ideas, but wants to look past what SolUnesco is offering and make sure they account for anything that may come in the future. Mr. Werner expressed support for supplemental regulations and offered to do some research himself to help move this along.

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Mr. Dill recognized that Tish Devlin of Solsmart is in the audience and said that Solsmart is a project Charlottesville is partnering with to obtain a recognition of bronze, silver, or gold for their dedication to solar energy.

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Mr. Mark Graham, Director of Community Development, addressed the Board. He introduced Mr. Michael Dellinger, the newly hired Building Official. He said that Mr. Dellinger had worked for Shenandoah County, where he had received rave reviews, and then worked for the City of Harrisonburg.

Mr. Dellinger addressed the Board and thanked them for the employment opportunity, stating that his staff is excited to carry out the vision of the County.

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Ms. McKeel referenced Mr. Williamson's remarks and said the resolutions of intent would go through the public process and would not be rubber stamped. She asked Mr. Kamptner to review the process.

**(Note:** Mr. Sheffield arrived at 1:48 p.m.)

Mr. Kamptner addressed the Board. He said the resolution of intent initiates the process, but there would be staff analysis of amendments that have substantive changes to determine whether a full public engagement process is warranted.

Ms. Palmer asked Mr. Kamptner to explain the difference between permit by rule and permit by right. Mr. Kamptner responded that they refer to the two major use classifications for zoning districts and explained that by right means discretionary approval is not required, while by rule requires a special use permit and approval by the Board of Supervisors.

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Agenda Item No. 8. Consent Agenda.

**(Discussion:** Mr. Dill asked that his assigned minutes be pulled.)

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**Motion** was then offered by Ms. Palmer to approve Items 8.1 (as read) through 8.6 on the consent agenda. Ms. Mallek **seconded** motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

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Item No. 8.1. Approval of Minutes: June 1, June 8, July 13, July 19, August 4, September 12, September 20, September 29, October 4, November 2, November 17, December 14, and December 21, 2016; and January 4, 2017.

Ms. Palmer had read the minutes of June 1, July 19, and September 20, 2016, and found them to be in order.

Ms. Mallek had read the minutes of June 8, and July 13, 2016, and found them to be in order.

Ms. McKeel had read the minutes of August 4, September 12, and October 4, 2016, and January 4, 2017, and found them to be in order.

Mr. Dill had not read and pulled the minutes of September 29, November 17 and December 21, 2016, and carried them forward to the next meeting.

Mr. Randolph had read the minutes of November 2, 2016 and found them to be in order.

Mr. Sheffield had read the minutes of December 14, 2016 and found them to be in order.

**By the above-recorded vote, the Board approved the minutes as read.**

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Item No. 8.2. School Division Capital Projects.

The Executive Summary forwarded to the Board states that a request for the appropriation of funding for three School Division capital projects; School Maintenance/Replacement Program, Scottsville Elementary School Site Work Improvements project, and the School Bus Replacement Program, is included (Appropriation #2017088) in a separate April 5, 2017 FY 17 Budget Amendment/Appropriations Executive Summary.

This request is for the Board's approval of a Resolution of Intent to Reimburse Expenditures Related to School Capital Projects with Proceeds of a Borrowing for these three projects, and is contingent on the Board's approval of Appropriation #2017088.

Funding for the School Maintenance/Replacement Program and the Scottsville Elementary School Site Work Improvements projects were initially planned as part of the FY 18 Capital Improvement Program (CIP) in the FY 18 - FY 23 Recommended CIP. Staff has requested FY 17 appropriations for these projects, primarily to enable the School Division to enter into construction contracts and begin construction of critical school projects while students are out of school during the summer. Funding for the School Division's CIP School Bus Replacement Program is also included in the April 5, 2017 FY 17 Appropriation request in order for the total appropriation to reflect all of the School Division's FY 18 capital projects in their entirety, for administrative clarity.

After a public hearing on the April 5 Budget Amendment and Appropriations agenda item, the Board will be requested to approve the budget amendment and appropriations, including Appropriation #2017088 in the amount of \$7,677,224.00 to fund these three projects. The attached Resolution of Intent to Reimburse Expenditures with Proceeds of a Borrowing (Attachment A) must be adopted because borrowed funds are going to be used to fund these projects. Adoption of this Resolution now will ensure that any expenditures for these three projects from this point forward can be reimbursed with proceeds of a borrowing.

The proposed revenue source for this project is borrowed proceeds and this funding source is currently included in the Recommended FY 18 - FY 23 CIP. Adoption of the attached Resolution would allow the County to use up to \$7,677,224.00 in borrowed proceeds to reimburse the capital budget for expenditures incurred prior to the programmed borrowing of funds for these projects.

If the Board approves the appropriation of funding for these three projects on April 5, 2017 (Appropriation #2017088 in a separate April 5 Budget Amendment and Appropriations Executive Summary), staff recommends that the Board also adopt the attached Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing (Attachment A) for these three projects.

**By the above-recorded vote, the Board approved the three projects as part of Appropriation #2017088 (set out in the budget public hearing during night portion of meeting), and adopted the following Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing for the three projects:**

**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE  
EXPENDITURES WITH PROCEEDS OF A BORROWING**

**WHEREAS**, the Albemarle County Board of Supervisors, Virginia (the "Borrower") intends to acquire, construct and equip the items and projects set forth in Exhibit A hereto (collectively, the "Project"); and

**WHEREAS**, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both.

**NOW, THEREFORE, BE IT RESOLVED** by the Albemarle County Board of Supervisors that:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the "Bonds") or to incur other debt to pay the costs of the Project in an amount not currently expected to exceed \$7,677,224.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure); (b) a cost of issuance with respect to the Bonds; (c) a nonrecurring item that is not customarily payable from current revenues; or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.
5. The Borrower intends that the adoption of this Resolution confirms the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. This Resolution shall take effect immediately upon its passage.

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Item No. 8.3. Earlysville Volunteer Fire Company Car 42 Replacement.

The Executive Summary forwarded to the Board states that the provision of emergency services depends on reliable emergency response apparatus. It is the practice of the County of Albemarle to provide the necessary funding for the procurement and operation of all essential fire and emergency medical services (EMS) vehicles operated by the departments serving the County. In order to ensure that a sound and effective fleet of emergency vehicles is available to meet the essential demands of Albemarle County, apparatus purchased with County funds shall adhere to the standardized design specifications for their type, as outlined in the Albemarle County Department of Fire Rescue (ACFR) Policy SAP-DEP-026 "Fleet Plan." The fire rescue system shall develop these standard specifications through its Fire and Emergency Medical Services (FEMS) Apparatus Committee, review and recommendation by the FEMS Board, and the approval of the Fire Rescue Chief. ACFR may consider individual design flexibility, providing the changes meet the goals of system interoperability, safety and performance.

Per the Fleet Plan, the County intends to replace Car 42, a command vehicle for Earlysville Volunteer Fire Company (Station 4), in FY 17 through the Fire/Rescue Apparatus Replacement Program. Station 4 is requesting to use the funds to purchase two smaller vehicles as opposed to one larger vehicle. This will enable them to replace an aging Crown Victoria they received from the Albemarle County Police Department (ACPD), in addition to the planned replacement of Car 42.

The Apparatus Committee originally based the budget to replace Car 42 on the purchase of a large SUV or truck and all the necessary equipment to outfit a command vehicle of that size. Since then, Station 4 has indicated a preference for a smaller SUV, such as the Ford Explorer. This change would save a significant amount of money and would likely require less equipment and lighting. Although this is smaller than the standard command vehicle purchased through the fleet plan, other stations have also "downsized" their command car, including East Rivanna and North Garden.

After reviewing the request with Station 4, and clarifying with them that the Fleet Plan would only support the replacement of one of the purchased vehicles in future years, ACFR staff believe that this is a reasonable request.

Approval of this deviation from the Fleet Plan will apply only to Car 42. ACFR staff will continue to consider other requests to deviate from the Fleet Plan on a case-by-case basis.

Funding to replace Car 42 is currently budgeted in the Fire/Rescue Apparatus Replacement Program. The operating costs associated with both vehicles are currently funded. Therefore, there is no impact to the total County budget.

Staff recommends that the Board authorize ACFR to utilize the current budget for Car 42 to purchase two smaller command vehicles for the Earlysville Volunteer Fire Company to replace Car 42 and an aging Crown Victoria and approve the appropriation of FY 17 funding of Appropriation #2017087 in a separate April 5 Budget Amendment and Appropriations Executive Summary.

**By the above-recorded vote, the Board authorized Albemarle County Fire Rescue (ACFR) to utilize the current budget for Car 42 to purchase two smaller command vehicles for the Earlysville Volunteer Fire Company to replace Car 42 and an aging Crown Victoria and approved the appropriation of FY 17 funding of Appropriation #2017087 (as set out in the budget public hearing during night portion of meeting).**

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Item No. 8.4. Zoning Text Amendments.

The Executive Summary forwarded to the Board states that to facilitate preparing a recodified version of the Zoning Ordinance for the Board's consideration in 2018, staff will be working on a number of zoning text amendments before then that will amend the substance and form of the current zoning regulations. This approach will ensure that specific proposed substantive changes can be fully evaluated and discussed by staff, the public, the Commission, and the Board in a transparent manner.

Virginia Code § 15.2-2286(A)(7) requires that a zoning text amendment be initiated by a resolution adopted by the Board, or by a motion adopted by the Planning Commission (by County practice, the Commission initiates zoning text amendments by resolution, not by motion).

The zoning text amendments for which resolutions of intent are proposed are briefly explained in Attachment A. The zoning text amendments for which resolutions are adopted will be brought to the Planning Commission and the Board of Supervisors at various times, depending on the urgency for amending the regulations, the complexity of the amendment, and the need for public engagement and work sessions by the Commission and the Board before public hearings are scheduled.

Staff does not anticipate that adopting the Resolutions would result in the need for additional staff or funding.

Staff recommends that the Board adopt the attached Resolutions of Intent (Attachments B through U).

**By the above-recorded vote, the Board adopted the following Resolutions of Intent:**

**RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations in Albemarle County Code § 18-1 pertaining to the County's authority for, and the purpose and intent of, the Zoning Ordinance, and related provisions; and

**WHEREAS**, it is desired to reorganize and update the text in Albemarle County Code § 18-1.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-1 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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**RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to conventional residential zoning districts in Albemarle County Code §§ 18-12 through 18-18; and

**WHEREAS**, it is desired to amend the statements of purpose of each district as necessary, update text, place by right and special uses for all districts in a single table and consolidate use classifications into use groups when possible, place bulk, height, density regulations for all districts in a single table, and amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-12 through 18-18 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to conventional commercial zoning districts in Albemarle County Code §§ 18-21 through 18-24; and

**WHEREAS**, it is desired to amend the statements of purpose of each district as necessary, update text, place by right and special uses for all districts in a single table and consolidate use classifications into use groups when possible, and amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-21 through 18-24 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to setbacks and yards in Albemarle County Code §§ 18-2, 18-3.1, 18-4.11, 18-4.19, and 18-4.20; and

**WHEREAS**, it is desired to consolidate the setback and yard regulations and amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2, 18-3.1, 18-4.11, 18-4.19, and 18-4.20 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to bonus densities in Albemarle County Code §§ 18-2 and 18-12 through 18-18; and

**WHEREAS**, it is desired to consolidate the bonus density regulations to eliminate repetitive text, eliminate bonus densities for incentives that are now requirements, and to amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2 and 18-12 through 18-18 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to cluster developments in Albemarle County Code §§ 18-2, 18-10, and 18-12 through 18-18; and

**WHEREAS**, it is desired to consolidate the cluster development regulations without amending the standards themselves.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2, 18-10, and 18-12 through 18-18 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to lots in Albemarle County Code §§ 18-2 and 18-4.6; and

**WHEREAS**, it is desired to consolidate the lot regulations and amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2 and 18-4.6 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to off-street parking, stacking, and loading in Albemarle County Code §§ 18-2 and 18-4.12; and

**WHEREAS**, it is desired to consolidate the off-street parking, stacking, and loading regulations and to amend the regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2 and 18-4.12 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to parking structures in Albemarle County Code §§ 18-4.12, 18-5.1.41, 18-15 through 18-18, 18-20 through 18-20B, and 18-22 through 18-26; and

**WHEREAS**, it is desired to add performance standards for parking structures, to allow parking structures by right in certain zoning districts, and to amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-4.12, 18-5.1.41, 18-15 through 18-18, 18-20 through 18-20B, and 18-22 through 18-26 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to definitions and rules of construction in Albemarle County Code §§ 18-2, 18-3, 18-4.12, 18-4.15, 18-30.2, 18-30.3 and other sections; and

**WHEREAS**, it is desired to consolidate existing definitions and rules of construction, clarify existing definitions, add new definitions, delete obsolete definitions, and to amend the existing rules of construction.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2, 18-3, 18-4.12, 18-4.15, 18-30.2, 18-30.3 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to signs in Albemarle County Code § 18-4.15; and

**WHEREAS**, it is desired to further clarify the sign regulations and to evaluate the appropriate number of signs allowed to meet the stated purposes for the sign regulations.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-4.15 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to manufactured homes on individual lots, manufactured home parks, manufactured home subdivisions, and temporary manufactured homes in Albemarle County Code §§ 18-5.3 through 18-5.8; and

**WHEREAS**, it is desired to amend the regulations to ensure that they are current with state and federal laws and consistent with other applicable policies and standards.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-5.3 through 18-5.8 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to nonconforming uses, structures, and lots in Albemarle County Code § 18-6; and

**WHEREAS**, it is desired to amend the regulations to incorporate recent amendments to state law, to clarify certain requirements, and to amend other requirements to facilitate implementation.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-6 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to planned districts in Albemarle County Code §§ 18-8, 18-11, 18-19, 18-20, 18-20A, 18-25, 18-25A, and 18-29; and

**WHEREAS**, it is desired to consolidate Albemarle County Code § 18-8 with the other planned district regulations and to reorganize and amend the text as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-8, 18-11, 18-19, 18-20, 18-20A, 18-25, 18-25A, and 18-29 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### RESOLUTION OF INTENT

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to site plans in Albemarle County Code § 18-32; and

**WHEREAS**, the primary enabling authority for site plans is in the state's subdivision laws, although there is also some enabling authority under the state's zoning laws; and

**WHEREAS**, the powers of the County and its officers and employees, and the rights of the development community and the community at large are different under the state's subdivision and zoning laws and these differences have previously created uncertainty.

**WHEREAS**, it is desired to remove Albemarle County Code § 18-32 from the Zoning Ordinance and to re-adopt it as a new chapter in the Albemarle County Code, and to move, as appropriate, development standards currently in Albemarle County Code § 18-4 to the new site plan chapter.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-4 and 18-32 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to the flood hazard overlay district in Albemarle County Code § 18-30.3; and

**WHEREAS**, it is desired to clarify that a special use permit is required for fill in the floodplain, to define "fine grading" or provide an alternative concept, to amend the types of engineered structures and other improvements allowed by right or by special use permit in the floodway and/or floodway fringe, and to amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-30.3 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to legislative zoning actions such as zoning text amendments, zoning map amendments, special use permits, and special exceptions in Albemarle County Code § 18-33; and

**WHEREAS**, it is desired to reorganize the section; to expressly enable the planning director to require an applicant to provide studies to identify impacts to roads, schools, public safety, and parks in conjunction with an application for a zoning map amendment; to require that notice be provided to holders of open space or conservation easements when an application for a zoning map amendment or special use permit has been filed pertaining to the eased property; to clarify the purpose of the community meeting and the consequences for an applicant's refusal to hold a community meeting; to clarify what is required for an application to be deemed complete; to amend the requirements to extend a deferral; and to amend related regulations as appropriate.

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

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

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#### **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance requires a special use permit for a religious institution's place of worship in the Rural Areas zoning district under Albemarle County Code § 18-10; and

**WHEREAS**, it is desired to allow religious institutions serving as a place of worship to have sanctuaries for up to 200 persons by right in the Rural Areas zoning district and to amend related regulations as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-10 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance allows “swim, golf, tennis, or similar athletic facilities” by special use permit in the Rural Areas zoning district under Albemarle County Code § 18-10; and

**WHEREAS**, it is desired to implement the Rural Area Chapter of the Comprehensive Plan by removing “swim, golf, tennis, or similar athletic facilities” as a use permitted by special use permit in the Rural Areas zoning district because those uses are no longer consistent with the County’s policies and objectives for the Rural Area, but to grandfather existing swim, golf, tennis, and similar athletic facilities.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-10 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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#### **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance regulates the maximum residential densities based on gross density under Albemarle County Code §§ 18-10 and 18-12 through 18-20B; and

**WHEREAS**, it is desired to amend the district regulations so that residential density is determined by net density rather than gross density.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-10 and 18-12 through 18-20B and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

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Item No. 8.5. Designation of Route 731, Keswick Road, as a Rural Rustic Road.

The Executive Summary forwarded to the Board states that Route 731, Keswick Road, is scheduled to be paved this upcoming Fiscal Year under the Rural Rustic Road (RRR) paving program. This paving project was previously prioritized by the Board and approved in the most recent Secondary-Six Year Improvement Plan (SSYIP). The Virginia Department of Transportation (VDOT) requires that the governing body of the jurisdiction within which a road proposed for paving under the RRR program is located adopt a Resolution designating that road as a Rural Rustic Road.

Each spring the Board approves the SSYIP which includes funds dedicated to paving unpaved roads in the County under the RRR Program. The RRR Program is VDOT’s preferred approach to paving low volume roads. The goal of the program is to keep traditional rural lane ambience, while improving the road surface within the current right-of-way. VDOT supports paving to reduce maintenance costs. In FY 2016 Albemarle County received approximately \$423,000 in funds to pave unpaved state maintained roads. In the Spring of 2016, the Board approved the most recent SSYIP which included the funds to pave Keswick Road between Hunt Club Road (Route 744) and Louisa Road (Route 22) in FY 2017.

The process for identifying and prioritizing RRR paving projects in the County begins with an evaluation of submitted paving requests to identify the eligibility and need. The Board then approves the prioritized list of projects and the SSYIP that reflects those priorities. Within one year of when the road will be paved adjacent landowners are notified and given an opportunity to comment. Following that comment period the Board is presented with a Resolution designating the road a Rural Rustic Road.

Property owner notifications went out in early December for this project requesting comments back by early January. Comments were received from the only two residents that live on the segment of road that would be paved. One gentleman wants the road paved because of issues with dust affecting his fields and the other does not want the road paved because of a desire to live on an unpaved road, use of horses on the road, and concerns about speeding and traffic if the road is paved. The superintendent of Little Keswick School expressed concern for speeds and traffic level increases. Staff is currently working on traffic calming in the area of the school as part of a separate project. Albemarle County Schools support paving for safety and accessibility of buses.

Adoption of this Resolution will have no impact on the County budget. This authorizes VDOT to expend state funds on a project to which the Board has previously recommended state funds be allocated through the SSYIP.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to designate a segment of Route 731, Keswick Road, as a Rural Rustic Road.

**By the above-recorded vote, the Board adopted the following Resolution to designate a segment of Route 731, Keswick Road, as a Rural Rustic Road:**

**RESOLUTION TO DESIGNATE A SEGMENT OF ROUTE 731,  
KESWICK ROAD, AS A RURAL RUSTIC ROAD**

**WHEREAS**, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

**WHEREAS**, the Board of Supervisors of Albemarle County, Virginia desires to consider whether Route 731, Keswick Road, from Route 744, Hunt Club Road, to Route 22, Louisa Road should be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**WHEREAS**, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors hereby designates Route 731, Keswick Road, from Route 744, Hunt Club Road, to Route 22, Louisa Road, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

**BE IT FURTHER RESOLVED**, the Board requests that this segment of Route 731, Keswick Road, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

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Item No. 8.6. Designation of Route 824, Patterson Mill Lane, as a Rural Rustic Road.

The Executive Summary forwarded to the Board states that Route 824, Patterson Mill Lane, is scheduled to be paved this upcoming Fiscal Year under the Rural Rustic Road (RRR) paving program. This paving project was previously prioritized by the Board and approved in the most recent Secondary-Six Year Improvement Plan (SSYIP). The Virginia Department of Transportation (VDOT) requires that the governing body of the jurisdiction within which a road proposed for paving under the RRR program is located adopt a Resolution designating that road as a Rural Rustic Road.

Each spring the Board approves the SSYIP which includes funds dedicated to paving unpaved roads in the County under the RRR Program. The RRR Program is VDOT's preferred approach to paving low volume roads. The goal of the program is to keep traditional rural lane ambience, while improving the road surface within the current right-of-way. VDOT supports paving to reduce maintenance costs. In FY 2016 Albemarle County received approximately \$423,000 in funds to pave unpaved state maintained roads. In the Spring of 2016, the Board approved the most recent SSYIP which included the funds to pave Patterson Mill Lane from Route 688 (Midway Road) to approximately 1.04 miles north of Midway Road in FY 2017.

The process for identifying and prioritizing RRR paving projects in the County begins with an evaluation of submitted paving requests to identify the eligibility and need. The Board then approves the prioritized list of projects and the SSYIP that reflects those priorities. Within one year of when the road will

be paved adjacent landowners are notified and given an opportunity to comment. Following that comment period the Board is presented with a Resolution designating the road a Rural Rustic Road.

Property owner notifications went out in early December for this project requesting comments back by early January. One property owner reached out with concerns regarding a fence adjacent to the road. It was determined that the fence would not be impacted.

Adoption of this Resolution will have no impact on the County budget. This authorizes VDOT to expend state funds on a project to which the Board has previously recommended state funds be allocated through the SSYIP.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to designate a segment of Route 824, Patterson Mill Lane, as a Rural Rustic Road.

**By the above-recorded vote, the Board adopted the following Resolution to designate a segment of Route 824, Patterson Mill Lane, as a Rural Rustic Road:**

**RESOLUTION TO DESIGNATE A SEGMENT OF ROUTE 824,  
PATTERSON MILL LANE, AS A RURAL RUSTIC ROAD**

**WHEREAS**, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

**WHEREAS**, the Board of Supervisors of Albemarle County, Virginia desires to consider whether Route 824, Patterson Mill Lane, from Route 688, Midway Road to approximately 1.04 miles north of Midway Road, should be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**WHEREAS**, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors hereby designates Route 824, Patterson Mill Lane, from Route 688, Midway Road to approximately 1.04 miles north of Midway Road, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

**BE IT FURTHER RESOLVED**, the Board requests that this segment of Route 824, Patterson Mill Lane, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

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Item No. 8.7. Designation of Route 747, Preddy Creek Road, as a Rural Rustic Road.

The Executive Summary presented to the Board states that Route 747, Preddy Creek Road, is scheduled to be paved this upcoming Fiscal Year under the Rural Rustic Road (RRR) paving program. This paving project was previously prioritized by the Board and approved in the most recent Secondary-Six Year Improvement Plan (SSYIP). The Virginia Department of Transportation (VDOT) requires that the governing body of the jurisdiction within which a road proposed for paving under the RRR program is located, adopt a Resolution designating that road as a Rural Rustic Road.

