

<b>ACTIONS</b>		
<b>Board of Supervisors Meeting of September 6, 2006</b>		
		September 8, 2006
1.	<p>Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called to order at 9:03 by the Chairman, Mr. Rooker. All BOS members were present. Also present were Bob Tucker, Larry Davis, Ella Carey, and Meagan Hoy.</li> </ul>	
4.	<p>From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li><u>Alexis Zeigler</u>, <u>Glenn Short</u> and <u>Don Wells</u> of Cville Peak Oil, discussed the concept of peak oil and the potential effect on the community.</li> <li><u>John Martin</u> expressed concern over the openness of the TJ PED meetings.</li> <li><u>Sanford Wilcox</u> gave a signed petition to the Board supporting a new zoning district to serve Downtown Crozet.</li> <li><u>Michael Marshall</u> also spoke about the importance of Downtown Crozet.</li> <li><u>Jack Marshall</u> expressed support with prior comments regarding opened of TJ PED meetings.</li> <li><u>Jeff Werner</u> of PEC suggested the Board receive monthly updates on the level of development throughout the county.</li> <li><u>Peter Kleenman</u> discussed the proposed alignment of the Meadow Creek Parkway through Pen Park and the protection of the park land.</li> </ul>	
5.2	<p>Green Creek Road "Watch for Child Playing" Sign.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	<p>(Attachment 1)</p> <p><u>Clerk:</u> Forward resolution to Juandiego Wade.</p>
5.3	<p>Route 606, Dickerson Road, Abandonment and Dedication.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	<p>(Attachment 2)</p> <p><u>Clerk:</u> Forward resolution to Juandiego Wade.</p>
5.4	<p>Route 649, Airport Road, Abandonment and Dedication.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	<p>(Attachment 3)</p> <p><u>Clerk:</u> Forward resolution to Juandiego Wade.</p>
5.5	<p>Resolution Concurring with and Approving the Issuance By the Economic Development Authority of Nelson County, Virginia, of its Revenue Bond in an Amount not to Exceed \$7,700,000 Qualified Non-Profit Revenue Bond (Scottsville Road Holdings LLC Project) Series 2006</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	<p>(Attachment 4)</p> <p><u>Clerk:</u> Forward resolution to Daniel M. Siegel, with copy to Jim Bowling.</p>
5.6	<p>Set Public Hearing on Ordinance to amend County Code Sec 10-107, Firearms - Discharging within residential districts, and Sec 10-109, Standing or walking with loaded rifle or shotgun.</p> <ul style="list-style-type: none"> <li><b>DEFERRED</b> until November and requested that the Commonwealth's Attorney and Chief Miller be present to address questions.</li> </ul>	<p><u>Clerk:</u> Schedule on November 1, 2006 agenda.</p>
5.7	<p>Police Department Support Staff.</p> <ul style="list-style-type: none"> <li><b>AUTHORIZED</b> an additional permanent part-time</li> </ul>	

	Office Associate III position for the Police Department to be paid for with funding currently available within the Police Department budget.	
5.8	Resolution: Disaster Declaration Due to Drought Conditions. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	(Attachment 5)  <u>Clerk:</u> Forward resolution to Peter L. Warren.
5.9	ZMA-2006-001. Westhall Phase V. <ul style="list-style-type: none"> <li>• Deferred petition at applicants' request.</li> </ul>	<u>Clerk:</u> Schedule on September 13 agenda.
5.10	Resolution to accept roads in Redfields Subdivision, Phase 4A, into the State Secondary System of Highways <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	(Attachment 6)  <u>Clerk:</u> Forward resolution to Greg Cooley.
5.11	Resolution to accept roads in Redfields Subdivision, Phase 4B, into the State Secondary System of Highways. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> Resolution by a vote of 6:0.</li> </ul>	(Attachment 7)  <u>Clerk:</u> Forward resolution to Greg Cooley.
5.12	Commonwealth Attorney's Office Position Request. <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the position request and appropriation.</li> </ul>	<u>Clerk:</u> Forward signed appropriation form to Finance, OMB and Commonwealth's Attorney.
5.15	2006 Second Quarter Building Report from the Community Development Department. <ul style="list-style-type: none"> <li>• Received report.</li> </ul>	
6.	Recognitions. <ul style="list-style-type: none"> <li>• Dr. Susan L. McLeod was recognized by Mr. Tucker for her 19 years of service as the Thomas Jefferson District Health Director.</li> <li>• Dr. Lillian Peake was introduced by Dr. McLeod as the new Health Director.</li> <li>• Tactical Team – Albemarle County Police Department was recognized by the Chairman.</li> <li>• Ron Slaughter, 51-Year Volunteer Firefighter, was recognized by the Chairman for his many years of service.</li> </ul>	(Attachment 8)
7.	Board to Board Presentation – School Board Chairman. <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
8.	Pandemic Flu Update – Dr. Lillian Peake, Thomas Jefferson Health District. <ul style="list-style-type: none"> <li>• Received.</li> <li>• Staff will continue to keep the Board of Supervisors updated on emergency preparations and will be drafting recommendations regarding revisions to employee policies at a future date.</li> </ul>	<u>Clerk:</u> Schedule on agenda when ready to come to Board.
9a.	VDOT Monthly Report for September 2006 <ul style="list-style-type: none"> <li>• RECEIVED</li> </ul>	
9b.	Transportation Matters not listed on the Agenda. <u>Darin Simpson:</u> <ul style="list-style-type: none"> <li>• The broken edges of cement for Claymont Subdivision have been repaired.</li> <li>• VDOT has received environmental clearance for White Mountain Road, and they will make spot improvements.</li> <li>• VDOT has obtained right of entry from two property owners on Owensville Road. They have approval</li> </ul>	<u>Clerk:</u> Forward comments to VDOT.

