

ACTIONS
Board of Supervisors Meeting of March 5, 2008

March 20, 2008

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 9:00 a.m. by the Chairman, Mr. Boyd. All BOS members were present. Also present were Larry Davis and Ella Jordan and Meagan Hoy. 	
<p>4. Recognitions:</p> <p>a. Proclamation recognizing March 2008 as Mediation Month.</p> <ul style="list-style-type: none"> • Presented to Cyndy Martin, Executive Director, Community Mediation Center of Charlottesville. <p>b. Resolution recognizing Monticello High School Football Team State Championship.</p> <ul style="list-style-type: none"> • Presented to Coach, staff and team members of Monticello High School. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p>
<p>5. From the Board: Matters Not Listed on the Agenda.</p> <p><u>David Slutzky:</u></p> <ul style="list-style-type: none"> • Brought up the issue of the number of dogs allowed to be housed in residential districts. Staff to come back with recommendations on the number of dogs that can be kept as pets in the growth area. This information will come back to the Board along with the information on the barking dog ordinance. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Would like to encourage bicycle riding to the County Office Building. • Encouraged the Board to bring in reusable cups for water instead of plastic bottles. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Mentioned the recent Supreme Court decision regarding funding mechanisms for the Northern Virginia Transit Authority. He does not think that decision will impact our efforts to create a local RTA. • At the last PACC meeting, there was a joint presentation by the City, County and UVA Environmental Departments about what each is doing to be more "green". If there is time on a future agenda, he would like for the entire Board to see the presentation. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Asked when the ordinance on stream buffers and mitigation was coming back, and was informed that it is scheduled on the March 12th agenda for discussion. • Mentioned that Bleak House Road is listed as a paving project on the County's list of unpaved roads; many of the residents do not want the road paved. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • VML has sent out a scoring mechanism for 	

	emissions; he asked that staff fill out the information.	
6.	<p>From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> Leonard Schoppa, Alliance for Community Choice in Transportation, or ACCT, expressed concerns about the number of pedestrian accidents on the east and west sides of Rio Road. Kip Newland of the Advanced Mills Neighborhood Association thanked the Board for their work on the safety of their neighborhood. He also gave suggestions to the Board that he believes would help to accelerate the Advanced Mills Bridge project. Gary Grant, resident of Bleak House Road, asked that the Board remove the remaining portion of this road from its list of unpaved road projects. Mary Laymen of Bleak House requested the road be paved for safety reasons. 	<p><u>Staff:</u> Work with ACCT and other organizations to come back with priority information regarding pedestrian crossings.</p>
7.2	<p>Resolution to accept road(s) in Massey's Woods Subdivision into the State Secondary System of Highways.</p> <ul style="list-style-type: none"> ADOPTED Resolution. 	<p><u>Clerk:</u> Forward signed resolution and Form AM-4.3 to Pam Shifflett/Glenn Brooks. (Attachment 3)</p>
7.3	<p>Resolution to accept FY 2006-07 landowners' offers to sell conservation easements.</p> <ul style="list-style-type: none"> ADOPTED the attached Resolution accepting the applicant's offers to sell conservation easements for the Strawberry Hill Farm and Clayton Farm to the County for the prices specified and subject to the terms and conditions contained in the proposed deeds of easement, and AUTHORIZED the County Executive to sign the final deed of easement for each property. 	<p><u>David Benish/Ches Goodall:</u> Proceed as directed. (Attachment 4)</p>
7.4	<p>Requested FY 2008 Appropriations.</p> <ul style="list-style-type: none"> APPROVED the budget amendment in the amount of \$96,937.00 and Appropriations #2008052, 2008053 and 2008054. 	<p><u>Clerk:</u> Forward copy of signed appropriation form to OMB, Finance and appropriate individuals.</p>
7.5	<p>Albemarle County Public Recreational Facilities Authority Request for Funding.</p> <ul style="list-style-type: none"> APPROVED an appropriation of up to \$5,000 to pursue an independent legal opinion on the potential violation of the Harris open-space easement on Turner Mountain. 	<p><u>Clerk:</u> Forward letter to Sherry Buttrick and Joseph Cochran informing them of the Board's actions.</p>
8.	<p>Advocates for a Sustainable Albemarle Population (ASAP) Scope of Work for the "Optimal Sustainable Population Size" Research Project</p> <ul style="list-style-type: none"> APPROVED, by a vote of 5:1 (Boyd) the appropriation of \$25,000 to ASAP for the purpose of undertaking Items 1, 2 and 3, as outlined in their work plan, with the condition that ASAP provide the Board with a draft of the completed study of those three items, for Board acceptance, prior to ASAP formally undertaking work on the remaining Items 4 through 7 in their work plan. 	<p><u>Clerk:</u> Forward letter to Jack Marshall of the Board's action.</p>