Each spring the Board approves the SSYIP which includes funds dedicated to paving unpaved roads in the County under the RRR Program. The RRR Program is VDOT's preferred approach to paving low volume roads. The goal of the program is to keep traditional rural lane ambience, while improving the road surface within the current right-of-way. VDOT supports paving to reduce maintenance costs. In FY 2016 Albemarle County received approximately \$423,000 in funds to pave unpaved state maintained roads. In the Spring of 2016, the Board approved the most recent SSYIP which included the funds to pave Preddy Creek Road from Route 600 (Watts Passage) to Route 640 (Gilbert Station Road) in FY 2017.

The process for identifying and prioritizing RRR paving projects in the County begins with an evaluation of submitted paving requests to identify the eligibility and need. The Board then approves the prioritized list of projects and the SSYIP that reflects those priorities. Within one year of when the road will be paved adjacent landowners are notified and given an opportunity to comment. Following that comment period the Board is presented with a Resolution designating the road a Rural Rustic Road.

Property owner notifications went out in early December for this project requesting comments back by early January. Comments were received from four residents that expressed a strong desire to pave, one of whom also had concerns related to increased speeds and sight distances. VDOT has agreed to make efforts to address sight distance and other geometric issues to the best of their ability within the budget and existing right-of-way. Following the paving, there will be a traffic engineering plan that will determine speed limits (at or below 35) and the need for additional signing to alert motorists of hazardous conditions such as blind hills/curves. Albemarle County Schools supports paving to increase safety and accessibility for their school buses.

One resident did not support paving due to a desire to live on a dirt road, and a concern that traffic levels and speeds will increase if the road is paved. Further outreach with this person has resulted in general acceptance of the paving.

Adoption of this Resolution will have no impact on the County budget. This authorizes VDOT to expend state funds on a project to which the Board has previously recommended state funds be allocated through the SSYIP.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to designate Route 747, Preddy Creek Road, as a Rural Rustic Road.

**By the above-recorded vote, the Board adopted the following Resolution to designate Route 747, Preddy Creek Road, as a Rural Rustic Road:**

**RESOLUTION TO DESIGNATE ROUTE 747,  
PREDDY CREEK ROAD, AS A RURAL RUSTIC ROAD**

**WHEREAS**, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

**WHEREAS**, the Board of Supervisors of Albemarle County, Virginia desires to consider whether Route 747, Preddy Creek Road, from Route 600 Watts Passage to Route 640 Gilbert Station Road should be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**WHEREAS**, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors hereby designates Route 747, Preddy Creek Road, from Route 600 Watts Passage to Route 640 Gilbert Station Road, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

**BE IT FURTHER RESOLVED**, the Board requests that Route 747, Preddy Creek Road, from Route 600 Watts Passage to Route 640 Gilbert Station Road, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

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Item No. 8.8. Resolution to accept road(s) in Out of Bounds Subdivision into the State Secondary System of Highways. (*Jack Jouett Magisterial District*)

**By the above-recorded vote, the Board adopted the following Resolution to accept road(s) in Out of Bounds Subdivision into the State Secondary System of Highways:**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 5th day of April, 2017, adopted the following resolution:

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

**WHEREAS**, the street(s) in **Out of Bounds Subdivision**, as described on the attached Additions Form AM-4.3 dated, **April 5, 2017**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Out of Bounds Subdivision**, as described on the attached Additions Form AM-4.3 dated **April 5, 2017**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

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- 1) **Bennington Road Extension (State Route 1407)** from Westminster Road (State Route 1404) to .03 miles west, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 388, pages 292-295, for a length of 0.03 miles.
- 2) **Georgetown Road Extension (State Route 656)** from Barracks Road (State Route 654) to .125 miles south, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 388, pages 292-295, for a length of 0.13 miles.
- 3) **Bennington Road Extension (State Route 1407)** from new section of Georgetown Road (State Route 656) to .07 miles west, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 388, pages 292-295, for a length of 0.07 miles.
- 4) **Georgetown Road Extension (State Route 656)** from Bennington Road (State Route 1407) to .06 miles south, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 388, pages 292-295, for a length of 0.06 miles.

Total Mileage – 0.29

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Item No. 8.9. County Grant Application/Award Report, ***was received for information.***

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

The attached Grants Report provides a brief description of three grant applications submitted during the time period of February 11, 2017 through March 10, 2017. This report also includes a comprehensive look at potential Five Year Financial Plan implications if projects and/or programs that are supported by grants are continued with local funding after the grants end. As grant funding ends, recommendations will be included in the County Executive's proposed annual budgets for the Board's consideration as to whether local funding should be used to continue those projects and programs. No County funds will be used to fund the continuation of those projects and programs without Board approval.

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

This report is to provide information only. No action is required.



GRANT REPORT ACTIVITY – February 11, 2017 through March 10, 2017

Applications made during this time.

Granting Entity	Grant Project	Type	Amount Requested	Match Required	Match Source	Department	Purpose
Department of Transportation National Highway Traffic Safety Administration	Department of Motor Vehicles (DMV) Driving Under Influence (DUI) Reduction	Federal	\$21,835.00	\$10,917.50	In-Kind	Police	This grant will be used to provide additional funds for increased DUI enforcement and saturation patrols in Albemarle County and sobriety checkpoints.
Department of Transportation National Highway Traffic Safety Administration	Department of Motor Vehicles (DMV) Speed Reduction	Federal	\$8,734.00	\$4,367.00	In-Kind	Police	This grant will be used to provide additional funds for increased traffic safety enforcement in Albemarle County.
Virginia Department of Environmental Quality	River Run Restoration	State	\$128,621.00	\$128,621.00	CIP	Facilities & Environmental Services	This grant will be used to provide procurement of design and construction services for a stream restoration project that will cross over the City / County boundary.

No awards were received during this time.

Comprehensive Look at Potential Five Year Financial Plan Grant Impacts:

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

Grant Entity	Grant Name	Summary	# of FTE	Designation of Current Budget Match	Expected End Date	FY17 Grant Amount*	Potential Financial Impact - Includes Five Year Plan salary assumptions				
							FY18	FY19	FY20	FY21	FY22
Virginia Department of Criminal Justice Service	FY16 Byrne/Justice Assistance Grant (JAG) Law Enforcement	This grant provides funding for a current police Sergeant position to form and lead the new Problem Oriented Policing (POP) Team and includes overtime/equipment/ supporting costs. This grant requires the local match to increase each year with the goal at the end of the grant to be for a full time employee to be hired and associated costs to be absorbed in the department.	1	Grants Leveraging Fund	6/30/2020	\$104,925.00	\$ 69,754.50	\$ 104,631.75	\$ 139,509.00	\$ 139,509.00	\$139,509.00
Virginia Department of Criminal Justice Service	FY16 Byrne/Justice Assistance Grant (JAG) Crime Analysis	This grant provides funding for the current Crime Analyst position. The grant requires the local match to increase each year with the goal at the end of the grant to be for a full time employee to be hired.	1	Police Department	6/30/2017	\$16,939.00	\$ 69,313.00	\$ 69,313.00	\$ 69,313.00	\$ 69,313.00	\$ 69,313.00
*does not include local match funds							\$139,067.50	\$ 173,944.75	\$ 208,822.00	\$ 208,822.00	\$208,822.00

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

Grant Name	Summary	# of FTE	Designation of Current Budget Match	Actual End Date	Potential Financial Impact					
					FY18	FY19	FY20	FY21	FY22	
2006 Assistance to Firefighters	This grant provided funds for the purchase of turnout gear in 2006. The equipment life is now expiring and the estimated amount of approximately \$140,000, which is typically budgeted in a given year for this expense, is now estimated to be inadequate to replace the equipment over time. The additional funds listed in this chart reflects the additional costs estimated to replace this equipment each year. Costs in the out years is estimated to decrease due to the newly centralized management process and expected efficiencies.	0	Fire Rescue Fund	6/30/2006	\$ 236,700.00	\$191,800.00	\$ 147,090.00	TBD	TBD	
Equipment Grant	This grant provided funds for the purchase of fitness equipment. The equipment life span is expiring.	0	Fire Rescue Fund	6/30/2009	\$ 40,356.00	\$ 53,345.00	\$ 54,934.00	TBD	TBD	
					\$ 277,056.00	\$245,145.00	\$ 202,024.00	\$ -	\$ -	

Item No. 8.10. FY 2017 2nd Quarter Cash and Non-Cash Proffer Report, **was received for information.**

The Executive Summary forwarded to the Board states that in 2007, the Board directed staff to provide a quarterly report on the status of cash proffers. Since that time, the report has been expanded to also include updates on non-cash proffers. The last quarterly proffer report the Board received on December 14, 2017 included information on cash proffer revenue and expenditures and non-cash proffers for July through September, 2016. This report includes proffer activity for October through December, 2016. Going forward, proffer reports will be provided on a yearly basis. The Board will receive their next proffer report in September, 2017, which will include a summary of all cash and non-cash proffers received in fiscal year 2017 (through July, 2017).

Critical Infrastructure: Prioritize, plan and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

Proffer Activity for Second Quarter of Fiscal Year 2017 (October-December 2016):

- A. **New Proffered Revenue:** The rezoning for Brookhill was approved November 9, 2016. In addition to transportation improvements, affordable housing, parks and trails, historic resource proffers, and inkind improvements (elementary and high school sites), a total of \$500,000 in cash proffers will be received to fund public transit.
- B. **Total Proffered Revenue:** Total proffered revenue is \$49,734,856.45. This reflects annual adjustments to anticipated proffer revenue (not received yet, but obligated) from proffers in which annual adjustments were proffered.
- C. **2nd Quarter Cash Revenue:** The County received a total of \$408,886.18 from existing cash proffers during this quarter from developments listed in Attachment A.

- D. **Appropriations:** A total of \$65,650.09 was appropriated this quarter to be used towards the Pantops Public Safety Station and a total of \$36,907.50 from 5th Street Station proffers was appropriated towards transit.
- E. **Expenditures:** A total of \$36,907.50 from 5th Street Station proffers was expended towards transit this reporting period.
- F. **Current Available Funds:** As of June 30, 2016, the available proffered cash on-hand is \$5,533,560.48 (including interest earnings on proffer revenue received). Some of these funds were proffered for specific projects, while others may be used for general projects within the CIP. Of the available proffered cash on-hand, \$3,452,006.85 (including interest earned) is currently appropriated (Attachment B). The net cash balance is \$2,033,417.59 and may be used for future expenditures.

Cash proffers are a source of revenue to address impacts from development, and they support the funding of important County projects which would otherwise be funded through general tax revenue. Using cash proffer funding for current or planned FY17-FY19 CIP projects builds capacity in the CIP by freeing up funding for other projects. In addition, non-cash proffers provide improvements that might otherwise need to be funded by general tax revenue

This Executive Summary is for information only and no action is required by the Board.

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Item No. 8.11. Albemarle County 2016 4th Quarter Building Report, ***was received for information.***

The report states that during the fourth quarter of 2016, 139 building permits were issued for 247 dwelling units. There were no permits issued for a mobile home in an existing park. There were no permits issued for the conversion of an apartment to a condominium.

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Item No. 8.12. Albemarle County 2016 4th Quarter Certificate of Occupancy Report, ***was received for information.***

The report states that during the fourth quarter of 2016, 115 certificates of occupancy were issued for 116 dwelling units. There were no permits issued for a mobile home in an existing park. There were no certificates of occupancy issued for the conversion of an apartment to a condominium.

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Item No. 8.13. Albemarle County 2016 Year End Building Report, ***was received for information.***

The report states that during 2016, 592 building permits were issued for 856 dwelling units. There were two permits issued for mobile homes in an existing park, at an exchange rate of \$2,500, for a total of \$5,000. There were no permits issued for the conversion of an apartment to a condominium.

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Item No. 8.14. Albemarle County 2016 Year End Certificate of Occupancy Report, ***was received for information.***

The report states that during 2016, 414 certificates of occupancy were issued for 417 dwelling units. There were five permits issued for mobile homes in existing parks, at an exchange rate of \$2,500, for a total of \$12,500. There were no certificates of occupancy issued for the conversion of an apartment to a condominium.

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Item No. 8.15. *Board-to-Board, March 2017, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, was received for information.*

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Item No. 8.16. Albemarle County Service Authority Quarterly Report, ***was received for information.***

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Item No. 8.17. Brooks Family YMCA Quarterly Construction Update, ***was received for information.***

The report states that since their last report in December 2016 the project has continued on schedule. They remain on budget with adequate contingencies in place to complete the project. The date for substantial completion remains May 29, 2017. They continue to monitor schedule progress closely and are still confident Loughridge will complete on time. They have initiated discussions with Neighborhood Development Services regarding the occupancy process to make sure we are not overlooking any requirements that could delay the Y's ability to occupy the facility.

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Item No. 8.18. Copy of letter dated March 8, 2017, from Mr. Francis H. MacCall, Principal Planner, to Ms. Marcia Greco, ***re: LOD-2017-00005 - OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 08900-00-00-06000 (Property of VICTORIA G***

**AGEL) – Samuel Miller Magisterial District, was received for information.**

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Item No. 8.19. Copy of letter dated February 16, 2017, from Mr. Francis H. MacCall, Principal Planner, to Ms. Ann Earnhardt, **re: LOD-2016-00021 OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel IDs 12700-00-00-04000 & 12700-00-00-040F0 (Property of ANN E. EARNHARDT) – Samuel Miller Magisterial District, was received for information.**

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Agenda Item No. 9. ZTA 2016-07 Utility-Scale Photovoltaic Generation Facilities.

The Executive Summary presented to the Board states that SolUnesco wishes to develop an 11 megawatt photovoltaic solar energy generation system in Albemarle County. The current zoning ordinance allows for the transmission and distribution of energy, but not the generation of energy. Consequently, a zoning text amendment (ZTA) is required to allow the use.

ORIGIN: SolUnesco, a developer of large-scale solar energy projects, has filed this ZTA request.

PUBLIC PURPOSE TO BE SERVED: Renewable energy production can serve the public through reducing the use of fossil fuels and related emissions, which in turn preserves natural resources. Alternative energy use is consistent with Albemarle County Comprehensive Plan policy in the following ways: 1) Renewable energy production is consistent with Natural Resources Objective 8, which calls for the recognition of changes occurring to the earth's climate and to anticipate and mitigate impacts to the County; 2) Renewable energy production is consistent with the recommendations of the 2010 Local Climate Action Planning Process (LCAPP) Steering Committee (which included County representatives), which were approved by the Board in 2011. That Committee recommended promotion of wider awareness and adoption of cleaner sources of electrical energy, including solar photovoltaic. More generally, LCAPP recommended the identification and promotion of steps that enable the community to reap the health, economic and environmental benefits that accompany sound energy-based decisions. Renewable energy production is consistent with the Community Facilities Objectives 7 and 10, which call for decreasing greenhouse emissions and support of private electric service.

ADMINISTRATION/REVIEW PROCESS: Staff believes that the applicant's request can move forward most efficiently if the ZTA is limited to the following two amendments to the Zoning Ordinance: 1) the addition of utility-scale photovoltaic energy generation as an allowable use by Special Use Permit in the Rural Areas zoning district, and 2) the addition of a definition of utility-scale photovoltaic generation facility. Following adoption of the ZTA, staff would review the applicant's Special Use Permit (SP) request. Among the potential issues to be studied in that review are: visibility and screening, glare and reflectivity, reversibility, stormwater runoff, tree and habitat loss, noise, setbacks, security fencing, impacts to natural, cultural, and historic resources, and impacts to agricultural/forestal uses. Also included in the review will be consideration of the standards outlined in the Comprehensive Plan for new uses in the Rural Area. A community meeting will be held as a standard requirement of the SP process, and the applicant has been encouraged to facilitate the process by beginning to contact neighbors and interest groups directly.

HOUSING AFFORDABILITY: No impacts on affordable housing are anticipated as a result of this amendment.

There is no anticipated need for additional staff or funding to complete this work. Staff believes that this will require a limited amount of staff time and that the work can be done without delaying any of its current priorities. As staff time is fully allocated in the current year, this work potentially creates a very small delay in starting other new initiatives.

Staff believes that the zoning text amendment has merit and recommends that the Board adopt the attached Resolution of Intent (Attachment A). Staff will assume approval of the Resolution of Intent serves as Board agreement to prioritize this initiative.

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Ms. Margaret Maliszewski, Principal Planner, addressed the Board and said that utility-scale photovoltaic generation facilities are commonly known as solar farms. She stated that the current zoning ordinance allows for the transmission and distribution of energy but does not permit energy generation, which would require a zoning text amendment. She said that SolUnesco develops large-scale solar energy projects and has representatives in attendance. Ms. Maliszewski said that staff believes the applicant's request could be handled most efficiently if it was limited to two amendments, with one allowing use by special use permit in the rural area zoning district, and the second adding the definition of a utility-scale photovoltaic generation facility. She said that following the adoption of an amendment that includes these two changes, staff would review a special use permit request and consider the various issues that require study. She invited questions.

Ms. Mallek commented that this is the first step in the process to allow them to obtain the information needed to make a decision.

Ms. Palmer asked Ms. Maliszewski to clarify the steps in the process. Ms. Maliszewski responded that her office recommends a process of first having the Board adopt a resolution of intent; staff would then work on a zoning text amendment, adding and defining the use as by special use permit in the rural area district. She said the applicant would then apply for a special use permit, which would be

reviewed by staff, and during the review they would look at potential impacts in this location.

Ms. Palmer asked if the review process would look at soil, water and related issues. Ms. Maliszewski confirmed this.

Mr. Kamptner said conditions could be imposed to address the impacts.

Ms. Mallek asked if they must wait until the first phase is completed before staff could begin its research, or if they could conduct deliberative work prior. Ms. Maliszewski replied that it was not an available use so it could not be applied for yet.

Mr. Dill asked for a time estimate of the zoning text amendment. Mr. Mark Graham responded that staff is trying to accelerate the ZTA and hopes to present it to the Planning Commission in May then come back to the Board in June.

Ms. Palmer asked if it is possible to carve out an exception in the process, such as allowing for a landfill located in the rural area, so that a special use permit is not required.

Mr. Randolph offered to paraphrase Ms. Palmer's questions. He asked if a landfill would be suitable for a solar application.

Ms. Palmer said this is not what she was asking. She clarified that she wants to know if a landfill could be looked at differently.

Mr. Randolph said her second question is whether a carved-out parcel would be treated on an equal basis as this application, adding that the issue of acceptable uses for a landfill is a legal question.

Ms. Palmer said she is bringing this up because the construction of the new transfer station on Rivanna Water and Sewer Authority property would significantly alter the property and is undergoing the same process.

Mr. Kamptner explained that a public solar farm would be considered a public use, which is allowed by right. He stated that if the land were to be made available for private use, it could be done in one of two ways: a by-right use defining the types of land eligible, to contain those uses with performance standards; and to create an overlay district that identifies County brownfield sites eligible for these activities, subject to performance standards. He said this is completely different from the process to which today's resolution pertains.

Mr. Francis Hodsoll, co-founder of SolUnesco, responded to Ms. Palmer's comments. He said he is a member of the Board for the Regional Solar Association and is involved in regional policy matters, having developed solar projects since 2008. He reviewed the two types of solar markets, a supplier of power to the wholesale grid, and distribution to the generation market, where power is provided primarily to the host area. He said in the case of a landfill, the Department of Environmental Quality process would look at environmental impacts. Mr. Hodsoll expressed support for use of reclaimed land, but emphasized that there are specific environmental impacts that must be evaluated, such as putting something that must be anchored on top of a membrane designed to contain landfill debris. He said that DEQ's environmental review process starts at 500 KW and what would go on a landfill might fall below this threshold, so it is important for the County to have a conditional use process and consider the potential impacts a facility could have on a landfill.

Mr. Sheffield asked Mr. Kamptner for an assessment of the County's solar policy, stating that he expects businesses in his constituency to propose solar panel additions to their buildings and is concerned the County will overregulate and deter applicants. Mr. Kamptner responded that the Zoning Administrator, Ms. Amelia McCulley, had issued an advisory determination in the past week that indicated solar uses were accessory to the primary use.

Mr. Sheffield emphasized the importance of making this clear to existing businesses and landowners, and asked Mr. Kamptner to make proactive efforts to educate people so the County is not creating barriers to solar panels.

Mr. Graham noted that solar panels are an accessory use, and the County permitted more than 60 applications for them last year, including a \$1.2 million installation on a commercial building.

Mr. Sheffield asked for the average length of time for permits to be approved. Mr. Graham responded that the average is just under two weeks.

Ms. Palmer then offered **motion** to adopt the proposed Resolution of Intent to amend the Zoning Ordinance. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

## **RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance does not permit the siting, development,

construction, operation, integration, or decommissioning of utility-scale photovoltaic generation facilities (hereinafter referred to as “large-scale solar energy systems”); and

**WHEREAS**, Virginia Code §15.2-2280 enables local governing bodies to enact zoning regulations for specific land uses and Virginia Code §15.2-2284 provides that consideration be given to the conservation of natural resources; and

**WHEREAS**, the Albemarle County Comprehensive Plan (hereinafter “the Plan”), Chapter Four, Natural Resources, Objective Eight states the County shall, “Recognize changes occurring to the earth’s climate to anticipate and mitigate impacts to the County.”; and

**WHEREAS**, the County, the City of Charlottesville, and the University of Virginia formed the Local Climate Action Planning Process Steering Committee (hereinafter “LCAPP Committee”) in 2010, which recommended that all three entities integrate the role of energy and carbon emissions in projects and planning and that the entities identify and promote actions that enable the community to reap the health, economic and environmental benefits that accompany sound energy-based decisions; and

**WHEREAS**, the Board accepted the LCAPP Committee’s recommendations on September 7, 2011; and

**WHEREAS**, the Plan, Chapter Twelve, Community Facilities, Objective Ten, Strategy 10(a) provides that the County will, “Continue to ensure the adequate provision of electricity, telephone, fiber optics, and natural gas services to support existing and anticipated development in the County through coordination with utility companies”; and

**WHEREAS**, permitting the siting, development, construction, operation, integration, and decommissioning of large-scale solar energy systems may assist the County’s efforts to achieve the aforementioned objectives in the Plan as well as the LCAPP Committee’s recommendations; and

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending the Albemarle County Zoning Ordinance to achieve the purposes described herein; and

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

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Agenda Item No. 10. Revenue Sharing Surplus Balance Reallocation to Active Revenue Sharing Projects.

