

ACTIONS
Board of Supervisors Meeting of August 4, 2004

August 23, 2004

| <u>AGENDA ITEM/ACTION</u> | <u>ASSIGNMENT</u> |
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| <p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 9:05 a.m., by the Chairman, Mr. Dorrier. All BOS members were present. Also present were Bob Tucker, Larry Davis and Ella Carey. | |
| <p>3a. Awards Presentation.</p> <ul style="list-style-type: none"> The Chairman recognized County staff that recently received recognition for several programs: Fire/Rescue staff that assisted in setting up a program with CATEC that trains high school students to become firefighters and emergency medical technicians; Planning staff that participated in the implementation of the County's Neighborhood Model and staff responsible for the County's website. | |
| <p>4. From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> There were none. | |
| <p>5.1 <u>SP-2002-032. Dan's Automart (Sign #42).</u></p> <ul style="list-style-type: none"> REMOVED from agenda-deferred indefinitely by the Planning Commission. | |
| <p>5.2 <u>SP-2004-0016. Forest Lakes North Swim and Tennis Club (Signs #23&94).</u></p> <ul style="list-style-type: none"> DEFERRED until October 6, 2004 at the applicant's request. | <u>Clerk:</u> Advertise for October 6 agenda. |
| <p>5.3 <u>SP-2004-0017. Forest Lakes South Swim and Tennis Club (Sign #18).</u></p> <ul style="list-style-type: none"> DEFERRED until October 6, 2004 at the applicant's request. | <u>Clerk:</u> Advertise for October 6 agenda. |
| <p>5.4 Adoption of resolution forgiving outstanding loan balances owed to the County by various Volunteer Fire and Rescue Departments.</p> <ul style="list-style-type: none"> ADOPTED resolution. | <u>Clerk:</u> Forward adopted resolution to Dan Eggleston with copy to Richard Wiggans and OMB. (Attachment 1) |
| <p>5.5 Requested FY 2004 Appropriations.</p> <ul style="list-style-type: none"> APPROVED Appropriations #2004085, #2004086, #2004087 and #2004088. | <u>Clerk:</u> Forward signed appropriation forms to Finance, OMB and copy appropriate staff. |
| <p>5.6 Requested FY 2005 Appropriations.</p> <ul style="list-style-type: none"> APPROVED Appropriations #2005006, #2005007, #2005008 and #2005009. | <u>Clerk:</u> Forward signed appropriation forms to Finance, OMB and copy appropriate staff. |
| <p>5.7 Adoption of resolution approving filing of application to the Virginia Public School Authority for loan in principal amount not to exceed \$9,630,300.</p> <ul style="list-style-type: none"> ADOPTED resolution. | <u>Clerk:</u> Forward signed resolution to Brenda Neitz with copies to School Division and OMB. (Attachment 2) |
| <p>5.8 Adoption of an ordinance to approve an Amendment to the Jefferson Area Board of Aging ("JABA") Joint Exercise of Powers Agreement to increase the size of the Board of JABA and to have the membership of the Boards of JABA and of JABA, Inc., be identical.</p> <ul style="list-style-type: none"> ADOPTED ordinance approving Amendment to the Joint Exercise of Powers Agreement and AUTHORIZED County Executive to execute Amendment on behalf of the County of | <u>Clerk:</u> Forward adopted ordinance to County Attorney's office. (Attachment 3) <u>County Attorney's office:</u> Provide Clerk with copy of signed agreement from other jurisdictions. <u>County Executive:</u> Coordinate time for representative of JABA to make presentation to Board. |

