

**ACTIONS**  
**Board of Supervisors Meeting of October 8, 2008**

October 13, 2008

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called to order at 3:32 p.m. in Room 241 by the Chairman, Mr. Boyd. All BOS members were present with the exception of Mr. Dorrier. Also present were Bob Tucker, Larry Davis, Lori Allshouse, Steve Allshouse, and Meagan Hoy.</li> </ul>	
<p>Non-Agenda.</p> <ul style="list-style-type: none"> <li><b>AUTHORIZED</b>, by a vote of 5:0, (Mr. Dorrier absent) an expedited process to the extent that staff can advance the Board action date for the Old Trail Senior Assisted Living Facility.</li> </ul>	
<p>2. Work Session: Strategic Planning, in Preparation for the Board's October 24 Strategic Planning Retreat.</p> <ul style="list-style-type: none"> <li><b>HELD.</b></li> </ul>	
<p>2a. Discussion: Budget Review Guidance.</p> <ul style="list-style-type: none"> <li>There was a <b>CONSENSUS</b> of the Board to extend the amendment year CIP proposals for one additional year or cycle.</li> </ul>	<u>County Executive/OMB</u> : Proceed as directed.
<p>3. Recess.</p> <ul style="list-style-type: none"> <li>At 5:13 p.m., the Board took a recess.</li> </ul>	
<p>4. Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called back to order at 6:01 p.m. in Lane Auditorium by the Chairman, Mr. Boyd. All BOS members were present with the exception of Ms. Mallek. Also present were Bob Tucker, Larry Davis, Wayne Cilimberg and Meagan Hoy.</li> </ul>	
<p>7. From the Board: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>There were none.</li> </ul>	
<p>8. From the Public: Matters not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>Liz Palmer asked the Board to consider raising their own compensation to ensure a strong candidate pool for future Board elections.</li> </ul>	
<p>9.2 2007-08 ACE Applicant Appraisals and Acquisition of Anderson Easement.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> the seven (7) appraisals by Pape and Company for applications from the year FY 2007-08 applicant pool, and <b>APPROVED</b> the purchase of an ACE easement on the Anderson property.</li> </ul>	<u>David Benish/Ches Goodall</u> : Proceed as approved.
<p>9.3 Resolution Endorsing Rail Preservation Application of Buckingham Branch Railroad Company.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> attached resolution.</li> </ul>	<u>Clerk</u> : Forward signed resolution to Gale Wilson, Buckingham Branch Railroad. (Attachment 1)
<p>9.4 Reconsideration of FY 2009 Appropriation, \$130,422.00 (Form #2009025).</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> budget amendment in the amount of \$130,422.00 and <b>APPROVED</b> FY 2008 Appropriation #2008025.</li> </ul>	<u>Clerk</u> : Forward signed appropriation form to Finance and appropriate individuals.
<p>9.4a FY 2009 Appropriation, \$2,126,026.19 (Form #2009031).</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> budget amendment in the amount of \$2,126,026.19 and <b>APPROVED</b></li> </ul>	<u>Clerk</u> : Forward signed appropriation form to Finance and appropriate individuals.

FY 2008 Appropriation #2008031.		
10.	<p><b><u>To receive public comments on a proposal recommended by Albemarle County and the City of Charlottesville Parks and Recreation staffs to plan for the installation of lighting at the Darden Towe Park softball fields.</u></b></p> <ul style="list-style-type: none"> <li>• HELD, but at this time, no action was taken.</li> </ul>	
11.	<p><b><u>PROJECT: SP-2007-01. Four Seasons Learning Center.</u></b></p> <ul style="list-style-type: none"> <li>• DENIED SP-2007-01, by a vote of 4:1 (Boyd) (Mallek absent).</li> </ul>	
12.	<p><b><u>PROJECT: SP-2008-020. Airport Office Center.</u></b></p> <ul style="list-style-type: none"> <li>• APPROVED SP-2008-020, by a vote of 5:0 (Mallek absent), as recommended by staff for stand alone parking in accordance with Section 18-4.12.11.</li> </ul>	
13.	<p><b><u>PROJECT: SP-2008-047. Stony Point Fire Department Addition.</u></b></p> <ul style="list-style-type: none"> <li>• APPROVED, by a vote of 5:0 (Mallek absent), subject to the one condition recommended by staff.</li> </ul>	Clerk: Set out condition of approval. (Attachment 2)
14.	<p><b><u>PROJECT: AFD-2008-004. Free Union Agricultural and Forestal District.</u></b></p> <ul style="list-style-type: none"> <li>• ADOPTED, by a vote of 5:0 (Mallek absent), the attached ordinance.</li> </ul>	Clerk: Forward copy of adopted ordinance to Planning and County Attorney's office. (Attachment 3)
15.	<p><b><u>To consider adopting resolutions supporting National Scenic Byway All-American Road designations (denoted by "AAR") and supporting Virginia Byways designation (denoted by "VB") for roads.</u></b></p> <ul style="list-style-type: none"> <li>• ADOPTED, by a vote of 5:0 (Mallek absent), the attached Resolutions supporting a Virginia Byway designation for Route 53, Route 729 and portions of Route 20 and Route 250 and an All-American Road designation for Routes 20, 22, 53, 231, 729 and portions of Route 20 and Route 250 in Albemarle County.</li> </ul>	Clerk: Forward copy of signed resolutions to David Benish and County Attorney's office. David Benish: Forward resolutions to appropriate individuals. (Attachment 4 and 5)
16.	<p>From the Board: Matters Not Listed on the Agenda. Sally Thomas:</p> <ul style="list-style-type: none"> <li>• Board Members will receive a questionnaire from the Rivanna Reservoir Task Force. Encouraged them to fill out and forward the survey.</li> </ul> <p>Ken Boyd:</p> <ul style="list-style-type: none"> <li>• He and Mr. Slutzky will represent the Board at a CAAR luncheon on Thursday, October 9, 2008.</li> </ul>	
17.	<p>Adjourn.</p> <ul style="list-style-type: none"> <li>• At 9:31 p.m., the meeting was adjourned to October 22, 2008, 7:00 p.m., Room 241.</li> </ul>	

