

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

March 10, 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 9:02 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. Recognition: Albemarle High School Boys 4x800 Meter Relay Team.</p> <ul style="list-style-type: none"> <li>Presented attached resolution to Relay Team.</li> </ul>	(Attachment 1)
<p>5. From the Board: Matters Not Listed on the Agenda.  <u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> <li>Congratulated the Albemarle High School Boys Track Team for winning the State Championship.</li> <li>Announced his candidacy for reelection to the Board of Supervisors</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Invited citizens to attend their next "Town Hall" meeting that she and Ms. Thomas will be hosting at Henley Middle School Cafeteria on Monday, March 9, at 6:30 p.m.</li> </ul> <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>Invited citizens to attend the next "Town Hall" meeting at Murray Elementary School on Tuesday, March 10, at 7:00 p.m.</li> <li>Thanked Board members for the job they did on Tuesday, March 3<sup>rd</sup>, in dealing with the issues of the water supply plan.</li> </ul>	
<p>6. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li>Jeff Werner, of PEC and a City resident, said the Board needs to ask RWSA and ACSA to provide scenarios of the costs to taxpayers for the water supply plan.</li> <li>Rev. Ashley Abarca-Mitchell, Associate Pastor at the First United Presbyterian Church in Downtown Charlottesville and resident of the County, discussed the need for affordable rental units in the community.</li> <li>Barbara Westbrook, a member of the Crozet Advisory Council, spoke about construction of the new Crozet Library.</li> </ul>	
<p>7.2 Set public hearing to consider proposed ordinance to amend County Code Chapter 11, Section 11-105 to allow the charging of picnic shelter fees during the period that park entry fees are charged and to better clarify authority for setting park fees.</p> <ul style="list-style-type: none"> <li><b>SET</b> public hearing for April 1, 2009.</li> </ul>	<u>Clerk:</u> Advertise public hearing and schedule on April 1, 2009 agenda.
<p>7.3 Proposed Revision to Personnel Policy P-23, Performance Review.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> the attached Resolution to amend Personnel Policy §P-23.</li> </ul>	<u>Clerk:</u> Forward copy of adopted resolution to Human Resources and County Attorney's office. (Attachment 2)

7.4	Resolution of Intent to Amend the Entrance Corridor and Related Provisions in the Zoning Ordinance. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached Resolution of Intent.</li> </ul>	<u>Clerk:</u> Forward copy of resolution to Community Division and County Attorney's office. (Attachment 3)
7.5	CPA-2008-004. Economic Development Policy - Update. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the updated Economic Development Policy as set out in Attachment B to the Executive Summary.</li> </ul>	
7.7	Fire/Rescue Volunteer Incentive Program (VIP). <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the proposed Volunteer Leadership and Development Program and the allocation of \$120,000 to fund the Program over a three year period beginning in FY '09 as recommended by staff and ACFRAB.</li> </ul>	<u>Bryan Elliott/Dan Eggleston:</u> Proceed as approved.
7.8	FY 2009 Appropriations. <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the budget amendment in the amount of \$305,300 and Appropriations #2009050 and #2009051.</li> </ul>	<u>Clerk:</u> Forward signed appropriations to Finance and appropriated individuals.
7.9	Resolution Endorsing Rail Preservation Application of Buckingham Branch Railroad Company. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached resolution.</li> <li>• Ms. Thomas asked for an update by the Railroad on what they are doing in the community.</li> </ul>	<u>Clerk:</u> Forward copy of adopted resolution to Buckingham Branch Railroad Company. (Attachment 4)
7a.	Historical Overview of the Comprehensive Plan Video. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
8.	Virginia Department of Forestry Annual Presentation, Nelson Shaw. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
9.	Martha Jefferson Hospital Presentation on New Hospital Construction. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
10.	Board-to-Board, <i>Monthly Communications Report from School Board</i> , School Board Chairman. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
11a.	Quarterly Update: Albemarle County Service Authority, Gary Fern. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
11b.	Quarterly Update: Rivanna Water and Sewer Authority, Tom Frederick. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
12.	Bright Stars Annual Report. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
13.	Climate Change Protection Program Update. <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
15.	Closed Meeting. Personnel and Legal Matters. <ul style="list-style-type: none"> <li>• At 12:46 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 regulations relating to providing public safety services; and to consult with legal counsel and staff regarding</li> </ul>	