The Executive Summary presented to the Board states that on February 22, 2017, County staff met with Virginia Department of Transportation (VDOT) representatives to discuss the outstanding balance of surplus Transportation Revenue Sharing (TRS) funds that VDOT has identified from previous TRS VDOT projects in the County. Pursuant to VDOT’s procedures for the TRS program, surplus TRS funds from one or more projects can be transferred to other active TRS projects within the locality if those projects are included in the State’s Six year Improvement Plan.

The subject surplus funds are TRS fund allocations from previous years. VDOT has emphasized the importance of expending these funds expeditiously. Transfers should be requested before the Commonwealth Transportation Board adopts planned procedural changes that will complicate the transfer process. Accordingly, VDOT requested that County staff provide a list of active TRS projects and the corresponding surplus amounts.

The current balance of surplus TRS funds (\$2,333,897) consists of unused funds from the Meadow Creek/John Warner Parkway, Jarmans Gap Road, and US29-Signal/Traffic Services. The breakdown of these sources is provided in the Surplus Revenue Sharing Funds Table (Attachment A). At present, only the County (Locality Administered) TRS sidewalk projects are eligible to receive the transfer. Staff has identified three active sidewalk projects along with recommended funds transfers in the Recommended Transfers Table (Attachment B). The recommended projects and potential benefits the transfers would provide are summarized below.

Hydraulic Road and Barracks Road Sidewalks. Design plans are complete, rights-of-way/easements acquired, and we will advertise the project bid in April 2017. Based on current local/regional bidding and construction activity there is a demonstrated trend of rising construction and material costs, and significant potential for the bids to exceed the current project budget. Staff recommends transferring a portion of the surplus TRS funds (\$300,000) to address the dynamics of the current bidding climate.

Ivy Road Sidewalk. The scope of the project is to provide sidewalk (south side only) and bike lanes from the City Limits (Old Ivy Road Intersection) to Stillfried Lane (eastern border of the UVA property). At the January 6, 2016 Board of Supervisors meeting, it was identified that the cost to design, acquire right-ofway/easements, relocate private & public utilities, and construct the improvements for the full project will be beyond the available budget. In accordance with the Board action, the final design plans will include the full project (City Limits to Stillfried Lane), with the actual construction phased to build



as much of the sidewalk and associated improvements as possible while staying within the limits of the project budget. The improvements between Colonades Drive and Stillfried Lane will be the most expensive to construct since they require relocating existing private and public underground utilities, acquiring right-of-way and utility easements, and constructing retaining walls. Only a portion of these improvements can be built within the current budget. Based on our consultant's estimate, Staff recommends transferring a portion of the surplus TRS funds (\$1,278,000) to complete the improvements between Colonades Drive and Stillfried Lane.

State Farm Boulevard Sidewalk (Hickman Rd to South Pantops Drive). Staff had to omit this portion of the sidewalk improvements from the Crozet Avenue North, State Farm Boulevard, and South Pantops Drive project when the original bids all exceeded the project budget. The reduced scope project was re-bid and constructed, with the exception of the US250 pedestrian crossing that will be constructed when VDOT grants approval. The final design of the Hickman Road to South Pantops Drive portion of the project is complete and is a "shovel-ready" project. The Pantops Master Plan Implementation Table included the State Farm Boulevard Sidewalk and the Pantops Advisory Council considers the completion of this pedestrian link a priority infrastructure improvement. Therefore, staff recommends transferring a portion of the surplus TRS funds (\$755,897) to construct the State Farm Boulevard sidewalk between Hickman Road and South Pantops Drive.

There will be no direct impact to the County budget. VDOT previously collected the County share of the Meadow Creek/John Warner Parkway, Jarmans Gap Road, and US29-Signal/Traffic Services Revenue Sharing allocations. Therefore, the County will be fully reimbursed from the redistributed surplus TRS funds until all funds are expended.

It is recommended that the Board authorize staff to request VDOT to transfer available surplus Transportation Revenue Sharing funds to the projects and in the amounts indicated in the Recommended Transfer Table (Attachment B). If approved, a request for appropriations will be submitted to the Board at a future meeting.

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Mr. Jack Kelsey, County Transportation Engineer, addressed the Board. He said that staff met with VDOT representatives in February to discuss surplus revenue-sharing fund balances left over from completed projects. Mr. Kelsey stated that the funds could be transferred to active revenue-sharing projects that are included in a locality's six-year plan. He said the County's surplus funds are from the John Warner Parkway, Jarman's Gap Road, and Route 29 signal and traffic services. He noted that Table A of the executive summary provides a listing of each project. Mr. Kelsey said the VDOT representatives encouraged the County to spend the funds as expeditiously as possible and that the transfers be requested before the Commonwealth Transportation Board makes procedural changes, which would make the request process more stringent as it would require approval of the CTB.

Ms. Mallek asked if the recipient projects would have the same scope as originally discussed, particularly with the Ivy Road project. Mr. Kelsey said the Ivy Road project was designed from the City limit to Stillfried Lane, which is the eastern border of University of Virginia property. He said they originally planned to fund the project in segments, but with the surplus funds they could construct the entirety of the project.

Ms. Mallek asked if the University of Virginia would build the section between Stillfried Lane and the ECC building. Mr. Kelsey responded that staff hopes so, but there is no guarantee.

Ms. McKeel said the projects that would be funded with surplus funds are the Hydraulic-Barracks Road sidewalk project, the Ivy Road sidewalk project, and State Farm Boulevard from Hickman to South Pantops Drive, for a total of \$2,333,897.

Ms. Mallek asked if the Harris Teeter on 250W project that was complete was funded by a different pool of funding. Mr. Kelsey confirmed this and said it was funded by a prior \$200,000 transfer from the Meadow Creek Parkway surplus transfer.

Mr. Dill **moved** to authorize staff to request VDOT to transfer available surplus Transportation Revenue Sharing funds to the projects and in the amounts indicated in the Recommended Transfer Table. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

ATTACHMENT B

Recommended Transfers			
Project Name	RS Surplus Funds	Reason	Bid Date
Hydraulic-Barracks Road Sidewalk	\$300,000	Anticipated bidding shortfall based on recent construction cost increases	Apr-2017
Ivy Road Sidewalk	\$1,278,000	Shortfall to build the full project (Old Ivy Road to Stillfried Lane) due to the higher underground utility relocations and construction costs for the segment between Colonades Drive and Stillfried Lane.	Jan-2019
State Farm Blvd (Hickman to S. Pantops Dr)	\$755,897	Amount to build the previously designed segment between Hickman Rd. and South Pantops Dr.	TBD
Total RS Surplus Funds	\$2,333,897	Surplus from Meadow Creek Parkway, Jarmans Gap Road, and US29 Signal/Traffic Services	

Agenda Item No. 11. **Work Session:** VDOT Secondary-Six Year Plan Priorities and Recommendations.

The Executive Summary states that this work session is intended to present information on the Albemarle County Secondary Six-Year Plan (SSYP) and road paving priorities in advance of the development and approval of the FY 2018 SSYP in June of 2017. The information and Board direction elicited from this work session will be used to develop this FY 2018 SSYP.

The SSYP allocates funding for the construction, maintenance, and improvement of roads in the state secondary system. The funds allocated to Albemarle County through the SSYP include state and federal funds for a variety of road improvement programs. The SSYP for Albemarle County is updated and approved annually and identifies the specific funding source, use, and levels allocated for the immediate fiscal year. The SSYP also identifies projected funding allocations for the next five fiscal years.

The Albemarle County Priority List for Secondary Road Improvements, Unpaved Roads, is a listing of all Secondary Roads that have been requested to be paved by the public, County departments, and other agencies. This list is reviewed annually and approved by the Board, and forms the basis of the SSYP for Albemarle County.

The Secondary-Six Year Plan Priorities and Recommendations Report (Attachment A) provides the background on the SSYP, the Virginia Department of Transportation paving programs, and Albemarle County's paving requests and priorities. This report and work session is held annually prior to development of the Draft SSYP in order to inform the development of that Plan. The SSYP establishes the program for expending state funds allocated to Albemarle County for road improvements to the Secondary Road System. The majority of the available funding must be used for paving unpaved roads. The report also provides information on the projected funding allocations, the status of the projects currently in the SSYP, and County and VDOT staff recommendations for any changes or additions to the SSYP. Also included in the report is information regarding the process for reviewing and prioritizing unpaved road projects.

This work session is focused on 1) the review of the prioritization strategies for unpaved roads, and 2) input on project recommendations for the SSYP for FY 2018 through FY 2023. Based on the direction received from the Board, staff will make any adjustments to the prioritization strategies and priority list of projects and will work with VDOT staff to finalize the SSYP for public hearing and adoption in June.

The SSYP outlines the expenditure of State/VDOT secondary road construction funds allocated to the County. The SSYP program does not require the expenditure of County funds unless the Board directs additional funding from the County general fund be appropriated to a project, such as through the use of the Transportation Revenue Sharing program.

Staff recommends that the Board: 1) Provide input on the unpaved road review and prioritization process; 2) Approve the recommended prioritized list of paving projects set forth in the staff report for inclusion in the County's draft FY18-22 SSYP; and 3) schedule a public hearing on the SSYP for June 7, 2017.

Mr. David Benish, Chief of Planning, presented to the Board. He said the six-year plan process allocated funding for construction, maintenance and improvements for state secondary roads. He said the Board reviewed this annually and approved a list of priority projects, which then become part of VDOT's budget. Mr. Benish stated that available funds to Albemarle for FY18 were about \$850,000, and the vast majority of these funds must be used for unpaved roads. He said the preference of the County was to use the Rural Rustic Roads program fund to pave unpaved roads and the County's priority list of unpaved secondary roads was reviewed annually, forming the basis of the six-year plan. He referenced an attachment provided to the Board that outlined the process for review and prioritization, noting that last year the Board made one change to the process that require an annual review of listed priorities.



Mr. Benish presented a PowerPoint with the projects recommended for addition to the list: Doctors Crossing – completed and removed; Bunker Hill Road – under construction; Preddy Creek Road, Patterson Mill Lane, and Keswick Drive – all in the planning process and being staged for implementation; Dick Woods Road – request to be advanced; North Garden Lane, Coles Rolling Road, and Harris Creek Road – increased in priority due to increased traffic volume; and Hammocks Gap – newly added.

Ms. Palmer said she supports having the Board review the list every year, as it is the most common issue brought up by constituents. She said people think projects on the six-year list are approved, but the projects on the list are actually going through a funding approval process, and suggested they make it clear on the County website that this is a funding process and that projects would not necessarily be approved.

Mr. Benish acknowledged the confusion and said they will look at ways to make it clearer.

Ms. Mallek said this confusion had caused decades of aggravation, and investments have been made with faulty information. She praised Mr. Benish for the way the list had been organized this time, with high traffic roads grouped together. She stated that some residents were against the paving of roads as they believed paved roads would lead to higher density, and said that a cost-effective way to protect rural areas was to not pave gravel roads.

Mr. Benish commented that once projects are entered into the secondary program for funding, the County notifies adjacent property owners. He asked Ms. Mallek to let him know if she believes some projects merited further evaluation as to whether they should be on the list. Ms. Mallek responded that there was a hundred-year supply of critical things that needs to be done and she does not want to have the list cluttered by other things. She suggested that the Board have discussions before roads are added to the list.

Mr. Randolph noted that Wesley Chapel Road has been on the list since 2007 when the school bus used to travel on it. He said the schools have reorganized bus routes to make them more centralized, and suggested that Mr. Benish review the list with the schools as they may no longer be using some roads.

Mr. Dill commented that Hammock's Gap was moved up the priorities list due to water damage, as well as for having a bridge that firetrucks were not allowed to pass over. He asked Mr. DeNunzio for an update.

Mr. Joel DeNunzio of the VDOT Charlottesville Residency addressed Mr. Dill's comments. He said it was originally looked at as a rural rustic road, but portions of it did not meet the rural rustic standards, and there were some narrow and steep areas that are problematic for hard surfacing, given the speed of traffic and the maintenance of some widths. He said they received a request from a landowner to at least look up to the bridge from the beginning at Route 20. He said they could put the first section up to the bridge under the Rural Rustic Road program, but the next section after the bridge widened and then became narrow again towards the end of the road to 12-13 feet, which was not the intent of the program. He noted that the cost estimate to widen and get the road in shape was \$1.6M, which was well beyond what VDOT expected. Mr. DeNunzio stated that they could add hard surfacing to the beginning of the road under the Rural Rustic Program, which was what the homeowners along the road had requested. He expressed his opinion that paving up to the bridge should be added to the list but not the entire road, adding that the cost was estimated at \$125,000.

Ms. Mallek said that once the road was improved, traffic would quintuple as people were racing to Castle Hill Cidery. Mr. DeNunzio responded that it was a dead end road with only houses along it.

Ms. Palmer asked how a road is taken off the list, stating that she is specifically interested in removing Decca Lane because it would be very expensive and difficult to pave, with guardrails required along the cliff and no place to put them without easements. Mr. DeNunzio said the road is narrow and does not meet the criteria of a Rural Rustic Road. He said that to widen and add hard surfacing would cost more than what the unpaved road program was funding.

Mr. Benish pointed out that any changes would have to go through a public hearing along with all items on the list.

Ms. Mallek suggested that they also remove Ballard's Mill Road, Sugar Ridge, and Wesley Chapel Road.

Mr. DeNunzio emphasized that the Board of Supervisors makes the list and VDOT's role is to evaluate the road and determine what program it qualifies for. He said they receive the best bang for the buck from the Rural Rustic Program at a cost of \$125,000-\$175,000 per road mile, whereas road widening projects cost over \$1 million.

Mr. Benish said they would put together a draft for the Board to act on at a public hearing.

Mr. Kamptner suggested that they have a motion to remove the items and schedule a public hearing.

Mr. DeNunzio quickly reviewed the list of funded items that had previously been reviewed by Mr.

Benish.

Ms. Mallek asked if Dick Woods Road is on the list because it is very difficult for VDOT to maintain. Mr. DeNunzio said that VDOT requested Dick Woods Road be moved up the list, as they conducted maintenance on ditches in a steep section as well as stone additions. He said they planned to hard surface the hill, since they are permitted to conduct maintenance on up to 500 feet of hard surfacing, and it would be easier to complete this now that it has been added to the six-year plan.

Ms. Palmer noted her understanding of the plans to pave Patterson Mill Lane, stating that they have had a huge problem with truck traffic in Batesville cutting over from Route 29 along Miller School Road to Route 250, and Patterson Mill Road is part of this cut through. She said she suspects that paving the road would not alleviate this problem.

Ms. Palmer **moved** to approve the recommended prioritized list of paving projects set forth in the staff report for inclusion in the County's draft FY18-22 Secondary-Six Year Plan Priorities. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Ms. Palmer then **moved** to set the public hearing on the Secondary-Six Year Plan Priorities for June 7, 2017. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

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**Recess.** At 2:49 p.m., the Board recessed and reconvened at 3:04 p.m.

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Agenda Item No. 12. **Transportation Matter:** Virginia Department of Transportation (VDOT) Quarterly Report.

**(Note:** When the Board resumed the meeting, Supervisors and staff were dressed in yellow VDOT work vests, which Ms. McKeel announced was in recognition of National Work Zone Awareness Week.)

Mr. Joel DeNunzio, VDOT Residency Engineer, presented to the Board. He thanked them for wearing vests and said that the previous night there had been an annual vigil at the VDOT Memorial. He said that family members of a man killed in a work zone in 1959 were present as his name was added to the list of worker fatalities. He noted that it is the responsibility of the traveling public to be safe in work zones, and he asked drivers to avoid distractions. Mr. DeNunzio stated that VDOT maintains a culture of 24/7 safety, with the first priority being the creation of safe work zones through the use of best practices, employee training, and technology. He noted two recent innovations, including the use of LED lights on stop and go signs and portable rumble strips. He mentioned some recent safety incidents, including one last year along I-64 at Afton Mountain, when two VDOT contract managers were conducting an inspection and as they walked along a shoulder, a pickup truck went around an impact attenuator and honked the horn to warn the employees so they could run up a bank and get out of the way. He said that within the past few years, VDOT has had two incidents with vehicles crashing into the back of crash cushions during mowing operations.

Mr. DeNunzio reminded the Board that with his last report, they discussed five County intersections targeted for safety and he would have Nathan Umberger present to them on this issue today. He said the Route 151/Route 250 temporary traffic signal is under construction and is expected to be operating by April 28. Mr. DeNunzio stated that weekend work was done on I-64 at the milepost 119 bridge zipper merge, or late merge, which was a new idea that maximized the capacity of merging lanes to clear traffic better and reduce rear end crashes. He said that Troy Austin monitored the queue at this merge on Saturday and it seemed to work well, adding that they would install a zipper merge on the westbound side over the weekend. Mr. DeNunzio stated that the Route 29 Solutions projects are ahead of schedule and in the design/build phase, with completion expected by June. He said the northbound traffic signal at Boulders Road would be changed from a constantly flashing light to a light that flashes only when a vehicle is expected to stop. He said that later this year, VDOT will install flashing yellow lights on Woodbrook at Lowe's to get traffic moving more efficiently into the shopping center. Mr. DeNunzio reported that the proposed roundabout at Route 250 and Route 240 did not get funded under the Smart Scale application process, but they had an opportunity to redo the Highway Safety Improvement Funding (HSIP) under the High-Risk Rural Roads program, and they have been notified that funding was approved for the roundabout in 2018.

Ms. Palmer asked what the criteria was to be considered a high-risk rural road, and if a fatality was required in order to meet that criteria. Mr. DeNunzio responded that it is mainly a traffic issue, although this could also result in a safety issue.

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Agenda Item No. 13. **Transportation Matter:** County Transportation Planner Quarterly Report.

Mr. David Benish, Chief of Planning, stated that he will provide an update on the status of the Smart Scale application, of which five projects have been recommended for funding: the I-64 westbound lane to the Route 29 northbound lane/Fontaine Avenue exit ramp; the Shadwell diverging diamond interchange improvement; the Route 151/Route 250 intersection; the Proffit Road/Route 20 intersection improvement; and the Berkmar Drive/Rio Mills connection. He said the Route 151/Route 250 project had been approved for HSIP funding.

Mr. Benish stated that they did not receive funding for any of the 2016 revenue sharing program applications, as the state had only funded ongoing Tier 1 projects and no new projects had been approved for funding this year. He said the revenue-sharing program was under review by the state and would likely receive less funding, with the priority-setting criteria likely to change.

Mr. Sheffield noted that Lockwood is on the list and asked if it is part of the secondary road system. He said that speed limits should be added, as people are cutting over to get to Earlysville Road as a way around the construction on Route 29. He asked if snowplowing was done by the County. Mr. Benish responded that the County does not plow this road.

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Agenda Item No. 14. **Transportation Matter:** Traffic Safety Presentation.

The Executive Summary presented to the Board states that the County Transportation Planner provides a quarterly report to the Board regarding the County's transportation work items as part of the Transportation Matters. The purpose of this agenda item is to review the Community Development Department's transportation activities each quarter and to seek Board guidance on its priorities.

The Transportation Planner's Quarterly Report (Attachment A) includes a summary of the transportation items, programs, and projects that the County Transportation Planner is currently engaged in, as well as a status update on various ongoing transportation initiatives being pursued in collaboration with the Virginia Department of Transportation, the Virginia Department of Rail and Public Transit, the Charlottesville-Albemarle Metropolitan Planning Organization, and other agencies and organizations working on transportation issues within the County. The purpose of the report and presentation is to inform the Board and receive feedback in order to insure the transportation related activities of the Community Development Department are aligned with the Board's priorities.

There is no budgetary impact related to this report.

Staff recommends that the Board receive the Transportation Planner's Quarterly Report and advise staff as to any priority changes or new issues not identified in the report, as well as any feedback regarding any recommended changes to the report's format or content.

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Mr. Nathan Umberger, VDOT Northwest Regional Traffic Engineer, addressed the Board and expressed his appreciation to Supervisors for wearing the traffic safety vests. He said the Route 240/Route 250 project was originally turned down for funding due to the cost, but the Route 680/Beaverdam Road connection brought them into this high-risk rural road category, enabling them to allocate extra funds left over from a federal program, which required expenditure.

Ms. Palmer asked why this was able to qualify. Mr. Umberger responded that it was because it was a secondary road with high crash numbers and could be classified as a high-risk rural road.

Mr. Umberger said he will present on two topics and acknowledged VDOT Engineer Troy Austin's work on data gathering. He said he would first address fatal crashes in Albemarle County, stating that there are 35,000–40,000 fatal crashes each year in the United States. He said they have a campaign known as "Vision Zero," with a goal to reduce fatalities to zero. He displayed a graph showing annual fatal crashes and deaths in the County each year from 2006-2016 that showed a total of 133 fatalities, with an average of 13 per year with 11 fatalities in 2016. His next slide was a chart indicating the average number of fatal crashes per month from 2011-2015 and highlighted that 63% of crashes occurred from July–December and 28% from November–December. Mr. Umberger presented a County map depicting the location of each fatal crash from 2011-2015. He pointed out that the locations are spread out across the County and there does not appear to be a particular area with disproportionate numbers of crashes. He also noted that more fatal crashes occur south of Charlottesville on Routes 29 and 20 than north of Charlottesville.

Mr. Umberger's next slide was a pie chart depicting the number of fatal accidents by type with the fixed object off-road classification, which consisted of vehicles leaving their lane, accounting for the largest portion at over 50%. He said that pedestrian deaths accounted for just over 9% of fatalities, and the additional classifications were head on, angle, sideswipe, rear end, fixed object, non-collision, and other. He said that while the roads are well paved and maintained, some rural roads do not have a shoulder and thus have a low margin for error, which was where many of the fatal crashes occur. His next slide showed a graph of accident contributing factors from 2011-2016, which showed that 59% of deaths were people not wearing seat belts. He noted it also showed that 45% of fatalities occurred in the dark, 25% were DUI, and 25% were speeding. His next slide showed that Albemarle County residents accounted for 52.6% of fatalities, with other Virginia residents 41%, and out of state 6.4%. Mr. Umberger presented a breakdown of fatalities by driver age range: age 0-19 at 7.7%, 20-29 at 23.1%, 30-39 at 16.6%, 40-49 at 15.4%, 50-59 at 14.1%, and 60+ at 23.1%. His next slide showed a pie chart that compared 2016 fatalities by County within the VDOT district, which includes Albemarle, Fauquier, Louisa,

Madison, Orange, Greene, Fluvanna, Culpeper, and Rappahannock. He noted that Albemarle, Louisa, and Fauquier had the highest number of fatalities.

Mr. Randolph asked if VDOT could show DUI fatality statistics within the County in the past or at least track DUIs in the County going forward, so they could determine if efforts to reduce drunk driving were succeeding. Mr. Umberger indicated he would be glad to provide this information and said that nationally DUIs have declined, which he speculated could be as a result of the use of Uber.

Mr. Dill asked if they maintained statistics of crashes involving those who had attended driver education classes. Mr. Umberger said that DMV conducts the classes and VDOT does not have access to these records, although it would be interesting to see.