from the property owners to clear underbrush, which should improve line of sight, and they plan to clear as soon as weather permits.

- Mr. Rooker clarified that Route 631, in VDoT's report, should be the Meadow Creek Parkway.
- Mr. Wyant asked if the Jarman's Gap advertisement date has been moved, and Mr. Simpson responded that he would get that clarified.
- The Total Asset Management Contract will start on October 21<sup>st</sup>, and they will manage I-64 from Staunton to Goochland. Part of the requirement is that they have an incident response plan. This will allow a better job of signing for I-64 in the event of a closure.
- VDoT preformed an initial field review for the speed limit reduction request on Route 20. VDoT agrees it should be sent to traffic engineering. The study was initiated on 8/18, and has a 30-60 day turnover.
- At the intersection of Rio and Northfields Roads, the "left turn will yield on green" sign has been put up.
- VDoT spoke with the signal technicians in relation to Hydraulic Road and Route 29 to make the right turn movements in the dual right hand turn lanes less confusing. He said they are trying to ensure that there are two arrows, and that he will push for a solution.
- The Meadow Creek Parkway is on schedule, and there will not be a bike trail due to the extra steps that it would cause in the process.
- He confirmed that Mr. Rooker received the e-mail on the update of the Parkway from Mr. Utterback.
- Roslyn Ridge Road has been patched.

Lindsay Dorrier:

- Asked if he could get the Biscuit Run Transportation Plan from the Highway Department. Mr. Cilimberg confirmed that it has not been submitted, but that when it is, Planning will make the Board aware. Mr. Rooker asked that a summary be given to the Board, as the project is a large one.
- He would like VDoT to look at Dawson Lane, because of its' rutted condition. The gravel washes off, and the stream that is under the bridge sometimes goes over the road. Mr. Simpson said he will address the issue.

Sally Thomas:

- Said she received a complaint from a constituent about the Boars Head Inn meeting pavilion. There is only one road in and out of that subdivision, and she would like to see another way in and out. Mr. Boyd agreed, and said that he also had a call about that situation.

	<p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> <li>• Mentioned Stony Point Pass, and qualification for a rural rustic road. He has a petition, and would like to know what the next step is to see if the road qualifies as a rural rustic road. Mr. Simpson said he will relay the request to Joel DeNunzio to make sure it meets the requirements. The residents would also like dust control applied on the road.</li> <li>• He confirmed that the Profit Road Bridge is scheduled to be completed on September 25<sup>th</sup>.</li> </ul>	
9c.	<p>Downtown Scottsville Streetscape Plan Request.</p> <ul style="list-style-type: none"> <li>• Board directed staff to prepare a report based on the comments made today and bring the item back in October.</li> </ul>	<u>Clerk:</u> Schedule on October agenda.
10.	<p>Charlottesville Transit System (CTS) Transit Development Plan (TDP) – Presentation, Frank Spielberg.</p> <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
11.	<p>Presentation: Creciendo Juntos, Peter Loach.</p> <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
12.	<p>Presentation: Community Land Trust, Bill Edgerton and Frazier Bell</p> <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
13.	<p>Presentation: Industrial Development Authority, John Lowry</p> <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
14.	<p>Closed Session. Personal and Legal Matters.</p> <ul style="list-style-type: none"> <li>• At 12:15 p.m., the Board went into closed session to consider appointments to boards, committees and commissions, and to discuss the acquisition of property for a public facility.</li> </ul>	
15.	<p>Certify Closed Session.</p> <ul style="list-style-type: none"> <li>• At 1:40, the Board reconvened into open session in Meeting Room 235 and certified the closed session.</li> </ul>	
16.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Leslie Durr to the Monticello Area Community Action Agency with no term limit.</li> <li>• <b>APPOINTED</b> Duane Zobrist to the Planning Commission, as the White Hall District Representative, to fill out the term of Jo Higgins, with said term to expire December 31, 2007.</li> </ul>	<u>Clerk:</u> Prepare appointment letters, update Boards and Commissions book, and notify appropriate persons.
17.	<p>Creation of Crozet Downtown Zoning District or Zoning Overlay District.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> Resolution of Intent, by a vote of 6:0, to initiate the proposed zoning text amendment.</li> <li>• <b>DIRECTED</b> staff to proceed with hiring a consultant to assist in the creation of a Crozet downtown zoning district or zoning overlay district and to develop a zoning text amendment proposal in cooperation with the Crozet community.</li> <li>• <b>APPROVED</b> the use of FY05/06 unspent funding from Planning and Community Development through the reappropriation process to fund the study.</li> </ul>	<p>(Attachment 9)</p> <p><u>Clerk:</u> Forward copy of Resolution to Community Development.</p> <p><u>Community Development:</u> Proceed as directed.</p>
18.	<p>Requested FY 2006 Appropriations in the amount of \$1,055,758.90.</p>	<u>Clerk:</u> Forward signed appropriation forms to OMB, Finance, and

