

ACTIONS
Board of Supervisors Meeting of October 1, 2008

October 13, 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 9:01 a.m. by the Chairman, Mr. Boyd. All BOS members were present. Also present were Bob Tucker, Larry Davis, Ella Jordan and Meagan Hoy. 	
<p>4. Recognitions:</p> <p>a. VACo Annual Achievement Award.</p> <ul style="list-style-type: none"> • Chairman recognized the County's Public Participation Planning Program and Intranet Site for being awarded a 2008 Achievement Award by VACo. Ted McCormack, Director of Community Affairs for VACo, presented the Achievement Award. <p>b. Energy Star Award.</p> <ul style="list-style-type: none"> • Chairman announced that the County Office Building has earned the U.S. EPA's ENERGY STAR. He recognized Sarah Temple and George Shadman for their leadership and dedication to achieving the energy saving totals. <p>c. Recognized Dennis Rooker for his ten years of service to the County.</p>	
<p>5. From the Board: Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Updated the Board on the Community Food Project, and asked about Albemarle County's possible involvement in a food policy council. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Updated the Board on the RTA small working group. • Mentioned an article in the Loudoun Times about illegal signs in the right of way. They are seeking authority from VDoT to remove the signs from the right of way. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Thanked Charlottesville Tomorrow for broadcasting Mr. Boyd's WINA interview. • Sketches of the Crozet Library are available with her or Ms. Mallek if anyone would like to see them. • The Historic Preservation Committee will be coming to the Board and asking them to adopt an ordinance. • Thanked the Convention and Visitors Bureau for the information they sent her on requirements to be included in historic preservation publications. • Asked about the staff poverty work group that was going to be formed, and when the Board might receive an update. • She is helping to review applications for the Executive Director position at TJPDC. 	

	<ul style="list-style-type: none"> This weekend, she will attend a Chesapeake Bay Watershed Forum. They are aiming for zero runoff from construction sites. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> Updated the Board on the Darden Towe softball field lighting community meeting he held. 	
6.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> There were none. 	
7.2	<p>Resolution to Fix Compensation for Albemarle County Service Authority Board Members.</p> <ul style="list-style-type: none"> ADOPTED the attached resolution. 	<p><u>Clerk:</u> Forward copy of adopted resolution to Gary Fern, ACSA, and County Attorney's Office. (Attachment 1)</p>
7.3	<p>Resolution Supporting National Byway All-American Road Designation for Route 20, Route 22 and Route 231.</p> <ul style="list-style-type: none"> SET public hearing for October 8, 2008. 	<p><u>Clerk:</u> Advertise and schedule on October 8th agenda.</p>
7.4	<p>Resolution Supporting Virginia Byway Designation for Route 53, Route 729 (Milton Road) and portions of Route 20 and Route 250.</p> <ul style="list-style-type: none"> SET public hearing for October 8, 2008. 	<p><u>Clerk:</u> Advertise and schedule on October 8th agenda.</p>
7.5	<p>Resolution Supporting State Scenic River designation for the South Fork of the Rivanna River and the Rivanna River from the South Fork Rivanna River Reservoir Dam to the site of the former Woolen Mills Dam.</p> <ul style="list-style-type: none"> ADOPTED the attached resolution as amended at the Board meeting. 	<p><u>Clerk:</u> Forward copy of adopted resolution to County Attorney's Office and David Benish. <u>David Benish:</u> Forward resolution to appropriate individuals. (Attachment 2)</p>
7.6	<p>Resolution to accept the abandonment of Route 640 (Turkey Sag Road) in the State Secondary Road System.</p> <ul style="list-style-type: none"> REMOVED from agenda. 	<p><u>Clerk:</u> Reschedule on agenda when ready to come back.</p>
7.7	<p>Resolution to Endorse Pedestrian Bridge Project in the City of Charlottesville.</p> <ul style="list-style-type: none"> ADOPTED the attached resolution. 	<p><u>Clerk:</u> Forward copy of adopted resolution to Chris Gensic and Jeanne Cox. (Attachment 3)</p>
7.8	<p>FY 2008 Appropriations.</p> <ul style="list-style-type: none"> APPROVED budget amendment in the amount of \$520,238.79 and APPROVED FY 2008 Appropriations #2008084, #2008085, and #208086. 	<p><u>Clerk:</u> Forward signed appropriations to Finance and appropriate individuals.</p>
7.9	<p>Destruction of FY 2003 Paid Personal Property Tax Receipts.</p> <ul style="list-style-type: none"> AUTHORIZED the destruction of the FY 2003 paid tax receipts. 	<p><u>Clerk:</u> Forward signed Certificate of Records Destruction Form to Finance.</p>
7.10	<p>Set Dates related to development of FY 09/10 Budget Calendar.</p> <ul style="list-style-type: none"> ADOPTED the preliminary budget calendar as set forth in Attachment A to the Executive Summary. 	<p><u>OMB:</u> Proceed with adopted schedule. (Attachment 4)</p>
8.	<p>James Utterback, VDOT Culpeper District Administrator.</p> <ul style="list-style-type: none"> RECEIVED. 	
9.	<p>Board-to-Board, <i>Monthly Communications Report from School Board</i>, School Board Chairman.</p> <ul style="list-style-type: none"> RECEIVED. 	
10.	<p>ACSA Quarterly Update, Gary Fern. RWSA Quarterly Update, Tom Frederick.</p>	