<p>9. Request to set public hearing to allow EMS Revenue Recovery.</p> <ul style="list-style-type: none"> • DIRECTED staff to schedule for additional discussion after Ms. Mallek and Mr. Boyd have had an opportunity to meet with the Volunteers. 	<p><u>Clerk:</u> Reschedule when ready to come back to Board.</p>
<p>10. Piedmont Virginia Community College (PVCC) Annual Presentation.</p> <ul style="list-style-type: none"> • RECEIVED. Dr. Freidman requested that the Board and City Council take action sometime this spring to transfer the Monticello Visitors Center to PVCC to be used as a Workforce Development Center. 	<p><u>County Executive:</u> Schedule on agenda when ready to come back to Board.</p>
<p>11. Board-to-Board, <i>Monthly Communications Report from School Board.</i></p> <ul style="list-style-type: none"> • RECEIVED. 	
<p>12. Albemarle County Service Authority/Rivanna Water and Sewer Authority Updates.</p> <ul style="list-style-type: none"> • RECEIVED, Mr. Fern updated the Board on the discharge piping in Crozet, the Service Authority budget process, North Pointe hook-ups and Albemarle Place hook-ups. Mr. Frederick updated the Board and shared that RWSA is in the budget process as well, progress is being made with the Meadow Creek Interceptor and the Comprehensive Sewer Study, the operating budget proposal, and the waste water collection system. 	
<p>13a. VDOT Monthly Report/Advance Mills Bridge Update.</p> <ul style="list-style-type: none"> • RECEIVED. • The Board received an update on the Advanced Mills Bridge and Durrett Ridge Road Improvements. 	
<p>13b. Transportation Matters not Listed on Agenda. <u>Mr. Rooker:</u></p> <ul style="list-style-type: none"> • Asked that Mr. Sumpter meet with Bill Letteri about the Georgetown Road Project. He would also like to see an overlay map showing existing easement information and right of way limits. 	
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> • At 12:03 p.m. the Board went into closed meeting to consider appointments to boards, committees, and commissions; to consider acquisition of real property necessary for a public safety facility; and to discuss with legal counsel and staff specific legal matters regarding a conservation easement. 	
<p>15. Certified Close Meeting.</p> <ul style="list-style-type: none"> • At 2:04 p.m., the Board reconvened into open session and certified the closed meeting. 	
<p>16. Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Teri Kent to the Rivanna Solid Waste Authority Citizen Advisory Committee, with said term to expire December 31, 2009. • APPOINTED Jason Woodfin to the Natural Heritage Committee, to fill an unexpired term which will end on September 30, 2009. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>

<ul style="list-style-type: none"> • REAPPOINTED Clarence W. Roberts and Stephen Smith to the Police Dept Citizens Advisory Committee, with said terms to expire March 5, 2010. • APPOINTED Justine Jackson to the Piedmont Workforce Network, said term to expire June 30, 2011. • APPOINTED Sue Goldman to the Piedmont Workforce Network, said term to expire June 30, 2009. • APPOINTED Wanda Kucera as the Scottsville District representative on the Board of Social Services, with said term to expire December 31, 2011. • REAPPOINTED Elton Oliver as the Scottsville District representative on the Industrial Development Authority, with said term to expire January 19, 2012. • APPOINTED James E. Colbuagh as the Scottsville District representative on the Albemarle County Service Authority, with said term to expire December 31, 2011. • APPOINTED John Martin as the White Hall District representative on the Albemarle County Service Authority, with said term to expire December 31, 2011. • REAPPOINTED Clarence Roberts as the Rivanna District representative on the Albemarle County Service Authority, with said term to expire December 31, 2011. • APPOINTED Constance "Owie" Samuels to the Region Ten Community Services Board, to fill an unexpired term which will end on June 30, 2009. 	
<p>17. Work Session: Six Year Secondary Road Program.</p> <ul style="list-style-type: none"> • HELD. • Directed staff to: <ul style="list-style-type: none"> • Move Rio Mills Road (Route 643) down after Dickerson Road • Move Dickerson Road (Route 606) from the second highest priority regular road paving project to the highest priority regular road paving project • Move Bleak House Road down on the priority list • Note the unfunded projects 	
<p>18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Suggested the Board send a letter to our Legislators regarding the elimination of transportation funding to localities. • Discussed Board member's attendance at the IMPACT meeting on March 10th. Since all Board members indicated that they would be attending the meeting, the Chairman will open and close the Board meeting so as to maintain 	<p><u>County Executive:</u> Prepare letter for Chairman's signature.</p>