	<ul style="list-style-type: none"> <li>• <b>APPROVED</b> the FY 2006 budget amendment in the amount of \$1,055,758.90 and <b>APPROVED</b> Appropriation #20060093 to provide funds for various School programs.</li> </ul>	appropriate individuals.
19.	<p>Requested FY 2007 Appropriations in the amount of \$2,152,656.22.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the FY 2007 budget amendment in the amount of \$2,152,656.22 and <b>APPROVED</b> Appropriations #2007008, #2007009, #2007010, #200711, #2007012, #2007013 to provide funds for various local government and school projects.</li> </ul>	<u>Clerk</u> : Forward signed appropriation forms to OMB, Finance, and appropriate individuals.
20.	<p><b>SP-2006-009 Birchwood Place (Sign #10)</b></p> <ul style="list-style-type: none"> <li>• <b>DEFERRED</b> by a vote 5:0 (Wyant absent) to October 4<sup>th</sup> 2006.</li> </ul>	<u>Clerk</u> : Schedule on October agenda.
21.	<p><b>2006-012 Colonial Baptist Church Mission Building (Sign #29)</b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0, subject to the seven conditions recommended by the Planning Commission.</li> </ul>	(Attachment #10) <u>Clerk</u> : Set out conditions of approval.
22.	<p><b>SP-2006-013. Little Keswick School Dorm Amendment (Signs #23,24)</b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0, subject to the four conditions recommended by the Planning Commission, with condition #2 amended to 35 students.</li> </ul>	(Attachment # 10) <u>Clerk</u> : Set out conditions of approval.
23.	<p><b>SP-2006-014. SOCA Club Offices at South Fork Soccer Park (Sign #27)</b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0, subject to the thirteen conditions recommended by the Planning Commission.</li> </ul>	(Attachment # 10) <u>Clerk</u> : Set out conditions of approval.
24.	<p><b>SOCA Club Offices</b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0, an amendment to the Albemarle County Service Authority Jurisdictional Area to provide limited sewer service to Tax Map 46, Parcel 26C1. Sewer service to be provided to South Fork Soccer complex only as approved under SP-2006-14.</li> </ul>	
25.	<p><b>SP-2006-015. Monticello Memorial Gardens (Signs #33,38)</b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0, subject to the twelve conditions recommended by the Planning Commission, with condition #5 changed to be a twenty-five (25) foot buffer instead of a fifty (50) foot buffer.</li> </ul>	(Attachment # 10) <u>Clerk</u> : Set out conditions of approval.
26.	<p>Report on 800 MHz Radio System</p> <ul style="list-style-type: none"> <li>• Received.</li> </ul>	
27.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ken Boyd</u>:</p> <ul style="list-style-type: none"> <li>• Said he has also been tracking development in the development area in response to Jeff Werner's earlier statement.</li> <li>• Discussed various organizations policies for open meetings, particularly TJPED.</li> </ul>	

	<ul style="list-style-type: none"> <li>• He mentioned issues dealing with the security of this community, and suggested the creation of a regional focus group to begin a community dialogue.</li> </ul> <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>• Shared a PowerPoint of her experience this year at the Annual National Association of Counties conference.</li> <li>• Mentioned the letter from SELC about the interchange for the Meadow Creek Parkway. Mr. Rooker said he would like to see this on the agenda for an update by VDoT and the City on the design process, how it is going, and get their input.</li> </ul> <p><u>David Slutzky:</u></p> <ul style="list-style-type: none"> <li>• Discussed the recent Al Gore movie, and said he will be bringing back to the Board a resolution to consider endorsing the US Mayors Climate Protection Agendas.</li> <li>• Discussed the request by the retiree's for increased health insurance. This topic will be discussed at the joint meeting with the School Board.</li> </ul> <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> <li>• Discussed the affordable housing policy relative to the County's use of a sliding scale.</li> <li>• He asked for an update on the Preddy Creek property.</li> </ul>	
28.	<p>Adjourn to 2:30 p.m. Work Session on September 13, 2006, Room 235.</p> <ul style="list-style-type: none"> <li>• At 5:35 p.m., the meeting was adjourned to September 13<sup>th</sup>.</li> </ul>	