	<ul style="list-style-type: none"> • RECEIVED. 	
11.	<p>2009 Thomas Jefferson Planning District Commission (TJPDC) Legislative Program.</p> <ul style="list-style-type: none"> • APPROVED the draft 2009 TJPDC Legislative Program, changing the first bullet under the Transportation Funding section to read “Legislative support for enabling authority to establish governance and funding mechanisms for a Regional Transit Authority for Charlottesville/Albemarle.” 	David Blount: Proceed as directed.
12.	<p><u>PUBLIC HEARING: PROJECT: SP-2008-018. Rosewood Village Rehab Services – Greenbrier.</u></p> <ul style="list-style-type: none"> • APPROVED SP-2008-018, by a vote of 6:0, subject to the two conditions recommended by staff. 	Clerk: Set out conditions of approval in (Attachment 5)
13.	<p><u>PUBLIC HEARING: PROJECT: SP-2008-019. Rosewood Village Rehab Services - Hollymead Town Center.</u></p> <ul style="list-style-type: none"> • APPROVED SP-2008-019, by a vote of 6:0, subject to the two conditions recommended by staff. 	Clerk: Set out conditions of approval in (Attachment 5)
14.	<p><u>PUBLIC HEARING: PROJECT: SP-2008-021. Co-Construct Home Occ B. (Sign #47).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2008-021, by a vote of 6:0, as modified at the Board meeting. 	Clerk: Set out conditions of approval in (Attachment 5)
15.	<p><u>PUBLIC HEARING: To amend the Albemarle County Service Authority jurisdictional areas for Robert and Carolyn Michie.</u></p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, a request to amend the ACSA jurisdictional area for water only to existing structures on Tax Map 79, Parcels 17 and 17C and one new residence Tax Map 79, Parcel 17C (for a total of three residences served on the two parcels). 	David Benish: Proceed as approved.
At 11:50 a.m., the Board took a brief recess, and reconvened at 12:03 p.m.		
16.	<p><u>PUBLIC HEARING: To amend the Albemarle County Service Authority jurisdictional areas for Kirtley Property/ University of Virginia.</u></p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, a request to amend the jurisdictional area designation for water and sewer service for Tax Map 59, Parcel 23B1 conditional upon a tree preservation plan being completed and approved for the trees located in the area along the north side of the Northridge Building site and part of the Kirtley Warehouse site that would be retained as a result of this jurisdictional area amendment as part of the final site plan approval for the LTACH Building. 	David Benish: Proceed as approved.
17.	<p><u>PUBLIC HEARING: FY 2009 Budget Amendment.</u></p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, FY 2009 budget amendment in the amount of \$3,635,401.00 after the public hearing, and APPROVED Appropriations #2009019, #2009020, #2009021, #2009022, #2009023, #2009024, #2009029, and #2009030 to provide funds for 	Clerk: Forward signed appropriations to Finance and appropriate individuals.

	various local government, school, ECC, and capital projects and programs. (Note: The Board did not approve Form #2009025.)	
18.	<p><u>PUBLIC HEARING: Revalidation Ordinance Amendment.</u></p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, Ordinance No. 08-15(2) to implement the revalidation program. 	<u>Clerk:</u> Forward copy of adopted ordinance to Finance and County Attorney's Office. (Attachment 6)
19.	<p><u>PUBLIC HEARING: Transient Occupancy Tax Ordinance Amendment.</u></p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, Ordinance No. 08-15(1). 	<u>Clerk:</u> Forward copy of adopted ordinance to Finance and County Attorney's Office. (Attachment 7)
20.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> • At 12:35 p.m. the Board went into closed meeting to consider appointments to boards, committees, and commissions; to evaluate the performance of a County Department which requires the discussion of the performance of a specific individual; to consult with legal counsel and staff regarding specific legal matters requiring legal advice regarding agreements necessary to implement a funding source for public safety services; to consult with legal counsel and staff regarding specific legal matters requiring legal advice regarding regional authorities; and to consult with legal counsel and staff regarding specific legal matters requiring legal advice regarding the renegotiation of the terms of a lease. 	
21.	<p>Certified Closed Meeting.</p> <ul style="list-style-type: none"> • At 2:08 p.m., the Board reconvened into open session and certified the closed meeting. 	
22.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Scott Huang to the Jordan Development Corporation, with said term to expire August 13, 2009. • REAPPOINTED Wallace McKeel to the Jefferson Area Board on Aging (JABA), with said term to expire October 20, 2010. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.
	<p>NonAgenda. By a vote of 6:0, the Board voted to AUTHORIZE the County Executive to enter into an amended lease with the Thomas Jefferson Foundation, Inc. that will: 1. terminate the lease for the Visitors' Center property located at 600 College Drive effective January 31, 2009; and 2. reduce the rent paid by the Thomas Jefferson Foundation, Inc. from \$5,644.54 per month to \$2,822.27 per month effective October 1, 2008.</p>	<u>County Executive:</u> Proceed as authorized.
23a.	<p>VDOT Monthly Report. Allan Sumpter updated Board members on issues in their districts:</p> <ul style="list-style-type: none"> • Have started tracking pedestrian improvements. • Moving forward with signal installations. • Anticipate Burnley Station Road signal being operational around end of November to the beginning of December. • Regarding illegal signs in right-of-way, the 	