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| | <p>Albemarle.</p> <ul style="list-style-type: none"> • REQUESTED JABA provide an update to the Board at an upcoming meeting. | |
| 5.9 | <p>Devon Mobile Communications, L.P. proposed settlement.</p> <ul style="list-style-type: none"> • ACCEPTED compromise offer of Devon Mobile Communications, L.P. in full settlement of the County's claim for 2003 personal property taxes and ADOPTED the proposed resolution. | <p><u>Clerk:</u> Forward adopted resolution to Finance with copies to County Attorney's office and OMB. (Attachment 4)</p> |
| 5.10 | <p>Adoption of resolution authorizing County Executive to approve settlement of disputed tax assessments.</p> <ul style="list-style-type: none"> • ADOPTED resolution to authorize the County Executive or his designee to consent on behalf of the County to settlement offers for local taxes that are in dispute. | <p><u>Clerk:</u> Forward adopted resolution to Finance with copies to County Attorney's office and OMB. (Attachment 5)</p> |
| 5.18 | <p>Strategic Plan Quarterly Report.</p> <ul style="list-style-type: none"> • Referring to Objective 3.3.1, Ms. Thomas asked for a copy of the document identified in the statement "The Leadership Council has approved a coordinated approach to address the multiple issues involved in the County's growth and urbanization." Mr. Tucker responded that is being worked on and will be a focus of the Board's retreat. • CONSENSUS that staff look at rescheduling the Board's retreat to a date and time that all Board members can attend. | <p><u>County Executive's office:</u> Coordinate schedule.</p> |
| 6a. | <p>Transportation Matters not Listed on the Agenda.</p> <p><u>Jim Bryan:</u></p> <ul style="list-style-type: none"> • Updated Board on status of road projects. <p><u>David Wyant:</u></p> <ul style="list-style-type: none"> • Asked to meet with Mr. Bryan on some drainage issues. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Regarding the I-64 rest area, she asked if the project would involve a new way to deal with their sewage and a long sewer trunk line. Mr. Bryan said he does not know the details of the project, but will find out and report back. • Referred to a new sign on Route 29 traveling south from the Airport that directs trucks to use 250 Bypass follow 'T'. She did not see a "T" symbol. Mr. Bryan responded that the "T" symbol is at the Bypass. Ms. Thomas added that the sign should state 250 Bypass/29 South. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Asked about VDOT's maintenance position on sidewalks in the public right-of-way. He asked who a citizen should call with respect to a maintenance issue. Mr. Tucker responded it depends, but for most situations call VDOT. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Asked for an update on the Route 22/231 truck traffic restriction. Mr. Bryan responded that the Board has to go back through the process again because the previous process was challenged by the trucking industry in Frederick County. Mr. Cilimberg commented that this | <p><u>Clerk:</u> Forward comments to Jim Bryan.</p> |

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| | <p>item is scheduled for the September 1 agenda. After some discussion it was suggested VDOT look at a reduction in the speed limit from 55 mph to 45 mph. Mr. Bryan said he also would provide staff a copy of the letter outlining the procedures that must be followed.</p> | |
| 6b. | <p>Presentation: Water Supply Alternatives, Thomas Frederick.</p> <ul style="list-style-type: none"> • RECEIVED. | |
| 7. | <p>Virginia Housing Development Authority affordable housing campaign, overview of Housing Virginia.</p> <ul style="list-style-type: none"> • RECEIVED. | |
| 8. | <p>Public hearing to consider adoption of an ordinance to amend section 2-104, Samuel Miller Magisterial District, of Article I, Elections, of Chapter 2, Administration, of the Albemarle County Code to change the polling place for the East Ivy Precinct of the Samuel Miller Magisterial District from the Kappa Sigma Auditorium, 2445 Ivy Road, to the Miller Center, 2201 Old Ivy Road.</p> <ul style="list-style-type: none"> • ADOPTED the ordinance. | <p><u>Clerk:</u> Forward adopted ordinance to County Attorney's office for further action. (Attachment 6)</p> |
| 9. | <p>Discussion: Urban Development Position.</p> <ul style="list-style-type: none"> • In discussing the proposed position and what duties would be performed by the person, the Board REQUESTED staff to come up with suggested titles for the position. | <p><u>County Executive office:</u> Proceed as directed.</p> |
| 10. | <p>Update: North Pointe/CDA.</p> <ul style="list-style-type: none"> • RECEIVED. | |
| 11. | <p>Work Session: CPA-2004-03. Community Facilities Plan.</p> <ul style="list-style-type: none"> • REQUESTED staff to make corrections as discussed and prepare a final document for adoption. | <p><u>Wayne Cilimberg/Mark Graham:</u> Schedule on future agenda when document ready to come back.</p> |
| 12. | <p>Closed Session: Personnel and Legal Matters.</p> <ul style="list-style-type: none"> • At 12:05 p.m., the Board adjourned into closed session. | |
| 13. | <p>Certify Closed Session.</p> <ul style="list-style-type: none"> • At 1:00 p.m., the Board reconvened into open session and certified the closed session. | |
| 14. | <p>Appointments.</p> <ul style="list-style-type: none"> • John Knapp to the Fiscal Impact Advisory Committee with term to expire July 8, 2006. • Tracey C. Hopper to the Commission on Children and Families with term to expire June 30, 2007. • Kim Walters as the youth representative on the Commission on Children and Families with term to expire June 30, 2005. • C. Henry Hinnant, III, to the Workforce Investment Board with term to expire June 30, 2005. • Rod Gentry to the Workforce Investment Board with term to expire June 30, 2006. | <p><u>Clerk:</u> Prepare appointment letters for Chairman's signature, update Boards and Commissions notebook, and update webpage.</p> |
| 17. | <p>From the Board: Matters Not Listed on the Agenda.</p> <p><u>David Wyant:</u></p> <ul style="list-style-type: none"> • Asked the purpose of a questionnaire sent out to businesses regarding solid waste. Mr. Tucker responded that staff is trying to | |