/mrh

- Attachment 1 – Resolution: Green Creek Road “Watch for Child Playing” Sign.
- Attachment 2 – Resolution: Route 606, Dickerson Road, Abandonment and Dedication.
- Attachment 3 – Resolution: Route 649, Airport Road, Abandonment and Dedication.
- Attachment 4 – Resolution: Industrial Development Authority
- Attachment 5 – Resolution: Disaster Declaration Due to Drought Conditions
- Attachment 6 – Resolution to accept roads in Redfields Subdivision; Phase 4A, into the State Secondary System of Highways
- Attachment 7 – Resolution to accept roads in Redfields Subdivision; Phase 4B, into the State Secondary System of Highways.
- Attachment 8 – Resolution: Ron Slaughter
- Attachment 9 – Resolution of Intent: Creation of Crozet Downtown Zoning District or Zoning Overlay District
- Attachment 10 – Conditions of Approval for Planning Items

**RESOLUTION TO AUTHORIZE  
VIRGINIA DEPARTMENT OF TRANSPORTATION  
TO INSTALL WATCH FOR CHILD PLAYING SIGN ON  
GREEN CREEK ROAD (ROUTE 630)**

**WHEREAS**, the residents of Green Creek Road in Albemarle County are concerned about traffic in their neighborhood and the potential hazard it creates for the numerous children that live and play in the neighborhood; and

**WHEREAS**, there are numerous children that live and play on Green Creek Road and the residents believe that a “Watch for Child Playing” sign would help alleviate some of the concerns; and

**WHEREAS**, the residents of Green Creek Road have requested that the County take the necessary steps to have a “Watch for Child Playing” sign installed;

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby supports the community’s request for VDOT to install the necessary “Watch for Child Playing” signs on Green Creek Road, from Route 6 to the Nelson County line.

**RESOLUTION ABANDONING PORTIONS OF STATE ROUTE 606 AND  
REQUESTING THAT OTHER PORTIONS BE ADDED TO THE  
SECONDARY SYSTEM OF STATE HIGHWAYS**

**WHEREAS**, the Charlottesville-Albemarle Airport Authority has provided this Board with a plat dated June 7, 2006 (hereinafter, the "plat") depicting the additions and abandonments required in the secondary system of state highways as a result of a project to abandon State Route 606 and dedicate the new roadway, which plat is recorded in Deed Book 818, Page 210 and Deed Book 3215, Page 206 in the Office of the Clerk of the Circuit Court of Albemarle County, and is hereby incorporated herein by reference; and

**WHEREAS**, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road depicted on the plat as the right-of-way and drainage easements to be dedicated for relocated State Route 606 across lands of the Charlottesville-Albemarle Airport Authority, pursuant to Section 33.1-229, Code of Virginia; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors abandons as part of the secondary system of state highways those portions of road depicted on the plat as the existing right-of-way and sight easements to be abandoned on State Route 606, pursuant to Section 33.1-155, Code of Virginia; and

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

**RESOLUTION ABANDONING PORTIONS OF STATE ROUTE 649 AND  
REQUESTING THAT OTHER PORTIONS BE ADDED TO THE  
SECONDARY SYSTEM OF STATE HIGHWAYS**

**WHEREAS**, the Charlottesville-Albemarle Airport Authority has provided this Board with a plat dated February 7, 2006 (hereinafter, the "plat") depicting the additions and abandonments required in the secondary system of state highways as a result of a project to abandon State Route 649 and dedicate the new roadway, which plat is recorded in Deed Book 818, Page 210; Deed Book 1337, Page 52; and Deed Book 2352, Page 643 in the Office of the Clerk of the Circuit Court of Albemarle County, and is hereby incorporated herein by reference; and

**WHEREAS**, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road depicted on the plat as the right-of-way and drainage easements to be dedicated for relocated State Route 649 across lands of the Charlottesville-Albemarle Airport Authority, pursuant to Section 33.1-229, Code of Virginia; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors abandons as part of the secondary system of state highways those portions of road depicted on the plat as the existing right-of-way and sight easements to be abandoned on State Route 649, pursuant to Section 33.1-155, Code of Virginia; and

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

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF ALBEMARLE COUNTY, VIRGINIA**

**WHEREAS**, the Economic Development Authority of Nelson County, Virginia (**the “Nelson Authority”**) has considered, at a public hearing held on August 3, 2006, the application of Kappa Sigma Endowment Fund (**the “Endowment”**), a Section 5011(3) entity formed as an Illinois Trust and Scottsville Road Holdings, LLC, a Virginia limited liability company (**the “Company”, together with the Endowment, the “Borrower”**), both exempt from taxation under Section 5011(3) of the Internal Revenue Code of 1986, as amended (**the “Code”**), both based in Albemarle County, Virginia and each having its principal place of business at P.O. Box 5643, 2020 Avon Court, Suite 29, Charlottesville, Virginia, 22905 in Albemarle County, Virginia; and

**WHEREAS**, the Borrower has requested that the Nelson Authority issue its revenue bonds or notes in an amount not to exceed \$7,700,000 (**the “Bonds”**) pursuant to the Industrial Development and Revenue Bond Act, Title 15.2, Chapter 49 of the Code of Virginia of 1950, as amended (**the “Act”**) the proceeds from which Bonds will be used to assist the Borrower in financing the acquisition, construction, equipping and furnishing of the Endowment’s new National Headquarters and Museum facility of approximately 22,000 square feet and 3 stories to be located on approximately 8.356 acres, more or less (**the “Facility”**) in Albemarle County, Virginia to be known as 1612 Scottsville Road, Charlottesville, Virginia, fronting on the West Side of State Route 20 approximately 2 miles from the intersection with I-64 and Route 20 across the highway from Carter’s Mountain, in Albemarle County, Virginia and to pay costs of issuance; and