<p>separation of church and government.</p> <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Represents the Board on the Piedmont Sustainable Woods. They are attempting to find a way to help people better manage their woods in a way that is profitable for the landowner and provides exotic woods for the homebuilder. • Serves on the High Growth Coalition and was busily involved with the proffer impact fee issue. She noted that a letter will be forthcoming from the Speaker of the House to counties regarding this issue. • The Historic Preservation Committee wants to increase its membership. Asked Board members to be thinking of people who have an interest and talent in different aspects of historic preservation. • The Rivanna River Basin Commission is moving along and doing some interesting studies about what is causing siltation of reservoirs and rivers. • The TJPDC is hosting a Regional Housing Conference on March 13, 2008. The conference is bringing together different professionals, developers and advocates to deal with housing issues. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • He has received information on the availability of dates for the VACo Regional Courthouse meeting. He will fill out the information, return it, and then let it come back to the Board from the organizers. • Discussed the Revenue Sharing Agreement with the City, and its budget impact on the County. 	
<p>Recess.</p> <ul style="list-style-type: none"> • The meeting recessed at 4:13 p.m. 	
<p>19. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 6:05 p.m. by the Chairman, Mr. Boyd. All BOS members were present. Also present were Larry Davis, Bob Tucker, and Ella Jordan. 	
<p>22a Recognition: Proclamation recognizing Virginia Festival of the Book.</p> <ul style="list-style-type: none"> • PRESENTED to Nancy Damon. 	(Attachment 5)
<p>23. From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Pastor Harold Bare, President of Hope Community Center asked the Board to join in their discussions in helping to make a difference in the lives of homeless people in the community. 	
<p>24. PUBLIC HEARING to receive comments on the County Executive's FY 2008/2009 Recommended Budget.</p> <ul style="list-style-type: none"> • HELD. 	
<p>25 Adjourn to March 10, 2008, 1:00 p.m., Room 241.</p>	

<ul style="list-style-type: none">• The meeting was adjourned at 8:25 p.m.	
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ewj/mrh

Attachment 1 – Proclamation - Mediation Month

Attachment 2 – Resolution - Monticello High School Football Team State Championship

Attachment 3 – Resolution - Massey’s Woods Subdivision

Attachment 4 - Resolution to accept FY 2006-07 landowners’ offers to sell conservation easements

Attachment 5 – Proclamation – Virginia Festival of the Book

MEDIATION MONTH

WHEREAS, *mediation is a process of dispute resolution that offers short-term and long-term benefits which ultimately promote harmony and understanding among a diverse and multi-faceted population; and*

WHEREAS, *mediation provides a cost-effective confidential alternative to litigation to resolve disputes between individuals, groups, and institutions throughout the County of Albemarle; and*

WHEREAS, *the County of Albemarle has sought to assist its citizens in the process of dispute resolution by recognizing programs that allow mediation participants to best decide the resolution of their dispute; and*

WHEREAS, *mediation is globally accepted as a way to creatively approach conflict through personal expressions, education and empowerment to decide among various outcomes;*

NOW, THEREFORE, BE IT RESOLVED, *that I, Kenneth C. Boyd, Chairman of the Board of Supervisors of Albemarle County, proclaim*

MARCH 2008
as
MEDIATION MONTH

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

RESOLUTION

- WHEREAS,** *Monticello High School is a Region II, Division 3 high school located in Albemarle County competing in the Jefferson District; and*
- WHEREAS,** *Monticello High School became the home of the Mustangs when it opened its doors in 1998; and*
- WHEREAS,** *the Monticello varsity football program began from scratch and in its first year had a record of zero wins and 12 losses; and*
- WHEREAS,** *under the able leadership of Coach Brud Bicknell and his fine assistants, the football program was built from the bottom up, laying the foundation for present and future successes; and*
- WHEREAS,** *the Monticello Mustangs have been to four playoffs in their short history; and*
- WHEREAS,** *whereas Coach Bicknell and his assistants have achieved an enviable record of 69 wins and 40 losses during the past ten years, but more importantly have instilled in their players good character, good sportsmanship and athletic excellence; and*
- WHEREAS,** *the Monticello Mustangs won their first state football championship on December 8, 2007 by defeating defending state champion Richlands Blue Tornadoes 35-22 at Liberty University in Lynchburg, Virginia, and ending its season with a record of 13 wins and one loss;*