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| <p>determine from the private sector how much they recycle, how they dispose of their waste, etc. Staff is trying to finalize a solid waste plan for the County.</p> <ul style="list-style-type: none"> • Suggested as development occurs in Crozet a recreational facility is needed. He has had someone from the private sector approach him who is interested in doing this. • He has been working with Parks and Recreation on the donation of a park in Crozet. Mr. Davis said staff hopes to discuss with the Board next month in closed session. <p><u>David Bowerman:</u></p> <ul style="list-style-type: none"> • Discussed the Albemarle County Service Authority's annual report. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Asked when the Board will receive Phase II of the Parks and Recreation facility needs survey. Mr. Tucker responded that it should be completed next month. • Asked if we anticipate scheduling a joint meeting of the Board and City Council anytime soon. Mr. Tucker suggested the Board determine what issues they want to discuss. Possible items were discussed. CONSENSUS of Board that Mr. Tucker work on scheduling a joint meeting of the Board and City Council. • Asked if Board will receive a hard copy of the adopted budget. Mr. Tucker responded he will see that they get a copy. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Discussed dark skies and lighting of athletic fields. <p><u>Lindsay Dorrier:</u></p> <ul style="list-style-type: none"> • At the request of Mr. Dorrier, the Board ADOPTED a resolution (Attachment 7) recognizing the 24th reunion of the USS Mansfield DD 728. (Mr. Dorrier hand delivered resolution to Randy Smith.) | <p><u>County Executive:</u> Proceed as directed.</p> |
| <p>15. <u>SP-2004-0013. Old Trail Golf Club Amendment (Signs #36,40,44&87).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2004-0013, by a vote of 5:0 (Thomas absent) subject to the 18 conditions recommended by the Planning Commission. | <p><u>Clerk:</u> Set out conditions of approval. (Attachment 8)</p> |
| <p>16. <u>SP-2004-0014. Gary T. Dalton (Sign #89).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2004-0014, by a vote of 5:0 (Thomas absent) subject to the 4 conditions recommended by the Planning Commission. | <p><u>Clerk:</u> Set out conditions of approval. (Attachment 8)</p> |
| <p>18. <u>Work Session:</u> Subdivision Text Amendment.</p> <ul style="list-style-type: none"> • CONSENSUS that staff proceed to finalize the ordinance, to request the DISC II Committee to review the proposed waiver process and to bring recommendations back to the Board for the September day Board meeting, with final document possibly ready for public hearing in October. | <p><u>Mark Graham/Elaine Echols:</u> Proceed as directed.</p> |
| <p>19. Adjourn.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 3:40 p.m. | |

/ewc

Attachment 1 – Resolution forgiving Volunteer Fire and Rescue Department loans

Attachment 2 – VPSA Resolution

Attachment 3 – Ordinance JABA

Attachment 4 – Resolution – Devon Mobile Communications

Attachment 5 – Resolution – settlement of disputed tax assessments

Attachment 6 – Ordinance – East Ivy Precinct

Attachment 7 – Resolution – USS Mansfield reunion

Attachment 8 – Conditions of Approval

RESOLUTION

WHEREAS, the Board of Supervisors of Albemarle County, Virginia, had previously entered into service agreements with various volunteer fire companies and rescue squads servicing the citizens of Albemarle County; and

WHEREAS, these service agreements provided interest-free funding for the purchase of capital assets by the volunteer fire companies and rescue squads with repayment of the debt to the County occurring over a period of eight to fifteen years; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia, in consideration of the services provided by the volunteer fire companies and rescue squads to the citizens of Albemarle County, now desire to forgive the existing outstanding balances owed to it by the volunteer fire companies and rescue squads as a result of said service agreements.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of Albemarle County, Virginia hereby forgives the current indebtedness owed as a result of the following service agreements:

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| East Rivanna Volunteer Fire Company, Inc. | \$ 100,800.00 |
| North Garden Volunteer Fire Company, Inc. | 260,208.35 |
| Earlsville Volunteer Fire Company, Inc. | 138,281.25 |
| Crozet Volunteer Fire Department, Inc. | 229,546.00 |
| Stony Point Volunteer Fire Company, Inc. | 100,485.50 |
| Scottsville Volunteer Fire Department, Inc. | 203,750.00 |
| Seminole Trail Volunteer Fire Department, Inc. | 129,163.79 |
| Scottsville Volunteer Rescue Squad, Inc. | 271,991.41 |
| Western Albemarle Rescue Squad, Inc. | <u>26,250.00</u> |
| Total | <u>\$1,460,476.30</u> |

At a regular meeting of the Board of Supervisors of Albemarle County, Virginia, held on the 4th day of August, 2004, at the time and place established by such Board for its regular meetings in accordance with Section 15.2-1416 of the Code of Virginia of 1950, as amended, at which the following members were present and absent during the voting for the resolution referred to below:

PRESENT: David P. Bowerman, Kenneth C. Boyd, Lindsay G. Dorrier, Jr., Dennis S. Rooker, Sally H. Thomas and David C. Wyant.