Ms. McKeel said that Mr. Richard Warren used to conduct driver education training in the County schools, and she had seen data he kept of County driving statistics. She wondered if VDOT could reach out to the schools to see if they keep statistics on this.

Mr. Umberger began the second part of his presentation, which addressed high-crash locations. He said that he would focus on areas where an above average number of crashes occurred, although they may not involve fatalities. He introduced the Empirical Bayes (EB) Method of predicting long-term crash frequency at a site and referenced a chart depicting the EB formula, which combined observed crash frequency with crash frequency predicted by the Safety Performance Function (SPF). He said the formula was:  $N \text{ expected} = W \times (N \text{ predicted}) + (1-W \times N \text{ observed})$ . He stated that a second formula was known as the Potential for Safety Improvement (PSI):  $PSI = N \text{ expected} - N \text{ predicted}$ . His chart indicated that if a site had a positive PSI it was determined to be unsafe and had the potential for safety improvement.

Mr. Umberger said the VDOT Culpeper District had compiled a list of the top 100 safety need intersections, of which 37 were located in Albemarle. He stated that the highest ranked intersection in Albemarle for safety improvement was at Route 29/Hydraulic Road, and the second ranked intersection was Route 22/Route 250. Mr. Umberger displayed a map of the County showing locations of intersections identified as safety need intersections. His next slide indicated that 6 of the top 100 segments in the district are on Interstate 64, 31 are on primary routes in Albemarle County, and 23 are on secondary routes in Albemarle County. Mr. Umberger said the next slide shows the locations of crashes that occurred within 300 feet of the Route 29/Hydraulic Road intersection, with 137 occurring from 2011 to 2015, including 47 that involved injuries.

Mr. Umberger reviewed some measures they have taken to reduce the number of fatal crashes, such as the installation of rumble strips, flashing yellow signal upgrades, and high-visibility back plates to make signals more visible. He invited feedback from the Board on ideas to address safety concerns.

Mr. Dill suggested they compile a list of the top 50 intersections in the County for safety needs, and Supervisors could point out the ones within their respective constituencies to residents. Mr. Umberger said he could definitely work with Mr. Dill to create something.

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Agenda Item No. 15. **Transportation Matter:** Hydraulic Area Project Advisory Panel Update.

Mr. Mark Graham, Director of Community Development, presented. He said they have held two meetings so far and information about the project could be obtained on the Route 29 Solutions website. He said phase one would occur over the next six months and would involve the drafting of a small area plan for the Hydraulic Road intersection, followed by a second phase that would involve more detailed transportation planning and outline potential transportation improvements. He said that phase two would wrap up next summer, at which time they would make a Smart Scale application. Mr. Graham stated that a client charrette will be held at the Transportation Research Council on Tuesday, April 11 from 8:30 a.m. to 12:30 p.m. to kick off the small area plan, and the event is open to the public. He said that a public meeting will be held on April 26 at which time they hope to obtain feedback from the public. Mr. Graham stated that a time and location have not yet been established, but he would notify Supervisors once he has this information. He said concept development would occur from June to July, with a core area plan developed in August that will be reviewed by the Planning Commission and then City Council and the Board by October. He noted that he would appear before the Board of Supervisors monthly over the next six months to provide updates. He noted that Phillip Shucet had left and they are looking for someone to fill his position quickly. He stated that the meetings are live streamed and podcasted on the Route 29 Solutions website under "Panels."

Ms. Mallek asked what the circumference of the study area was. Mr. Graham replied that the study area extends from Hydraulic to the high school, but the actual planned area would be within a half mile of the intersection.

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Agenda Item No. 16. **Presentation:** Formation of a Regional Transit Partnership (MPO).

(Note: Mr. Brad Sheffield announced that since the presentation would involve his employer, JAUNT, for which he serves as Executive Director, he was required to disclose that he was filing a transactional disclosure statement with the Office of the County Attorney. He stated that he receives an annual salary from JAUNT that exceeds \$5,000. He added that the content of the discussion would not require him to step away from the meeting.)

Mr. Chip Boyles, Executive Director of the Thomas Jefferson Planning District Commission, presented. He stated that he will provide an update on the formation of a regional transit partnership, as per the Board's request at the joint meeting with Charlottesville City Council on February 14, when he presented results of the study for regional transit cooperation. He said the Planning and Coordination Council (PACC), which originated the study, also received the report and endorsed moving forward. Mr. Boyles stated that the study recommended the formation of a regional transit partnership consisting of an advisory council comprised of regional stakeholders, including Charlottesville Area Transit (CAT), the City of Charlottesville, the County of Albemarle, JAUNT, the University of Virginia, the Virginia Department of Rail and Public Transportation, and VDOT. He said the advisory board would be similar to the MPO Policy Board but would be larger, with 7-10 members. He said a technical committee was being assembled, with a task of drafting a memorandum of understanding outlining the purpose of the advisory board, how board members would be appointed, how often it would meet, its limitations, and how it would report to the Board of Supervisors and City Council. He said the MOU should be completed during the summer.

Mr. Boyles reported that the TJPDC recommends that the advisory board meet every other month during off months of the MPO Policy Board, as there would be some overlapping responsibilities. He said they suggested the meetings be held on the third Wednesday of the month at 4 p.m. and recommended that the MPO receive monthly ridership reports from transit providers; review and make recommendations regarding the annual budgets and route changes of the regional transit providers; review, develop and recommend agreements among transit providers and among agents; and solicit community input. Mr. Boyles noted that the recommendation was to maintain the CAT Citizens Advisory Board and have it provide input to the regional transit partnership. He said additional charges of the policy board would be to promote regional transit cooperation through a regional transit plan development, to advocate for state and national transit issues, and to consider the merits of establishing a regional transit authority. He said they would ask the Board of Supervisors and City Council at their next joint meeting to approve the MOU. He said they have received VDOT and VRPT approval to use MPO funds to staff the partnership so that City and County funds would not be necessary to fund staffing. He invited questions.

Ms. McKeel said the University of Virginia expressed support for having a non-voting member on the partnership board at the last PACC meeting, and it was good to have them at the table. Mr. Boyles commented that UVA staff have been very helpful and cooperative.

Mr. Dill noted that the City of Charlottesville and CAT have an advisory group that would work with the overall advisory group, and asked if Albemarle or JAUNT had an equivalent advisory group that would contribute to the larger advisory group. Mr. Boyles responded that he was not aware of any.

Ms. McKeel said the CAT Advisory Board is similar to the County Citizens Advisory Committees. She said she frequently attends CAT advisory board meetings because her district includes a lot of transit.

Mr. Sheffield said that JAUNT has a public service corporation-type board, making it more of an official role rather than just advisory.

Mr. Boyles stated that they were looking for additional funding for the second phase of the Intercity Regional Transit Study that was being conducted by the Central Shenandoah PDC to potentially connect transit among Harrisonburg, Staunton, and Charlottesville. He said they were able to negotiate a lower fee with the consultant and were able to find funding out of their MPO, and have issued a notice to proceed to the consultant. He stated that during the first phase, several options were reviewed, and the second phase would select one recommended service, followed by an application for funding.

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Agenda Item No. 17. **Presentation:** Rivanna Water and Sewer Authority Quarterly Report.

Mr. Bill Mawyer, Executive Director of the Rivanna Solid Waste Authority and Rivanna Water and Sewer Authority, addressed the Board and outlined the three topics in his presentation: capital improvement projects, the new Ivy Transfer Station, and drought conditions. He first reviewed the odor control project at Moores Creek, stating that Rivanna is installing two large basins known as primary clarifiers and began applying neutralizing chemicals in February. Mr. Mawyer said the installation of the clarifiers is scheduled for completion by January 2018 at a cost of \$9.8 million, and they would be covered by an aluminum truss, with air to be pulled out and passed through an air scrubber to remove odors.

Mr. Mawyer reviewed the new Rivanna Wastewater Pump Station, scheduled for completion by June 2017, which would increase wastewater conveyance capacity from 25 to 53 million gallons per day, reduce the possibility for sanitary sewer overflows, and improve odor control, at a cost of \$33.3 million. He said another benefit is that it would not be next to a community park and housing as the current pump station is. Mr. Mawyer stated that the existing Moore's Creek pump station would serve the western and southern portions of the County, while the new pump station would serve the urban part of the City and the northern portion of the County. He next reviewed the granular-activated carbon project, for which tanks would be installed at all five water treatment plants to improve drinking water quality by removing precursors to disinfection by products from chlorine purification. He said this project is scheduled to be completed by December 2017. He noted that another project would improve water treatment at the South Rivanna, Crozet, and Observatory plants, at a cost of approximately \$20 million, and would be conducted from 2019 to 2021 as the equipment at these plants is nearing the end of its lifecycle.

Mr. Mawyer stated that they are about to begin construction on a new finished water pump station to replace the existing pump at the Crozet Water Pump Station to increase capacity from 1 to 1.5 MGD, at a cost of \$2.6 million, with completion scheduled for 2018. He said that Rivanna is currently conducting a site study for the Crozet Wastewater Flow Equalization Tank project, which they expect to be completed from 2019 to 2020, at a cost of \$3.7 million. Mr. Mawyer stated that the tank would allow them to hold wastewater flow so it does not overload the piping. He said they are looking at sites between the Lickinghole facility and Crozet Avenue. Mr. Mawyer reviewed the proposed Crozet Water Master Plan, for which Rivanna is soliciting proposals. He said it would be a 50-year plan to improve and expand drinking water facilities in Crozet, with cost for the plan of \$300,000 and completion scheduled for 2017 to 2018. He noted that at peak times, they have exceeded 80% of the current capacity in Crozet.

Ms. Mallek asked if there is room at the Lickinghole storm water basin to put in the flow equalization tank. Mr. Mawyer responded that this is possible, and Rivanna would take a close look at this with an engineering assessment. He commented that this would be the path of least resistance.

Mr. Mawyer reviewed the South Fork to Ragged Mountain Reservoir Pipeline right-of-way, stating that the proposed pipeline would link the two reservoirs and displaying a map showing the location of the pipeline. He said they would have to acquire approximately 80 parcels for right-of-way, at a cost of \$2.3 million. Mr. Mawyer stated that the pipe could convey 20 MGD of water to Ragged Mountain Reservoir and would enable them to capture rain from Sugar Hollow, Moorman's Creek, and South Rivanna before it passed over the dam. He next reviewed the Sugar Hollow Dam crest gate, which is an inflatable rubber gate that enables them to raise and lower the height of the water level. Mr. Mawyer stated that they want to be able to deflate the crest gate during storms so that water could flow over the dam and is not diverted around it. He noted that the current gate is 20 years old and would cost \$250,000 to replace, with completion scheduled by 2018.

Mr. Mawyer reviewed the status and schedule of the Ivy Transfer Station. He presented a slide that listed critical dates: April – submit final site plan to County; May – advertise for construction bids; August – the RSWA Board awards contracts; and September – construction begins. He reviewed a sketch of the site showing how vehicles would enter and exit the facility, and architectural drawings of the building. He commented that all is going well with the project and they expect to stay within the budget.

Mr. Mawyer presented a drought update and said the Virginia DEQ issued a drought watch advisory for the Northern Piedmont region on March 22, and Albemarle was in a near drought watch status. He reviewed water level readings at two reservoirs: March 26 – Sugar Hollow at 5.8 feet and Ragged Mountain at 2.2 feet; and April 4 – Sugar Hollow at 3.3 feet and Ragged Mountain at 1.7 feet. He said that Rivanna has been releasing 4 MGD from Sugar Hollow to Ragged Mountain since January 6, and the Sugar Hollow, Ragged Mountain, and South Fork reservoirs are now 95% full. He concluded his presentation and invited questions.

Ms. Mallek recalled that they had previously discussed redundancy and a connection from Observatory to the eastern side of Charlottesville, noting that if there were a failure on the southern loop, there would be no water for the eastern side of Charlottesville unless another connection was made. She asked if there was a plan for this. Mr. Mawyer replied that they plan to fill in the eastern section of the southern loop from Avon Street to Pantops and it is in the CIP for this July.

Ms. Mallek said that during the chloramine discussion, there was focus on the dead ends of the delivery line with some thought that other improvements could be made, and she asked if this had happened or if they were waiting for the GACs to take care of it first. Mr. Mawyer responded that they have made some improvements to the Crozet–Buck Mountain water storage tank to keep water circulating and the chlorine fresh and were evaluating whether further improvements are necessary. He said the Albemarle County Service Authority is monitoring dead ends.

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Agenda Item No. 18. Closed Meeting.

At 4:52 p.m., Mr. Randolph **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under Subsection (1), to discuss and consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; and under Subsection (7), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to: 1) activities at the Ragged Mountain Reservoir; 2) the Revenue Sharing Agreement between the City of Charlottesville and the County; and 3) the Crozet Depot and Crozet Square properties. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

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Agenda Item No. 19. Certify Closed Meeting.

At 6:11 p.m., the Board reconvened into open meeting and Mr. Randolph **moved** that the Board certify by a recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the

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

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

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Agenda Item No. 20. Boards and Commissions: Vacancies and Appointments.

Mr. Dill **moved** to make the following appointments/reappointments:

**reappoint** Mr. Timothy Kunkel and Mr. Jon McKeon to the Crozet Community Advisory Board, with said terms to expire March 31, 2019;

**appoint** Mr. Thomas Loach, Ms. Alice (Allie) Pesch, Mr. Shawn Bird, Mr. Doug Bates, and Ms. Sandra Mears to the Crozet Community Advisory Board, with said term to expire March 31, 2019;

**reappoint** Mr. Richard Lindsay, Mr. Robert Gest, and Ms. Susan Friedman to the Jefferson Area Board for Aging (JABA) Board; Lonnie Murray to the Natural Heritage Committee, with said terms to expire on March 31, 2019;

**appoint** Mr. Josh Lewis to Places 29 (Hydraulic) Community Advisory Committee, with said term to expire August 5, 2019;

**appoint** Ms. Christina Weaver and Mr. Jerrod Smith to the Places 29 (North) Community Advisory Committee, with said terms to expire August 5, 2019;

**appoint** Mr. Jason Castro to the Places 29 (Rio) Community Advisory Committee, to fill an unexpired term ending September 30, 2018; and

**appoint** Mr. Sterling Proffit and Ms. Coleen Zanin to the Village of Rivanna Community Advisory Committee, with said terms to expire March 31, 2019;

**reappoint** Ms. Linda Porterfield to the Village of Rivanna Community Advisory Committee, with said term to expire March 31, 2019; and

**reappoint** Mr. Lonnie Murray to the Natural Heritage Committee, with said term to expire September 30, 2020.

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

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

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Agenda Item No. 21. From the Public: Matters Not Listed for Public Hearing on the Agenda.

There were none.

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Agenda Item No. 22. **Public Hearing: FY 2017 Budget Amendment and Appropriations.**  
(Advertised in the Daily Progress on March 19, 2017.)

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

The cumulative total of the FY 2017 appropriations itemized below is 49,121,743.38. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 2017 Budget Amendment totals \$49,121,743.38. The estimated expenses and revenues included in the proposed amendment are shown below:

ESTIMATED REVENUES		
Local Revenue	\$	579,189.24
State Revenue		2,304,697.52
Federal Revenue		1,366,635.59
Proffer Revenue		164,172.96
Bond Proceeds		41,086,810.15

General Fund Balance	7,300,231.00
Other Fund Balances	(3,679,993.08)
<b>TOTAL ESTIMATED REVENUES - All Funds</b>	<b>\$ 49,121,743.38</b>

**ESTIMATED EXPENDITURES**

General Fund	\$ 391,765.16
Special Revenue Funds	899,210.24
School Special Revenue Funds	258,796.00
School Program Funds	1,556,353.80
ECC Funds	85,452.00
Capital Improvements Funds	45,930,166.18
<b>TOTAL ESTIMATED EXPENDITURES - All Funds</b>	<b>\$ 49,121,743.38</b>

The budget amendment is comprised of forty (40) separate appropriations as follows, twenty-five (25) of which have already been approved by the Board as indicated below:

Approved January 4, 2017

- One (1) Appropriation (#2017051) to appropriate \$94,580.00 for the School Bus Replacement program;
- One (1) Appropriation (#2017052) to appropriate \$225,973.00 to the School Division;
- One (1) Appropriation (#2017053) to appropriate \$221,990.00 in General Fund fund balance to the Community Development Department, the County Attorney's Office, and the Office of Economic Development to implement high priority strategic objectives pursuant to the Board of Supervisors' action at its December 7, 2016 meeting;
- One (1) Appropriation (#2017054) to appropriate \$32,952.00 in State revenue to the Emergency Communications Center;
- One (1) Appropriation (#2017055) to appropriate \$486,213.00 to various School Division Capital Projects; and
- One (1) Appropriation (#2017056) to appropriate \$2,010.02 in State funding to support monitoring and enforcement of the conservation and preservation purposes of the donated land interests pertaining to the Arrowhead property.

Approved February 1, 2017

- One (1) Appropriation (#2017057) to appropriate \$10,552.00 for vehicle replacement;
- One (1) Appropriation (#2017058) to appropriate \$18,000.00 for a grant from the Department of Criminal Justice Services to the Police Department to provide diversity recruitment support;
- One (1) Appropriation (#2017059) to appropriate \$94,000.00 for temporary positions in the Project Management Division (PMD) Internal Service Fund (ISF);
- One (1) Appropriation (#2017060) to appropriate \$95,490.00 to support the Strategic Planning Project Management in Facilities and Environmental Services;
- One (1) Appropriation (#2017061) to appropriate \$364,288.02 to the Pantops Public Safety Station Capital project; \$298,637.93 will not increase the total County budget for a net increase of \$65,650.09;.
- One (1) Appropriation (#2017062) to appropriate \$32,751.00 to establish an Insurance Contingency;
- One (1) Appropriation (#2017063) to appropriate \$68,505.85 to the School Division;
- One (1) Appropriation (#2017064) to appropriate \$35,000.00 for project management services for School Referendum projects; this appropriation does not increase the total County budget; and
- One (1) Appropriation (#2017065) to appropriate \$20,943.83 of returned FY16 year-end surplus to the Charlottesville-Albemarle Health Department for several building needs.

Approved March 1, 2017

- One (1) Appropriation (#2017066) to appropriate \$19,541.00 in Federal revenue to the Albemarle Charlottesville Regional Jail.
- One (1) Appropriation (#2017067) to appropriate \$2,031.64 in local donations to the General Fund's Reserve for Contingencies.
- One (1) Appropriation (#2017068) to appropriate \$260,078.00 in State revenue for a grant from the Virginia Department of Environmental Quality to the Environmental Services Division and \$271,148.00 from the Water Resources TMDL capital project to support the Chapel Hill Stream Restoration capital project. \$271,148.00 of this request will not increase the total County budget, resulting in a new increase to the budget of \$260,078.00.
- One (1) Appropriation (#2017069) to re-appropriate \$10,658.24 in grant revenue from the Virginia Department of Housing and Community Development (VHCD) to the Information Technology Department for the FY17 close out of the Virginia Telecommunication Planning Initiative project.
- One (1) Appropriation (#2017070) to appropriate \$29,017.69 in funding received from the Thomas Jefferson Planning District Commission and Economic Development Authority to support the County's share of the Route 29/Hydraulic Road small area plan.
- One (1) Appropriation (#2017071) to re-appropriate \$5,000.00 in Martha Jefferson Hospital Health Grant funding from FY16 to FY 17 to support costs of dental needs for local children.
- One (1) Appropriation (#2017072) to appropriate \$157,355.00 from the School Division to the Health Insurance Fund.



- One (1) Appropriation (#2017073) to appropriate \$71,441.00 for the School Division's share of a project to digitize employee records and \$30,000.00 for the General Government's share of the project. \$30,000.00 of this request will not increase the total County budget, resulting in a net increase to the budget of \$71,441.00.
- One (1) Appropriation (#2017074) to appropriate \$50,000.00 from the Efficiency Study/Implementation Reserve to the Information Technology Department. This appropriation will not increase the total County budget.
- One (1) Appropriation (#2017075) to appropriate \$20,000.00 from the Efficiency Study/Implementation Reserve to the Information Technology Department and to reallocate \$30,000.00 in salary savings to the website redesign project. This appropriation will not increase the total County budget.

The budget amendment is comprised of fifteen (15) separate appropriations as follows:

- One (1) Appropriation (#2017076) to appropriate \$1,261,874.95 to the School Division.
- One (1) Appropriation (#2017077) to appropriate \$6,950,000.00 for a transfer from the General Fund fund balance to the FY17 Capital Improvement Program Funds pursuant to Board direction during the FY 18 Two-Year Fiscal Plan process. A portion, totaling \$6,700,000.00, of this appropriation does not increase the total County budget for a net increase of \$250,000.00.
- One (1) Appropriation (#2017078) to appropriate \$669,787.00 in State revenue for General Government CIP projects. This appropriation will not increase the total County budget.
- One (1) Appropriation (#2017079) to appropriate \$98,447.80 to the Stormwater Utility Formation project. This appropriation will not increase the total County budget.
- One (1) appropriation (#2017080) to appropriate \$859,137.72 for the Community Development Block Grant (CDBG). \$4,137.72 of this request will not increase the total County budget for a net increase of \$855,000.00.
- One (1) Appropriation (#2017081) to appropriate \$12,817.00 in water resources revenue supporting the water resources debt service and fees related to the 2015B EDA bond issuance from the Water Resources Debt Service Fund to the General Government Debt Service fund. This will not increase the total County budget.
- One (1) Appropriation (#2017082) to appropriate \$33,360.46 from the Reserve for Contingencies to the Rivanna Solid Waste Authority (RSWA) Service Contribution for the County's local support of the Ivy Material Utilization Center and the McIntire Recycling Center, which are managed by the RSWA. This will not increase the total County budget.
- One (1) Appropriation (#2017083) to appropriate \$200,000.00 to a General Government CIP capital project.
- One (1) Appropriation (#2017084) to appropriate \$21,500.00 from the Reserve for Contingencies to the Tuition Reimbursement Program. This will not increase the total County budget.
- One (1) Appropriation (#2017085) to appropriate \$30,000.00 to the Thomas Jefferson Planning District Commission. This will not increase the total County budget.
- One (1) Appropriation (#2017086) to appropriate \$1,878,829.25 in bond premiums for the Series 2017 bonds issued in FY 17. This will not increase the total County budget.
- One (1) Appropriation (#2017087) to appropriate \$42,500.00 for the Earlysville Volunteer Fire Company Command vehicle. This will not increase the total County budget.
- One (1) Appropriation (#2017088) to appropriate \$44,477,635.07 for various School Capital projects included in the FY 18-23 Recommended CIP which are primarily those projects that need to start in FY 17 and other projects supported by General Obligation Bond funding issued in FY 17.
- One (1) Appropriation (#2017089) to appropriate \$52,500.00 to the Emergency Communication Center.
- One (1) Appropriation (#2017090) to appropriate \$17,965.00 from the Reserve for Contingencies to the Community Development Department for a Neighborhood Planner position. This will not increase the total County budget.