**WHEREAS**, the Industrial Development Authority of Albemarle County, Virginia (**the “Albemarle Authority”**) has, after a public hearing held on August 10, 2006, considered the request of the Borrower for the Albemarle Authority to recommend to the Board of Supervisors of Albemarle County, Virginia (**the “Board of Supervisors”**) its approval of and concurrence with the issuance of the Bonds by the Nelson Authority under the Act, in such amounts as may be necessary to finance the cost of the Facility; and

**WHEREAS**, the Facility will also benefit Albemarle County, Virginia (**the “County”**) and the Borrower has described the benefits to Albemarle County at such public hearing and the Albemarle Authority has recommended that the Board of Supervisors of Albemarle County approve of and concur with the issuance of the Bonds by the Nelson Authority under the Act; and

**WHEREAS**, Section 147(f) of the Code provides that both the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of private activity bonds is located and the governmental unit on behalf of which such bonds are issued must approve the issuance of the bonds after public hearing; and

**WHEREAS**, Section 15.2-4905 of the Act provides that if a locality has created an industrial development authority, no industrial development authority created by a second locality may finance a facility located in the first locality unless the governing body of such first locality concurs with the inducement resolution adopted by the industrial development authority created by the second locality; and

**WHEREAS**, the Facility to be financed through the issuance of the Bonds is located in Albemarle County and the Board of Supervisors of Albemarle County constitutes the highest elected governmental unit of Albemarle County; and

**WHEREAS**, the Board of Supervisors of Albemarle County has created the Albemarle Authority pursuant to the Act; and

**WHEREAS**, the Board of Supervisors Nelson County, Virginia (**“Nelson County”**) constitutes the highest elected governmental unit of Nelson County;

**WHEREAS**, the Board of Supervisors of Nelson County has created the Nelson Authority pursuant to the Act; and

**WHEREAS**, the Board of Supervisors of Nelson County will approve on September 12, 2006, the plan of financing for the Facility and the issuance of the Bonds for the benefit of the Borrower and has designated the Bonds as "qualified tax-exempt obligations" under Section 265(b) of the Code; and

**WHEREAS**, the approving resolutions of the Board of Supervisors of Nelson County and the Nelson Authority are each contingent upon the Board of Supervisors of Albemarle County approval of, and concurrence with, the issuance of the Bonds by the Nelson Authority.

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

1. The Board of Supervisors of Albemarle County hereby approves and concurs with the financing of the Facility and the issuance of the Bonds by the Nelson Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act, to permit the Nelson Authority to assist in the financing of the Facility.
2. The approval of and concurrence with the issuance of the Bonds, as required by said Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act, do not constitute an endorsement of the Bonds or the creditworthiness of the Borrower or otherwise indicate that the Facility possesses any economic viability. As required by the Act, the issuance of the Bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia, the Nelson County, Virginia or Albemarle County, Virginia. Neither the Commonwealth of Virginia nor any political subdivision thereof, including the Nelson Authority, Nelson County, Virginia or Albemarle County, Virginia shall be obligated to pay the Bonds, or the interest thereon, or other costs incident thereto, except from the revenues and monies pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the Nelson Authority, Nelson County, Virginia and Albemarle County, Virginia, will be pledged to payment of principal of such Bonds or the interest thereon or other costs incidental thereto.
3. This resolution shall take effect immediately upon its adoption.

**Resolution Requesting that Albemarle County  
Be Declared an Agricultural Disaster Area  
Due to Drought Conditions**

**WHEREAS**, the drought conditions in the County of Albemarle have severely affected farmers;  
and

**WHEREAS**, during the growing season of this year the County of Albemarle has received considerably less rain than normal while experiencing unseasonably high temperatures; and

**WHEREAS**, the Albemarle/Charlottesville Extension Agent of the Virginia Cooperative Extension has reported that corn, hay and pasture crops have suffered between 35% and 50% losses and that water is in short supply for livestock.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors hereby requests that the County of Albemarle, Virginia be declared a drought disaster area as recommended by the Virginia Cooperative Extension in accordance with the Virginia Farmer Major Drought, Flood and Hurricane Disaster Act due to drought conditions.

**BE IT FURTHER RESOLVED**, that the County Executive forward this Resolution to the Governor of Virginia with a request that he takes all necessary steps to effect the disaster declaration.