<p>draft agreement is still in the Attorney General's office. Given the ruling of the Attorney General's office, VDoT is approaching political signs very carefully. They are insisting that signs that affect sight distance be addressed immediately. Upper VDoT management has appealed the AG's office decision and asked for reconsideration. Board members asked that they be kept up-to-date on any decisions.</p> <ul style="list-style-type: none"> • Dry Bridge reopened this morning. VDoT's Bridge Office will assess the weight limit to determine proper posting. • Regarding Advance Mills Bridge, VDoT has received authorization to begin the right-of-way and utility relocation phase. All funding is in place. They are moving along on schedule. 	
<p>23b. Transportation Matters not Listed on Agenda. <u>David Slutzky:</u></p> <ul style="list-style-type: none"> • Include in next month's report a review of the light at Rio Road and Northfields Road. There is a problem with the sequencing of the light. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • When VDoT repaved and repainted the slip lane into the former White's grocery, near the big parking lot at Earlsville Forest Road, the lane was painted solid white instead of dotted lines, and is causing some confusion. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • She and Mr. Sumpter have been working on White Mountain Road. The project will consist of surface hardening in a couple of places, not total pavement. <p><u>Alan Sumpter:</u></p> <ul style="list-style-type: none"> • In response to Mr. Rooker's question about how his department will be impacted by proposed budget cuts, Mr. Sumpter said every employee will probably be impacted in some manner. He commented that each State agency head was asked to prepare five, ten and fifteen percent budget cut scenarios. 	<p><u>Clerk:</u> Forward comments to Allan Sumpter.</p>
<p>23c. Ashcroft Traffic Calming Resolution.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached resolution. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's Office. (Attachment 8)</p>
<p>23d. Primary Road Improvement Priorities.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the recommended priorities for primary road system improvements as amended at the meeting. 	<p><u>Juan Wade/David Benish:</u> Proceed as approved. (Attachment 9)</p>
<p>24. Eastern Connector Alignment Study.</p> <ul style="list-style-type: none"> • RECEIVED. Consensus to refer this matter to the MPO to discuss with the City the appropriate next step. 	
<p>25. Voting Credentials for VACo Annual Business Meeting.</p> <ul style="list-style-type: none"> • APPOINTED Ann Mallek as the delegate and Sally Thomas as the alternate to cast votes on 	<p><u>Clerk:</u> Forward voting Credentials Form to VACo.</p>

	behalf of the Board of Supervisors at VACo's Annual Business Meeting.	
26.	From the Board: Committee Reports and Matters <ul style="list-style-type: none"> • There were no other matters. 	
	At 4:10 p.m., the Board recessed, and then reconvened in Room 241 for a joint meeting with the School Board at 4:30 p.m.	
27b.	Joint Meeting with School Board: Discussion: Total Compensation Report. <ul style="list-style-type: none"> • HELD discussion. Took no action. Consensus to hold another joint meeting in about a month. 	
28.	Adjourn to October 8, 2008, 3:00 p.m., Room 241. <ul style="list-style-type: none"> • The meeting was adjourned at 5:54 p.m. to October 8, 3:30 p.m., in Room 241. 	

/mrh

- Attachment 1 – Resolution to Fix Compensation for Albemarle County Service Authority Board Members
- Attachment 2 – Resolution Supporting State Scenic River designation for the South Fork of the Rivanna River and the Rivanna River from the South Fork Rivanna River Reservoir Dam to the site of the former Woolen Mills Dam
- Attachment 3 – Resolution to Endorse Pedestrian Bridge Project in the City of Charlottesville
- Attachment 4 – FY 09/10 Budget Calendar
- Attachment 5 – Conditions of Approval on Planning Items
- Attachment 6 – Revalidation Ordinance
- Attachment 7 – Transient Occupancy Tax Ordinance
- Attachment 8 – Ashcroft Traffic Calming Resolution
- Attachment 9 – Primary Road Improvement Priorities

**RESOLUTION TO FIX COMPENSATION
FOR ALBEMARLE COUNTY SERVICE
AUTHORITY BOARD MEMBERS**

WHEREAS, Section 15.2-5113(C) of the Virginia Water and Sewer Authorities Act provides that Service Authority Board members shall receive such compensation as fixed by resolution of the governing body or bodies which are members of the authority; and

WHEREAS, the Albemarle County Service Authority (ACSA) Board has requested that the compensation of Board members be increased to \$150.00 per meeting attended in recognition of the increasing complexity of the management, environmental and other issues facing the Authority, and in keeping with present-day compensation for board members among other Western Virginia water authorities; and

WHEREAS, compensation of ACSA Board members has not increased since 1997; and

WHEREAS, the ACSA Board compensation increase in 1997 was not fixed by a resolution of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby affirms and ratifies the compensation of Albemarle County Service Authority (ACSA) Board members for the period beginning July 1, 1997 through September 30, 2008 at \$100.00 per regular meeting attended and \$50.00 for each additional meeting attended per month; and

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors hereby fixes the compensation of Albemarle County Service Authority (ACSA) Board members at \$150.00 per meeting effective October 1, 2008. Such compensation shall be adjusted annually on April 1st by the percentage increase in the Consumer Price Index (CPI). Such compensation shall be further reviewed every five years.

**RESOLUTION TO SUPPORT STATE SCENIC RIVER DESIGNATION
FOR THE SOUTH FORK OF THE RIVANNA RIVER AND THE RIVANNA RIVER
FROM THE SOUTH FORK RIVANNA RESERVOIR DAM
TO THE SITE OF THE FORMER WOOLEN MILLS DAM**

WHEREAS, the Code of Virginia, pursuant to Title 10.1, Sections 10.1-400 through 10.1-418, provides for a “Scenic Rivers Act” under the jurisdiction of the Virginia Department of Conservation and Recreation; and

WHEREAS, the portion of the Rivanna River from the Woolen Mills dam to the Fluvanna County line is now designated as a State Scenic River; and

WHEREAS, the Albemarle County Comprehensive Plan, as adopted by the Board of Supervisors, recognizes this existing designation and supports a strategy to pursue additional designations for rivers meeting state criteria; and

WHEREAS, designation of this additional portion of the Rivanna River as a Scenic River would recognize the quality and value of this natural and scenic resource throughout its length from the South Fork Rivanna reservoir dam to the Fluvanna County line; and

WHEREAS, on October 31, 2007 by letter to John R. Davy, Director of the Division of Planning and Recreation Resources, the Albemarle County Executive has requested that the Virginia Department of Conservation and Recreation conduct a study of this portion of the Rivanna River to determine its potential as a State Scenic River; and

WHEREAS, on July 17, 2008 by letter to the Albemarle County Executive, John R. Davy, Director of the Division of Planning and Recreation Resources has declared that this portion of the Rivanna River was found to qualify as an extension of the existing designated portion of the Rivanna.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby expresses its support for the designation of the Rivanna River from the base of the South Fork Rivanna River reservoir dam to the junction of the South Fork and the North Fork of the Rivanna River (a distance of approximately three miles) and the Rivanna River from the junction of the two forks to the site of the former Woolen Mills dam (a distance of approximately six miles) as a “Scenic River” pursuant to the Scenic Rivers Act, Virginia Code Section 10.1-400 *et seq.*, provided that the designation shall not preclude the Commonwealth or a local governing body from constructing or reconstructing any road or bridge.