ABSENT: None.

the following resolution was adopted by the affirmative roll call vote of a majority of all members of the Board of Supervisors, the ayes and nays being recorded in the minutes of the meeting as shown below:

| <u>MEMBER</u> | <u>VOTE</u> |
|-----------------|-------------|
| David Bowerman | Aye |
| Kenneth Boyd | Aye |
| Lindsay Dorrier | Aye |
| Dennis Rooker | Aye |
| Sally Thomas | Aye |
| David Wyant | Aye |

**RESOLUTION APPROVING THE FILING OF AN APPLICATION WITH
THE VIRGINIA PUBLIC SCHOOL AUTHORITY FOR A LOAN IN AN
APPROXIMATE PRINCIPAL AMOUNT OF \$9,630,000**

WHEREAS, the Board of Supervisors (the "Board") of Albemarle County, Virginia (the "County"), in collaboration with the Albemarle County School Board, has determined that it is necessary and desirable for the County to undertake capital improvements for its public school system;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ALBEMARLE COUNTY, VIRGINIA:

1. The Board hereby approves the filing of an application with the Virginia Public School Authority for a loan to the County in an approximate principal amount of \$9,630,000 to finance capital improvements for its public school system. The County Executive, in collaboration with the other officers of the County and the Albemarle County School Board, is hereby authorized and directed to complete an application and deliver it to the Virginia Public School Authority.
2. This resolution shall take effect immediately.

CAPITAL IMPROVEMENT PROGRAM
SCHOOL PROJECTS
FY 2004/05

| DESCRIPTION | AMOUNT |
|---|---------------------|
| 1. ADA Structural Changes | \$ 50,000 |
| 2. Hollymead Elementary Building Renovations | \$ 757,000 |
| 3. Scottsville Elementary Construction | \$ 420,000 |
| 4. Southern Elementary School | \$ 1,625,000 |
| 5. Henley Middle School Building Renovations | \$ 2,833,000 |
| 6. Albemarle High School Construction | \$ 649,000 |
| 7. Murray Education Center Building Renovations | \$ 1,024,000 |
| 8. Maintenance Projects | <u>\$ 2,272,000</u> |
| TOTAL | \$ 9,630,000 |

ORDINANCE NO. 04-A(2)

AN ORDINANCE TO ADOPT AND APPROVE AN AMENDMENT TO JABA'S JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTIES OF ALBEMARLE, GREENE, NELSON, FLUVANNA AND LOUISA, VIRGINIA AND THE CITY OF CHARLOTTESVILLE, VIRGINIA TO INCREASE THE SIZE OF THE BOARD OF JABA AND TO HAVE THE MEMBERSHIP OF THE BOARDS OF JABA AND OF JABA, INC. BE IDENTICAL.

WHEREAS, JABA was created in 1975 by Albemarle County and four other jurisdictions of Planning District Ten pursuant to that certain Joint Exercise of Powers Agreement dated March 4, 1975 (with Louisa County signing the Agreement as the sixth jurisdiction of Region Ten on August 9, 1977), as amended on September 15, 1976 and May 18, 1977, all authorized pursuant to Virginia Code § 15.2 – 1300, and

WHEREAS, JABA's mission is to plan, advocate and serve the older residents of Planning District Ten, and

WHEREAS, JABA created JABA, Inc., a 501(c)3 organization which better enables JABA to fulfill this mission in part by having a broader based and larger board than JABA, and

WHEREAS, JABA, by resolution of its Board unanimously adopted on May 24, 2004, proposes to increase the size of the board of JABA to no more than 25, the same number of members as JABA, Inc., and to have the membership of both boards be identical in order to improve the efficiency of both boards and better fulfill JABA's mission.

NOW, THEREFORE, BE IT ORDAINED THAT the Amendment to JABA's Joint Exercise of Powers Agreement between the Counties of Albemarle, Greene, Nelson, Fluvanna and Louisa, Virginia and the City of Charlottesville, Virginia entitled "Amendment to the Joint Exercise of Powers Agreement" dated September 1, 2004, pertaining to the increase in the size of the Board of JABA and having the Boards of JABA and of JABA, Inc. be identical, attached hereto and incorporated herein, is hereby approved, and that the County Executive is hereby authorized to execute the Agreement on behalf of the County of Albemarle.

This ordinance shall be effective immediately.

