

**ACTIONS**  
**Board of Supervisors Meeting of February 4, 2009**

February 6, 2009

<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 9:03 a.m. by the Vice-Chairman, Ms. Mallek. All BOS members were present except Mr. Slutzky. Also present were Bob Tucker, Larry Davis, Ella Jordan and Meagan Hoy.</li> </ul>	
<p>4. From the Board: Matters Not Listed on the Agenda.</p> <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> <li>Congratulated the AHS Women's Volleyball Team for winning the AAA State Championship. Kara Elder was named the Central Virginia Player of the Year, and Mark Ragland was named Coach of the Year.</li> <li>Congratulated the AHS boys 4x800 meter relay team (Zach Vrhovac, Luke Noble, Garrett Bradley, and Anthony Kostelac) for their victory at the Millrose Games in New York.</li> </ul> <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>Several Board members will be attending the VML/VACo Legislative Day in Richmond on February 5<sup>th</sup>, in Richmond. She asked Board members to share with her particular bills that they should mention to the Legislators.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Commented that she is currently attending a VACo sponsored class on planning as a supervisor. Asked if Board members would like to consider organized visits sites of special permits, rezonings and text amendments? They could advertise and travel to the site and agree not to discuss it in transit.</li> <li>Asked if Board members would like to consider having new BZA appointees going through some kind of training, and if the Board would like to offer their assistance/input to the Judge when she is considering new appointees.</li> <li>On February 17<sup>th</sup>, she will be touring some of the Region Ten facilities, and invited other Board members to join her.</li> <li>She would like an update on where they are in codifying grading and soil erosion improvements.</li> </ul>	
<p>5. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li>Bill Sams, a resident of Scottsville, spoke about the recent fiscal year newsletter provided in the tax bill.</li> <li>Kim Wilkins and Harry Kennen, members of IMPACT, expressed support for the recommendations of the Joint Housing Task Force.</li> </ul>	

<ul style="list-style-type: none"> <li>• John Alexander, Lisa Reader, Gary Scott, Kay Jenkins, Elizabeth Birdall, Mary Scott Birdsall, and Chad Zegabe spoke in support of the Local Food Hub.</li> <li>• Rex Linville, of PEC, updated the Board on the success of conservation easements in Albemarle County.</li> <li>• David Wayland, of the Crozet Community Advisory Council, asked the Board to support funding for the Crozet Library.</li> <li>• John Chavan spoke about his contaminated well and asked the Board to consider expediting the public hearing to amend the ACSA jurisdictional areas to provide water service to his property.</li> <li>• Kathy Rash, of Forever Albemarle, commented on the Food Hub proposal and stated that it should be a private enterprise, and not paid for with tax payer dollars.</li> <li>• Kevin McKenna expressed opposition to use of tax dollars for the Food Hub.</li> </ul>	
<p>6.2 ACE; Virginia Department of Agriculture and Consumer Services grant for easement acquisition.</p> <ul style="list-style-type: none"> <li>• <b>AUTHORIZED</b> the County Executive to execute the Agreement on behalf of the County, provided that it is first approved as to form and content by the County Attorney.</li> </ul>	<p><u>County Attorney's office</u>: Provide Clerk with copy of fully executed agreement.</p>
<p>6.3 Kenridge Phase I - Site Plan Bond Extension Request.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> Hunter Craig's request for an 18-month site plan bond extension to May 29, 2010</li> </ul>	<p><u>Amelia McCulley</u>: Notify Mr. Craig of Board's approval.</p>
<p>6.4 FY 2009 Appropriations.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> budget amendment in the amount of \$62,209.71 and FY 2009 Appropriation #2009049.</li> </ul>	<p><u>Clerk</u>: Forward copy of signed appropriation form to Finance and appropriate individuals.</p>
<p>6.5 Community Development Block Grant for Crozet Meadows.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the Local Business and Employment Plan; <b>AUTHORIZED</b> the County Executive to execute the Residential Anti-Displacement and Relocation Assistance Plan Certification; <b>AUTHORIZED</b> the County Executive to execute the Fair Housing Certification; and <b>ADOPTED</b> the revised Section 504 Complaint Procedure.</li> </ul>	<p><u>Ron White</u>: Proceed as approved.</p>
<p>7. FY 2007-2008 Comprehensive Annual Financial Report (CAFR).</p> <ul style="list-style-type: none"> <li>• <b>ACCEPTED</b>, by a vote of 5:0 (Slutzky absent), the FY 2007-2008 Comprehensive Annual Financial Report.</li> </ul>	<p><u>Richard Wiggins</u>: Proceed as approved.</p>
<p>8. Economic Opportunity Fund Guidelines.</p> <ul style="list-style-type: none"> <li>• <b>HELD</b>. Staff to bring back updated purpose and criteria to Board.</li> </ul>	<p><u>Clerk</u>: Schedule on future agenda.</p>
<p>Non-Agenda.</p> <ul style="list-style-type: none"> <li>• Donald Hart, President of VACo, introduced himself and encouraged Board members to contact him with any issues/concerns.</li> </ul>	