After the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment B) to approve appropriations #2017076, #2017077, #2017078, #2017079, #2017080, #2017081, #2017082, #2017083, #2017084, #2017085, #2017086, #2017087, #2017088, #2017089 and #2017090 for local government and school division projects and programs as described in Attachment A.

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<b>Appropriation #2017076</b>		<b>\$1,261,874.95</b>
Source:	Local Non-Tax Revenue	\$ 422,338.08
	State Revenue	\$ 29,956.50
	Federal Revenue	\$ 263,529.74
	School Special Revenue Fund fund balances	\$ 546,050.63

This request is to appropriate the following School Division appropriation requests approved by the School Board on February 9, 2017:

This request is to appropriate \$108,113.91, the remaining fund balance in the School Division's School Bus Replacement Fund. School buses are now purchased as CIP items. The remaining funding in this Fund is requested to be expended by the School Division to be used primarily on ancillary transportation equipment.

This request is to appropriate \$356,787.08 for the E-rate program. This program is designed to ensure that all eligible schools and libraries have affordable access to modern telecommunications and information services. The E-rate Program, which was established by the Federal Government, provides discounts for eligible telecommunications services, depending on economic need and location (urban or rural). The level of discount is based on the percentage of students eligible for participation in the National School Lunch Program or other federally approved alternative mechanisms. These funds will be used to provide students and staff reliable access to technology by supporting the construction of the School Division's wide area wireless project.

This request is to appropriate the following School Division appropriation requests approved by the School Board on February 23, 2017:

This request is to appropriate \$5,633.00 in additional State revenue to cover anticipated expenditures in excess of current Algebra Readiness Fund appropriations. Algebra Readiness funds provide mathematics intervention services to middle school students who are at risk of failing.

This request is to appropriate \$23,181.64 in Project Graduation Grant funding. These funds will be used to provide remedial instruction for students who received passing grades for standard credit-bearing courses but failed the required SOL assessment needed to verify credits to complete their diploma requirements. This request includes a grant award in the amount of \$21,226.00 from the Virginia Department of Education and \$1,955.64 in the FY 16 fund balance remaining in the Project Graduation Grant fund.

This request is to appropriate \$1,778.00 in School Security Equipment Grant Program funding. These funds will be used towards the purchase and installation of security equipment as specified in the grant. This request includes a grant award in the amount of \$1,514.00 from the Virginia Department of Education and \$264.00 in the FY 16 fund balance remaining in the School Security Equipment Grant Program fund.

This request is to re-appropriate \$42,398.24 in the FY 16 fund balance remaining in the Investing in Innovation Program. The Investing in Innovation Program is a natural progression from the growing emphasis in education on the "maker curriculum" in elementary, middle, and high schools. This approach emphasizes project-based learning in which students develop their creativity and critical analysis skills as well as their ability to work in teams and communicate their findings.

This request is to re-appropriate \$76,586.51 in Preschool Special Education Grant funding. The Preschool Special Education grant provides supplemental support for existing preschool programs that serve students eligible for special education services. This request includes \$21,594.87 in grant fund balance retained by the state and \$54,991.64 in the FY 16 fund balance remaining in the Preschool Special Education Grant fund.

This request is to appropriate \$17,300.50 in Alternative Education Fund funding. The mission of the Alternative Education Fund (ISAEP or Individual Student Alternative Education Program) is to supplement existing General Equivalency Diploma (GED) services by developing specialized occupational training and employment necessary for students 16 years of age or older to become productive and contributing citizens. The Virginia Department of Education (VDOE) increased State funding for FY 17 by \$1,583.50 from the original budget amount of \$23,576.00. In addition, the County received funds from the City of Charlottesville for the ISAEP Grant for FY 17 in the amount of \$15,717.00. These funds will be used to pay for salaries, benefits, and testing materials.

This request is to re-appropriate \$179,623.31 in FY 16 fund balance remaining in the Summer School Fund. The mission of the Summer School Fund is to offer summer programs to students in grades K-8 who fail to meet academic standards in the areas of language arts or mathematics, and to high school students in grades 9-12 who either want to replace a grade earned during the regular school session or earn required credits for graduation.

This request is to appropriate \$2,334.00 in local grant funds for the Foundation for Excellence Fund. The mission of the Foundation for Excellence Fund is to award teachers of all grade levels and subject areas with funds to support individual projects through an annual grant process.

This request is to appropriate \$47,500.00 in donations, tuition, and fees for the Club Yancey Program. These funds will be used to cover operating expenses for the program.

This request is to appropriate \$15,203.89 to the English Literacy/Civics Education (EL/Civics) grant. The mission of the EL/Civics grant is to incorporate civics education into adult English for Speakers of Other Languages classes where many participants are parents of Albemarle County students. Parents participating in their own educational pursuits, especially within a Family Literacy setting, positively affect their children's learning.

This request includes an increased grant award in the amount of \$6,500.00 from the Virginia Department of Education and \$8,703.89 in the FY 16 fund balance remaining in the EL/Civics Grant.

This request is to re-appropriate \$150,000.00 in the FY 16 fund balance remaining in the Community Education Fund. The mission of the Community Education Fund is to provide quality attention, thoughtful guidance, authentic experiences and engaging activities to enhance and expand the learning of Albemarle County Students in an extended-day learning program.

This request is to appropriate \$235,434.87 in Federal School Improvement grant funds to Yancey Elementary School. Yancey was awarded this grant to continue the required implementation of the priority school reform model.

**Appropriation #2017077** **\$250,000.00**

Source:	General Fund fund Balance	\$ 6,950,000.00
	Capital Program Fund fund Balance	\$(6,700,000.00)

This request is to transfer \$6,950,000.00 of FY 16 General Fund fund balance (excess revenues over expenditures) to the Capital Improvement Program funds to support capital projects pursuant to the Board's direction during the FY 18 Two-Year Fiscal Plan development process. \$250,000.00 supports the ACE Program in FY 17 and the balance reduces the currently appropriated use of School Division CIP fund balance by \$3,117,337.00 and General Government CIP fund balance by \$3,582,663.00 for a net increase of \$250,000.00 to the County's FY 17 budget.

This funding will be used to support "pay as you go" capital projects, cash management requirements for projects, and \$1,500,000.00 of this funding will be reserved to support the Transportation Revenue Sharing Program in FY 19.

**Appropriation #2017078** **\$0.00**

This request will not increase the total County budget.

Source:	State Revenue	\$ 669,787.00
	General Gov't. CIP Fund fund balance	\$( 669,787.00)

This request is to appropriate the \$669,787.00 in State revenue received from Virginia Department of Transportation (VDOT) to the FY 17 Capital budget. This funding was received from VDOT as payment for its taking of the property interests of six properties pursuant to the Board's approval February 1, 2017 as outlined in the Board agenda item titled "VDOT Compensation Agreements for Route 29 and Hillsdale Drive Takings." This revenue will be budgeted in the General Government CIP Fund and will equally reduce the currently appropriated use of fund balance to provide equity for CIP projects. This appropriation will not increase the total County Budget.

**Appropriation #2017079** **\$0.00**

This request will not increase the total County budget.

Source:	Stormwater TMDL Study Capital project	\$ 98,447.80
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This request is to appropriate the balance of \$98,447.80 in the Stormwater Total Maximum Daily Load (TMDL) Study capital project to the Stormwater Utility Formation project pursuant to the Board's direction on September 7, 2016 to support the work necessary to establish a stormwater utility, including procuring a funding consultant. The Stormwater Utility Formation project is expected to be completed by March 2018. The Stormwater TMDL Study has been completed, with the approval by DEQ of County Action Plans, and will contribute towards the cleanup of the Chesapeake Bay and local, impaired streams. This appropriation will not increase the total County budget.

**Appropriation #2017080** **\$855,000.00**

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Source:	Belvedere Proffer	\$ 4,137.72
	CDBG Fund fund balance	\$( 4,137.72)
	Federal Revenue	\$ 855,000.00

This request is to appropriate the following appropriations to support the Community Development Block Grant (CDBG) supported housing rehabilitation program:

- Re-appropriate \$4,137.72 in Belvedere proffer funding remaining at the end of FY16 to a Community Development Block Grant (CDBG)/Albemarle Housing Improvement Program (AHIP) fund from which AHIP provides housing rehabilitations for low and moderate income residents. Affordable housing proffer funds were previously approved to support an appropriate expense, however, CDBG funds were used for that expense, and this appropriation administratively reimburses the CDBG fund with the proffer funds. This reduces the use of CDBG fund balance by \$4,137.72. This portion of the appropriation will not increase the total County budget.
- Appropriate \$855,000.00 Federal revenue provided to the County through the Commonwealth of Virginia Department of Housing and Community Development's Community Development Block Grant (CDBG) program. This grant will be used in partnership with Albemarle Housing Improvement Program to rehabilitate approximately 30 homes with critical repair needs over a two-year period.

**Appropriation #2017081** **\$0.00**

This request will not increase the total County budget.

Source:	Water Resources Debt Service Fund	\$ (12,817.00)
	General Gov't Debt Service Fund	\$ 12,817.00

This request is to appropriate \$12,817.00 in water resources revenue supporting the water resources debt service and fees related to the 2015B EDA bond issuance from the Water Resources Debt Service Fund to the General Government Debt Service Fund. The Water Resources-related debt service funding is not required to be budgeted separately from the General Government debt service funding. This is an administrative amendment, which does not increase the total County budget.

**Appropriation #2017082** **\$0.00**

This request will not increase the total County budget.

Source:	General Fund Reserve for Contingencies	\$ 33,360.46
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This request is to appropriate \$33,360.46 from the FY 17 General Fund Reserve for Contingencies to the Rivanna Solid Waste Authority (RSWA) Service contribution to fund the County's share of operational costs of the Ivy Material Utilization Center and the McIntire Recycling Center managed by the RSWA. The County's share of RSWA's operating costs has increased primarily due to other sources of the RSWA's revenues being decreased. The County's total FY 17 payment, including this additional appropriation, will be \$572,432.46. This appropriation is to support operational costs and is not related to the Ivy Materials Utilization Center (MUC) facility's construction project.

After the Board of Supervisors' approval of all of the April 5, 2017 appropriations, the FY17 General Fund Reserve for Contingencies balance will be \$154,384.18, of which \$16,400.00 is reserved for a citizen survey.

**Appropriation #2017083** **\$200,000.00**

Source:	State Revenue	\$ 200,000.00
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This request is to appropriate \$200,000.00 in State revenue from the Virginia Department of Transportation (VDOT) Revenue Sharing (RS) Program funds that were unexpended for the Meadow Creek/John Warner Parkway construction project to support the Rio Road, Avon Street, and US Route 250 West sidewalk improvement capital project. Pursuant to the Board's approval on December 14, 2016, this revenue supports the inclusion of the mid-block pedestrian crossing for the US-250 West/Rockfish Gap portion of the sidewalk improvement capital project. The sidewalk improvement capital project project is currently in design, and the construction is estimated to begin in the summer of 2018 and to be substantially completed in the winter of 2018.

**Appropriation #2017084** **\$0.00**

This request will not increase the total County budget.

Source:	General Fund Reserve for Contingencies	\$ 21,500.00
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This request is to appropriate \$21,500.00 from the FY 17 General Fund's Reserve for Contingencies to Human Resources' Organizational Development division for the Tuition Reimbursement Program. The Tuition Reimbursement Program is one of the ways that Albemarle County encourages its employees to pursue professional development, including taking job-related courses or working towards a job-related degree. There has been greater than anticipated usage of this program during FY17. This appropriation will support the County's ability to continue offering tuition reimbursement through the remainder of the fiscal year.

After the Board of Supervisors' approval of all of the April 5, 2017 appropriations, the FY17 General Fund Reserve for Contingencies balance will be \$154,384.18, of which \$16,400.00 is reserved for a citizen survey.

**Appropriation #2017085** **\$0.00**

This request will not increase the total County budget.

Source:	Office of Economic Development	\$ 30,000.00
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This request is to appropriate \$30,000.00 to the Thomas Jefferson Planning District Commission (TJPDC) to provide the County's share of matching and management funds for the development and completion of the Hydraulic Small Area Plan. The purpose of this project is to develop a conceptual land use plan for the defined study area to reflect preferred models for growth and urban form in this area, and to inform transportation solutions to support this projected growth. The Hydraulic Small Area Plan study area is experiencing steady growth, increased development intensity, and pressure to grow in a more dense, mixed-use development pattern that is unique to this portion of the County and the City. Understanding the impact and interaction of new development on the US Route 29 corridor and primary collector streets within the area is critical to inform future land use plans, local codes, and policy documents guiding development in this area. The study area is located within the jurisdictions of both the City of Charlottesville and Albemarle County. Both jurisdictions, together with the TJPDC, seek to develop a

conceptual approach to guiding development in the area and to have the study inform goals and possible solutions for continued improvements to transportation facilities to support anticipated growth.

**Appropriation #2017086** **\$0.00**  
This request will not increase the total County budget.

Source:	Bond Proceeds	\$(1,878,829.25)
	Bond Premiums	\$ 1,878,829.25

This request is to appropriate \$1,878,829.25 in bond premium revenues and to equally reduce borrowed proceeds for the Series 2017 Lease revenue bonds issued in FY 17. This administrative request is to provide proper accounting of Bond Premiums in the County's financial system. This appropriation will not increase the total County budget.

**Appropriation #2017087** **\$0.00**  
This request will not increase the total County budget.

Source:	CIP Fire/Rescue Apparatus Replacement Program
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Contingent on the Board approving the action described in the separate April 5 Earlysville Volunteer Fire Company Car 42 Replacement consent action item on today's agenda, this request is to appropriate \$42,500.00 to the Earlysville Volunteer Fire Company Command vehicle project from the Fire/Rescue Apparatus Replacement Program. This appropriation will not increase the total County budget.

**Appropriation #2017088** **\$44,477,635.07**

Source:	Local revenue: Interest earnings	\$ 2,000.00
	State revenue	\$ 1,026,000.00
	Proffer revenue	\$ 94,385.15
	Bond proceeds	\$38,112,224.00
	Bond premiums	\$ 2,686,946.15
	School CIP Fund fund balance	\$ 2,556,079.77

To enable the School Division to enter into contractual construction agreements and begin construction of critical school projects while students are out of school during the summer, this request appropriates \$44,477,635.07, net of transfers, for School Capital projects that are included in the FY 18 Recommended Budget pursuant to the Board's approval during the CIP Budget Work session on March 3, 2017. This appropriation amount also includes funding for School Division projects that are included in FY 19 of the FY 18 – FY 23 Recommended CIP since the County received the General Obligation Bond funding in the current fiscal year that also supports these School CIP projects. Funding for the School Division's CIP School Bus Replacement Program is also included so that the total appropriation reflects all of the School Division's FY 18 capital projects in entirety, for administrative clarity.

As discussed with the Board of Supervisors on March 3, the County does not currently have State enabling authority to appropriate CIP projects that span multi-years just one time. This lack of enabling authority, combined with the County's desire to appropriate funding for School CIP projects to start as soon as possible this spring, will require three subsequent appropriation requests. First, staff will include these same School CIP projects in the June FY 18 Resolution of Appropriations. Second, staff will request that the Board subsequently reduce the appropriation of these projects by the same amount. Third, the unexpended balances of the School Divisions' FY 17 CIP project appropriations will be carried forward as part of the County's current CIP end-of-the-fiscal-year carry-forward process.

In a separate agenda item, the Board will be requested to adopt a Resolution of Official Intent to Reimburse Expenditures with the Proceeds of a Borrowing for projects that are programmed to be paid for with borrowed proceeds planned to be borrowed in the spring of 2018 (FY 18). This Resolution will allow the County to reimburse any funds expended prior to the issuance of the 2018 bonds with those bond proceeds.

Moving forward, staff will recommend that the County request enabling authority from the State to conduct multi-year CIP budgeting and will request that the School Division adjust the timing of future School Capital projects in the CIP, so that the projects will receive funding in the fiscal year in which the projects are scheduled to begin.

<u>School CIP Fund Revenues:</u>		<u>School CIP Fund Expenditures:</u>	
Interest Earnings	\$2,000.00	Administrative Technology	\$263,000.00
Proffer Revenue	\$94,385.15	High School Capacity Planning	\$400,000.00
School Bus Categorical Aid	\$300,000.00	Instructional Technology	\$575,000.00
Technology Grant	\$726,000.00	Learning Space Modernization*	\$10,596,200.00
Use of Fund Balance	\$2,556,079.77	School Bus Replacement Program	\$1,200,000.00
<u>Bond Proceeds Transfer^</u>	<u>\$40,342,273.08</u>	School Maintenance/Replacement Program	\$6,588,689.00
School CIP Fund Revenues Total	\$44,020,738.00	School Security Improvements Program*	\$2,740,000.00
		Scottsville Elem. Sch. Sitework Improvements	\$200,000.00
		State Technology Grant	\$726,000.00
		Western Albemarle high School Environmental	\$5,830,000.00
		Studies Academy Phase 2*	
		Woodbrook Elementary School	\$14,901,849.00
		<u>Addition-Modernization*</u>	
		School CIP Fund Expenditures Total	\$44,020,738.00

<u>General Govt. CIP Fund Revenues:</u>		<u>General Govt. CIP Fund Expenditures:</u>	
FY 18 Bond Proceeds	\$7,677,224.00	Borrowed Proceeds Transfer^	\$40,342,273.08
2017 GO Bond Premiums	\$2,686,946.15	Cost of Issuance \$456,897.07	
2017 GO Bond Proceeds	\$30,435,000.00	General Govt. CIP Fund	\$40,799,170.15
General Govt. CIP Fund	\$40,799,170.15	Expenditures Total	
Revenue Total			

<u>Proffer Fund Revenues:</u>		<u>Proffer Fund Expenditures:</u>	
Old Trail Proffer	\$94,385.15	Transfer to School CIP Fund^	\$94,385.15

\*Designates Referendum funded projects

^Designates Transfers between funds

**Appropriation #2017089** **\$52,500.00**

Source: ECC Fund Balance \$52,500.00

The Emergency Communication Center (ECC) requests that the County, acting as fiscal agent for the ECC, appropriate \$52,500.00 from the ECC Fund Balance for the following purposes:

- \$25,000.00 for new hardware for workstations that will be used for radio interoperability between local, state and federal departments when doing joint operations;
- \$20,000.00 for a facility needs study for relocation planning for the regional ECC and development of a standalone and fully operational Emergency Operations Center; and
- \$7,500.00 to upgrade outdated network switches at the back-up ECC facility.

**Appropriation #2017090** **\$0.00**

This request will not increase the total County budget.

Source: General Fund Reserve for Contingencies \$17,965.00

This request is to appropriate \$17,965.00 from the General Fund Reserve for Contingencies to the Community Development Department for an additional Urban (Neighborhood Planner) position. This enables the Community Development Department to hire this position as soon as possible pursuant to the Board of Supervisors' recommendation at the March 7, 2017, Budget Work Session. This amount reflects the anticipated ongoing and onetime costs for the final two months of FY 17. This position will provide a dedicated resource to help address the growing urban neighborhood engagement/liaison needs created by increasing development activity, community advisory committees, and strategic plan priorities. This new position will also be included in the FY 18 Budget, which is scheduled for adoption by the Board of Supervisors on April 18, 2017.

After the Board of Supervisors' approval of all of the April 5, 2017 appropriations, the FY17 General Fund Reserve for Contingencies balance will be \$154,384.18, of which \$16,400.00 is reserved for a citizen survey.

Ms. Lori Allshouse, Director of the Office of Management and Budget, addressed the Board and said she would introduce the public hearing as required by Virginia law when the County amends its budget in an amount exceeding 1% of total expenditures of the currently adopted budget. She said the proposed FY17 budget amendment included in the resolution totals \$49.1 million and includes 40 appropriations, 25 of which have already been approved by the Board. She said the remaining 15 appropriations include re-appropriations of grant funding, a request to move schools CIP projects to FY17 to accommodate construction of critical projects during the summer months, and other recommended budgetary adjustments. She said her office recommends adoption of the resolution to approve appropriations 20170-076–2017-090 after the public hearing.

Ms. McKeel opened the public hearing. There being no public comment, she closed the public hearing.

Mr. Dill **moved** to adopt the following Resolution to approve appropriations #2017076, #2017077, #2017078, #2017079, #2017080, #2017081, #2017082, #2017083, #2017084, #2017085, #2017086, #2017087, #2017088, #2017089 and #2017090 for local government and school division projects and programs. Mr. Sheffield **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

**RESOLUTION TO APPROVE  
ADDITIONAL FY 17 APPROPRIATIONS**

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

- 1) That the FY 17 Budget is amended to increase it by \$49,121,743.38;

- 2) That Appropriations 2017076, #2017077, #2017078, #2017079, #2017080, #2017081, #2017082, #2017083, #2017084, #2017085, #2017086, #2017087, #2017088, #2017089 and #2017090 are approved; and
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2017.