/mrh

Attachment 1 – Resolution Endorsing Rail Preservation Application of Buckingham Branch Railroad Company

Attachment 2 – Planning Conditions of approval

Attachment 3 – Ordinance No. 08-3(3). AFD-2008-004. Free Union Agricultural and Forestal District

Attachment 4 & 5 - Resolutions supporting National Scenic Byway All-American Road designations (denoted by "AAR") and supporting Virginia Byways designation (denoted by "VB") for roads

**RESOLUTION ENDORSING  
RAIL PRESERVATION APPLICATION OF  
BUCKINGHAM BRANCH RAILROAD COMPANY**

WHEREAS, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects; and

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost \$13,200,000; and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

WHEREAS, the Buckingham Branch Railroad is an important element of the County of Albemarle transportation system; and

WHEREAS, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

WHEREAS, the County of Albemarle supports the project and the retention of the rail service; and

WHEREAS, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

NOW, THEREFORE, BE IT RESOLVED, that the County of Albemarle Board of Supervisors does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

**SP-2008-047. Stony Point Fire Department Addition**

1. The size and location of the fire station and related improvements on the property shall be in general accord with the conceptual plan entitled "Conceptual Plan SP 2007-13," prepared by Thomas B. Lincoln Land Surveyor, Inc., dated 3/22/07, revised by the applicant and received 9/3/08, provided that the outbuilding identified as the "Proposed Change" to the originally identified "Proposed 26' x 46' Outbuilding" shall be no more than two thousand (2,000) square feet in size.

**ORDINANCE NO. 08-3(3)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS, ARTICLE II, DISTRICTS OF STATEWIDE SIGNIFICANCE, 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 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, is hereby amended and reordained as follows:

**By Amending:**

Sec. 3-213 Free Union Agricultural and Forestal District

**Chapter 3. Agricultural and Forestal Districts**

**Article II. Districts of Statewide Significance**

**Division 2. Districts**

**Sec. 3-213 Free Union Agricultural and Forestal District.**

The district known as the "Free Union Agricultural and Forestal District" consists of the following described properties: Tax map 7, parcels 6, 7, 8A, 9, 9A, 9B, 9B1, 9C; Tax map 16, parcels 4B, 4C, 13A, 13D, 15A, 15A3, 15E, 15G, 16B, 17, 26, 30B, 36, 52B1, 52B2, 54; Tax Map 17, parcels 8B, 8C, 17C, 18H, 20A2, 22, tax map 29, parcel 1H (part). This district, created on September 21, 1988 for not more than 10 years and last reviewed on October 8, 2008, shall be next reviewed prior to October 8, 2018.

(Code 1988, § 2.1-4(m); Ord. 98-A(1), 8-5-98; Ord. 98-3(1), 9-9-98; Ord. 08-3(3), 10-8-08)

**RESOLUTION SUPPORTING VIRGINIA BYWAY DESIGNATION  
FOR ROUTES 729, 53 AND PORTIONS OF ROUTE 20 AND ROUTE 250**

**WHEREAS**, the Virginia Department of Conservation and Recreation and the Virginia Department of Transportation have determined that Route 729 (Milton Road) from its intersection with Route 250 to its intersection with Route 53, Route 53 (Thomas Jefferson Parkway) from the Fluvanna County line to its intersection with Route 20, the portion of Route 20 that is also part of Route 250 East from the intersection of Route 20 and Route 250 East to the City of Charlottesville city limits at Free Bridge, and the portion of Route 250 from the intersection of Route 22 to the intersection of Route 729 (Milton Road) qualify for designation as Virginia Byways; and