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors does hereby respectfully request that the members of the Albemarle County legislative delegation introduce designation legislation to the Virginia General Assembly for approval and designation in the 2009 session.

**RESOLUTION TO ENDORSE PEDESTRIAN BRIDGE PROJECT
IN THE CITY OF CHARLOTTESVILLE**

WHEREAS, the City of Charlottesville and the Charlottesville-Albemarle Metropolitan Planning Organization (“MPO”) have endorsed a Transportation Enhancement Project in the City of Charlottesville; and

WHEREAS, the project will add a much needed pedestrian bridge to connect the eastern and western portion of McIntire Park that is cleaved by a railroad line, and

WHEREAS, the project will expand the City of Charlottesville’s pedestrian and bicycle network and is the highest remaining priority in the City’s Bike Master Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors requests the Commonwealth Transportation Board to establish a project toward the design and construction of a bike and pedestrian commuter bridge, as more specifically described in Exhibit A [attached].

FY 09/10 OPERATING BUDGET CALENDAR

August 2008

- 13 Operating budget instruction manual and forms posted to budget site
- 22 CIP project requests due to OMB
- 29 Community agency applications distributed

October 2008

- 1 Joint Compensation meeting with School Board
- 17 Department budget submissions due to OMB

November 2008

- 5 Preliminary FY 09/10 revenue projections, school allocation, and capital transfer estimates to the Board of Supervisors (BOS)
- 5 BOS Work Session – Five Year Financial Plan
- 12 BOS Work Session – Five Year Financial Plan
- 12 CIP project information to Oversight Committee
- 14 Community agency applications due to OMB
- 17 CIP Oversight Committee Meeting #1
- 24 CIP Oversight Committee Meeting #2
- 26 CIP Oversight Committee Meeting #3 (if needed)

December 2008

- 3 BOS Work Session – Five Year Financial Plan
- 10 Oversight Committee CIP Recommendation to Joint meeting of BOS/School Board
- 19 Special revenue fund requests due to OMB

January 2009

- 27 General fund and local government special revenue funds balanced

February 2009

- 18 County Executive's Recommended Budget document published
- 25 Public hearing on the County Executive's Recommended Budget

March 2009

- 2 BOS Work Session – General Government
- 4 BOS Work Session – School Division
- 9 BOS Work Session – CIP
- 11 BOS Work Session (if needed)
- 18 Deadline for setting tax rate for public hearing
- 25 Advertise tax rate for April public hearing

April 2009

- 1 Public Hearing on the 2009 calendar year tax rate
- 1 Public Hearing on the FY 09/10 Proposed Operating and Capital Budgets
- 6-10 Spring Break
- 8 BOS adopts FY 09/10 budget
- 8 BOS adopts the 2009 calendar year tax rate

June 2009

- 3 BOS approves the FY 09/10 Appropriation Resolution

PROJECT: SP-2008-018. Rosewood Village Rehab Services – Greenbrier.

1. This special use permit authorizes an assisted living facility;
 2. Maximum usage is limited to ninety (90) residents in the facility; and
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PROJECT: SP-2008-019. Rosewood Village Rehab Services - Hollymead Town Center.

1. This special use permit authorizes an assisted living facility;
 2. Maximum usage is limited to ninety-six (96) residents in the facility; and
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PROJECT: SP-2008-021. Co-Construct Home Occ B. (Sign #47).

1. This Home Occupation, Class B, as described in the application, replaces Home Occupation, Class A (HO 2005-00260);
2. There will be no more than two (2) employees, other than members of the immediate family living on the premises;
3. The Home Occupation will not use more than five hundred (500) square feet of the home at 1814 Clay Drive; and
4. There will be no customer/client visits.

ORDINANCE NO. 08-15(2)

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE VIII, SPECIAL ASSESSMENTS FOR AGRICULTURAL, HORTICULTURAL, FOREST OR OPEN SPACE REAL ESTATE, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article VIII, Special Assessments for Agricultural, Horticultural, Forest or Open Space Real Estate, is hereby amended and reordained as follows:

By Amending:

Sec. 15-803 Same--Processing; continuation of assessment, etc.; fees

CHAPTER 15. TAXATION

**ARTICLE VIII. SPECIAL ASSESSMENTS FOR AGRICULTURAL,
HORTICULTURAL, FOREST OR OPEN SPACE REAL ESTATE**

Sec. 15-803 Same--Processing; continuation of assessment, etc.; fees.

A. The application fee due under this article shall be figured at fifteen cents (\$0.15) per acre on total acreage with the minimum charge of fifteen dollars (\$15.00) per individual application and shall be paid to the director of finance of the county. However, where a landowner is required to file a new application under this article because the use or acreage of such land previously approved has changed, the application fee for each reapplication shall be fifteen dollars (\$15.00).

B. The tax for the next succeeding tax year for property qualifying under this article shall be based on the use value recorded in the Land Use Tax Assessment Book.