**COUNTY OF ALBEMARLE  
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2017076	3-3905-63905-351000-510100-6599	108,113.91	SA2017076
2017076	4-3905-63905-462320-800506-6599	108,113.91	SA2017076
2017076	3-3907-63907-318000-189900-6599	356,787.08	SA2017076
2017076	4-3907-63907-461101-800700-6599	356,787.08	SA2017076
2017076	3-3152-63152-324000-240405-6599	5,633.00	SA2017076 Algebra Readiness
2017076	4-3152-63152-463333-132100-6530	5,233.00	SA2017076 PT Wages Teacher
2017076	4-3152-63152-463333-210000-6530	400.00	SA2017076 FICA
2017076	3-3217-63217-324000-240296-6599	21,226.00	SA2017076 Project Graduation
2017076	3-3217-63217-351000-510100-6599	1,955.64	SA2017076 Fund Balance
2017076	4-3217-63217-461101-132100-6530	18,779.18	SA2017076 Salaries PT Teacher
2017076	4-3217-63217-461101-210000-6530	1,436.60	SA2017076 FICA
2017076	4-3217-63217-461101-601300-6530	2,965.86	SA2017076 Ed/Rec Supplies
2017076	3-3224-63224-324000-240900-6599	1,514.00	SA2017076 School Security Equipment Grant
2017076	3-3224-63224-351000-510100-6599	264.00	SA2017076 Grant Fund Balance
2017076	4-3224-63224-464600-800100-6530	1,778.00	SA2017076 Machinery/Equipment - Additional
2017076	3-3225-63225-351000-510100-6599	42,398.24	SA2017076 Fund Balance
2017076	4-3225-63225-461313-601300-6530	2,398.24	SA2017076 Ed/Rec Supplies
2017076	4-3225-63225-461313-800100-6530	40,000.00	SA2017076 Machinery/Equipment - Additional
2017076	3-3205-63205-333000-384173-6599	21,594.87	SA2017076 Preschool Grant
2017076	3-3205-63205-351000-510100-6599	54,991.64	SA2017076 Grant Fund Balance
2017076	4-3205-63205-461108-114100-6599	56,200.00	SA2017076 Salaries - TA
2017076	4-3205-63205-461108-210000-6599	4,300.00	SA2017076 FICA
2017076	4-3205-63205-461108-221000-6599	5,500.00	SA2017076 VRS
2017076	4-3205-63205-461108-231000-6599	9,486.51	SA2017076 Health Insurance
2017076	4-3205-63205-461108-232000-6599	400.00	SA2017076 Dental Insurance
2017076	4-3205-63205-461108-241000-6599	700.00	SA2017076 Group Life Insurance
2017076	3-3142-63142-316000-240203-6599	15,717.00	SA2017076 Alternative Education Plan Grant
2017076	3-3142-63142-324000-240203-6599	1,583.50	SA2017076 Categorical Aid - State
2017076	4-3142-63142-460410-112100-6530	14,600.09	SA2017076 Salaries Teacher
2017076	4-3142-63142-460410-210000-6530	1,116.91	SA2017076 FICA
2017076	4-3142-63142-460410-601300-6530	1,583.50	SA2017076 Ed/Rec Supplies
2017076	3-3310-63310-351000-510100-6599	179,623.31	SA2017076 Summer School Fund Balance
2017076	4-3310-63310-461120-117200-6599	6,743.73	SA2017076 Salaries - Transit Aide
2017076	4-3310-63310-461120-132100-6599	32,000.00	SA2017076 PT Wages Teacher
2017076	4-3310-63310-461120-137100-6599	15,379.58	SA2017076 PT Wages Bus Drivers
2017076	4-3310-63310-461120-210000-6599	4,000.00	SA2017076 FICA
2017076	4-3310-63310-461120-420110-6599	20,000.00	SA2017076 School Transportation
2017076	4-3310-63310-461120-601300-6599	5,000.00	SA2017076 Ed/Rec Supplies
2017076	4-3310-63310-461124-117200-6599	5,000.00	SA2017076 Salaries - Transit Aide
2017076	4-3310-63310-461124-132100-6599	30,000.00	SA2017076 PT Wages Teacher
2017076	4-3310-63310-461124-137100-6599	16,375.75	SA2017076 PT Wages Bus Drivers
2017076	4-3310-63310-461124-210000-6599	3,624.25	SA2017076 FICA
2017076	4-3310-63310-461124-420110-6599	10,000.00	SA2017076 School Transportation
2017076	4-3310-63310-461124-601300-6599	5,000.00	SA2017076 Ed/Rec Supplies
2017076	4-3310-63310-461125-132100-6599	20,000.00	SA2017076 PT Wages Teacher
2017076	4-3310-63310-461125-210000-6599	1,500.00	SA2017076 FICA
2017076	4-3310-63310-461125-601300-6599	5,000.00	SA2017076 Ed/Rec Supplies
2017076	3-3502-63502-318000-181223-6599	2,334.00	SA2017076 Foundation for Excellence
2017076	4-3502-63502-460601-601300-6599	2,334.00	SA2017076 Ed/Rec Supplies
2017076	3-3157-63157-318000-181254-6599	39,315.00	SA2017076 Club Yancey Donations
2017076	3-3157-63157-318000-181284-6599	7,385.00	SA2017076 Club Yancey Tuition
2017076	3-3157-63157-319000-190215-6599	800.00	SA2017076 Club Yancey Field Trips
2017076	4-3157-63157-460000-111400-6113	26,150.44	SA2017076 Salaries - Other Management
2017076	4-3157-63157-460000-210000-6113	2,000.50	SA2017076 FICA
2017076	4-3157-63157-460000-221000-6113	6,470.50	SA2017076 VRS
2017076	4-3157-63157-460000-231000-6113	6,478.50	SA2017076 Health Insurance
2017076	4-3157-63157-460000-232000-6113	300.00	SA2017076 Dental Insurance
2017076	4-3157-63157-460000-241000-6113	600.00	SA2017076 Group Life Insurance
2017076	4-3157-63157-460000-312500-6113	5,500.06	SA2017076 Professional Services - Instructional
2017076	3-3221-63221-333000-384002-6599	6,500.00	SA2017076 EL/Civics Partnership Categorical Aid
2017076	3-3221-63221-351000-510100-6599	8,703.89	SA2017076 EL/Civics Partnership Fund Balance
2017076	4-3221-63221-461101-111400-6501	11,332.57	SA2017076 Salaries - Other Management
2017076	4-3221-63221-461101-210000-6501	848.48	SA2017076 FICA
2017076	4-3221-63221-461101-221000-6501	1,773.99	SA2017076 VRS
2017076	4-3221-63221-461101-231000-6501	1,073.58	SA2017076 Health Insurance
2017076	4-3221-63221-461101-232000-6501	28.00	SA2017076 Dental Insurance
2017076	4-3221-63221-461101-241000-6501	147.27	SA2017076 Group Life Insurance
2017076	3-3300-63300-351000-510100-6599	150,000.00	SA2017076 Community Ed Fund Balance
2017076	4-3300-63300-465301-115000-6521	30,000.00	SA2017076 Salaries - Other Clerical
2017076	4-3300-63300-465301-112100-6521	10,000.00	SA2017076 Salaries - Teachers
2017076	4-3300-63300-465301-119402-6521	10,000.00	SA2017076 Salaries - Supervisors
2017076	4-3300-63300-465301-119403-6521	10,000.00	SA2017076 Salaries - Special Needs
2017076	4-3300-63300-465301-159400-6521	32,000.00	SA2017076 Salaries - Subs
2017076	4-3300-63300-465301-210000-6521	7,038.00	SA2017076 FICA
2017076	4-3300-63300-465301-221000-6521	6,000.00	SA2017076 VRS



2017076	4-3300-63300-465301-231000-6521	6,000.00	SA2017076 Health Insurance
2017076	4-3300-63300-465301-232000-6521	3,000.00	SA2017076 Dental Insurance
2017076	4-3300-63300-465301-241000-6521	6,000.00	SA2017076 Group Life Insurance
2017076	4-3300-63300-465301-242000-6521	2,000.00	SA2017076 Group Life - PT
2017076	4-3300-63300-465301-311005-6521	6,000.00	SA2017076 Innoculations
2017076	4-3300-63300-465301-312815-6521	6,000.00	SA2017076 Criminal History Check
2017076	4-3300-63300-465301-601300-6521	10,962.00	SA2017076 Ed/Rec Supplies
2017076	4-3300-63300-465301-800101-6521	5,000.00	SA2017076 Machinery/Equipment - Replacement
2017076	3-3172-63172-333000-330001-6599	235,434.87	SA2017076 Federal Title I School Improvement Grant
2017076	4-3172-63172-461101-160300-6113	30,200.00	SA2017076 Stipends - Yancey
2017076	4-3172-63172-461101-210000-6113	2,310.30	SA2017076 FICA
2017076	4-3172-63172-461101-312700-6113	200,009.89	SA2017076 Prof. Ser. Consultants
2017076	4-3172-63172-461101-550100-6113	2,914.68	SA2017076 Travel/Training/Education
2017077	3-1000-51000-351000-510100-9999	6,700,000.00	SA2017077 FY 16 GF Year End Balance
2017077	4-1000-93010-493010-930027-9999	6,700,000.00	SA2017077 FY 16 GF Year End Balance
2017077	3-9000-69000-351000-510103-6599	3,117,337.00	SA2017077 FY 16 GF Year End Balance
2017077	3-9000-69000-351000-510100-6599	-3,117,337.00	SA2017077 FY 16 GF Year End Balance
2017077	3-9010-51000-351000-510103-9999	3,582,663.00	SA2017077 FY 16 GF Year End Balance
2017077	3-9010-51000-351000-510100-9999	-3,332,663.00	SA2017077 FY 16 GF Year End Balance
2017077	4-9010-81010-481020-580409-1240	250,000.00	SA2017077 FY 16 GF Year End Balance for ACE
2017078	3-9010-51000-351000-510100-9999	-669,787.00	SA2017078 VDOT Property Takings
2017078	3-9010-24000-324000-240900-1004	669,787.00	SA2017078 VDOT Property Takings
2017079	4-9100-82046-482040-312130-9999	-98,447.80	SA2017079 To Stormwater Utility Formation
2017079	4-9100-82040-482040-312700-1302	98,447.80	SA2017079 From Stormwater TMDL Study
2017080	4-8536-93010-493010-930232-9999	4,137.72	SA2017080 Transfer Reconciliation-belvedere to CDBG
2017080	3-8536-51000-351000-510100-9999	4,137.72	SA2017080 Transfer Reconciliation-Belvedere fb
2017080	3-1224-51000-351000-510100-1008	-4,137.72	SA2017080 Transfer Reconciliation-CDBG Prior Fiscal Yrs
2017080	3-1224-51000-351000-512068-1008	4,137.72	SA2017080 Transfer Reconciliation-CDBG FY 17
2017080	3-1224-33000-333000-330009-1008	855,000.00	SA2017080 Federal Revenue
2017080	4-1224-81032-481030-300205-1008	60,000.00	SA2017080 Administrative Services
2017080	4-1224-81032-481030-563100-1008	795,000.00	SA2017080 AHIP
2017081	3-9911-51000-351000-512050-9999	-12,817.00	SA2017081 Water resources debt service
2017081	4-9911-95000-495000-312810-9999	-500.00	SA2017081 Water resources debt service
2017081	4-9911-95000-495000-910081-9999	-5,506.00	SA2017081 Water resources debt service
2017081	4-9911-95000-495000-920081-9999	-6,811.00	SA2017081 Water resources debt service
2017081	3-9910-51000-351000-512050-9999	12,817.00	SA2017081 Water resources debt service
2017081	4-9910-95000-495000-312810-9999	267.12	SA2017081 Water resources debt service
2017081	4-9910-95000-495000-910081-9999	5,610.17	SA2017081 Water resources debt service
2017081	4-9910-95000-495000-920081-9999	6,939.71	SA2017081 Water resources debt service
2017082	4-1000-99900-499000-999990-9999	-33,360.46	SA2017082 RSWA Contribution
2017082	4-1000-42040-442040-999851-1004	33,360.46	SA2017082 RSWA Contribution
2017083	4-9010-41350-441200-950525-9999	200,000.00	SA2017083 Sidewalk, Rio Rd . Avon St . Rt 250
2017083	3-9010-24000-324000-240231-1004	200,000.00	SA2017083 VDOT RS Surp from Meadowcreek
2017084	4-1000-12031-412030-382000-1001	21,500.00	SA2017084 Addil. funding from Reserve for Cont.
2017084	4-1000-99900-499000-999990-9999	-21,500.00	SA2017084 Tuition Reimbursement
2017085	4-1000-89000-489000-562500-1008	30,000.00	SA2017085 Hydraulic Small Area Plan
2017085	4-1000-81050-481050-600120-1008	-30,000.00	SA2017085 Hydraulic Small Area Plan
2017086	3-9010-41400-341000-410530-9999	-1,878,829.25	SA2017086 2017 Lease Revenue Borrowed Proceeds
2017086	3-9010-41400-341000-410100-9999	1,878,829.25	SA2017086 2017 Lease Revenue Bond Premiums
2017087	4-9010-32030-432030-810408-3140	-42,500.00	SA2017087 FR Apparatus Repl Program-ERVFC Car 42
2017087	4-9010-32030-432030-800500-3140	42,500.00	SA2017087 ERVFC Command
2017088	3-9010-41400-341000-410530-9999	30,435,000.00	SA2017088 2017 GO Bond Borrowed Proceeds
2017088	3-9010-41400-341000-410100-9999	2,686,946.15	SA2017088 2017 GO Bond Premiums
2017088	4-9010-93010-493010-930004-9999	32,815,583.08	SA2017088 2017 GO Revenue Transfer
2017088	4-9010-95000-495000-312807-9999	306,363.07	SA2017088 2017 GO Cost of Issuance
2017088	3-9000-69000-351000-512090-6599	32,815,583.08	SA2017088 2017 GO Revenue Transfer
2017088	3-9010-41400-341000-410530-9999	7,677,224.00	SA2017088 FY 18 Borrowed Proceeds
2017088	4-9010-93010-493010-930004-9999	7,526,690.00	SA2017088 FY 18 Borrowed Proceeds Transfer
2017088	4-9010-95000-495000-312807-9999	150,534.00	SA2017088 FY 18 Borrowed Proceeds Cost of Issuance
2017088	3-9000-69000-351000-512090-6599	7,526,690.00	SA2017088 FY 18 Borrowed Proceeds
2017088	3-9000-69000-315000-150101-6599	2,000.00	SA2017088 Interest Earnings
2017088	3-9000-69000-324000-240202-6599	300,000.00	SA2017088 School Bus Categorical Aid
2017088	3-9000-69000-324000-240265-6599	726,000.00	SA2017088 Technology Grant
2017088	3-9000-69000-351000-510100-6599	2,556,079.77	SA2017088 Use of Fund Balance
2017088	3-8537-51000-351000-510100-9999	94,385.15	SA2017088 Old Trail Proffer - WAHS Enviro
2017088	4-8537-93010-493010-930004-9999	94,385.15	SA2017088 Old Trail Proffer - WAHS Enviro
2017088	3-9000-69000-351000-512054-6599	94,385.15	SA2017088 Old Trail Proffer - WAHS Enviro
2017088	4-9000-69990-468200-800700-6599	263,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69985-466730-312350-6301	400,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69990-468300-800700-6599	575,000.00	SA2017088 School Bus Replacement Program
2017088	4-9000-63905-462320-800506-6599	1,200,000.00	SA2017088 School Bus Replacement Program
2017088	4-9000-69990-468300-800707-6599	726,000.00	SA2017088 State Technology Grant
2017088	4-9000-69983-466732-312350-6251	90,200.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6252	103,950.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6253	15,400.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6254	15,400.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6255	103,950.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6301	192,500.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-312350-6302	46,200.00	SA2017088 Learning Space Modernization Referendum Project



2017088	4-9000-69983-466732-312350-6599	706,050.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6109	19,150.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6251	120,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6252	220,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6253	120,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6254	100,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6255	220,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6301	420,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6302	200,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800200-6599	1,520,015.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6109	110,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6251	730,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6252	767,500.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6253	778,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6254	605,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6255	767,500.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6301	1,813,385.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6302	558,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-800605-6599	200,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69983-466732-999999-6599	54,000.00	SA2017088 Learning Space Modernization Referendum Project
2017088	4-9000-69980-464600-301210-6252	50,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-301210-6301	250,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-312350-6301	35,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800614-6599	150,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800634-6599	100,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800665-6599	30,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800949-6301	100,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800949-6505	20,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-800949-6599	514,939.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-464600-950257-6599	75,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466200-301210-6599	30,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466200-312350-6599	35,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466200-800140-6599	125,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466200-800675-6305	78,750.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466200-800675-6599	200,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6101	280,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6102	875,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6251	550,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6252	90,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6253	65,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6301	350,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-301210-6599	50,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-312350-6107	20,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466740-312350-6115	17,500.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466750-301210-6102	80,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466750-301210-6112	80,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466750-301210-6599	105,000.00	SA2017088 School Maintenance/Replacement Program
2017088	4-9000-69980-466750-312350-6252	10,000.00	SA20170

2017088	4-9000-69983-466731-312350-6252	75,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-312350-6303	55,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800200-6109	100,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800200-6117	175,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800200-6252	125,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800200-6303	125,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800605-6109	575,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800605-6117	405,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800605-6252	605,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69983-466731-800605-6303	500,000.00	SA2017088 School Security Improvements Program Referendum Project
2017088	4-9000-69985-466730-312350-6109	15,000.00	SA2017088 Scottsville Elementary School Sitework Improvements
2017088	4-9000-69985-466730-800200-6109	170,000.00	SA2017088 Scottsville Elementary School Sitework Improvements
2017088	4-9000-69985-466730-999999-6109	15,000.00	SA2017088 Scottsville Elementary School Sitework Improvements
2017088	4-9000-69983-466730-312350-6302	150,000.00	SA2017088 Western Albemarle high School Environmental Studies Academy Phase 2 Referendum Project
2017088	4-9000-69983-466730-800200-6302	1,720,000.00	SA2017088 Western Albemarle high School Environmental Studies Academy Phase 2 Referendum Project
2017088	4-9000-69983-466730-800605-6302	3,530,000.00	SA2017088 Western Albemarle high School Environmental Studies Academy Phase 2 Referendum Project
2017088	4-9000-69983-466730-999999-6302	430,000.00	SA2017088 Western Albemarle high School Environmental Studies Academy Phase 2 Referendum Project
2017088	4-9000-69983-466730-800200-6112	1,467,750.00	SA2017088 Woodbrook Elementary School Addition-Modernization Referendum Project
2017088	4-9000-69983-466730-800605-6112	12,227,343.00	SA2017088 Woodbrook Elementary School Addition-Modernization Referendum Project
2017088	4-9000-69983-466730-999999-6112	1,206,756.00	SA2017088 Woodbrook Elementary School Addition-Modernization Referendum Project
2017089	3-4100-51000-351000-510100-9999	52,500.00	SA2017089 ECC FB: April Appropriations
2017089	4-4100-31040-435600-312500-1003	20,000.00	SA2017089 ECC Location Study and Facility Needs Assessment
2017089	4-4100-31040-435600-800700-1003	32,500.00	SA2017089 ECC Hardware and Secondary Network Upgrades
2017090	4-1000-81021-481020-110000-1008	9,860.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-210000-1008	754.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-221000-1008	1,233.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-241000-1008	130.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-231000-1008	1,497.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-232000-1008	41.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-800700-1008	2,000.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-800200-1008	2,000.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-81021-481020-520300-1008	450.00	SA2017090 CDD - Neighborhood Planner
2017090	4-1000-99900-499000-999990-9999	-17,965.00	SA2017090 CDD - Neighborhood Planner
<b>TOTAL</b>		<b>188,475,611.94</b>	

Agenda Item No. 23. **Public Hearing: Hardy Parking License.** To consider granting to R. Franklin Hardy an irrevocable license to 15 parking spaces in the parking deck behind the Juvenile & Domestic Relations District Courthouse, located at 409-411 East High Street, Charlottesville, Virginia 22902 (City of Charlottesville Parcels 530032000 and 530033000). *(Advertised in the Daily Progress on March 21, 2017.)*

The Executive Summary presented to the Board states that in 2004, the County and the City of Charlottesville contracted to renovate the Juvenile & Domestic Relations District Courthouse (the “Juvenile Court”) shared by the two localities. As part of the project, a new reserved parking deck was constructed behind the renovated Courthouse. Completion of parking deck required acquisition of portions of neighboring properties, including a property owned by R. Franklin Hardy. As part of the compensation offered to Mr. Hardy for his property and lost parking, the City and County agreed to convey an irrevocable license to 15 reserved spaces in the new Courthouse parking deck to him (Attachment A, Section 3). From the opening of the completed parking deck in 2008, by mutual agreement, the County, the City, and Mr. Hardy have each enjoyed the use of their respective designated parking spaces.

Attorneys for the County, the City, and Mr. Hardy have agreed on proposed language for the required License Agreement (Attachment B), which both the City and Mr. Hardy have already signed. Despite the localities’ existing contractual obligation to convey an irrevocable parking license, this “disposal” of public property requires a public hearing under *Virginia Code* § 15.2-1800(B). In addition, attorneys for the County and City have also agreed on proposed language for an agreement between the two localities reflecting the allocated cost and use of the new deck (Attachment C).

Because the City and County already (a) maintain the Juvenile Court parking deck and (b) are contractually obligated to convey a license for 15 parking spaces, the proposed License Agreement has no additional fiscal impact to the County.

After the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment D) to: 1) authorize granting an irrevocable license for 15 spaces in the Juvenile Court parking deck to R. Franklin Hardy; 2) approve the License Agreement (Attachment B) and the Parking Agreement (Attachment C) between the County and City; and 3) authorize the County Executive to sign all documents necessary to grant this license and to implement the terms and conditions thereof once they have been approved as to substance and form by the County Attorney.

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Mr. Andy Herrick, Senior Assistant County Attorney, addressed the Board and said this would be the second public hearing for the proposed Hardy parking license. He stated that the County and City jointly agreed to renovate the Juvenile Court in 2004, and part of the project involved construction of a reserved parking deck behind the courthouse. Mr. Herrick said there was an alleyway immediately to the east of the parking lot that backed up into some businesses fronting Park Street, one of which includes the Hardy Real Estate office. He said the City and County agreed to convey an irrevocable license of 15 parking spaces in the new Juvenile Court parking deck to Mr. Hardy in return for an acquisition of a portion of the rear of his property. He said the City and County Attorney's Offices have reached an agreement with Mr. Hardy that was acceptable to all parties, but was pending until a final City/County parking agreement could be reached. He said that his office recommended that the Board adopt a resolution to approve the irrevocable license. He invited questions.

Ms. McKeel asked if parking had been occurring there over the years. Mr. Herrick confirmed that all parties have been using the spaces, as agreed, since the parking deck opened in 2008.

Ms. McKeel opened the public hearing. There being no public comment, Ms. McKeel closed the public hearing.

Ms. Mallek **moved** to adopt the proposed Resolution to authorize granting an irrevocable license for 15 spaces in the Juvenile Court parking deck to R. Franklin Hardy, to authorize the License Agreement and the Parking Agreement between the County and City, to authorize the County Executive to sign all documents necessary to grant this license and to implement the terms and conditions thereof once they have been approved as to substance and form by the County Attorney. Mr. Sheffield **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

**RESOLUTION AUTHORIZING GRANTING  
AN IRREVOCABLE LICENSE TO SPACES IN THE  
J&DR COURTHOUSE PARKING DECK**

**WHEREAS**, the County of Albemarle and the City of Charlottesville jointly own certain property in the City housing the Juvenile & Domestic Relations District Courthouse for both jurisdictions; and

**WHEREAS**, as part of the 2004 renovation of said Courthouse, the localities acquired certain property from R. Franklin Hardy; and

**WHEREAS**, as part of their acquisition of Mr. Hardy's property, the localities agreed to grant Mr. Hardy an irrevocable license to 15 parking spaces in the newly-constructed Courthouse parking deck; and

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby authorizes granting an irrevocable license to 15 parking spaces in the J&DR Courthouse parking deck to R. Franklin Hardy, approves the proposed License Agreement and Parking Agreement between the County and City, and authorizes the County Executive to sign all documents necessary to grant this license and to implement the terms and conditions thereof once they have been approved as to substance and form by the County Attorney.

