

<b>ACTIONS</b>	
<b>Board of Supervisors Meeting of May 3, 2006</b>	
May 11, 2006	
<u><b>AGENDA ITEM/ACTION</b></u>	<u><b>ASSIGNMENT</b></u>
1. Call to Order. <ul style="list-style-type: none"> <li>• Meeting was called to order at 9:05 a.m. by the Chairman, Mr. Rooker. All BOS members were present (Mr. Dorrier arrived at 9:12 a.m.). Also present were Bob Tucker, Larry Davis and Diane Mullins.</li> </ul>	
4. From the Public: Matters Not Listed on the Agenda <ul style="list-style-type: none"> <li>• Neal Williamson of the Free Enterprise Forum, presented Board members a copy of "Locked Out: The Impact of Local Regulation on Affordable Housing" which was prepared by the Forum.</li> <li>• Morgan Butler, an attorney with Southern Environmental Law Center, spoke regarding a recent report by SELC on the amount of retail development in the County.</li> <li>• Jeff Werner of the Piedmont Environmental Council, spoke about affordable housing and the density issue.</li> </ul>	
5. Recognitions. <ol style="list-style-type: none"> <li>a. Introduction - Dr. Phillip Dukes, Executive Director, Monticello Area Community Action Agency (MACAA).</li> <li>b. Proclamation - National Nurses' Week – May 6- May 12, 2006.</li> <li>c. Proclamation – Clean Commute Day – May 5, 2006.</li> <li>d. Proclamation – Blue Star Salute Day – May 20, 2006.</li> </ol>	(Attachment 1)  (Attachment 2)  (Attachment 3)
6.2 Resolution to Authorize County Executive to Accept Deeds of Easement for Drainage and Stormwater Management Facilities. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached Resolution to authorize the County Executive to accept deeds of easement for drainage and stormwater facilities on behalf of the County, provided that such deeds of easement are approved as to form and content by the County Attorney.</li> </ul>	<u>Clerk</u> : Forward copy of adopted resolution to County Attorney's office. (Attachment 4)
6.3 Acquisition of Conservation Easements (ACE) Ranking Order for FY 2005-06. <ul style="list-style-type: none"> <li>• <b>APPROVED</b> proceeding with the appraisals of the Huckleberry Hill Farm LLC, Chester, Fields, Hook and Motley properties, as recommended by the ACE Committee.</li> </ul>	<u>Ches Goodall/David Benish</u> : Proceed as approved.
6.4 Stony Point Volunteer Fire Department Capital Request. <ul style="list-style-type: none"> <li>• <b>APPROVED</b> appropriating funds from the FY 2006/07 CIP fund balance for a combination</li> </ul>	<u>OMB</u> : Prepare appropriation form for Board approval.

	grant and no-interest loan for the Stony Point projects, as recommended by staff.	
6.5	<p>Resolution to authorize County Executive to execute water and sewer easements – Albemarle County Service Authority.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached Resolution to authorize the County Executive to execute water and sewer deeds of easement to the ACSA on behalf of the County, provided that such deeds of easement are approved as to form and content by the County Attorney.</li> </ul>	<u>Clerk:</u> Forward copy of adopted resolution to County Attorney's office. (Attachment 5)
6.6	<p>Virginia Outdoor Fund (VOF) Grant for Mint Springs Fishing Accessibility Project.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached Resolution to authorize the County Executive to provide the necessary materials and to enter into such agreements as necessary to qualify for a VOF grant.</li> </ul>	<u>Clerk:</u> Forward copy of adopted resolution to Parks and Recreation (Attachment 6)
7a.	VDOT Monthly Report for April 2006.	<u>Clerk:</u> Forward comments to VDOT.
7b.	<p>Transportation Matters not Listed on the Agenda.</p> <p><u>Jim Utterback:</u></p> <ul style="list-style-type: none"> <li>• Slurry seal work in both Albemarle and Greene counties has been completed. Surface treatments will begin next week, and some of the asphalt plant-mix work is occurring at this time. Route 250 and couple of other secondary roads taking place now.</li> <li>• Ms. Teresa Butler left VDOT in the middle of April taking a position with Fauquier County.</li> <li>• The I-64 TAMS contract (Turn Key Asset Management Services) has been let with a start date in October, 2006.</li> <li>• There were questions at the last meeting about the Rio Road/Hillsdale Drive intersection. He said the question has been sent to the Culpeper District Engineer.</li> <li>• There are two right-turn lanes at the Hydraulic Road/Route 29 intersection, but one can only turn right on red in the far right-hand lane. VDOT has looked at eliminating that second right turn lane and has also spoken to the City about increasing enforcement at that point. He has even looked at increasing the size of the sign.</li> <li>• Regarding Maxfield Road, there were speed limit signs in that area but they had been knocked down. Those signs have been replaced, and there has been ditching and machining work in the area. Also, someone asked about making this a Rural Rustic Road project, but it is already on the list for regular gravel road projects. He has heard that the traffic counts for rustic roads are being increased from 500 to 1000 and that may expand the opportunity for the County to do</li> </ul>	