C. Continuation of valuation, assessment and taxation under this article shall depend on the continuance of the real estate in the use for which classification is granted, continued payment of taxes as referred to in Virginia Code § 58.1-3235, continued revalidation every second tax year as provided in subsection (D) below, and compliance with the other requirements of this article and Article 4 of Chapter 32 of Title 58.1 of the Code of Virginia, and not upon continuance of the same owner of title to the land.

D. A parcel's eligibility for use value assessment shall be revalidated every two years during the second tax year of each two-year revalidation cycle. A revalidation form shall be filed with the local assessing officer on or before September 1 of the year preceding the two-year period for which the revalidation is sought, on forms prepared by the county. A separate revalidation form shall be filed for each parcel receiving a use value assessment. Late filing of a revalidation form may be made on or before December 5 of the year preceding the two-year period for which the revalidation is sought, upon payment of a late filing fee of one hundred twenty-five dollars (\$125.00).

(8-23-73; 12-20-73; 7-17-75; 7-2-86; 4-13-88; Code 1988, § 8-34; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 58.1-3234.

This ordinance shall be effective on and after January 2, 2009

ATTACHMENT 7

ORDINANCE NO. 08-15(1)

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE IX, TRANSIENT OCCUPANCY TAX, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article IX, Transient Occupancy Tax, is hereby amended and reordained as follows:

By Amending:

Sec. 15-901 Imposed; amount of tax

CHAPTER 15. TAXATION

ARTICLE IX. TRANSIENT OCCUPANCY TAX

Sec. 15-901 Imposed; amount of tax.

A. There is hereby imposed a tax on the occupancy of all rooms or spaces in hotels, motels, boarding houses and travel campgrounds within the county. Such tax shall be assessed at the rate of five percent (5%) of the amount charged for such occupancy; provided, however, that nothing herein shall be construed as imposing any tax upon rooms or spaces rented for continuous occupancy to the same person or group of persons for thirty (30) or more days in hotels, motels, boarding houses, or travel campgrounds.

B. The revenues collected from that portion of the tax over two percent (2%) shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, attract travelers to the county and generate tourism revenues in the county.

(11-28-73; 8-15-74; 4-13-88; 3-19-97; § 8-41; Code 1988, § 8-42, Ord. No. 98-8(2), 6-10-98; Ord. 98-A(1), 8-5-98; Ord. 08-15(1), 10-1-08)

State law reference--Va. Code § 58.1-3819.

**RESOLUTION TO SUPPORT TRAFFIC CALMING MEASURES
ON LEGO DRIVE (ROUTE 1090)
IN THE ASHCROFT SUBDIVISION**

WHEREAS, speeding has been identified as a major concern of the residents of Ashcroft Subdivision; and

WHEREAS, the County of Albemarle Police Department has conducted a speed study in the Ashcroft Subdivision, which confirmed that a speeding problem exists on Lego Drive (Route 1090); and

WHEREAS, the Virginia Department of Transportation has reviewed and concurs with the speed study; and

WHEREAS, a strategically placed speed hump and speed table on Lego Drive (Route 1090) would encourage slower speeds; and

WHEREAS, a median placed at the end of the cul-de-sac at the Ashcroft clubhouse would further encourage slower speeds.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Albemarle County, Virginia requests the Virginia Department of Transportation to construct a speed hump, a speed table and a median as recommended in the Lego Drive Traffic Calming Plan dated August 3, 2007.

**ALBEMARLE COUNTY RECOMMENDED PRIORITIES FOR SYIP,
FOR PRIMARY ROAD, TRANSIT AND ENHANCEMENT IMPROVEMENTS
(OCTOBER, 2008)**

The following are Albemarle County's priorities for each federal funding allocation and each sub-allocation of the Surface Transportation Program (STP) funds. **Attachment A** provides a more detailed explanation of the priority projects.

I. Surface Transportation Program (STP Projects)

Undertake projects in The CHART–UNJam 2025 Regional Transportation Study (adopted May 3, 2004). These include:

1. Construct Meadow Creek Parkway from Route 250 Bypass to Rio Road, including the interchange at the Route 250 Bypass. The CTB should make every effort to provide adequate funding and resources to maintain the current construction schedule;
2. Improvements to Route 29 North Corridor:
 - a. Funding of 29H250 Phase II Study, Option B design recommendations. These improvements include an extra ramp lane on Route 29 North onto the Route 250 Bypass and an extra lane on Route 29 from Hydraulic Road (in the City);
 - b. Widening improvements to Route 29 North--construct third lane on northbound and southbound lanes, from South Fork Rivanna River;
 - c. Construct Hillsdale Drive extension from Hydraulic Road to Greenbrier Drive in the City of Charlottesville; and
 - d. Construct Berkmar Drive extension including the Berkmar Bridge across the Rivanna River.
3. Widening of Route 20 South, from I-64 to Mill Creek Drive, including bike lanes and sidewalks.
4. Improvements to Route 250:
 - a. Improve two intersections on Route 250 West: the Tilman Road Intersection (Route 676) and the Owensville Road intersection (Route 678). Otherwise, maintain the current two-lane road configuration from the Bypass to Yancey Mills;
 - b. Improve Route 250 East corridor as recommended in the Pantops Neighborhood Plan (improvements to interchange, pedestrian crossings, widening to no more than six lanes, parallel road and new bridge/crossing at Rivanna River); and
 - c. Improve Route 250 West from Emmet Street to the Route 29/250 Bypass.
5. Improve Route 240 in accord with the recommendations of the Crozet Master Plan:
 - a. Implement sidewalk plan (per Downtown Sidewalk and Parking Study and Crozet Master Plan);
 - b. Create bike lanes to and in downtown;
 - c. Construct Eastern Avenue, to include the Lickinghole Bridge and a railroad crossing; and
 - d. Construct Main Street east from Crozet Avenue.
6. Widen Route 20 North, from Route 250 to Elks Drive/Fontaine Drive intersection, including bike lanes and sidewalks.
7. Undertake improvements recommended in the Southern Urban Area B Study, including improvements to Fontaine Avenue and construction of Fontaine Avenue to Sunset Avenue connector road.
8. Improve two intersections on Route 20 (Valley Street) in Scottsville: the Warren Street intersection and the Hardware Street intersection.