**WHEREAS**, each of these routes have relatively high aesthetic or cultural value, leading to or within areas of historical or natural significance; and

**WHEREAS**, the designation of a Virginia Byway offers opportunities for tourism and economic benefits to localities; and

**WHEREAS**, the designation of a Virginia Byway does not affect land use controls and road improvements; and

**WHEREAS**, the land along Route 729 and Route 53 is zoned Rural Areas and is designated as Rural Areas in the County's Comprehensive Plan and the portion of Route 20 identified herein is zoned for commercial uses; and

**WHEREAS**, the Rural Areas zoning does not allow for dense residential or commercial development and allows for uses such as agriculture, forestry and detached single family dwellings and the commercial zoned areas will not be adversely impacted by the designation; and

**WHEREAS**, the Journey Through Hallowed Ground Partnership has expressed its support for the designation of these routes as Virginia Byways.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Albemarle County, Virginia, hereby supports the designation of Route 729 (Milton Road) from its intersection with Route 250 to its intersection with Route 53, Route 53 (Thomas Jefferson Parkway) from the Fluvanna County line to its intersection with Route 20, the portion of Route 20 that is also part of Route 250 East from the intersection of Route 20 and Route 250 East to the City of Charlottesville city limits at Free Bridge, and the portion of Route 250 from the intersection of Route 22 to the intersection of Route 729 (Milton Road) as Virginia Byways; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors of Albemarle County requests that the Commonwealth Transportation Board take all necessary actions to effect a designation of these routes as Virginia Byways.

**RESOLUTION SUPPORTING  
THE U.S. DEPARTMENT OF TRANSPORTATION'S FEDERAL  
HIGHWAY ADMINISTRATION "ALL-AMERICAN ROAD" DESIGNATION  
FOR ROUTES 20, 22, 53, 231, 250 AND 729**

**WHEREAS**, the United States Congress approved legislation in May 2008 to create The Journey Through Hallowed Ground National Heritage Area; and

**WHEREAS**, this legislation creates a National Heritage Area corridor that includes Routes 20, 22, 53, 231, 250 and 729 from Thomas Jefferson's Monticello in Charlottesville north to Gettysburg, Pennsylvania; and

**WHEREAS**, designation of the Journey Through Hallowed Ground as a National Heritage Area, and Route 20 North (Stony Point Road) from its intersection with Route 250 East to the Orange County line, the portion of Route 20 that is also part of Route 250 East from the intersection of Route 20 and Route 250 East to the City of Charlottesville city limits at Free Bridge, Route 22 from Route 250 East to its junction with Route 231, Route 53 (Thomas Jefferson Parkway) from the Fluvanna County line to its intersection with Route 20, Route 231 from Route 22 to the Louisa County line, the portion of Route 250 East from the intersection of Route 22 to the intersection of Route 729 (Milton Road) and Route 729 (Milton Road), from its intersection with Route 250 East to its intersection with Route 53, as All-American Roads within the National Scenic Byways Program, will help support the four-state public/private partnership that has been developed to promote and celebrate the historical and cultural resources along the route; and

**WHEREAS**, designation of the County as a National Heritage Area and Routes 20, 22, 53, 231, 250 and 729 as All-American Roads will make federal funds available to government entities located along this corridor for the purposes of developing tourism, preservation and enhancement of historical sites and battlefields; and

**WHEREAS**, designation of the County as a National Heritage Area and Routes 20, 22, 53, 231, 250 and 729 as All-American Roads is consistent with the principles, goals and objectives of the County's Comprehensive Plan to protect the County's natural, cultural, historic, and scenic resources; and

**WHEREAS**, the designation of the portion of Route 20 that is also part of Route 250 East from the intersection of Route 20 and Route 250 East to the City of Charlottesville city limits at Free Bridge, Route 53 (Thomas Jefferson Parkway) from the Fluvanna County line to its intersection with Route 20, the portion of Route 250 East from the intersection of Route 22 to the intersection of Route 729 (Milton Road), and Route 729 (Milton Road) from its intersection with Route 250 East to its intersection with Route 53, as All-American Roads is contingent upon them being designated as Virginia Byways by the Virginia Commonwealth Transportation Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby supports the designation of Route 20 North (Stony Point Road) from its intersection with Route 250 East to the Orange County line, the portion of Route 20 that is also part of Route 250 East from the intersection of Route 20 and Route 250 East to the City of Charlottesville city limits at Free Bridge, Route 22 from Route 250 East to its junction with Route 231, Route 53 (Thomas Jefferson Parkway) from the Fluvanna County line to its intersection with Route 20, Route 231 from Route 22 to the Louisa County line, the portion of Route 250 East from the intersection of Route 22 to the intersection of Route 729 (Milton Road) and Route 729 (Milton Road), from its intersection with Route 250 East to its intersection with Route 53, as All-American Roads within the National Scenic Byways Program.