rustic road projects. Because the County has to commit to limiting development on these roads, there has to be some bureaucratic action to assure that the nature of a rustic road will be kept.

- There were some questions about drainage at Buck Mountain Road and St. George Avenue in Crozet. VDOT has worked on the ditches and shoulders to help with that problem.
- He has provided Board members with some information on the question of revenue sharing for the Scottsville project.
- The comments received on the Georgetown Road project are currently being evaluated. There are some issues which can be addressed in the near term outside of the project. A summary of the comments should be available by the middle of May.
- Mr. Rooker said the Board moved money from Old Ivy Road to the Georgetown Road project in order to get a project started. He would like to take that money and any other money accumulated and find some project that could be designed in those cost parameters and get it going.
- There are a number of actions to look at in the Secondary Roads plan depending on what comes out of the Statewide Transportation budget in the next month or so. The Secretary of Transportation has forwarded to all Highway Administrators in the State a list of potential cuts.
- Southern Railway is looking at the bridge project on Proffit Road. They project closing that road on June 12. Mr. Wyant said the fire department may not be able to provide service from the new fire station over that bridge. Mr. Utterback said he has talked with people from the railroad and they have committed to replacing the bridge and bringing it back to a 15-ton capacity. Without additional funds, that is all that can be done at this time. VDOT is looking at installing a portable traffic light on Polo Grounds Road to get traffic through the bridge underpass on that road during construction on Proffit Road.
- There is a bridge on Route 641 which has been closed due to maintenance problems and its weight capacity has been reduced to three tons. He knows that impacts the response of fire/rescue providers. He has asked VDOT's Bridge Engineer to look at what can be done to allow the bridge to function for another three to five years.

Bob Tucker:

- Asked Mr. Utterback if he had any response to the questions he raised in an E-mail about the Meadow Creek Parkway. Mr. Utterback said he has had discussions with the District Administrator about this project. He recommends that everybody wait to see what comes out of the State budget once it is adopted.

David Wyant:

- Volunteer fire/rescue people have mentioned a problem with a bridge in the vicinity of Gleco Mills off of Route 29 South.
- Someone mentioned to him a drainage problem at the intersection of Huntington and Wakefield Roads.
- VDOT's monthly report refers to a speed study for Route 810. It actually was a request to have the speed limit lowered.
- He referred to some road patching that took place after work on the waterline in Crozet. He asked who checks that work to see if the contractor has done the work correctly. Mr. Utterback said VDOT has inspectors who check on all projects. Often they come up with a list of things that need to be corrected, and it takes a number of months before they are completed.
- He mentioned that a road coming off of Foxes Mountain onto Route 810, and also Blufton Road in Doylesville, are both in need of maintenance work.

Sally Thomas:

- Mentioned a conference which VPRT people will be attending next weekend. She said Mr. Utterback might also be interested in attending the conference.
- Planning staff told her that the final site plan for Faulconer has been filed. That site plan will undoubtedly impact the intersection at Tilman Road on Route 250 West. She said there is a blinking light there now, and there have been questions as to whether it will become a regular stop light. Residents on Morgantown Road are concerned that if it does become a stop light there will be more cut-through traffic on their road. She asked that VDOT keep that in mind when they decide about that stop light.

Lindsay Dorrier:

- He inquired about dust control on Route 712. Mr. Utterback said that has been done.
- He was asked by a resident of Glenmore if a stop light could be placed at this entrance on Route 250. He said he does not know if it is needed but would like for VDOT to check.