**AMENDMENT TO
JOINT EXERCISE OF POWERS AGREEMENT
Jefferson Area Board for Aging
September 1, 2004**

The March 4, 1975 Joint Exercise of Powers Agreement, as amended on September 15, 1976 and May 18, 1977, is hereby amended by deleting Section 7, as amended, and substituting the following:

SECTION 7: The Board of the Jefferson Area Board for Aging shall consist of no more than 25 members, the same number of members as the board of JABA affiliate JABA, Inc., and the membership of both Boards shall be identical. The Board shall consist of two (2) representatives appointed by the governing body of each member jurisdiction. In addition, the City of Charlottesville and the County of Albemarle shall have two (2) additional representatives similarly appointed. Each member shall have one equal vote in all matters before the Board. Each member of the Board shall serve a term of two years. Members may be reappointed. Those members appointed by the governing body of each member jurisdiction shall serve at the pleasure of the governing body of their respective jurisdictions. The remaining members shall be known as at-large members of the Board and they shall be elected by and serve at the pleasure of the Board of JABA. To insure stability of membership and retention of experienced members on the Board, initial terms of Board members shall be established to insure that not all Board members shall be replaced at any one time.

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

COUNTY OF ALBEMARLE

Robert W. Tucker, County Executive

Approved as to form:

County Attorney

COUNTY OF FLUVANNA

G. Cabell Lawton, IV, County Administrator

COUNTY OF GREENE

Julius Morris, County Administrator

COUNTY OF LOUISA

C. Lee Lintecum, County Administrator

COUNTY OF NELSON

Stephen A. Carter, County Administrator

CITY OF CHARLOTTESVILLE

Gary O'Connell, City Manager

**RESOLUTION TO APPROVE
OFFER IN COMPROMISE WITH RESPECT TO
TAXES OF DEVON MOBILE COMMUNICATIONS**

WHEREAS, Devon Mobile Communications, L.P. has been assessed with \$502.36 in unpaid personal property taxes for tax year 2003; and

WHEREAS, Devon Mobile Communications, L.P. currently is in bankruptcy proceedings, and is contesting the County's tax claim; and

WHEREAS, through its representative, Devon Mobile Communications, L.P. has offered to pay \$250.00 in full settlement of the County's tax claim; and

WHEREAS, the collection of the entire amount due and owing is in substantial doubt and the best interest of the County will be served by such compromise; and

WHEREAS, *Virginia Code* § 58.1-3994(B) allows the Director of Finance to compromise and settle certain disputed tax assessments, with the consent of the governing body or its designee; and

WHEREAS, the Director of Finance has recommended that the Board of Supervisors accept the compromise offer of Devon Mobile Communications, L.P. in full settlement of the County's tax claim.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia consents to the compromise offer of Devon Mobile Communications, L.P. of \$250.00 in full settlement of the County's claim for 2003 personal property taxes.

**RESOLUTION TO AUTHORIZE
COUNTY EXECUTIVE TO CONSENT TO
SETTLEMENTS OF DISPUTED TAX ASSESSMENTS**

WHEREAS, *Virginia Code* § 58.1-3994(B) allows the Director of Finance to compromise and settle certain disputed tax assessments, with the consent of the governing body or its designee; and

WHEREAS, the Board of Supervisors finds that the County Executive is the appropriate designee for these purposes.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to *Virginia Code* § 58.1-3994(B), the Board of Supervisors of Albemarle County, Virginia authorizes the County Executive to act as its designee for the purpose of consenting to offers in compromise and settlement of local taxes that are in dispute.

ORDINANCE NO. 04-2(2)

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE I, ELECTIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, Article I, Elections, is hereby amended and reordained as follows:

By Amending:

Sec. 2-104 Samuel Miller District Magisterial District

Chapter 2. Administration

Article I. Elections

Sec. 2-104 Samuel Miller Magisterial District.

The Samuel Miller Magisterial District shall be bounded, and contain voting precincts and polling places, as follows:

A. *Description of district.* Beginning at the intersection of the Mechums River and Garth Road (State Route 614); then east on Garth Road (State Route 614) to its intersection with Garth Road (State Route 676); then southeast on Garth Road (State Route 676) to its intersection with Garth Road (State Route 601); then southeast on Garth Road (State Route 601) to its intersection with Ivy Creek; then meandering southwest with Ivy Creek to its intersection with Old Ballard Road (State Route 677); then southeast on Old Ballard Road to its intersection with Broomley Road (State Route 677); then south on Broomley Road to its intersection with the CSX Railway right-of-way; then east along the CSX Railway right-of-way to its intersection with the U.S. Route 29/250 Bypass; then south on U.S. Route 29/250 Bypass to its intersection with U.S. Route 250 Business; then east on U.S. Route 250 Business to its intersection with Reed Lane; then south on Reed Lane to Lewis Mountain Parkway; then south on Lewis Mountain Parkway to its intersection with the fire road connecting Edgemont Road and Lewis Mountain Parkway; then south along said fire road to its intersection with Edgemont Road; then south on Edgemont Road to its intersection with McCormick Road; then east on McCormick Road to its intersection with Alderman Road; then south on Alderman Road to its intersection with the limits of the City of Charlottesville; then following the Charlottesville City limits west and south to the intersection with Sunset Avenue Extended (State Route 781); then south on Sunset Avenue Extended to its intersection with Mountainwood Road; then east on Mountainwood Road to its intersection with Old Lynchburg Road (State Route 780); then south on Old Lynchburg Road (State Route 780) to Old Lynchburg Road (State Route 631); then south on Old Lynchburg Road (State Route 631) to its intersection with a western branch of Biscuit Run, then east along a western branch of Biscuit Run to its confluence with Biscuit Run; then south on Biscuit Run to its confluence with an eastern branch of Biscuit Run; then continuing east along the eastern branch of Biscuit Run to its intersection with Scottsville Road (State Route 20); then south on Scottsville Road to its intersection with Red Hill Road (State Route 708); then immediately west on Red Hill Road to its intersection with the North Fork Hardware River; then meandering southwest on the North Fork Hardware River to its confluence with the Hardware River and the South Fork Hardware River; then southwest along the South Fork Hardware River to its confluence with Eppes Creek; then southwest on Eppes Creek to its confluence with Beaver Branch; then meandering southwest on Beaver Branch to its intersection with Plank Road (State Route 712); then west on Plank Road to its intersection with Alberene Road (State Route 719); then south on Alberene Road to its intersection with Secretarys Sand Road (State Route 717); then southwest on Secretarys Sand Road to its intersection with Green Creek Road (State Route 630); then west on Green Creek Road to its intersection with Bungletown Road; then northwest on Bungletown Road to its intersection with Barbershop Hill Road; then southwest along Barbershop Hill Road to its intersection with Appleberry Mountain Trail; then southwest along Appleberry Mountain Trail to its intersection with the unnamed southern tributary of Bear Creek; then meandering

southwest along the unnamed southern tributary of Bear Creek to its confluence with Bear Creek; then continuing southwest along Bear Creek to its intersection with the Albemarle/Nelson County line; then northwest along the Albemarle/Nelson County line to the unnamed northern branch of the Mechums River; then east along the unnamed northern branch of the Mechums River to its confluence with the Mechums River; then meandering northeast along the Mechums River to its intersection with Garth Road, the point of origin.

B. *Voting precincts*: The district shall be divided into four (4) voting precincts, as described herein:

1. *Country Green Precinct*: Beginning at Sunset Avenue Extended (State Route 781) and the underpass of Interstate 64; then south on Sunset Avenue Extended to its intersection with Mountainwood Road; then east on Mountainwood Road to its intersection with Old Lynchburg Road (State Route 780); then south on Old Lynchburg Road (State Route 780) to Old Lynchburg Road (State Route 631); then south on Old Lynchburg Road (State Route 631) to its intersection with a western branch of Biscuit Run, then east along a western branch of Biscuit Run to its confluence with Biscuit Run; then south on Biscuit Run to its confluence with an eastern branch of Biscuit Run; then continuing east along this eastern branch of Biscuit Run to its intersection with Scottsville Road (State Route 20); then south on Scottsville Road to its intersection with Red Hill Road (State Route 708); then northwest on Red Hill Road to its intersection with the Southern Railway right-of-way; then northeast along the Southern Railway right-of-way to its intersection with Interstate 64; then southeast on Interstate 64 to its underpass at Sunset Avenue Extended, the point of origin.

2. *East Ivy Precinct*: Beginning at the intersection of the western limits of the City of Charlottesville and Sunset Avenue Extended (State Route 781); then south along Sunset Avenue Extended to its intersection with Interstate 64; then west on Interstate 64 to its intersection with Dick Woods Road (State Route 637); then north on Dick Woods Road to its intersection with Bloomfield Road (State Route 677); then northeast on Bloomfield Road to its intersection with U.S. Route 250; then east along U.S. Route 250 to its intersection with Broomley Road (State Route 677); then north on Broomley Road to its intersection with the CSX Railway right-of-way; then east along the CSX Railway right-of-way to its intersection with U.S. Route 29/250 Bypass; then south on U.S. Route 29/250 Bypass to its intersection with U.S. Route 250 Business; then east on U.S. Route 250 Business to its intersection with Reed Lane; then south on Reed Lane to Lewis Mountain Parkway; then south on Lewis Mountain Parkway to its intersection with the fire road connecting Edgemont Road and Lewis Mountain Parkway; then south along said fire road to its intersection with Edgemont Road; then south on Edgemont Road to its intersection with McCormick Road; then east on McCormick Road to its intersection with Alderman Road; then south on Alderman Road to its intersection with the limits of the City of Charlottesville; then following the Charlottesville City limits west and south to the intersection with Sunset Avenue Extended, the point of origin.