**Attachment 6**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6<sup>th</sup> day of September 2006, adopted the following resolution:

**RESOLUTION**

WHEREAS, the street(s) in **Redfields Subdivision, Phase 4A**, described on the attached Additions Form LA-5(A) dated **September 6, 2006**, 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 **Redfields Subdivision, Phase 4A**, as described on the attached Additions Form LA-5(A) dated **September 6, 2006**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

\* \* \* \* \*

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

- 1) **Redfields Road (State Route 1270)** from the intersection of Route 1285 and Route 1286 to the end of state maintenance .15 miles north of Route 1285 and Route 1286, as shown on plat recorded 12/14/2001 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2126, page 72, with a 50-foot right-of-way width, for a length of 0.15 miles.
- 2) **Courtyard Drive (State Route 1283)** from the intersection of Route 1285 (Pebble Court to the intersection of Route 1287 (Heritage Court), as shown on plat recorded 12/14/2001 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2126, page 72, with a 50-foot right-of-way width, for a length of 0.08 miles.
- 3) **Courtyard Drive (State Route 1283)** from the intersection of Route 1287 (Heritage Court) to the end of state maintenance .09 miles north of Route 1287 (Heritage Court), as shown on plat recorded 12/14/2001 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2126, page 72, with a 44-foot right-of-way width, for a length of 0.09 miles.
- 4) **Heritage Court (State Route 1287)** from the intersection of Route 1283 (Courtyard Drive) to the cul-de-sac, as shown on plat recorded 12/14/2001 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2126, page 72, with a 44-foot right-of-way width, for a length of 0.15 miles.

Total Mileage – 0.47

**Attachment 7**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6<sup>th</sup> day of September 2006, adopted the following resolution:

**RESOLUTION**

WHEREAS, the street(s) in **Redfields Subdivision, Phase 4B**, described on the attached Additions Form LA-5(A) dated **September 6, 2006**, 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 **Redfields Subdivision, Phase 4B**, as described on the attached Additions Form LA-5(A) dated **September 6, 2006**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

\* \* \* \* \*

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

- 1) **Redfields Road (State Route 1270)** from the end of state maintenance .15 miles north of Route 1285 and Route 1286 to the intersection of Route 1288 (Cedarwood Court), as shown on plat recorded 05/13/2003 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2456, page 743, with a 50-foot right-of-way width, for a length of 0.07 miles.
- 2) **Redfields Road (State Route 1270)** from the intersection of Route 1288 (Cedarwood Court) to the intersection of Route 1283 (Courtyard Drive), as shown on plat recorded 05/13/2003 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2456, page 743, with a 44-foot right-of-way width, for a length of 0.11 miles.
- 3) **Cedarwood Court (State Route 1288)** from the intersection of Route 1270 (Redfields Road) to the cul-de-sac, as shown on plat recorded 05/13/2003 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2456, page 743, with a 50-foot right-of-way width, for a length of 0.09 miles.
- 4) **Courtyard Drive (State Route 1283)** from .09 miles north of the intersection of Route 1287 (Heritage Court) to the intersection of Route 1270 (Redfields Road), as shown on plat recorded 05/13/2003 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2456, page 743, with a 44-foot right-of-way width, for a length of 0.05 miles.

- 5) **Courtyard Drive (State Route 1283)** from the intersection of Route 1270 (Redfields Road) to the cul-de-sac, as shown on plat recorded 05/13/2003 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2456, page 743, with a 44-foot right-of-way width, for a length of 0.09 miles.

Total Mileage – 0.41

*On behalf of the citizens, local government staff and the Board of Supervisors of Albemarle County, we would like to recognize*

***Ronald (Ron) P. Slaughter***

*for his tireless efforts in serving the citizens of the County as a volunteer with the Charlottesville Volunteer Fire Company (CVFC) since July 1955.*

*As a volunteer, Ron served on numerous committees and took on many roles as a volunteer:*

- *served as Assistant Chief of CVFC;*
- *was placed on the CVFC Honor Roll;*
- *was President of the Jefferson Country Fireman's Association;*
- *was instrumental in forming the volunteer fire stations in the urban areas of the County;*
- *served as a charter member and founding "father" of the Seminole Trail Volunteer Fire Department (STVFD), including serving on the Board of Directors, Assistant Chief and Chief, Vice President of the Board and as a life member;*

*We are grateful for the time, energy and dedication Ron has committed to protecting the citizens of Albemarle County.*

*We as a community are strengthened and uplifted by those who step forward to volunteer their services in support of improving the quality of life of our residents. We offer our sincere appreciation to Ron for his dedication and recognize him for his service to Albemarle County and the community.*

*Signed and sealed this 6th day of September, 2006.*

**RESOLUTION OF INTENT**

**WHEREAS**, the Crozet Master Plan describes downtown Crozet as the historical focal point for cultural and commercial activities in Crozet and the surrounding areas; and

**WHEREAS**, one of the findings and recommendations of the Crozet Master Plan is to focus on the redevelopment and invigoration of the downtown area; and

**WHEREAS**, the lands within downtown Crozet are currently within various zoning districts, and the regulations within those districts have been identified as imposing a number of impediments to the development and redevelopment of downtown Crozet in a manner consistent with the Crozet Master Plan; and

**WHEREAS**, two of the strategies recommended in the Crozet Master Plan to implement the Plan are to establish a zoning district specific to downtown Crozet having regulations specifically designed to be consistent with the Crozet Master Plan or to establish a zoning overlay district establishing regulations in addition to those imposed in the underlying zoning district; and

**WHEREAS**, the specific zoning regulations desired for downtown Crozet would include, but not be limited to, delineation of the uses allowed by right and by special use permit, including mixed-use developments and outdoor displays and activities, and establish regulations pertaining to maximum building height, building locations (including setbacks), parking, outdoor lighting and other issues deemed to be appropriate; and

**WHEREAS**, it is desired to amend the Albemarle County Zoning Ordinance to establish a downtown Crozet zoning district or zoning overlay district as described herein.