Ken Boyd:

- He mentioned a number of pot holes on Polo Grounds Road.
- He asked that Mr. Utterback add a section to his monthly report showing Rural Rustic Road projects, and asked if there is an update on existing projects. Mr. Juan Wade said staff sent letters to all of the homeowners on Rocky Hollow Road, Woods Edge Road and one other road explaining the process approved by the Board last year. They were only to contact the office if they did not approve of, or want, the project on their road. They have until May 23 to contact staff. If there are no comments received, staff will ask the Board in June or July to approve the project. VDOT is ready to start.

David Slutzky:

- He asked if VDOT uses a set formula for establishing estimates, and do they recheck these based on what is actually happening in the market. Mr. Utterback said there is a process which is followed, but when there is a lapse in the project, costs skyrocket. Mr. Slutzky said he thinks the Board might ask VDOT to revisit their model for projecting the right-of-way acquisition costs in light of the fact that they have been consistently running low. Second, he thinks the Board could have its staff take an independent look at the costs of right-of-way acquisition on larger projects. He asked Mr. Utterback if he will ask VDOT people what they plan to do to have that model reflect reality better. If they don't have a plan, or choose not to change the model, he will ask that the Board ask County staff to look for a simpler way to more accurately estimate right-of-way acquisition. Mr. Rooker said he agrees with what Mr. Slutzky said, but thinks this has to be done at the State level because every project has its own peculiarities with respect to right-of-way. If the State model is coming in low consistently, they need to revise the model again. Mr. Utterback said he will ask the State Right-of-way Engineer this question. Mr. Utterback said the right-of-way process is much regulated; it is a very specific process that is followed to meet Code requirements.

David Benish:

- He said that on April 5, 2006, the Board discussed bicycle safety and bicyclists' behavior on the highways. The Board asked staff to pursue educational efforts through some of the local pedestrian/bicycle committees. He said that was discussed with the Community Mobility Committee and the Rural Areas

<p>Transportation Study Committee. They are talking about disseminating information on the rules of the roads for cyclists. He said that discussion has just begun. Mr. Rooker suggested having a one-sheet insert that could go into the bicycle route map. He referred to the new pedestrian crosswalks on Jefferson Park Avenue in the City and said he would like for that model to be used on Georgetown Road.</p> <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> <li>• He asked if the speed study for Solomon/ Inglewood Roads had been completed. Mr. Utterback said he will check on that.</li> <li>• He would find it helpful to get the allocation of dollars for the various localities in the Culpeper District for the past four years through the current SYP to see how Albemarle County is being funded for primary and secondary roads. He would also like to have the populations for these localities shown. Mr. Utterback said the Secondary Road Funds are allocated through a formula.</li> </ul>	
<p>8. Removed from agenda.</p>	
<p>9. Update on Draft Drought Response and Contingency Plan from RWSA.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
<p>The Board recessed at 10:37 a.m. and reconvened at 10:55 a.m.</p>	
<p>10. Discussion: Podcasting of Board of Supervisors Meetings</p> <ul style="list-style-type: none"> <li>• <b>SUPPORTED</b> staff's recommendation to proceed with a trial period of between three to six months to see how much usage the podcasts receive and whether there are any impacts on bandwidth capacity that need to be considered before a more permanent decision is made.</li> </ul>	<p><u>Lee Catlin:</u> Proceed.</p>
<p>11. Preddy Creek Property Status Report, Pat Mullaney.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> staff's recommendation to initiate the process to designate the Preddy Creek property as a park and <b>DIRECTED</b> staff to initiate a review of its use as a park for compliance with the Comprehensive Plan.</li> </ul>	<p><u>Pat Mullaney:</u> Proceed as approved.</p>
<p>12. Third Quarter Financial Report.</p> <ul style="list-style-type: none"> <li>• <b>ACCEPTED</b> the FY06 Third Quarter Financial Report.</li> </ul>	
<p>13. Closed Session.</p> <ul style="list-style-type: none"> <li>• At 12:00 noon, the Board recessed for County Day and then moved to go into closed session to consider appointments to consider appointments to boards, committees, and commissions; to conduct an administrative evaluation; and to discuss the acquisition of</li> </ul>	