II. Transit Improvements

1. Regional Transit Authority - Funding to support establishing a regional transit entity with expanded service to Albemarle County and Charlottesville.
2. Expand Existing Service - Funding to expand existing transit service capacity for CTS, JAUNT, RideShare, including capital projects to enhance capital operations (such as bus pull-outs, shelters, etc.).
3. Funding for Transit Operational Costs - Fully fund the State's existing formula share of transit operating costs or provide fuel subsidies in the face of rapidly escalating fuel costs.

4. Inter-City Rail – Improve and increase inter-city rail service to Albemarle County. The County continues to support the funding and implementation of the TransDominion Express as a means to provide improved inter-city rail service within the State.

III. Bridge Projects

Bridge priorities identified by Albemarle County, VDOT Local and District Offices.

1. Route 743, Advance Mill at North Fork Rivanna
2. Rt. 250 East over the railroad near Rt. 729.
3. Route 708, Dry Bridge Road at Buckingham Branch RR
4. Route 677, Old Ballard Road -Buckingham Branch RR
5. Route 616, Black Cat Road - Buckingham Branch RR
6. Route 637, Dick Woods Road – Ivy Creek
7. Route 641, Frays Mill Road at Marsh Run
8. Route 795, Presidents Road at Hardware River
9. Route 614, Sugar Hollow Road at Moormans River
10. Route 649, Proffit Road at Norfolk Southern RR

IV. Safety Improvements

1. Construction of pedestrian walkways and crosswalk along primary roads in the County's Urban Neighborhoods and Development Areas as part of road widening/improvement projects. Absent major road improvements, the following roads are prioritized for improvement:
 - a. Route 240 in downtown Crozet;
 - b. Pedestrian crossings at strategic locations on Rt. 29 North.
 - c. Route 250 East in Pantops-extend from the existing sidewalks and provide pedestrian crossings at strategic locations;
 - d. Route 250 West from the City limits to the Farmington/Ednam entrance;
 - e. Route 20 South from City limits to Mill Creek Drive extended.
2. Safety improvements in Crozet area including Route 240 underpass.
3. Intersection improvements on Route 250 West at 1) Tilman Road and 2) Owensville Road (noted above).
4. Support the construction of bikelane improvements along primary roads consistent with County and Regional bicycle plans (bikelanes, paved shoulders and/or adjacent bike paths).
5. Develop functional plans, including an analysis of safety improvements for Route 22 and Route 231.

V. Enhancement Projects/Safe Routes to School Program

1. Pedestrian Streetscape improvements in downtown Crozet.
2. Beautification of entrance corridors.
3. Construction of bikeway, pedestrian, and greenway improvements as prioritized in the Jefferson Area Bicycle, Pedestrian and Greenways Plan and the County's Comprehensive Plan.
4. Development of portions of the Rivanna River Greenway path system.
5. Removal of non-conforming billboards.
6. Continued support of Scottsville Downtown Streetscape Improvement Project.

VI. National Highway System (NHS)

The Charlottesville-Albemarle MPO Policy Board approved the NHS as proposed by VDOT in this area excluding the Route 29 Bypass.

VII. Congestion Mitigation and Air Quality Improvement Program

This does not apply to Albemarle County. The County is not in an area of non-attainment for ozone or carbon monoxide.

**ATTACHMENT A
ALBEMARLE COUNTY RECOMMENDED PRIORITIES FOR SYIP,
FOR PRIMARY ROAD, TRANSIT AND ENHANCEMENT IMPROVEMENTS
(OCTOBER, 2008)**

The following are Albemarle County's priorities for each federal allocations and each sub-allocation of the Surface Transportation Program (STP) funds. This attachment provides more information about each project.

I. Surface Transportation Program (STP)

Standard Projects:

The following projects, listed in priority order, are eligible for STP funds. The County supports these projects as referenced.

Undertake those projects in the Charlottesville Albemarle Regional Transportation Study (CHART) – UnJam 2025 (adopted May 3, 2004) eligible for the primary program in the sequence as called for in the February 2, 1992 joint resolution between the City, County and University and agreed to by VDOT. These include:

- 1. Meadow Creek Parkway from the Route 250 Bypass to Rio Road.** The Parkway is the County's highest priority project after Route 29 North, and is of the utmost importance in order to maintain an adequate level of service on Route 29 and to improve the overall roadway system serving the urbanizing area north of the City. This project is being funded in the County's secondary program and has been approved by the Commonwealth Transportation Board (CTB) as a low speed parkway in the City of Charlottesville and the County. The County asks that this section be designed and built in accord with the County's design and alignment recommendations developed with the assistance of an independent consultant and endorsed by resolution of the County Board of Supervisors on June 20, 2001 and approved by the CTB on December 18, 2001. This endorsed design and alignment emphasizes the parkway corridor's potential as a linear park and its relationship to the development of adjacent urban land. The linear park concept is intended to replace McIntire Park land lost due to the project and, at the same time, link McIntire Park to the Rivanna Trails Foundation trail along Meadow Creek and the County's urbanizing area along Rio Road. The County requests that the CTB make every effort to provide adequate funding and resources to maintain the current construction schedule for this project.