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

**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.

**CONDITIONS OF APPROVAL FOR PLANNING ITEMS**

Agenda Item No. 21. **SP 2006-012 Colonial Baptist Church Mission Building (Sign #29):**  
 PROPOSED: New building (80' x 50'), mission ministry/storage; additional driveway/parking/planting.  
 ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses;  
 residential density (0.5 unit/acre). SECTION: Section 10.2.2.35, Special Use Permit, church building.  
 COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal,  
 open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR:  
 Yes. LOCATION: 4218 Richmond Road. TAX MAP/PARCEL: 94/46. MAGISTERIAL DISTRICT:  
 Scottsville

1. Special Use Permit 2006-12 shall be developed in general accord with the concept plan dated May 23, 2006, prepared by SL Key Inc., and titled "Conceptual Plan Colonial Baptist Church Missions and Storage Building" (Attachment A). Important elements of the concept plan include the following:
  - The establishment and maintenance of the twenty (20) foot buffer along the western parcel boundary;
  - The preservation of the existing tree line outside the limits of construction as defined on the concept plan; the complete tree line outside the limits of construction shall be retained; and
  - The inclusion of tree protection details from the Virginia Erosion and Sediment Control Handbook.
2. A twenty (20) foot buffer shall be established and maintained along the western boundary of the parcel. There shall be no disturbance within that buffer. Tree protection /limits of construction shall be included on the site development plan as shown on the concept plan. Tree protection shall be provided prior to any site disturbance and in accordance with the Virginia Erosion and Sediment Control Handbook;
3. Print shop and mailing service shall be limited to the distribution of church related items;
4. Operators of the print shop shall be limited to a maximum of four (4);
5. Hours of operation of the print shop shall be limited to 7:00 am to 7:00 pm Monday through Friday;
6. Number of monthly deliveries by truck shall be limited to a maximum of twelve (12); and
7. Sanctuary and classroom expansion, or the addition of day care and other non-worship uses, will require amendment to this petition.

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Agenda Item No. 22. **SP-2006-013. Little Keswick School Dorm Amendment (Signs #23,24):**  
 PROPOSED: Construct building for dorm; use existing dorm for offices. ZONING CATEGORY/GENERAL  
 USAGE: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and  
 scenic resources/ density (0 .5 unit/acre). SECTION: 10.2.2(5) Private School. COMPREHENSIVE PLAN  
 LAND USE/DENSITY: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5  
 unit/acre). ENTRANCE CORRIDOR: No. LOCATION: 500 Little Keswick Lane; Rt. 731 1/20th of a mile  
 south of Rt. 22. TAX MAP/PARCEL: TM 80 Parcels 110A, 110A2, 112, 117A, 118, 119. MAGISTERIAL  
 DISTRICT: Rivanna.

1. Special Use Permit 2006-13 shall be limited to the construction of a maximum two (2)-story forty-five (45) foot by ninety-five (95) foot residential facility "New Dorm" for students enrolled in the Little Keswick School and for the conversion of the existing "Barn Dorm" to non-residential uses, such as office, recreational, storage, meeting area, or other similar uses. The "New Dorm" shall be located and developed in general accord with the concept plan, titled, "Little Keswick School, Concept Plan" (Attachment A) and dated June 22, 2006 (last revision date). However, the Zoning Administrator may approve revisions to the concept plan to allow compliance with the Zoning Ordinance;
2. Maximum enrollment of students shall be limited to thirty-five (35). Any increase in enrollment shall require an amendment to this special use permit and may require entrance improvements subject to Virginia Department of Transportation requirements;
3. The existing dorm, labeled "Barn Dorm" on the concept plan (Attachment A) shall be subject to review by the Building Official prior to conversion of the existing use to any other use; and
4. Construction of the dorm shall commence within five (5) years of the date of approval of the special use permit, SP-2006-013.

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Agenda Item No. 23. **SP-2006-014. SOCA Club Offices at South Fork Soccer Park (Sign #27):** PROPOSED: Amendment to SP 1998-018, which permitted creation of a club facility for soccer fields, to add temporary office facilities. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); FH -- Flood Hazard - Overlay to provide safety and protection from flooding. SECTION: 10.2.2.2: Clubs, lodges, civic, patriotic, fraternal. COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR: No. LOCATION: Polo Grounds Road, approximately 1.1 miles east of US 29. TAX MAP/PARCEL: 46-26C1. MAGISTERIAL DISTRICT: Rivanna.