	property for a public facility.	
14.	<p>Certify Closed Session.</p> <ul style="list-style-type: none"> <li>At 2:00 p.m., the Board reconvened into open session and certified the closed session.</li> </ul>	
15.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> <li>There were none.</li> <li><b>APPOINTED</b> Robert W. Tucker, Jr., to the Development Review Task Force.</li> </ul>	
16.	<p>Proposed FY 2006 Budget Amendment.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b>, by a vote of 6:0, FY 2006 Budget Amendment in the amount of \$2,115,736.94.</li> <li><b>APPROVED</b> FY 2006 Appropriations #2006064, #2006065, #2006066, #2006067, #2006068, #2006069, and #2006070 to provide funds for various General Government, School, and Capital Improvement Programs.</li> </ul>	Clerk: Forward signed appropriation forms to Finance, OMB, and copy appropriate individuals.
17.	<p><b>Ordinance to amend Chapter 8, Licenses, Article VI, Schedule of Taxes.</b></p> <ul style="list-style-type: none"> <li><b>DEFERRED</b> to May 10, 2006.</li> </ul>	Clerk: Schedule on May 10 <sup>th</sup> agenda.
18.	<p><b>SP-2005-034. Camp Watermarks (Signs #90,96).</b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-2005-034 by vote of 6:0, subject to the ten conditions recommended by the Planning Commission.</li> </ul>	Clerk: Forward conditions of approval to Planning staff. (Attachment 7)
19.	<p><b>SP-2005-035. Outdoor Furniture Display (Classic Furniture) (Signs #82,84).</b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-2005-035 by vote of 6:0, subject to the seven conditions recommended by the Planning Commission.</li> </ul>	Clerk: Forward conditions of approval to Planning staff. (Attachment 7)
20.	<p><b>SP-2006-003. American Cancer Society, Pink Ribbon Polo (Signs #42,47).</b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-2006-003 by vote of 6:0, subject to the first three conditions recommended by the Planning Commission, and the fourth condition amended at the Board meeting.</li> </ul>	Clerk: Forward conditions of approval to Planning staff. (Attachment 7)
21.	<p>Places29 Master Plan Update, Lee Catlin.</p> <ul style="list-style-type: none"> <li><b>HELD.</b></li> </ul>	
	<p>Recessed at 4:20 p.m., and reconvened at 4:30 p.m.</p>	
22.	<p>Work Session: Strategic Planning – Economic Vitality, Lori Allshouse.</p> <ul style="list-style-type: none"> <li><b>HELD.</b></li> </ul>	
23.	<p>Annual Housing Report, Ron White.</p> <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>	
24.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> <li>Provided Board members with a copy of a Resolution of Intent on a request, from a landowner of property in the Piney Mountain development area, to modify the development area boundaries in order to facilitate sale of property to NGIC. The resolution furthers asks</li> </ul>	Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)

the Planning Commission to look at this amendment as part of Places29 Comp Plan Amendment. By a vote of 5:1, the Board **ADOPTED** the attached Resolution of Intent.

- At the first meeting of the Development Review Task Force, there was some discussion of possible overlap of their review of the legislative process with the County's administrative review process. The Task Force was concerned that if this occurred, there was no problem with them proceeding with their recommendations. The Board expressed no concerns.

David Wyant:

- Commented that there is no minority representation on the Crozet Advisory Committee. Asked if the Board supported expanding the Committee to include an additional member. Board members indicated they had no problem with this. Mr. Wyant said he hopes to bring back a name at the May 10<sup>th</sup> Board meeting.
- Asked status of City/County Fire Consolidation Study. Mr. Tucker said they are in process of reviewing RFPs for a consultant.
- The County Fair wants to move to a permanent location on the current site. He understands that this requires an amendment to their special use permit. He asked if staff could expedite the process. Mr. Tucker suggested staff look at the permit and determine the best way to expedite the process.

Sally Thomas:

- She has been attending meetings of the Hispanic Task Force. The Governor is interested in what they are doing and will probably come and meet with the group.
- The Historic Preservation Committee has scheduled a presentation on May 20<sup>th</sup>, at Burley Middle School, on the seven Rosenwald Schools that were built in Albemarle County between 1921 and 1926.
- The group interested in sustainable forestry will be meeting on May 30<sup>th</sup>.
- Suggested that some maintenance work be done to the Old Jail building/site.
- She is considering attending the National Association of Counties (NACO) annual meeting which will be held in Chicago in August. Suggested that staff look at canceling the Board's August 9<sup>th</sup> meeting.
- Mentioned an email Board members received concerning a "duty" weapon that is given to retired Albemarle County Police Department officers as a policy. Mr. Davis commented that