<p>9. Brownsville Elementary Addition and Renovation Reappropriation (<b>deferred from January 14, 2009</b>).</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 5:0 (Slutzky absent), a special additional appropriation of \$600,000 to the Brownsville Elementary School project from school project savings to accomplish the additional renovations to reconfigure class-room spaces to more suitably match student age levels, as described in the executive summary.</li> </ul>	<p><u>Bill Letteri</u>: Proceed as approved.</p>
<p>10. 2008 Citizen Survey Final Report and Presentation.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED</b>.</li> </ul>	
<p>11. Joint Task Force on Affordable Housing.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED</b>. Board postponed discussion until February 11, 2009.</li> </ul>	<p><u>Clerk</u>: Schedule on February 11, 2009 agenda.</p>
<p>12. Closed Meeting. Personnel and Legal Matters.</p> <ul style="list-style-type: none"> <li>• At 12:20 p.m., the Board went into closed meeting to consider appointments to boards, committees, and commissions; to consult with legal counsel and staff regarding pending litigation relating to a tax assessment; and to consult with legal counsel and staff regarding pending litigation relating to a construction contract.</li> </ul>	
<p>13. Certified Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 2:20 p.m., the Board reconvened into open session and certified the closed meeting.</li> </ul>	
<p>14. Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Lonnie Murray to the Natural Heritage Committee, with said term to expire September 30, 2012.</li> <li>• <b>APPOINTED</b> Rochelle Garwood to the Natural Heritage Committee, to fill an unexpired term to expire September 30, 2009.</li> <li>• <b>APPOINTED</b> Bruce Wardell to the Architectural Review Board, with said term to expire November 14, 2012.</li> <li>• <b>APPOINTED</b> Dave Rogers to the Jefferson Area Board on Aging, with said term to expire March 31, 2011.</li> <li>• <b>APPOINTED</b> Joseph Schinstock to the Board of Building Code Appeals, with said term to expire November 21, 2013.</li> <li>• <b>REAPPOINTED</b> Valerie L'Hurrou to the Housing Committee, with said term to expire December 31, 2011.</li> </ul>	<p><u>Clerk</u>: Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>
<p>15a. VDOT Monthly Report.</p> <ul style="list-style-type: none"> <li>• Allan Sumpter provided the following additional updates: <ul style="list-style-type: none"> <li>• VDoT has reposted Dry Bridge weight limits from three tons to eight tons.</li> <li>• Work has been completed on the Black Cat Road bridge and it has been reposted from ten tons to fifteen tons.</li> <li>• Repairs are planned for the Broomley Road bridge next week.</li> </ul> </li> </ul>	