1. Special Use Permit 2006-14 shall be developed in general accord with the concept plan, titled 'SOCA at South Fork New Offices at Existing South Fork Soccer Park' (Attachment A) and dated August 4, 2006. However, the Zoning Administrator may approve revisions to the concept plan to allow compliance with the Zoning Ordinance;
2. No exterior lighting shall be installed;
3. No loudspeakers or public address system shall be permitted;
4. No portion of any athletic field shall be located closer than seventy-five (75) feet to any lot line;
5. Compliance with the provisions of 5.1.16;
6. The vehicular entrance to the site shall be gated to prevent use of the site after hours and during flood events;
7. Water quality measures shall be provided to achieve water quality at least equivalent to pre-development conditions, subject to the approval of the Water Resources Manager;
8. Route 643, Polo Grounds Road, shall be upgraded with a minimum of 1.5 inches of SM-2A from Route 29 to the entrance of the soccer fields. This work shall be completed prior to the applicant making use of both SP-98-18/SP-98-22 [Soccer Fields] and SP 90-35 [Church]. The applicant may make use of one of the special use permits without the need to upgrade Route 643, Polo Grounds Roads;

9. The owner shall reserve a one hundred (100) foot wide strip of land the length of the property abutting the northern side of the Rivanna River for the Rivanna Greenway. The width of the reserved area shall be measured from the edge of the Rivanna River at its normal flow level. When the County decides to establish a public area or park, including canoe access, the owner shall dedicate the reserved area to the County and such property necessary for ingress and egress to the reserved area;
10. The applicant shall cooperate with the University of Virginia Department of Anthropology regarding development and further archaeological study of the site, specifically, the Applicant shall grant the Department permission to collect artifacts from any plowing or other soil disturbance of the site, and allow the Department to be present for the excavation of the French Drain on the western edge of the soccer field;
11. The use of the buildings shall be limited to restrooms, equipment storage, a concession counter, and offices for the soccer organization. The interior area of the new office structure shown on the concept plan shall not exceed one thousand (1,000) square feet;
12. The concession counter shall be open only during use of the soccer fields; and
13. A tot lot shall be provided.

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Agenda Item No. 25. **SP-2006-015. Monticello Memorial Gardens (Signs #33,38):**  
 PROPOSED: Expansion of existing, operating cemetery: additional road network; demolish four existing cottages. ZONING CATEGORY/ GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). SECTION: 31.2.4.1; 10.2.2 (32); Entrance Corridor Overlay District. COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre). ENTRANCE CORRIDOR: Yes. LOCATION: Jefferson Lake Drive off Thomas Jefferson Memorial Parkway (Route 53). TAX MAP/PARCEL: TM 77, Parcels 37, 34, 38C, 37A, 36, 36A, 36B, 35, 32A, 32B and 33. MAGISTERIAL DISTRICT: Scottsville.

1. Special Use Permit 2006-15 shall be developed in general accord with the concept plan revised July 12, 2006, prepared by Thomas B. Lincoln Land Surveyor, Inc. and titled "Monticello Memorial Gardens Expansion Concept Plan" (Attachment A) in conjunction with Attachments A.1, A.2, and A.3;
2. The operating hours of the cemetery shall be limited to 8:30 a.m. to 5:30 p.m. seven (7) days a week;
3. Employees shall be limited to eleven (11);
4. A minimum of eleven (11) parking spaces shall be provided for employees;
5. A twenty-five (25) foot wooded buffer shall be maintained on the property along the full length of I-64 that abuts the property. The twenty-five (25) foot buffer shall consist of existing wooded areas, which shall remain without disturbance, and currently unwooded areas that shall be planted with a mix of evergreen screening trees, staggered at fifteen (15) feet on center, minimum six (6) feet in height at planting;
6. There shall be no disturbance of critical slopes;
7. All indigenous trees twelve (12) inch caliper and above shall remain only within the areas of critical slopes defined by the shaded (cross hatched) areas in Attachment 2. Tree protection, as

defined by the Virginia Erosion and Sediment Control Handbook, shall be in place before any disturbance of the site adjacent to an area of critical slopes;

8. All exterior parcel boundaries shall include a twenty-five (25) foot setback for internment areas;
9. The entrance improvements shall be included as described in Attachment 3, pages 1 and 2, with the first phase of construction;
10. The driveway pavement in the area labeled, "section of pavement to be removed" on the concept plan (Attachment A) on Jefferson Lake Drive between the access road for TMP 77-22 and the cemetery shall be removed with the beginning of the first phase of development and replaced with topsoil and seeded with grass or turf grass;
11. All internal access ways shall be designed according to the minimum standards listed below:

	<u>Primary Access way</u>	<u>Minor Access way</u>
Pavement Width:	18 ft.	14 ft. (2-way), ft. (1-way)
Shoulder Width:	4 ft.	4 ft.
Grade:	less than 12% preferred, 16% max.	less than 12% preferred, 6% max.
Design Speed:	20 mph	10 mph
Centerline Radius:	120 ft.	50 ft. or more (usually dictated by sight distance)
Sight Distance:	Stopping: 125 ft. Intersection: 200 ft.	Stopping: 85 ft. Intersection: 100 ft.

12. County approval of a plat consolidating all parcels into one when the use begins.