3. *Ivy Precinct*: Beginning at the intersection of the Mechums River and Garth Road (State Route 614); then east on Garth Road (State Route 614) to its intersection with Garth Road (State Route 676); then southeast on Garth Road (State Route 676) to its intersection with Garth Road (State Route 601); then southeast on Garth Road (State Route 601) to its intersection with Ivy Creek; then meandering southwest with Ivy Creek to its intersection with Old Ballard Road (State Route 677); then southeast on Old Ballard Road to its intersection with Broomley Road (State Route 677); then south on Broomley Road to its intersection with U.S. Route 250; then west on U.S. Route 250 to its intersection with Bloomfield Road (State Route 677); then southwest on Bloomfield Road to its intersection with Dick Woods Road (State Route 637); then southwest on Dick Woods Road to its intersection with Interstate 64; then west on Interstate 64 to its intersection with the Mechums River; then meandering northeast with the Mechums River to its intersection with Garth Road, the point of origin.

4. *Red Hill Precinct*: Beginning at the intersection of Interstate 64 and the Mechums River; then meandering southwest along the Mechums River to its confluence with the unnamed northern branch of the Mechums River; then continuing west along the unnamed northern branch of the Mechums River to the Albemarle/Nelson County line; then southeast along the Nelson County line to its intersection with Bear Creek; then meandering northeast along Bear Creek to its confluence with an unnamed southern tributary of Bear Creek; then continuing northeast along the unnamed tributary to its intersection with Appleberry Mtn. Trail; then northeast along Appleberry Mtn. Trail to its intersection with Barbershop

Hill Road; then northeast on Barbershop Hill Road to its intersection with Bungletown Road; then southeast on Bungletown Road to its intersection with Green Creek Road (State Route 630); then east on Green Creek Road to its intersection with Secretarys Sand Road (State Route 717); briefly northeast on Secretarys Sand Road to its intersection with Alberene Road (State Route 719); then north on Alberene Road to its intersection with Plank Road (State Route 712); then east on Plank Road to its intersection with Beaver Branch; then meandering northeast on Beaver Branch to its confluence with Eppes Creek; then northeast on Eppes Creek to its confluence with the South Fork Hardware River; then meandering northeast on the South Fork Hardware River to its confluence with the North Fork Hardware River and the Hardware River; then meandering northeast on the North Fork Hardware River to its intersection with Red Hill Road (State Route 708); then northwest along Red Hill Road to its intersection with the Southern Railway right-of-way; then northeast along the Southern Railway right-of-way to its intersection with Interstate 64; then west on Interstate 64 to its intersection with the Mechums River, the point of origin.

C. *Polling places:* Each voting precinct shall have a polling place at the location identified below:

1. *Country Green Precinct:* Berean Baptist Church, 1284 Sunset Avenue Extended.
2. *East Ivy Precinct:* The Miller Center of Public Affairs, 2201 Old Ivy Road.
3. *Ivy Precinct:* Meriwether Lewis Elementary School, 1610 Owensville Road.
4. *Red Hill Precinct:* Red Hill Elementary School, 3901 Red Hill School Road.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(4), § 2-104; Ord. 01-2(1), 5-9-01; Ord. 04-2(2), 8-4-04)

ATTACHMENT 7

WHEREAS, the USS Mansfield DD 728 was a destroyer commissioned in the United States Navy in 1944; and

WHEREAS, the USS Mansfield served proudly in combat in World War II, the Korean War and the Vietnam War; and

WHEREAS, the USS Mansfield was decommissioned in 1974 and sold to Argentina; and

WHEREAS, the United States Navy veterans who served on the USS Mansfield are having their 24th reunion from August 9 - 15, 2004, in Charlottesville and Albemarle County, Virginia; and

WHEREAS, the U.S. Navy veterans who served aboard the USS Mansfield defended their country in peace and in war and are living embodiments of the true meaning of the words "duty, honor and country"; and

WHEREAS, the Board of County Supervisors of Albemarle County recognizes the courage and sacrifice of the veterans of the USS Mansfield and welcomes these brave sailors to Charlottesville and Albemarle County, Virginia, the home of Thomas Jefferson and the University of Virginia.

NOW, THEREFORE, I, Lindsay G. Dorrier, Jr., Chairman, on behalf of the Albemarle Board of County Supervisors, do hereby designate the week of August 9 – 15, 2004, as "USS Mansfield Week" in Albemarle County to recognize the 24th Reunion of the USS Mansfield veterans and to honor the sixty-eight returning sailors who served proudly on the USS Mansfield during the period from 1944 to 1974, including combat in World War II, the Korean War, and the Vietnam War.

FURTHER, those sailors who served on the USS Mansfield who could not attend this 24th Reunion because of disability or sickness or death, are also honored – they shall never be forgotten.