Meadow Creek Parkway/Route 250 Bypass Interchange. The County also supports the construction of the Meadow Creek Parkway interchange at the terminus of the Parkway with Route 250 in the City of Charlottesville. This interchange is essential to the safe and acceptable future traffic operation of this high volume intersection. The County is grateful for the funding earmarked in the Federal Transportation Bill for this interchange. It is recognized that this interchange project, and its funding, is a separate but related project from the Meadow Creek Parkway mainline project. The County requests that the CTB make every effort to provide adequate funding and resources to maintain the current construction schedule for this project.

- 2. Route 29 North.** This highly urbanized area continues to grow and transportation system improvement needs continue to increase. The County, City, VDOT and the MPO have completed Phase I and Phase II of the 29H250 (US 29 – Hydraulic – 250 Bypass Intersection) Study. The County appreciates continued VDOT and Commonwealth Transportation Board support of initiatives in the Route 29 North corridor. The County, in coordination with the MPO, is currently utilizing VDOT, developer proffered and County general funds to study the concept/alignment of Route 29 North as part of a larger transportation network study for the County's northern development areas from the City limits to the Greene County line. This study, a component of the County's Places 29 Study, will include a comprehensive and integrated evaluation of both transportation and land use

issues and planning to establish a series of land use recommendations, transportation network improvements and multi-modal approaches that will support the northern development areas and the Route 29 Corridor.

- a) The County requests that VDOT plan for the funding of the 29H250 Phase II Option B design recommendations, which emphasize improving Route 29 to serve regional trips and changing the character of Hydraulic Road between Route 29 and the Route 250 Bypass. These improvements include an extra ramp lane on Route 29 North onto the Route 250 Bypass and an extra lane on Route 29 from Hydraulic Road (in the City).
- b) The County requests funding for a third lane northbound and southbound on Route 29 from the South Fork Rivanna River to north of its intersection with Hollymead Drive. These improvements would tie into a third lane recently constructed in each direction along Route 29 as part of major land development projects at the Hollymead Town Center. This new third lane section, and other road improvements in the area, was funded by the developer through zoning proffers related to the project's approval. There are significant peaks and valleys in Route 29 through this area that create an existing dangerous condition and this will only worsen as traffic increases as development occurs in this area in accord with the Comprehensive Plan. This section of road already experiences a high level of vehicle accidents, particularly in the area of Forest Lakes South. Completion of this section would essentially complete the three phases of improvements to Route 29 from Hydraulic Road to Airport Road that were originally programmed in the Six-Year Plan in 1988. These and other Comprehensive Plan transportation system recommendations envision future development to be served by a transportation network that ultimately provides a complete system of urban streets and supports walking and biking and comprehensively links all land uses.

Other projects listed in CHART in the northern study area must be actively pursued and completed. These projects include:

- c) The Hillsdale Drive Extension Project;
- d) Berkmar Drive Extended including the Berkmar Bridge across the Rivanna River.

Also, while funding has previously been dropped for Route 29 improvements north of the South Fork Rivanna River, transportation system improvements as identified by the County in its Comprehensive Plan are imperative to this area.

- 3. Complete preliminary engineering and undertake the widening of Route 20 South from I-64 to Mill Creek Drive. Incorporate sidewalks and bike lane facilities into these improvements. This is a curvy section of road in the County's Urban Area that serves the traffic from Monticello High School and has experienced several accidents with fatalities in recent years.
- 4. There are three areas of emphasis the County requests be addressed on Route 250:
 - a) The County does request funding for the improvements of the Tilman Road intersection at Route 250 and the Owensville Road/Route 250 intersection (possible round-about at Owensville Road). Otherwise, the County recommends maintaining the present two-lane configuration of the corridor with any short term or spot improvements being as non-intrusive and consistent as possible with the special character of this scenic by-way.
 - b) VDOT has completed a similar study of Route 250 East from Free Bridge to the Fluvanna County line. This study's findings have been presented to the Albemarle County Board of Supervisors. The County has included a number of the study's recommendations in the adopted Pantops Master Plan, a component of the County's Comprehensive Plan. This Pantops Plan focuses on creating a neighborhood plan that integrates land use and transportation planning to establish

land use recommendations, transportation network improvements and multimodal approaches that will support neighborhood development. Recommendations include improvements to the I-64 interchange, pedestrian crossings, parallel roads and a possible new bridge/crossing of the Rivanna River connecting to the City, and limited widening of Route 250 to no more than six lanes.

- c) Improve Route 250 West from Emmet Street to the Route 29/250 Bypass. This section is covered by the joint Ivy Road Design Study conducted by the City, County and University of Virginia and originally recognized for improvement in the Lewis Mountain Neighborhood/University Heights (Area B) Study. Any plans for the improvement of this section of Route 250 West need to be coordinated among the City, County and University.
- 5. Undertake improvements that will benefit/improve Route 240 in Crozet in accord with recommendations from the recently completed Crozet Master Plan.
 - a) Implement sidewalk plan (per Downtown Sidewalk and Parking Study) and Crozet Master Plan.
 - b) Create bike lanes to and in downtown.
 - c) Construct Eastern Avenue, to include the Lickinghole Creek Bridge and a railroad crossing.
 - d) Construct Main Street east from Crozet Avenue.
- 6. Undertake the widening of Route 20 North from north of Route 250 East to the Elks Drive/Fontana Drive intersection. Incorporate sidewalks and bike lane facilities into the west side improvements. The County has also listed these improvements under "Safety" priorities. To date, the County has constructed sidewalks on the east side of Route 20 from Route 250 to Fontana Drive.
- 7. Undertake improvements recommended in the Southern Urban Area B Study recently completed in coordination with the City of Charlottesville, County of Albemarle, and the University of Virginia. The Study recommends improvements to Fontaine Avenue and the construction of a new connector road between Fontaine Avenue and Sunset Avenue.
- 8. The Town of Scottsville has requested that VDOT improve Route 20 (Valley Street) at the intersection of both Warren Street and Hardware Street. VDOT had proposed these improvements in the 1970's, but the improvements were not completed. The improvements will enhance the safety of the traveling public in the Town.