NOW, THEREFORE, BE IT RESOLVED *that the Albemarle County Board of Supervisors hereby recognizes, commends and congratulates the Monticello principal, athletic director, coaches and student-athletes for their contributions to the football program at Monticello High School and their leadership in setting the high standard for excellence both on and off the football field:*

Principal, Billy Haun; Athletic Director, Fitzgerald Barnes; Head Coach, Brud Bicknell, Assistant Coaches: Steve Ivory, Tom Estep, Tom Sutliff, William Maddox, Wilbur Young and Rodney Redd.

2007 Varsity Football Team: *Richard Aguilar, Steven Ankney, Garrett Banks, Hines Banks, Derek Belew, Chris Black, Jace Brady, Mark Brady, Alex Brown, Whitley Brown, Gyasi Carr-Holland, Ivan Childress, Yanek Childress, Chris Coiner, Naseer Conway, Trent Dorsey, Tommy Draper, Mike Evangelista, Brandon Garland, Harrison Goynes, Michael Graham, Josh Guskind, Takeem Hedgeman, Tyler Herring, Nathan Irving, Darrick Johnson, Derrick Johnson, Zane Johnson, Sylvester Jordan, Dylan Kavanagh, Brian Koonce, Daniel Lieb, Shawn Lively, Anthony Matos, Shawn Mays, Jake Miles (Captain), Marvin Mills, Tyler Mitchell, Michael Monroe, Robert Moorhead, Dennis Morris, Jermaine Morris, Zach Palmer, Jacob Pelton, Nic Rogers, Sam Roller, Nolan Rowland, Corey Rush, Emmanuel Scott, Ethan Shiflett, John Spauls, Roosevelt Thomas, William Thompson, Bobby Wells-Trice, Lawrence Walker, Khiry Washington, Clarence Williams, Shawn Winfrey, Matt Workman, Michael Wynnyk and Wheeler Young.*

ATTACHMENT 3

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 5th day of March 2008, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Massey's Woods Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 5, 2008**, 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 **Massey's Woods Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 5, 2008**, to the secondary system of state highways, pursuant to §33.1-229 and §33.1-82, 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.

**RESOLUTION ACCEPTING OFFER TO SELL
A CONSERVATION EASEMENT UNDER THE ACE PROGRAM**

WHEREAS, the County has received an offer to sell a conservation easement under the ACE Program from the owner(s) of each of the following properties:

- Strawberry Hill Farm** TM 50, Parcel 45 (329.920 acres)
- Clayton Farm** TM 56, Parcel 69 (228.500 acres)

WHEREAS, the owner(s) offered to sell a conservation easement on the respective properties to the County for a fixed purchase price, subject to terms and conditions set forth in the proposed deed of easement enclosed with the County’s invitation to offer to sell, subject to any further revisions deemed necessary by the County Attorney, and agreed to by the owner; and

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors hereby accepts the offer to sell a conservation easement for each of the properties described above, and authorizes the County Executive to execute all documents necessary for completing the acquisitions.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the County Attorney to send copies of this resolution to the owner(s) of the properties identified herein, or their contact persons.

VIRGINIA FESTIVAL OF THE BOOK

WHEREAS, Albemarle County is committed to promoting reading, writing, and storytelling within and outside its borders; and

WHEREAS, our devotion to literacy and our support of literature has attracted over 1,000 writers and tens of thousands of readers to our VIRGINIA FESTIVAL OF THE BOOK; and

WHEREAS, the VIRGINIA FESTIVAL OF THE BOOK celebrates the power of books and publishing; and

WHEREAS, businesses, cultural and civic organizations, and individuals have contributed to the ongoing success of the VIRGINIA FESTIVAL OF THE BOOK; and

WHEREAS, the citizens of the County of Albemarle and Virginia, and the world, have made the VIRGINIA FESTIVAL OF THE BOOK the best book festival in the country;

NOW, THEREFORE, I, Kenneth C. Boyd, Chairman, on behalf of the Albemarle Board of County Supervisors, do hereby proclaim Wednesday, March 26, 2008 through Sunday, March 30, 2008 as the Fourteenth Annual

VIRGINIA FESTIVAL OF THE BOOK

and encourage community members to participate fully in the wide range of available events and activities.