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Prepared by S. Craig Brown  
City Attorney  
605 East Main Street  
Charlottesville, VA 22902  
TMP: 34-53

**IRREVOCABLE LICENSE AND USE AGREEMENT**

THIS IRREVOCABLE LICENSE AND USE AGREEMENT is made this \_\_\_\_ day of June, 2011 by and between the COUNTY OF ALBEMARLE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, Grantor or County herein, whose address is 401 McIntire Road, Charlottesville, VA 22902, and R. FRANKLIN HARDY, Grantee herein, whose address is 417 – 419 Park Street, Charlottesville, VA 22902. The CITY OF CHARLOTTESVILLE, VIRGINIA, a political subdivision of the Commonwealth of Virginia, (City herein) joins in this Agreement for the purpose of evidencing its consent to the grant of an irrevocable license by Grantor to Grantee.

WHEREAS, by agreement dated December 1, 2004 Grantee agreed to convey to the County of Albemarle and the City of Charlottesville a portion of the real property identified as Parcel 34 on City of Charlottesville Real Property Tax Map 53; and,

WHEREAS, said real property was conveyed by Grantee to the County and the City by deed dated July 18, 2005, recorded in the Clerk's Office of the Circuit Court for the City of Charlottesville in Deed Book 1041, Page 666; and,

WHEREAS, the December 1, 2004 agreement provided that in consideration of the Grantee's conveyance of real property the County and the City would provide Grantee, by irrevocable license or such other form as may be acceptable to Grantee

herein, with fifteen (15) reserved parking spaces in a new parking garage to be constructed as a part of the Juvenile and Domestic Relations District Court improvement project, with a right of ingress and egress from High Street to the parking garage for the purpose of accessing the parking spaces; and,

WHEREAS, the December 1, 2004 agreement was unanimously approved by the Charlottesville City Council by Resolution adopted on December 6, 2004, and by the Albemarle County Board of Supervisors by Resolution adopted December 8, 2004; and,

WHEREAS, the County and the City have caused the parking garage to be constructed, and have allocated the parking spaces within the garage between the two jurisdictions for certain specific purposes; and,

WHEREAS, for the sole purpose of this Agreement the fifteen spaces within the garage to be reserved for the Grantee have been allocated to the County, so that the County may act as Grantor pursuant to this Agreement; and,

WHEREAS, the Grantee has designated the fifteen (15) spaces within the garage that will be reserved for his use, as required by the December 1, 2004 agreement.

NOW, THEREFORE, in consideration of the sum of TEN and 00/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the City, the County and the Grantee do hereby agree as follows:

(1) Irrevocable License.

The County of Albemarle, as Grantor, does hereby GRANT, BARGAIN and CONVEY, with the consent and approval of the City of Charlottesville, unto the Grantee, and his successors and assigns (referred to collectively as "the Grantee") the County's interest in the following:

A. An irrevocable license for fifteen designated parking spaces within the Juvenile and Domestic Relations District Court parking garage. The fifteen specific spaces subject to this License are designated on the two sheets attached as Exhibit 1, labeled "J&DR Parking Plan". The location of these fifteen spaces shall not be changed without the prior written approval of the City, the County and the Grantee. The City shall cause these spaces to be initially signed or marked as reserved for Grantee's use. This License shall commence when the parking garage first opens for occupancy.

B. A right of ingress and egress from High Street to the parking garage for the purpose of accessing the Grantee's parking spaces, with unrestricted access into and out of the parking garage. Such right of ingress, egress and access shall be subject to any restrictions, including the temporary closing of the garage or adjoining streets, required by governmental authority as necessary for public safety, but otherwise the right of ingress, egress and access shall be unrestricted.

(2) Grantee's Use of Parking Spaces

The fifteen spaces subject to the License granted herein shall be for the benefit of Grantee's property located at 417 – 419 Park Street, and shall be used for the parking of motor vehicles by the Grantee and the Grantee's employees, agents, clients, invitees to and tenants of 417 – 419 Park Street, and shall be used for no other purpose. Grantee covenants and agrees that he will not allow, permit, authorize or direct his employees, agents, clients, invitees or tenants to park in any spaces in the parking garage other than those designated for Grantee's use pursuant to this License. The enforcement of this License and Use Agreement against any unauthorized users of the licensed parking spaces shall be the responsibility of the Grantee.

(3) Transfer of License

This Irrevocable License Agreement shall be assignable or transferable with title to or use of 417 – 419 Park Street, but shall not be sold, conveyed or transferred separate or apart from the conveyance of the property at 417 – 419 Park Street. Grantee shall give prompt written notice to the City and the County of any transfer or sale of the property at 417 – 419 Park Street.

(4) Indemnity

A. Grantee shall indemnify, protect, defend and hold harmless the City of Charlottesville and the County of Albemarle and its officers, employees and agents for, from and against all liabilities, claims, fines, penalties, costs, death of or personal injuries to persons, damages to property (including property located within the parking garage with Grantee's consent or permission), losses, liens, causes of action, suits, and judgments (including court costs and reasonable attorneys' fees) of any nature, kind or description, directly or indirectly arising out of, caused by, or resulting from, in whole or in part, any act, omission, negligence or willful misconduct of Grantee or of any individual exercising any rights granted to Grantee by this License and Use Agreement; provided that Grantee's duty to indemnify, protect, defend and hold harmless pursuant to this paragraph shall not apply to any act, omission, negligence or willful misconduct of any City or County officer, employee or agent acting within the scope of his or her employment.

B. Neither the City of Charlottesville nor the County of Albemarle shall be responsible for and Grantee hereby waives all claims against the City of Charlottesville and the County of Albemarle and, when acting within the scope of their employment,

their officers, employees and agents arising or alleged to arise from theft of or damage to any vehicles occupying the parking improvements or the contents of such vehicles.

(5) Insurance

Grantee at all times while this Agreement is in effect shall, at his own expense, keep in full force and effect (a) workers' compensation insurance (to the extent required by state law); and (b) general commercial liability insurance in such coverages and amounts as determined by the Grantee. The City of Charlottesville and the County of Albemarle shall be named as additional insureds on the commercial liability insurance policy to the extent of their interests in the parking garage, and the policy shall also include a waiver of subrogation in favor of the City and County and provide that the Grantee's coverage shall be primary and non-contributory from the Owner.

(6) Garage Alterations and Improvements

A. The City and the County, as owners of the garage, retain the right, but not the obligation, to make such repairs, alterations, additions, changes or improvements, whether structural or otherwise, and to otherwise alter or modify the improvements in or about the Juvenile and Domestic Relations District Court parking garage as they deem necessary, and during the continuance of any such work to take such measures for safety or for the expediting of such work as may be required, in the City and County's judgment; provided that the Grantee's Licensed parking spaces shall not be altered, relocated, removed or replaced without the prior written consent of the Grantee. Grantee shall be responsible for the routine maintenance and routine repair of his fifteen designated parking spaces as the Grantee may deem necessary, but the Grantee shall not



be responsible for major repairs or alterations, including but not limited to structural repairs.

B. The City and the County further retain the right to establish and amend from time to time reasonable and uniform rules and regulations governing the use of and parking within the parking garage, provided that such rules and regulations will not limit or adversely affect Grantee's rights of access, ingress and egress as provided herein, or Grantee's use of his designated parking spaces.

C. The City and the County further retain the right, but not the obligation, to take all such reasonable measures as they may deem advisable for the security of the parking garage and its occupants; provided, however, that such measures shall not interfere with the Grantee's unrestricted access to the parking garage; and provided further that neither the City nor the County shall have any liability to the Grantee, or anyone exercising rights pursuant to this License and Use Agreement, for loss of property or personal injury alleged to result from the lack of security measures in the parking garage. Grantee shall cooperate in the efforts of the City and County to maintain security in the parking garage and shall follow all rules and regulations reasonably promulgated by the City and the County with respect thereto; provided that such rules and regulations shall not interfere with the Grantee's unrestricted access to and use of the parking garage.

D. The City and the County shall use all reasonable efforts to minimize the interference to Grantee, and to those authorized to use the licenses parking spaces, resulting from the exercise of rights reserved pursuant to Sections 6 (A), (B) and (C), *supra*.

(7) Liens and Encumbrances

Grantee covenants and agrees that fee simple title and ownership of the entire parking garage, including the parking spaces licensed pursuant to this Agreement, will remain in the City and County. Grantee further covenants and agrees that its interest in the fifteen parking spaces licensed and used pursuant to this Agreement shall not be used as security for any loan, mortgage or encumbrance of any nature, or be made subject to any lien or deed of trust of any nature.

(8) County as Grantor

By acting as Grantor of the irrevocable license the County of Albemarle assumes no additional duties, responsibilities or liabilities beyond those which may arise as a result of its joint ownership of the parking garage with the City of Charlottesville.

(9) Warranties of the City and County

The County and the City warrant that the County has full and complete authority to grant this license; that both jurisdictions have full and complete authority to enter into this agreement; and that no entity other than the Grantee has any known claim to any of the rights hereby granted to him, except for rights of ingress, egress and access held in common with other users of the parking garage.

(10) Loss of Use of Parking Garage

In the event the Juvenile Court parking garage ceases to exist or ceases to be used for vehicle parking for whatever reason, including acts of force majeure, the parties intend that the property conveyed by the Grantee to the City and County by the aforementioned deed be re-conveyed to the Grantee, his successor(s) and / or assign(s). However, all parties expressly acknowledge that neither the City nor the County may dispose of its interest in such property unless and until approved by the local governing

body following a public hearing, as required by Virginia Code Section 15.2-1800(B) . If such a reconveyance is not authorized, then the Grantee and designees of the City and the County will jointly employ a qualified and impartial professional real estate appraiser to determine the then current fair market value of the property that was conveyed by Grantee to the City and County by deed dated July 18, 2005. Such appraisal shall consider the zoning and land use regulations applicable to the property at the time of the appraisal, and shall appraise the property as if it were an improved privately-owned surface parking lot which is available for use by the occupants of 417–419 Park Street. Within sixty (60) days from the completion of the appraisal the City and County may appropriate and pay the appraised amount to the Grantee, and this Agreement shall thereafter be void and of no effect.

(11) Force Majeure

Neither party shall be responsible or liable for or deemed in breach hereof because of any delay or failure in the performance of their respective obligations hereunder to the extent that such delay or failure is due solely to circumstances beyond the reasonable control of the party experiencing such delay or failure, including but not limited to acts of God, unusually severe weather conditions, fire, floods, earthquakes, accidents, riots, acts of terrorism, and governmental regulations or orders.

(12) Entire Agreement

This Irrevocable License and Use Agreement, including any exhibits which may be attached hereto, contains the entire agreement between the parties with respect to the subject matter hereof. Any agreement made hereafter between the parties shall be

ineffective to modify, release, or otherwise affect this Agreement, in whole or in part, unless such agreement is in writing and signed by all parties.

(13) Severability

If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remaining terms and provisions (including the unaffected portion of the invalid or unenforceable provision) of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

EXECUTED as of the date hereinabove first set forth.

**GRANTOR:**

**COUNTY OF ALBEMARLE, VIRGINIA**

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me in the City of Charlottesville, Virginia, this \_\_\_\_ day of April, 2012, by \_\_\_\_\_ for the County of Albemarle, Virginia.

\_\_\_\_\_  
Notary Public  
Notary Registration No. \_\_\_\_\_

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

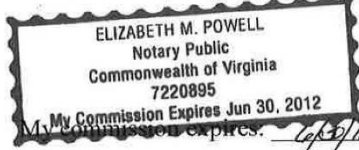
**GRANTEE:**

**R. FRANKLIN HARDY**

By: R. Franklin Hardy

: STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me in the City of Charlottesville, Virginia, this 19<sup>th</sup> day of April, 2012, by R. Franklin Hardy.



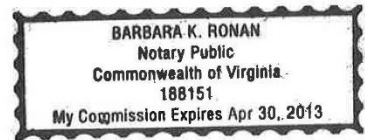
Elizabeth M. Powell  
Notary Public  
Notary Registration No. 7220895

As evidenced by the signature of its City Manager below, the City of Charlottesville hereby approves and agrees to the terms and conditions of this Irrevocable License and Use Agreement.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: Maurice Jones

Title: City Manager

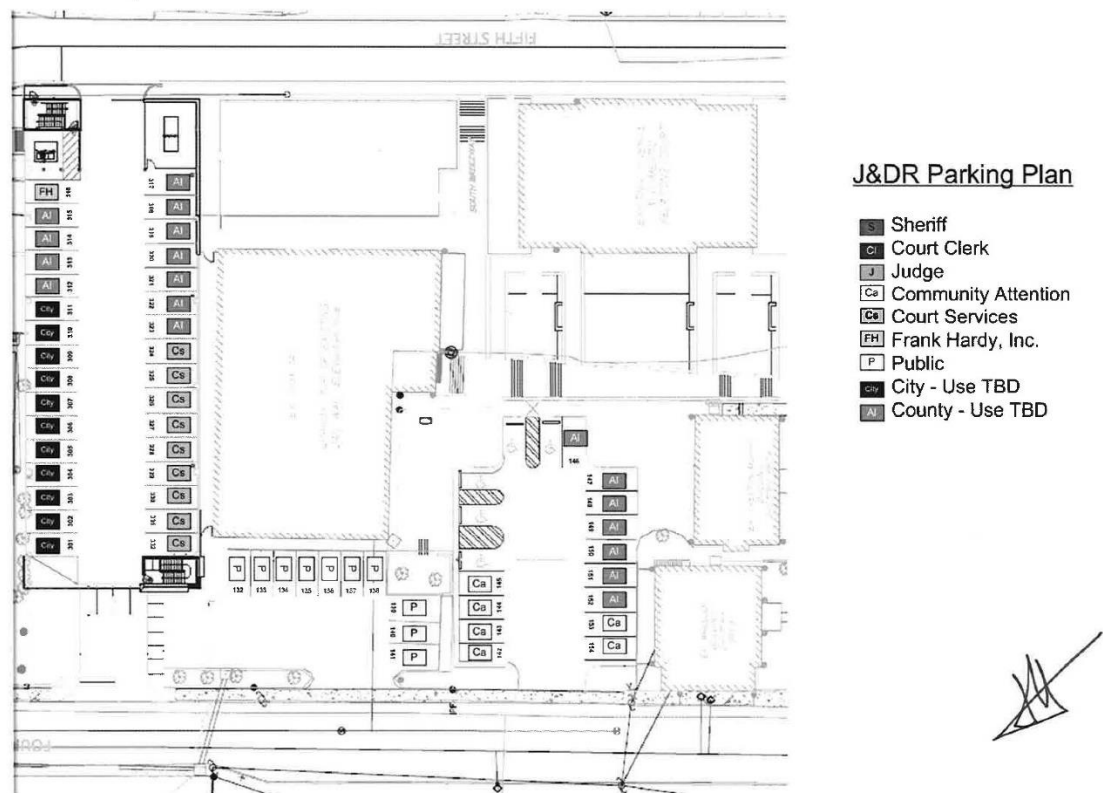


STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE, to-wit:

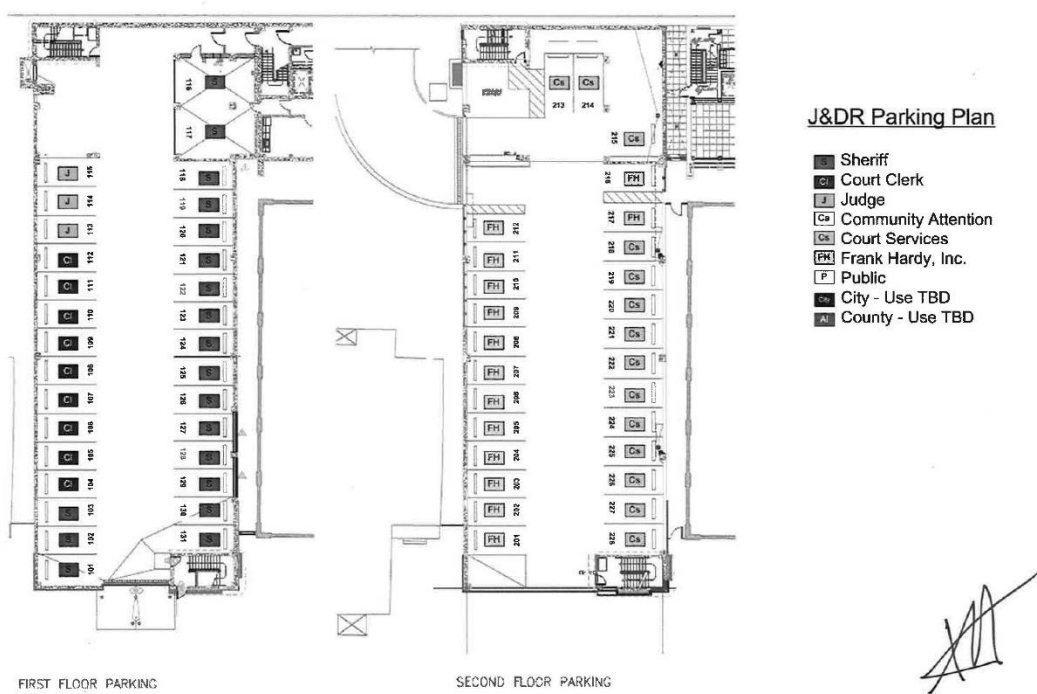
The foregoing instrument was acknowledged before me in the City of Charlottesville, Virginia, this 9<sup>th</sup> day of ~~April~~ MAY, 2012, by MAURICE JONES for the City of Charlottesville, Virginia.

Barbara K. Ronan  
Notary Public  
Notary Registration No. 188151

My commission expires: 4/30/2013



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**CITY OF CHARLOTTESVILLE/COUNTY OF ALBEMARLE**  
**MEMORANDUM OF AGREEMENT REGARDING THE**  
**J&DR COURT PARKING FACILITIES**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by and between the CITY OF CHARLOTTESVILLE, VIRGINIA, a Virginia municipal corporation (the "City") and the COUNTY OF ALBEMARLE, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the "County") (jointly the "parties").

**WITNESS:**

**WHEREAS**, the parties own certain property or properties utilized as parking facilities (the "Parking Facilities") in connection with the operation of Juvenile & Domestic Relations Court Facilities by the City and County and for other purposes which may be agreed to by the parties;

**NOW, THEREFORE**, in consideration of the mutual premises and covenants contained herein, and as authorized by the Juvenile and Domestic Relations Court Facilities Agreement effective May 5, 2004 (the "J&DR Court Agreement"), the parties hereby agree as follows:

1. Capital and operational costs of the Parking Facilities, including, without limitation: maintenance, insurance, utilities, property management services, etc. (individually and collectively, "Expenses") shall be allocated as provided in that certain "Court Cost Allocation Summary," dated February 21, 2008, attached hereto and incorporated herein by reference.
2. In accordance with the "J&DR Parking Allocation – Revised 1/31/08" worksheet (attached), the County will be allocated, and have sole use of 30 deck spaces and 7 surface spaces; the City will be allocated, and have sole use of, 11 deck spaces, 18 Circuit Court lot spaces and 3 on-street parking spaces. The balance of the available spaces (50 deck, 21 surface, 9 Circuit Court and 6 on-street spaces) shall be shared equally. Parking spaces licensed or otherwise allocated to R. Franklin Hardy, his successors and/or assigns shall not reduce the number of parking spaces allocated to either party individually, but shall be allocated equally from the parties' shared spaces. Parking spaces on the Property may be re-allocated only upon mutual agreement of the parties.
3. Pursuant to the J&DR Court Agreement, the City shall be responsible for the general management, operation and maintenance of the Parking Facilities. Said management shall be in accordance with a written garage operations program, approved in advance by the parties, that shall reflect the respective ownership and operational goals of the Parties.
4. Any use of the Parking Facilities shall be mutually agreed to by the parties. In the event of a dispute between the parties as to the appropriate uses of the Parking Facilities, the parties agree to use all reasonable efforts to resolve the dispute.

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5. Liability for damages to third parties arising out of the parties' ownership, use, or occupancy of the Parking Facilities (except with respect to any portion of the Parking Facilities used or occupied solely by one of the parties, its officers, officials, employees, agencies, etc.) shall be shared jointly, to the extent not covered by insurance proceeds, and only to the extent that the City and County could each be held liable for such damages under the laws of the Commonwealth of Virginia.

WHEREFORE, the parties hereto have executed this Agreement, as of the day and year set forth above.