<p>it is a State law that applies to various levels of people who retire from the police department, sheriff's department and state police. He suggested getting background information from the Police Chief.</p> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> <li>• Reported on Access Albemarle which is scheduled to go live in late Fall 2006.</li> </ul> <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> <li>• Asked for an update on the concerns raised about the neighborhood located behind Waffle House on Route 29 and the special use permit for Wolfie's Bar &amp; Grill. Mr. Slutzky and Mr. Tucker provided an update and said a meeting is scheduled with police officers and County staff at the site.</li> <li>• A number of individuals in the community are looking at environmentally friendly development principles. Asked staff to look at what the community is doing and see how the County might participate.</li> </ul>	
<p>25. Adjourn to May 10, 2006, 3:00 p.m., Room 235.</p> <ul style="list-style-type: none"> <li>• At 6:22 p.m., the meeting was adjourned until May 10, 2006, 3:00 p.m.</li> </ul>	

/ewc

- Attachment 1 – Proclamation - National Nurses' Week
- Attachment 2 – Proclamation – Clean Commute Day.
- Attachment 3 – Proclamation – Blue Star Salute Day
- Attachment 4 – Resolution – Deeds of Easement for Drainage and Stormwater Management Facilities
- Attachment 5 – Resolution to authorize County Executive to execute water and sewer easements to the ACSA
- Attachment 6 – Resolution - VOF Grant for Mint Springs Fishing Accessibility Project
- Attachment 7 – Conditions of Approval on Planning items
- Attachment 8 – Resolution of Intent - NGIC

National Nurses' Week

- Whereas,** *the 2000 nurses at UVa Health System and 450 at Martha Jefferson, are part of our nation's largest health care profession; and*
- Whereas,** *the depth and breadth of the nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and*
- Whereas,** *a renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's nursing resources; and*
- Whereas,** *professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and*
- Whereas,** *the demand for nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and*
- Whereas,** *more qualified nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and*
- Whereas,** *the cost-effective, safe and quality health care services provided by nurses will be an ever more important component of the U.S. health care delivery system in the future; and*
- Whereas,** *along with the American Nurses Association, the Virginia Nurses Association District 7 and the UVa Professional Nursing Staff Organization have declared the week of **May 6 through May 12, 2006 as NATIONAL NURSES WEEK** with the theme "**Nurses: Strength, Commitment, Compassion**" in celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our health care system;*
- Now, Therefore, Be It Resolved,** *that I, Dennis S. Rooker, Chairman of the Albemarle County Board of Supervisors, ask that all residents of this community join me in honoring the nurses who care for all of us; and*
- Be It Further Resolved,** *that the residents of Albemarle County, Virginia, celebrate nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's nurses not just during this week, but at every opportunity throughout the year.*

**CLEAN COMMUTE DAY**

**WHEREAS**, improved air quality will positively impact the health and quality of life for all citizens of the Commonwealth of Virginia; and

**WHEREAS**, educating commuters, employees and employers about transportation choices and air quality is a critical step towards improving Virginia's air quality; and

**WHEREAS**, designating a specific day for clean commuting will give commuters the opportunity to try alternative commuting methods that will help improve air quality; and

**WHEREAS**, Clean Commute Day will provide a forum for commuters to learn about new and different ways of commuting; and

**WHEREAS**, Clean Commute Day will encourage all types of clean commuting such as walking, biking, taking the bus, carpooling, vanpooling, telecommuting, or driving an alternative-fuel vehicle;

**NOW, THEREFORE, BE IT RESOLVED**, that, I, Dennis S. Rooker, Chairman, on behalf of the Albemarle County Board of Supervisors do hereby recognize

**MAY 5, 2006**  
**as**  
**CLEAN COMMUTE DAY**

in the County of Albemarle and call this observance to the attention of all of our citizens.