SP-2004-0013. Old Trail Golf Club Amendment (Signs #36,40,44&87). Public hearing on a request to amend SP-02-16 to remove condition #2, regarding alignment of the road serving golf course being in conformity w/ Crozet Master Plan, once adopted. TM 55, Ps 71, 103F & 105 & TM 56, P 17B. Znd RA. White Hall Dist.

- 1) The facility shall be in general accord with the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., dated October 21, 2002, and revised December 16, 2002, subject to these conditions;
- 2) The applicant shall construct a road to serve the golf course, built to public road standards and running from Route 250 to the property line at the northern edge of Tax Map 56 Parcel 14;
- 3) Private club memberships shall not be required for access to or play on the course;
- 4) There shall be no outdoor lighting of the course or of the practice area/driving range;
- 5) No new residential development shall be permitted within the "Limits of Golf Course indicated on the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., and dated October 21, 2002, and revised December 16, 2002;
- 6) The existing house known as Mountain View shall not be demolished;
- 7) The club house, restroom building, and maintenance facility shall be located within the Albemarle County Service Authority jurisdictional area;
- 8) No portion of any structure, excluding signs, shall be located closer than fifty (50) feet to any residential or rural district. No parking area or loading space shall be located closer than twenty (20) feet to any residential or rural district;
- 9) All landscaping around the clubhouse, restroom building, maintenance facility, parking area and other facilities shall include only native plants identified in the brochure "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation & Recreation;
- 10) Vegetated areas of the facility outside the tees, greens, fairways, roughs, cart paths, and access road shall remain in their current states (if wooded) or be revegetated and maintained in native plant species. These species shall be selected from the brochure "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau" and/or "Native Plants for Conservation, Restoration, and Landscaping: Riparian Forest Buffers," published by the Virginia Department of Conservation & Recreation. Species identified in the "Riparian Forest Buffers" brochure as being native only to the Coastal Plain region shall not be used. Management of these areas shall maintain them in native plant species. Non-native plant species shall be diligently removed from these areas. The applicant shall submit a letter from the Thomas Jefferson Soil & Water Conservation District stating that these plantings required in have been established to the District's satisfaction;
- 11) The applicant, upon the request of the County, shall provide verification to the satisfaction of the Director of Planning and Community Development that the site is in compliance with the specifications contained in Conditions 9 and 10 regarding the landscaping plan;
- 12) Stream buffers in pasture at the date of this approval shall be revegetated in accordance with the schematic titled "Minimum Standard for Hole Crossings in Existing Pasture Areas", dated January 15, 2003, and prepared by Jerry Kamis. The design of the stream crossing on hole 12 shall be deemed to be in general accord with the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., dated October 21, 2002 and revised December 16, 2002, and shall use a minimal sight line subject to a mitigation plan to be approved by the Department of Engineering and Public Works;
- 13) Irrigation water for the golf course shall come only from surface water impounded on existing ponds on the site;
- 14) The dams and outlet structures on the two ponds on the site shall be repaired and upgraded to the satisfaction of the Department of Engineering and Public Works;
- 15) The course shall secure Department of Engineering and Public Works approval of a natural resources management plan. This plan shall address wildlife conservation and habitat enhancement, waste reduction and management (including hazardous material storage and spill containment), energy efficiency, water conservation (including water-use reporting and efforts to protect streamflow in Slabtown Branch), water quality management (including runoff management for the clubhouse area, monitoring, and reporting), and integrated pest management. The applicant, upon the request of the County, shall provide verification to the satisfaction of the Director of

Engineering and Public Works that the site is in compliance with the specifications contained in the plan;

- 16) Grading shall be carried out in general accord with the conceptual grading plan titled "Preliminary Grading Plan," prepared by Gene Bates Golf Design, and dated January 9, 2003;
- 17) Cart-path stream crossings shall be built in general accord with the drawings titled "Wooden Cartway Crossing Plan" and "Wooden Cartway Crossing Elevation." (Attachment E from Executive Summary dated 3-5-03); and
- 18) Neither the green for hole 14 nor the tee boxes for hole 15 shall be located less than twenty-five (25) feet from the property line.

SP-2004-0014. Gary T. Dalton (Sign #89). Public hearing on a request to allow Home Occupation Class B for Furniture Making in accord w/ Sec 10.2.2.31 of the Zoning Ord, which allows for Home Occupations Class B. TM 94, P 90, contains 2.1 acs. Znd RA. Loc on Rt 828 (3830 Whitetail Lane), approx .25 mls from intersec of Whitetail Lane & Rt 808 (Running Deer Rd). Scottsville Dist.

1. The number of vehicle trips per week associated with this home occupation shall not exceed ten (10);
2. The use shall be conducted in general accord with the concept plan identified as Attachment B in the staff report;
3. The total square footage of the shop building, including the study, shall not exceed eight hundred (800) square feet in size; and
4. No business sign shall be permitted.