**COUNTY OF ALBEMARLE**

**CITY OF CHARLOTTESVILLE**

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

\_\_\_\_\_  
Maurice T. Jones, City Manager

Approved as to form:

Approved as to form:

\_\_\_\_\_  
County Attorney or his designee

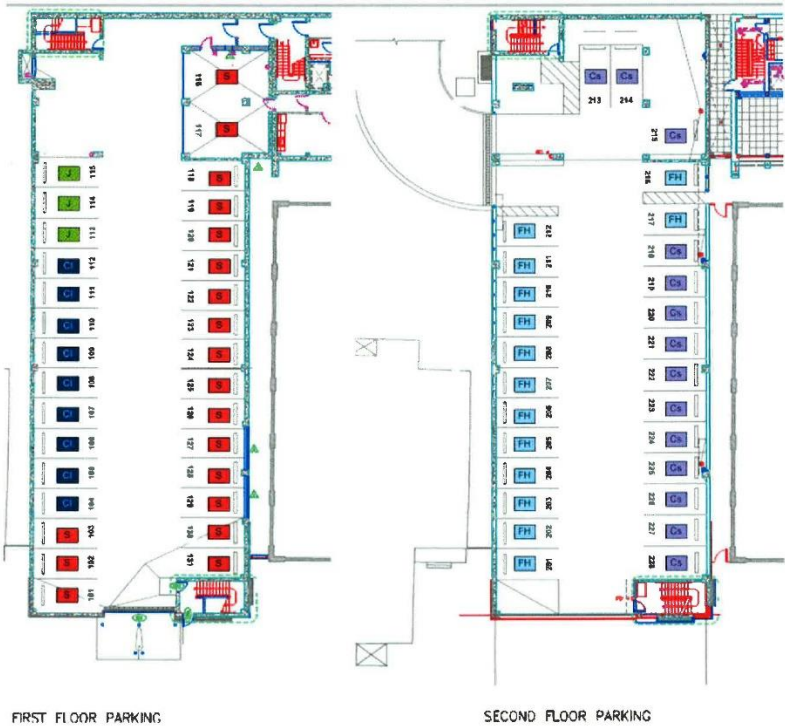
\_\_\_\_\_  
City Attorney or his designee

Court Cost Allocation Summary  
February 21, 2008

I. Allocation of Costs for J&DR Court Renovation/Expansion and Levy Renovation:		City Share	County Share
Construction Costs:	\$ 13,628,062		
Soft Costs, including design fees & construction contingency	\$ 2,742,748		
Land Acquisition Costs	\$ 2,034,044		
Levy Project Costs	\$ 1,337,429		
Subtotal:	\$ 19,742,283		
2% Management Fee	\$ 394,846		
Total J&DR and Levy Costs	\$ 20,137,129		
Less: Parking Deck Costs - per Line 35	\$ (1,868,455)		
Less: Levy Rent subject to allocation - per Line 44	\$ (411,919)		
Less: 2% Management Fee	\$ (394,846)		
Subtotal	\$ 17,461,909		
Less: Estimated costs of Sheriff's Space (3,515 SF @ \$332.43/SF)	\$ (1,168,491)		
Subject to 50/50 allocation	\$ 16,293,418		
City Share - 50%	\$ 8,146,709	46.65%	\$ 8,146,709
County Share - 50% + Sheriff's Space	\$ 9,315,200	53.35%	\$ 9,315,200
II. Allocation of Costs for Parking Deck and Surface Parking:			
Total Parking Deck Cost	\$ 1,868,455		
City cost allocation	\$ 751,493	40.22%	\$ 751,493
County cost allocation	\$ 1,116,962	59.78%	\$ 1,116,962
III. Allocation of Levy Rent:			
Total Levy Rent (\$14,350/mo; 3% increase in 2nd and 3rd yrs)	\$411,919		
Less: 7 months credit to Alb associated w/ delay (Nov 03 thru May 04; 6 months @ \$14,780.50; 1 month @ \$10,149.33)	\$ (98,832)		
Subtotal - Subject to 50/50 Allocation	\$313,087		
City Share (50% + delay costs)	\$255,376		\$255,376
County Share (50%)	\$156,544		\$156,544
IV. Summary Allocation of Costs: City and County			
Sub-Total:	\$19,742,283	\$9,153,577	\$10,588,706
Sub-Total as a Percent:		46.37%	53.63%
2% Fiscal Agent / Management Fee	\$ 394,846	\$183,090	\$211,756
Final City & County Cost:	\$20,137,129	\$9,336,667	\$10,800,461

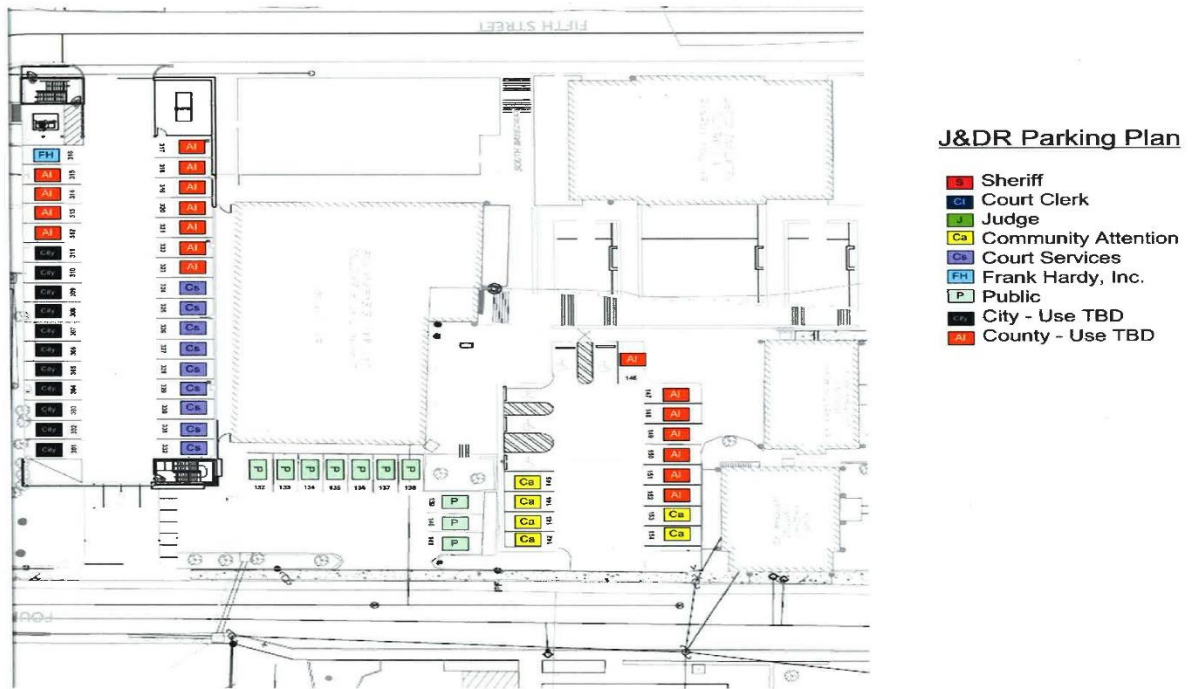


J&DR Parking Allocation - Revised 1/31/08				
Location	Shared	City	County	Total
Parking Deck				
Commonwealth Attorney			5	
County Sheriff			17	
County Sheriff in Sallyport			2	
FH - Frank Hardy	15			
JCC - J&DR Court Clerk	9			
JCS - J&DR Court Services	17			
JCSV - J&DR Court Services Vehicle	4			
J Judge - J&DR Judges	3			
JCP - J&DR Court probation	2			
County - TBD			6	
City - TBD		11		
Total	50	11	30	91
Surface Parking (on-site)				
P - Public Parking	10			
HC Spaces	5			
Com Atten/Group Home	6			
CoCA - County Common Atty			3	
County - TBD			2	
CoCC - County Circuit Court Clerk			2	
Total	21	0	7	28
Circuit Court				
City Only		18		
City/County Split	9			
Total	9	18	0	27
Alley				
CoSH - County Sheriff			0	
P - Public Parking	0			
Total	0	0	0	0
Alley North End				
FH - Frank Hardy	0			
Total	0	0	0	0
On Street Parking				
P - Public Parking	6			
AH - Attention Home		3		
Total	6	3	0	9
Total Parking	86	32	37	155
Total Percentage	55.5%	20.6%	23.9%	100.0%
	Shared	City	County	Total



J&DR Parking Plan

- Sheriff
- Court Clerk
- Judge
- Community Attention
- Court Services
- Frank Hardy, Inc.
- Public
- City - Use TBD
- County - Use TBD



**(Note: The next two items were heard concurrently:)**

Agenda Item No. 24. **Public Hearing: Virginia Electric and Power Company Easement on County-Owned Parcel.** To consider granting an easement to Virginia Electric and Power Company across property owned by the County located at the intersection of Old Trail Drive and Jarmans Gap Road (TMP 055E0-00-00-000A1). The easement is necessary for the installation and maintenance of facilities to distribute electric power.  
(Advertised in the Daily Progress on March 21, 2017.)

Agenda Item No. 25. **Public Hearing: Central Telephone Company of Virginia Easement on County-Owned Parcel.** To consider granting an easement to Central Telephone Company of Virginia, d/b/a CenturyLink, across property owned by the County located at the intersection of Old Trail Drive and Jarmans Gap Road (TMP 055E0-00-00-000A1). The easement is necessary for the installation and maintenance of communication system facilities.  
(Advertised in the Daily Progress on March 21, 2017.)

The Executive Summary presented to the Board states that on March 1, 2017, the Board reconsidered its August 3, 2016 decision to grant utility easements to Virginia Electric Power Company (“Dominion”) and Central Telephone Company (“Century Link”) on County-owned property located at the intersection of Old Trail Drive and Jarmans Gap Road, identified as Tax Map Parcel 055E0-00-00-000A1 (“TMP 55E-A1”) (Attachment A). The Board’s decision to grant the easements was conditioned upon amending the deed language to require that third-party equipment not be allowed above ground. Dominion and Century Link raised concerns about that condition, proposed alternative conditions, and requested that the Board reconsider the matter, which it did on March 1. Further background information is provided in the March 1, 2017 executive summary (Attachment B).

In order to address the Board's concerns that gave rise to its original condition restricting thirdparty equipment, Dominion proposed an amendment to its standard deed language that would restrict thirdparty equipment only to that serving Dominion's internal communications (Attachment C). Century Link, whose equipment is currently underground, proposed an amendment to its standard deed that would require County approval of any third party equipment proposed to be located above ground (Attachment D). The Board would be the approving body.

With these proposed revisions to the Dominion and Century Link deeds, the Board scheduled these easements for public hearing on April 5, 2017.

There is no budget impact.

After conducting public hearings on granting easements to Dominion and Century Link, which may be held together as one public hearing, staff recommends that the Board adopt the attached Resolutions (Attachments E and F).

Mr. Kampfner stated that they could have a combined public hearing for Items 24 and 25 and reminded the Board that they had reviewed this proposal at their March 1 meeting and set a public hearing for today. He showed a map of the parcel, which was owned by the County and conveyed as part of the Old Trail development. He said VDOT had constructed a storm water facility and the Board had authorized the County to convey the parcel to the Commonwealth in fee-simple interest, as the Commonwealth would take over maintenance of the facility. He said the conveyance was being held up by the pending easements before the Board, with the Dominion easement above ground and the

CenturyLink easement below ground. He said the purpose of the public hearing is to consider granting easements to the two utilities on County property at the intersection of Old Trail Drive and Jarman's Gap Road.

Mr. Kamptner displayed a slide showing the revised language requested by the Board for each easement: Dominion – A restriction that only third-party equipment serving Dominion's internal communications would be allowed; CenturyLink – A restriction that would require County (Board of Supervisors) approval of any third-party equipment. He stated that staff recommends adoption of the resolutions, identified as Attachments E and F, after the public hearing. He said that Mr. Geiger is present to answer questions.

Ms. McKeel opened the public hearing.

Mr. Jeff Geiger, representing the VDOT Highway Commissioner, introduced himself and offered to answer questions.

Ms. Mallek said the concern of area residents is that there not be a proliferation of things above ground, and she wants to be sure the new wording for CenturyLink would prevent this. Mr. Geiger responded that the Board would have to approve any above-ground third-party equipment.

There being no further comments from the public, Ms. McKeel closed the public hearing.

Ms. Mallek **moved** to adopt the proposed Resolution approving deed of easement between the County of Albemarle and the Virginia Electric and Power Company. Mr. Randolph **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

**RESOLUTION APPROVING DEED OF EASEMENT  
BETWEEN THE COUNTY OF ALBEMARLE  
AND THE VIRGINIA ELECTRIC AND POWER COMPANY  
(d/b/a Dominion Virginia Power)  
ON TAX MAP AND PARCEL NUMBER 055E0-00-00-000A1**

**WHEREAS**, the County of Albemarle owns Tax Map and Parcel Number 055E0-00-00-000A1 ("TMP 55E-A1"); and

**WHEREAS**, the Board finds that granting an easement to the Virginia Electric and Power Company on TMP 55E-A1 is necessary for it to continue the operation and maintenance of its underground cables and related facilities and structures that were previously relocated to TMP 55E-A1 for the provision of telecommunications service as part of the Jarmans Gap Road project.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves granting an easement to the Virginia Electric and Power Company on TMP 055E0-00-00-000A1, and authorizes the County Executive to sign a Deed of Easement, with an accompanying Plat, on behalf of the County once the County Attorney has approved the Deed (and Plat) as to form and substance that is consistent with the revised draft Deed considered by the Board at its April 5, 2017 public hearing.

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Ms. Mallek then **moved** to adopt the proposed Resolution approving deed of easement between the County of Albemarle and the Central Telephone Company of Virginia (d/b/a CenturyLink). Mr. Randolph **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

**RESOLUTION APPROVING DEED OF EASEMENT  
BETWEEN THE COUNTY OF ALBEMARLE  
AND THE CENTRAL TELEPHONE COMPANY OF VIRGINIA  
(d/b/a Century Link)  
ON TAX MAP AND PARCEL NUMBER 055E0-00-00-000A1**

**WHEREAS**, the County of Albemarle owns Tax Map and Parcel Number 055E0-00-00-000A1 ("TMP 55E-A1"); and

**WHEREAS**, the Board finds that granting an easement to the Central Telephone Company of Virginia on TMP 55E-A1 is necessary for it to continue the operation and maintenance of its underground cables and related facilities and structures that were previously relocated to TMP 55E-A1 for the provision of telecommunications service as part of the Jarmans Gap Road project.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves granting an easement to the Central Telephone Company of Virginia on TMP 055E0-00-00-

000A1, and authorizes the County Executive to sign a Deed of Easement, with an accompanying Plat, on behalf of the County once the County Attorney has approved the Deed (and Plat) as to form and substance that is consistent with the revised draft Deed considered by the Board at its April 5, 2017 public hearing.

\*\*\*\*\*



**Right of Way Agreement**

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between

the **COUNTY OF ALBEMARLE**

("GRANTOR") and **VIRGINIA ELECTRIC AND POWER COMPANY**, a Virginia public service corporation, doing business in Virginia as Dominion Virginia Power, with its principal office in Richmond, Virginia ("**GRANTEE**").

**WITNESSETH:**

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and nonexclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company only in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:
- 1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend of variable (as shown on the attached plat) feet in width across the lands of **GRANTOR**; and
- 1.2 to construct, operate and maintain a pole line including, without limitation, all wires, poles, attachments, ground connections, transformers, reclosers, protective devices, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time deem advisable, equipment, accessories and appurtenances desirable in connection therewith, including the right to increase or decrease the number of wires; the width of said non-exclusive easement shall extend of variable (as shown on the attached plat) feet in width across the lands of **GRANTOR**, and

Initials: \_\_\_\_\_  
**This Document Prepared by Virginia Electric and Power Company and should be returned to:**  
Dominion Virginia Power, 1719 Hydraulic Road, Charlottesville, Virginia 22901.

(Page 1 of 5 Pages)  
DVPIDNo(s). 80-16-0011  
VDOT Project No. 0691-002-258, RW-201, C-501  
Tax Map No. 055E0-00-00-000A1



2. The easement granted herein shall extend across the lands of **GRANTOR** situated in the County of Albemarle, Virginia, as more fully described on Plat(s) Numbered 80-16-0117, attached to and made a part of this easement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof. Further reference is made to the VDOT Project No. 0691-002-258, RW-201, C-501, Sheets 10, 10B and 11, Parcels 033 and 034.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this easement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this easement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: \_\_\_\_\_

(Page 2 of 5 Pages)  
DVPIIDNo(s). 80-16-0011

Form No. 720025-2 (Aug 2014)  
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7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this easement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE**'S right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE**'S obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE**'S stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as part of this easement.

10. Whenever the context of this easement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 5 Pages)  
DVPIIDNo(s). 80-16-0011

Form No. 720025-3 (Aug 2014)  
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**Right of Way Agreement**

11. **GRANTOR** covenants that it is seized of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that **Grantor** is a political subdivision of the Commonwealth of Virginia and that he or she has been duly authorized to execute this easement on behalf of said **GRANTOR**.

**NOTICE TO LANDOWNER:** You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, **GRANTOR** has caused its name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

Albemarle County, acting by and through its  
Board of Supervisors

By: \_\_\_\_\_

Title: \_\_\_\_\_

State of Virginia  
County of Albemarle, to-wit:

I, \_\_\_\_\_, a Notary Public in and for the State of Virginia at Large, do  
hereby certify that this day personally appeared before me in my jurisdiction aforesaid

\_\_\_\_\_, \_\_\_\_\_, of the Albemarle County  
(Name of officer or agent) (Title of officer or agent)

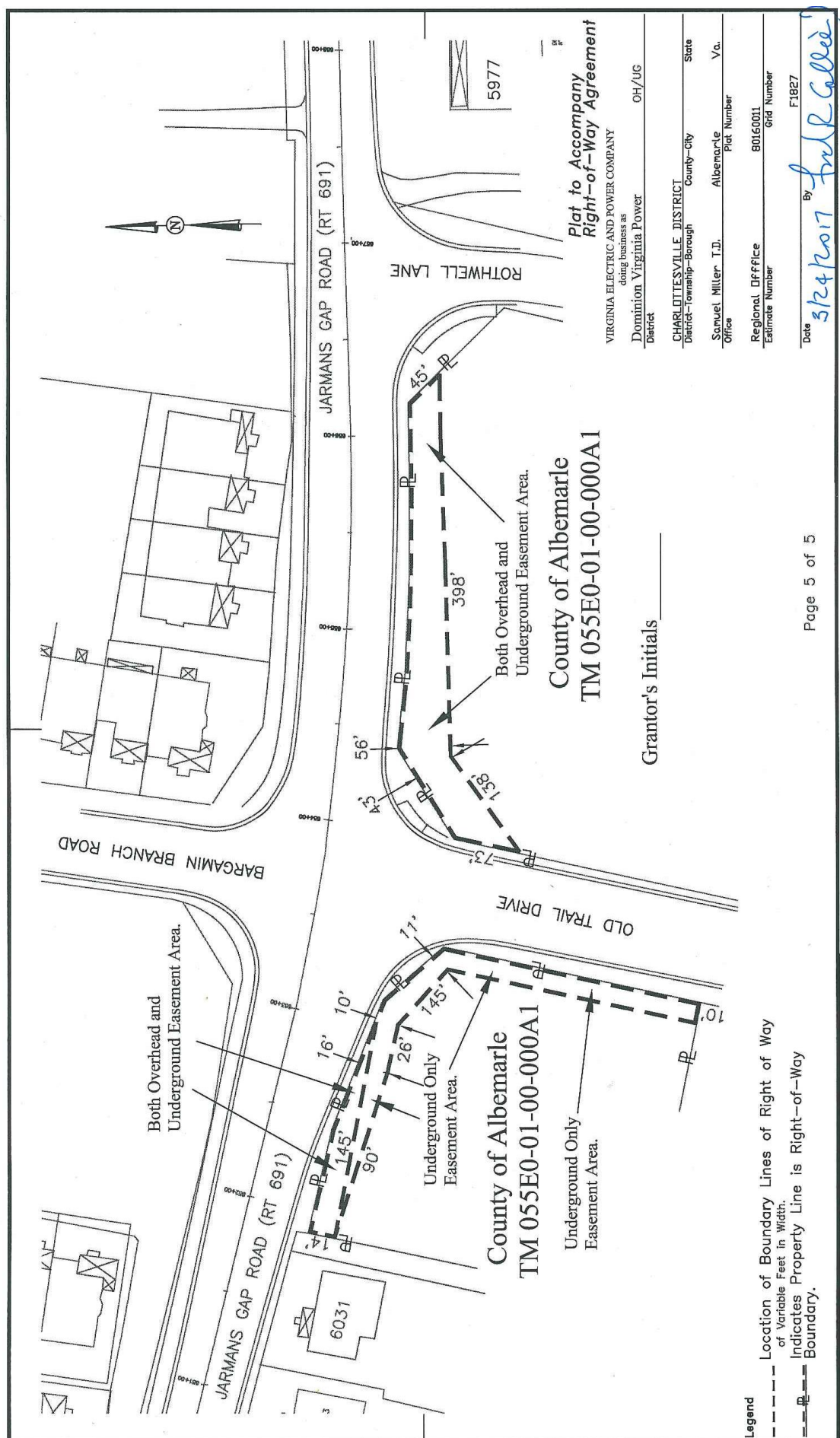
Board of Supervisors, whose name is signed to the foregoing writing, acknowledged the same before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public (print name)

\_\_\_\_\_  
Notary Public (signature)

Virginia Notary Reg. No. \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



Agenda Item No. 26. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. McKeel urged the Board to coordinate with the City to schedule the joint meeting to discuss a transit partnership. She said she is working with the Clerk on finding dates and will send Supervisors some proposed dates.

Mr. Kämtner stated that his office was recently contacted by an attorney for the National Association of Telecommunications Officers and Advisors, an organization that had been working with the Federal Communications Commission and localities on wireless communications issues. He stated that the attorney contacted them because there was a pending rule under consideration by the FCC that dealt

with small cells and DAS systems, which are small wireless systems mounted to existing poles or to new poles of 20-30 feet in height. Mr. Kamptner said the attorney informed him that under industry comments, Albemarle had twice been singled out as not being friendly to the wireless industry. Mr. Kamptner noted that there were some misstatements, and he will prepare a response that he will share with Supervisors in addition to soliciting their feedback.

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Ms. Palmer suggested they begin the interview process shortly for a Broadband Authority Director, as they will want to get the authority up and running quickly so they can apply for grants.

Mr. Dill noted that the County employment application is not very detailed, and he suggested they determine the background and technical expertise necessary for the position so they can narrow the applicant pool and not have to interview 30 candidates.

Ms. Mallek suggested they contact each applicant and ask them to share information about their specific qualifications for the position.

Ms. Palmer agreed with Mr. Dill and suggested they ask Mr. Mike Culp, Director of Information Technology, for the criteria he believes are required for the position.

Ms. McKeel said that once they have developed the criteria, the County clerks could reach out to the applicants. She asked Ms. Borgersen if advertising for the position had ended. Mr. Travis Morris replied that advertising would run through the Friday before the May 3 Board meeting.

Mr. Dill and Ms. Palmer asked if they could start reviewing applications now or if they must wait until the application period ends.

Mr. Randolph said the large number of applicants is a healthy problem, and it will be the Board's decision as to how to winnow down the applicants. He said another possibility is to have a citizen representative who may not be that experienced, but who represents the interest of most people in the County, particularly in the rural areas.

Ms. McKeel said her concern is that advertising for the position runs into May, while there is urgency to find someone quickly.

Ms. Palmer replied that it is really not that urgent. She expressed agreement with Mr. Dill's comments about setting some criteria and posing questions to the applicants beforehand.

Mr. Walker suggested that they come up with a profile and develop a matrix of attributes and qualities.

Mr. Randolph said that Mr. Culp had carefully mapped out what the broadband authority needs, commenting that the selection process would require adequate participation by all elements of the community that may be interested in serving on the authority. He said they still need to come up with a name for the authority. He said the Thomas Jefferson Planning District Commission is also working on broadband, and once the County has established the broadband authority they could work together. Mr. Randolph noted that Mr. Culp would solicit feedback from Louisa, Orange, and Nelson Counties, as well as from some other areas in the state, as to what they have done or are currently doing with broadband authorities.

Ms. Mallek said she had been unable to find the application for the position on the County website.

Mr. Randolph guided Ms. Mallek as to where to find the application.

Ms. Mallek said it says, "No information is available at this time."

Ms. McKeel said the Clerks can take a look at this tomorrow.

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Agenda Item No. 27. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Walker thanked the Board for wearing the VDOT vests.

He reminded Board members that there would be a public hearing the following week to review tax rates and the operating capital budget for FY18. He said there would be a brief presentation and they would then solicit public comment, after which the Board would have the opportunity to act.

He reminded Board members of their April 12 work session to review Hedgerow Park and Chris Greene Lake.

He said staff had been working on a revised format for the monthly report from the County Executive that would utilize Microsoft Project and SharePoint, stating that these tools would allow additional opportunities to communicate outward to the Board, staff and the public, in addition to tracking and management.

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Agenda Item No. 28. Closed Session (if needed).

There was no need for a closed meeting.

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Agenda Item No. 29. Adjourn to April 11, 2017, 6:00 p.m. Lane Auditorium.

At 6:47 p.m., Ms. Palmer **moved** to adjourn to April 11, 2007, 6:00 p.m. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

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Chairman

Approved by Board
Date 08/09/2017
Initials CKB