II. Transit Improvements

- 1. Regional Transit Authority - Funding to support establishing a regional transit entity with expanded service to Albemarle County and the City of Charlottesville.
- 2. Expand Existing Service - Funding to expand existing transit service capacity for CTS, JAUNT, RideShare, including capital projects to enhance capital operations (such as bus pull-outs, etc.).
- 3. Funding for Transit Operational Costs - Fully fund the State's existing formula share of transit operating costs or provide fuel subsidies in the face of rapidly escalating fuel costs.
- 4. Inter-City Rail – Improve and increase inter-city rail service to Albemarle County. The County continues to support the funding and implementation of the TransDominion Express as a means to provide improved inter-city rail service within the State.

III. Bridges

The County has worked with VDOT to identify the top ten bridge projects for Albemarle County. The top three priorities on the list below have been listed on the County's Strategic Priorities for Secondary Road Improvements. All priorities were chosen from a comprehensive list of bridges

located in Albemarle County found on Attachment D. This list includes the lowest sufficiency ratings for all bridge projects. These projects are, in priority order:

1. Route 743, Advance Mill at North Fork Rivanna
2. Rt. 250 East over the railroad near Rt. 729.
3. Route 708, Dry Bridge Road at Buckingham Branch RR
4. Route 677, Old Ballard Road -Buckingham Branch RR
5. Route 616, Black Cat Road - Buckingham Branch RR
6. Route 637, Dick Woods Road – Ivy Creek
7. Route 641, Frays Mill Road at Marsh Run
8. Route 795, Presidents Road at Hardware River
9. Route 614, Sugar Hollow Road at Moormans River
10. Route 649, Proffit Road at Norfolk Southern RR

The County strongly encourages the Commonwealth Transportation Board to fund all the bridge projects identified by VDOT and Albemarle County as needing to be upgraded.

IV. Safety Improvements:

Several projects in the County seem to qualify under this 10% set-aside. They are, in priority order:

1. Construct pedestrian walkways and crosswalks along various primary routes within the County's Urban Neighborhoods. Absent the incorporation of such walkways into full road widening/improvement projects, the following road sections are priorities for pedestrian walkways:
 - a) Route 240 in "downtown" Crozet;
 - b) Pedestrian crossings at strategic locations on Rt. 29 North;
 - c) Route 250 East in the Pantops area as an extension to existing sidewalks and provide pedestrian crossings at strategic locations;
 - d) Route 250 West from the City limits to the Farmington/Ednam entrance; and,
 - e) Route 20 South from the City limits to Mill Creek Drive.
2. The County has placed a high priority on pedestrian improvements in the Crozet area. The County chose Crozet as the first community to be master planned based on the County's adopted Neighborhood Model. The County received TEA 21 funding in July 2004 for Phase I of the Crozet Streetscape Plan and continues to seek additional funding to undertake needed improvements (see Enhancement Project section). Another potentially eligible safety project is the improvement of the Route 240 underpass at the CSX Railroad tracks in Crozet (including pedestrian facility improvements).
3. Improvements to Route 250 West in the Ivy area to address existing traffic circulation problems at the Tilman Road intersection and the Owensville Road intersection (as noted in I.4.a, above), including access to developed properties in this area. Of particular concern is the Tillman Road intersection (Route 676), which serves school bus traffic and has poor sight distance. These improvements should be undertaken in accordance with recommendations approved by the Board of Supervisors in the Route 250 West Corridor Study.
4. Support the construction of bikelane improvements along primary roads consistent with County and Regional bicycle plans (bikelanes, paved shoulders and/or adjacent bike paths).
5. Functional plans, including an analysis of possible safety improvements, for Routes 22 and 231. The County remains concerned with overall public safety as it relates to traffic created by large trucks along these road segments, and encourages VDOT to consider all appropriate measures to ensure that trucks travel safely along these roadways in the future. The County has repeatedly requested VDOT to restrict through trucks on Route 22 and Route 231.

V. Enhancement Projects/Safe Routes to School Program:

This is a valuable funding source for which several projects appear to be eligible. Unfortunately funding for new projects is not available this year. The County urges that funds be made available for new pedestrian and bicycling projects. For the County, new projects, in priority order, are:

1. Pedestrian streetscape improvements in downtown Crozet. These streetscape improvements, which were included in an Enhancement Grant submitted in January 2002, June 2003 and October 2004, include the relocation and burial of overhead utility wires, and construction of historically compatible sidewalks. The County received TEA 21 funding in July 2004 for Phase I and July 2005 for Phase II of the Crozet Streetscape Plan.
2. Beautification of entrance corridors (particularly Routes 20, 29 and Route 250).
3. Construction of bikeway, pedestrian, and greenway facilities as prioritized in the Jefferson Area Bicycle, Pedestrian, and Greenways Plan.
4. Development of portions of the Rivanna River Greenway path system.
5. Removal of non-conforming billboards.
6. Continued support of Scottsville Downtown Streetscape Improvement Project.

VI. National Highway System (NHS)

The Charlottesville-Albemarle MPO Policy Board approved the NHS as proposed by VDOT in this area excluding the Route 29 Bypass. The Federal Highway Administration (FHWA) has approved the NHS, which includes the existing Route 29 and the Route 29 Bypass. The County believes any projects that are included in the NHS should reflect the recommendations that result from the previously referenced transportation improvement study of the Route 29 North corridor area.

VII. Congestion Mitigation and Air Quality Improvement Program

This does not apply to Albemarle County. The County is not in an area of non-attainment for ozone or carbon monoxide.