**BLUE STAR SALUTE DAY**

**WHEREAS**, throughout the history of the United States of America the sacrifices necessary to maintain our liberty and freedom have consistently been borne by citizen soldiers; and

**WHEREAS**, countless men and women of our great county have proudly worn the uniform of the United States Armed Forces; and

**WHEREAS**, many of our fellow citizens are serving today in the war on terror as members of the active military, National Guard or Reserves; and

**WHEREAS**, on Armed Forces Day 2006, it is appropriate as individuals and families to reflect upon the sacrifices of our fellow citizens and to celebrate their dedication; and

**WHEREAS**, the citizens of the County of Albemarle desire to honor and acknowledge those who serve in uniform for their sacrifice and preservation of our American way of life;

**NOW, THEREFORE, BE IT RESOLVED**, that, I, Dennis S. Rooker, Chairman, on behalf of the Albemarle County Board of Supervisors do hereby recognize

**Saturday, May 20, 2006**  
**as**  
**BLUE STAR SALUTE DAY**

in the County of Albemarle and urge all citizens of this community to honor our citizens who are serving in the United States Armed Forces by joining in the festivities of this day.

**RESOLUTION TO AUTHORIZE COUNTY EXECUTIVE  
TO ACCEPT DEEDS OF EASEMENT FOR  
DRAINAGE AND STORMWATER MANAGEMENT FACILITIES**

**WHEREAS**, the County of Albemarle requires Deeds of Easement from landowners for the installation and maintenance of drainage and stormwater facilities for site plans and subdivisions and for drainage improvement projects; and

**WHEREAS**, such Deeds set forth the rights and responsibilities of the landowner and the County, including the County's rights and obligations to maintain the improvements within the drainage easement; and

**WHEREAS**, the efficiency of government is improved by delegating the authority to the County Executive to accept such Deeds of Easement on behalf of the County.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors authorizes the County Executive to accept Deeds of Easement for drainage and stormwater management facilities on behalf of the County provided that such Deeds of Easement are approved as to form and content by the County Attorney.

**RESOLUTION TO AUTHORIZE COUNTY EXECUTIVE  
TO EXECUTE WATER AND SEWER EASEMENTS  
TO THE ALBEMARLE COUNTY SERVICE AUTHORITY**

**WHEREAS**, the County of Albemarle grants Deeds of Easement to the Albemarle County Service Authority ("ACSA") for the installation and maintenance of water and sewer lines on County-owned property; and

**WHEREAS**, such Deeds set forth the rights and responsibilities of the ACSA and the rights and remedies of the County to assure proper installation and maintenance of the water and sewer lines; and

**WHEREAS**, the efficiency of government would be improved by delegating the authority to the County Executive to execute such Deeds of Easement on behalf of the County.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors authorizes the County Executive to execute Deeds of Easement on behalf of the County provided that such Deeds of Easement are approved as to form and content by the County Attorney.

**RESOLUTION FOR FUNDING ASSISTANCE FOR  
MINT SPRINGS PARK FISHING ACCESSIBILITY IMPROVEMENTS  
COUNTY OF ALBEMARLE**

**WHEREAS**, the Department of Conservation and Recreation (DCR) provides funds to assist political subdivisions of the Commonwealth of Virginia in acquiring and developing open space and park lands; and

**WHEREAS**, there are urgent needs within the County of Albemarle to develop park land and improve access to outdoor recreation opportunities for all citizens; and

**WHEREAS**, the Mint Springs Park Fishing Accessibility Improvements Project is deemed a high development priority; and

**WHEREAS**, the funding available from the Virginia Outdoors Fund (VOF) is limited to 50 percent on projects totaling \$100,000 to \$200,000; and

**WHEREAS**, in order to attain funding assistance from DCR, it is necessary that the County of Albemarle guarantee that a proportionate share of the cost thereof is available; and

**WHEREAS**, the proportionate project share of \$100,000 is funded by the County of Albemarle; and

**WHEREAS**, funding in addition to the Virginia Outdoors Fund Program share and the proportionate project share match by the County of Albemarle, if necessary to complete the project, will be the responsibility of the County of Albemarle;

**NOW, THEREFORE, BE IT RESOLVED** by the Albemarle County Board of Supervisors that the County Executive is hereby authorized to cause such information or materials as may be necessary to be provided to the Virginia Department of Conservation and Recreation and to enter into such agreements as may be necessary to permit formulation, approval and funding of the Mint Springs Park Fishing Accessibility Improvements Project; and

**BE IT FURTHER RESOLVED**, the County of Albemarle assures that the funds needed as the proportionate share of the cost of the approved project will be provided, up to \$100,000; and