<ul style="list-style-type: none"> <li>• Provided highlights from the preconstruction conference held with the contractor on the Meadow Creek Parkway.</li> <li>• Sally Thomas thanked VDOT for removal of debris at the Route 29/250 ramp.</li> <li>• Ken Boyd asked about timeframe for safety improvements on Route 29 at Forest Lakes. Mr. Sumpter said they hope to have estimate within next couple of weeks. Joel DeNunzio is working on this.</li> </ul>	
<p>15b. Transportation Matters not Listed on the Agenda. <u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>• Asked why the underbrush, eastbound, along the Bypass between Barracks Road and Route 29 has been cleared. Mr. Sumpter said, in response to some homeowners and residents, VDOT cleaned the area up to give it a more desirable appearance.</li> </ul> <p><u>Allan Sumpter:</u></p> <ul style="list-style-type: none"> <li>• Updated Board members on Six Year Secondary Plan allocations and the impact of additional reductions.</li> </ul>	<p><u>Clerk:</u> Forward comments to Sue Kennedy and Allan Sumpter.</p>
<p>16. <b><u>PROJECT: SP-2008-042. Keswick Hall/Club (Signs #3&amp;31).</u></b></p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> SP-2008-042, by a vote of 5:0 (Slutzky absent), subject to the six recommended conditions.</li> </ul>	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>17. <b>Discussion:</b> Community Development Work Program.</p> <ul style="list-style-type: none"> <li>▪ <b>ADOPTED</b> Community Development's FY 2009-10 Work Plan as proposed in Attachment E to the Executive Summary.</li> </ul>	<p><u>Mark Graham:</u> Proceed as approved.</p>
<p>18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>• Mentioned a proposed bill that would phase out all cash proffers by 2014. Mr. Tucker indicated that the County has been commenting on that bill through VACo and VAPA.</li> </ul> <p><u>Larry Davis:</u></p> <ul style="list-style-type: none"> <li>• Provided Board members with a booklet (snapshot) of bills that County staff have commented on that are currently before the General Assembly. The information can be helpful in tracking the status of the various bills.</li> </ul> <p><u>David Benish:</u></p> <ul style="list-style-type: none"> <li>• In response to the Board's request to expedite the ACSA jurisdictional request for water service for Mr. John Chavan, Mr. Benish said legal advertising requirements do not allow the request to be scheduled for an earlier Board meeting date. In the meantime, he will be meeting with Mr. Chavan regarding all other requirements. (<b>Note:</b> This item has been scheduled for public hearing on February 25, 2009.)</li> </ul>	

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| 29. Adjourn to February 11, 2009, 4:00 p.m. <ul style="list-style-type: none"><li>• The meeting was adjourned at 4:36 p.m.</li></ul> |  |
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ewj/mrh

Attachment 1 – Conditions of Approval – SP-2008-0042

## ATTACHMENT 1

### CONDITIONS OF APPROVAL – SP-2008-0042

1. The Keswick Estate shall be developed in general accordance with the plan titled “Keswick Estate Conceptual Long Range Master Plan” prepared by Roudabush, Gale and Associates, dated December 18, 2000, as amended by “Keswick Hall Master Plan Phase I” prepared by Train & Partners + Mario di Valmarana, submitted September 14, 2008 and revised February 3, 2009;
2. No building permits shall be issued for Phase II improvements beyond those improvements approved with SP-2000-33 and shown on the plan titled “Keswick Estate Conceptual Long Range Master Plan” prepared by Roudabush, Gale and Associates, dated December 18, 2000, and as amended by SP-2008-42 and shown on the “Keswick Hall Master Plan Phase I” prepared by Train & Partners + Mario di Valmarana, submitted September 14, 2008 and revised February 3, 2009, until all road improvements described by the Virginia Department of Transportation letter from R.P. Ball dated February 21, 2001 and included as Attachment B have been completed (not bonded) to the satisfaction of the County Engineer and the Virginia Department of Transportation;
3. No unplatted property shall be subdivided and no approved subdivision plat shall be recorded unless the applicant demonstrates to the satisfaction of the Planning Commission that the existing central water system, approved under Permit Number 2003400 issued by the Virginia Department of Health, Division of Water Supply Engineering and dated January 7, 1998, or as such permit is amended or such subsequent permit approved by the Virginia Department of Health, Division of Water Supply Engineering and the Board of Supervisors, is available and adequate to serve all of said lots, as well as all existing improvements, associated uses, and platted lots, without compromising on-site and adjacent off-site well water supplies. Nothing herein shall guarantee approval of such amendment or permit. In making this demonstration, the applicant shall use test procedures approved by the Virginia Department of Health and the County Department of Engineering and Public Works;
4. If the central system must be expanded to meet existing or future demand, the applicant shall seek and obtain all necessary approvals for expanding the system from the Virginia Department of Health and the County Board of Supervisors;
5. Except for any restaurant and spa on the property open to the general public, Keswick Hall and its associated facilities shall be used only by the guests of the inn and their invitees, and members of the Keswick Country Club and their invitees; and
6. Each plat of division of any lands shown on the plan titled “Keswick Estate Conceptual Long Range Master Plan” prepared by Roudabush, Gale and Associates, dated December 18, 2000, shall include the following statement if those lands are not within a jurisdictional area and will not be served by a public water or sewer system: “On the date of approval of this plat by the agent, the lands being divided are not within a jurisdictional area and public water and sewer service are not available.”