**BE IT FURTHER RESOLVED**, that the County of Albemarle assures that the General Provisions of the Land and Water Conservation Fund Act (L&WCF) and the Virginia Outdoors Fund Fiscal Procedures will be complied with in the administration of this project; and

**BE IT FURTHER RESOLVED**, that the County of Albemarle will operate and maintain the public recreation facility in good condition and will provide permanent project acknowledgement signs of the participating funding agencies and that this signage will clearly state that the said facility is a "public" recreational facility; and

**BE IT FURTHER RESOLVED**, that the County of Albemarle shall dedicate the metes and bounds of the Mint Springs Park properties, in perpetuity, for public outdoors recreational purposes in accordance with the Land and Water Conservation Fund (L&WCF) Act; and

**BE IT FURTHER RESOLVED**, that the County of Albemarle assures that all other applicable federal and state regulations governing such expenditure of funds will be complied with in the administration, development, and subsequent operation of this Mint Springs Park Fishing Accessibility Improvements Project; and

**BE IT FURTHER RESOLVED**, that the Department of Conservation and Recreation is respectfully requested to assist in approval and funding of the Mint Springs Park Fishing Accessibility Improvements Project in order to enhance the standard of public recreational enjoyment for all our citizenry.

## CONDITIONS OF APPROVAL

**SP-2005-034. Camp Watermarks (Signs #90,96).** PROPOSED: Nature/agriculture camp, four weeks per year for local/urban children. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, & fishery uses; residential density (0.5 unit/acre). SECTION: 31.2.4.1; 10.2.2.20; 5.1.05. COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve & protect agricultural, forestal, open space, & natural, historic & scenic resources/density (0.5 unit/ acre). LOCATION: 1145 James River Drive, west of Route 726 & Hatton Ferry Road; TM 136, Parcels 6B, 9D, 9D1, 9E. MAGISTERIAL DISTRICT: Scottsville.

1. Special Use Permit 2005-34 shall remain in general accord with the concept application plan dated February 22, 2006, prepared by Angela and Travis Critzer, and titled "Watermarks Christian Ministries Camp" (Attachment A. drawing 1.) However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance;
2. Compliance with the Virginia Statewide Fire Prevention Code shall be verified by the Fire Marshall prior to clearance and the commencement of the Special Use Permit;
3. Compliance with the Virginia State Department of Health regarding minimum septic requirements shall be required prior to the commencement of the Special Use Permit;
4. Compliance with the Virginia State Department of Health regarding kitchen and food service approvals shall be verified by the Health Department prior to clearance and the commencement of the Special Use Permit;
5. Total number of staff (in addition to the applicant and their family) on site at one time shall be limited to ten (10);
6. Camp sessions shall be limited to a maximum of four (4), each one (1) week long, overnight sessions per year;
7. The maximum number of children per session shall be limited to 45 (forty-five);
8. The maximum number of bus or van trips (round trips) to and from the camp, each session shall be six (6). Bus or van trips shall be the primary means of transportation for the children;
9. Outdoor amplified sounds or bull horns shall be prohibited; and
10. Compliance with VDOT requirements for the entrance shall be verified prior to the clearance for the commencement of the special use permit.

**SP-2005-035. Outdoor Furniture Display (Classic Furniture) (Signs #82,84).** PROPOSED: Outdoor display of furniture in two approx 20' x 20' areas of the existing parking lot on the north side of the building. ZONING CATEGORY/GENERAL USAGE: C1 Commercial/retail sales & service uses & residential uses by special use permit; EC Entrance Corridor/overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access. SECTION: 30.6.3.2.b Special Use Permit, which allows for outdoor storage/display/sales associated with permitted uses, when visible from an EC street. COMPREHENSIVE PLAN LAND USE/DENSITY: Community Service - community-scale retail, wholesale, business & medical offices, mixed use core communities and/or employment services, & residential (6.01-34 units/acre). LOCATION: TM 61M/Parcel 2; 460 Premier Circle; on the west side of Seminole Trail (Route 29 North) across from Branchlands Blvd. MAGISTERIAL DISTRICT: Rio.

1. Items shall be displayed only in the areas marked for display on the plan entitled "Classic Furniture Outdoor Display" and dated 2-6-06;
2. Items displayed shall be limited to patio furniture. Beds and mattresses shall not be displayed;
3. Items for display shall not be stacked one atop another;
4. Items for display shall not be elevated anywhere on site;
5. Planters joined by black chain shall be used to delineate the boundaries of the display areas;
6. No new lighting is approved for the display areas; and
7. Final approval of the site plan amendment/letter of revision is subject to Design Planner approval of

the revised landscape plan (submitted with the amendment). Planting illustrated on the plan shall include the following additions to the site:

- a) One (1) two and one-half (2 1/2) inch caliper tree located in the island situated at the interior of the parking row in front of the building;
- b) One (1) two and one-half (2 1/2) inch caliper tree located in the island at the east end of the parking row in front of the building;
- c) Evergreen screening shrubs twenty-four (24) inches in height along the EC frontage to screen the parking lot from the EC. These shrubs shall replace the existing row of shrubs located closest to the parking spaces and shall consist of a holly that grows to a minimum of two (2) to three (3) feet in height; and
- d) Replace the missing tree along the EC frontage with a Kwanzan Cherry at two and one-half (2 1/2) inch caliper, and add another flowering Cherry in the planting bed along the EC to visually balance the replacement tree.

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**SP-2006-03. American Cancer Society, Pink Ribbon Polo (Signs #42,47).** PROPOSED: Annual polo match, benefits American Cancer Society. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal & fishery uses; residential density (0.5 unit/acre). SECTION: Section 31.2.4, 10.2.2.42, 5.1.27. COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space & natural, historic & scenic resources/ density (0.5 unit/ acre). LOCATION: King Family Winery, 6640 Roseland Farm, Crozet; TM 55 Parcels 80, 81. MAGISTERIAL DISTRICT: White Hall.

1. Special Use Permit 2006-03 shall be developed in general accord with the sketch plan submitted March 16, 2005, prepared by the Pink Ribbon Polo Committee, and titled "American Cancer Society, Pink Ribbon Polo, SP2006-03" (Attachment A.). However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance;
2. The event shall be held once a year between the dates of May 30<sup>th</sup> and July 1. The event shall be limited to the hours of 10:00 am and 6:00 pm. Amplified sounds shall be limited to the National Anthem and announcements related to the polo game. The applicant shall arrange for traffic control personnel to be placed at all locations and for what period of time the Albemarle County Police Department deems necessary;
3. Annual approval of a zoning compliance clearance for not more than two thousand (2,000) attendees is required prior to commencing this use each year. The applicant shall apply for the zoning clearance no later than three (3) weeks prior to the date for the event. Zoning approval will be contingent upon the Zoning Administrator determining that the provisions in Section 5.1.27 of the Albemarle County Code and all conditions of this special use permit have been satisfied and on confirmation from the Health Department, as well as the Departments of Fire/Rescue and Police, that they have been contacted by the applicant and can recommend approval; and
4. This permit is valid until May 3, 2011. The applicant may submit a special use permit amendment to extend this date. This extension request shall be submitted no later than November 3, 2010. Review of an extension request will include the impacts on traffic and noise.

**RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Comprehensive Plan's Land Use Plan designates certain areas of the County for urban development, referred to as designated Development Areas, and certain areas of the County for rural development, referred to as designated Rural Areas; and

**WHEREAS**, the Land Use Plan designates the Piney Mountain Area as a Development Area; and

**WHEREAS**, an owner of land within, and adjacent to, the Piney Mountain Development Area has requested an amendment to the Land Use Plan to amend the Piney Mountain Community boundary to expand the Development Areas designation to approximately thirty (30) acres of land now designated as Rural Areas; and

**WHEREAS**, there is currently under review a request to reduce the extent of the Development Areas designation in the Pantops Development Area by changing the designation of approximately eighty (80) acres of land from Development Areas to Rural Areas.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare and good planning and land use practices, the Albemarle County Board of Supervisors hereby adopts this Resolution of Intent to propose to amend the Albemarle County Comprehensive Plan's Land Use Plan to modify the boundary of the Piney Mountain Community to designate approximately thirty (30) acres of land not previously included within the Community as Development Areas in such location to further the purposes of the Development Areas, and to make any other changes to the Comprehensive Plan deemed to be necessary in order to achieve the purposes described herein.

**BE IT FURTHER RESOLVED THAT** the Planning Commission is directed to prepare this amendment to the Albemarle County Comprehensive Plan and to hold a public hearing on this proposed amendment as part of the Places29 Comprehensive Plan Amendment.