	specific legal matters requiring legal advice regarding agreements necessary to implement a funding source for public safety services.	
16.	<p>Certified Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 2:26 p.m., the Board reconvened into open session and certified the closed meeting.</li> </ul>	
17.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> <li><b>APPOINTED</b> Don Franco to the Planning Commission (Rio District) to fill an unexpired term to expire December 31, 2009.</li> <li><b>REAPPOINTED</b> Chelsea Henderson to the Commission on Children and Families as the County youth representative with said term to expire June 30, 2010.</li> <li><b>REAPPOINTED</b> Richard Lindsay to the Jefferson Area Board for Aging with said term to expire March 31, 2011.</li> <li><b>APPOINTED</b> David Oakland to the Housing Committee as the PHA representative 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>
18a.	<p>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 had a meeting with representatives of Buckingham Branch Railroad regarding the Burnley Road Bridge. They have done repairs to the abutment. Together, they are trying to decide on the appropriate method to work on the surface of the bridge.</li> <li>They have done a little Rural Rustic Road work on Walnut Level and Old Green Mountain Roads.</li> <li>Advance Mills Bridge bids came in, and a local company, Fielder's Choice, was the low bidder. The bids are still under evaluation at this time, and an award has not been made.</li> <li>Gave an update on the Meadow Creek Parkway progress to date. David Slutzky mentioned that the residents of Dunlora have fears that they will lose their entrance, and then the project will be put on hold. Mr. Sumpter advised that the County portion of the project will move forward.</li> <li>VDOT is moving forward to get approval for the right of way stage on Jarman's Gap Road.</li> <li>There will be a public hearing on March 24, 2009 for Georgetown Road at AHS from 5-7 p.m. in the cafeteria.</li> <li>Shared a presentation on Maintenance and Operations Service Standards, and updated the Board on how the level of service will be changed due to decreased funding.</li> </ul> </li> </ul>	
18b.	<p>Transportation Matters not Listed on the Agenda. <u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>Said she had received a suggestion about installing reflector buttons on the road for a</li> </ul>	<p><u>Clerk:</u> Forward comments to Sue Kennedy and Allan Sumpter.</p>

	<p>safety feature. Mr. Sumpter said he will share the response he got back from traffic engineering.</p> <ul style="list-style-type: none"> <li>• Suggested upping volunteer efforts for the Adopt a Highway Program.</li> </ul>	
19.	<p>Update on Status of Crozet Library, Bill Letteri.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
20.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> <li>• She and Mr. Dorrier are on the Lewis and Clark Exploratory Center Board, and the Center Board has made an application requesting funds from HUD. She asked for a letter of support from this Board.</li> </ul> <p><u>Bob Tucker:</u></p> <ul style="list-style-type: none"> <li>• Provided Board members with a copy of the budget work session schedule.</li> </ul>	
21.	<p>Adjourn to March 5, 2009, 1:00 p.m., Room 241.</p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 4:27 p.m.</li> </ul>	

ewj/mrh

Attachment 1 – Resolution - Albemarle High School Boys 4x800 Meter Relay Team

Attachment 2 – Resolution - Proposed Revision to Personnel Policy P-23, Performance Review

Attachment 3 – Resolution of Intent to Amend the Entrance Corridor and Related Provisions in the Zoning Ordinance

Attachment 4 – Resolution Endorsing Rail Preservation Application of Buckingham Branch Railroad Company

**RESOLUTION**

**WHEREAS,** *the Albemarle High School Patriots is a Group III, Northwest Region high school located in Albemarle County competing in the Commonwealth District; and*

**WHEREAS,** *athletics is an integral part of a school's educational program. The goal of the Patriots is to provide positive experiences that will enhance and challenge its student-athletes physically, mentally, socially and emotionally. The Patriots strive to develop a high level of competition without losing sight of sportsmanship, personal responsibility, academic success and leadership while appreciating all of the values that come with being a member of your team; and*

**WHEREAS,** *under the able leadership of Coach Buz Male, the Boys 4x800 Meter Relay Team have laid the foundation for present and future successes; and*

**WHEREAS,** *the young men of the Albemarle High School Patriots Boys 4x800 Meter Relay Team have amassed an impressive record including winning the Virginia Tech Invitational, Millrose Border Clash, Virginia State AAA Indoor Track champions, broke the State Indoor Track Meet Record, placed the #1 fastest time in the Nation, placed the #5 all-time fastest time in history in Indoor Track and Field in the United States, and ran a time of 7:44.70, which is faster than the fastest time ever run indoors in Virginia; and*

**WHEREAS,** *with all these outstanding accomplishments, good character, good sportsmanship and athletic excellence are the tests of a true athlete.*

**NOW, THEREFORE, BE IT RESOLVED** *that the Albemarle County Board of Supervisors hereby recognizes, commends and congratulates the Albemarle High School Patriots Boys 4x800 Meter Relay Team and Coach Buz Male in setting the high standard for excellence both on and off the track field:*

**Garrett Bradley – Senior**  
**Zach Vrhovac – Senior**  
**Luck Noble – Senior**  
**Anthony Kostelac – Junior**

RESOLUTION

WHEREAS, the County of Albemarle Personnel Policy Manual has been adopted by the Board of Supervisors; and

WHEREAS, the proposed change to Personnel Policy §P-23, Performance Review, extends the date by which a permanent employee shall receive an annual performance review from May 15<sup>th</sup> to June 1<sup>st</sup> of each year; and

WHEREAS, the Board of Supervisors desires to adopt the revisions to Personnel Policy §P-23.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby adopts Personnel Policy §P-23, Performance Review, of the County of Albemarle Personnel Policy Manual, as attached hereto and incorporated herein, effective March 4, 2009.

§P-23

COUNTY OF ALBEMARLE  
PERSONNEL POLICY

§P-23

PERFORMANCE REVIEW

The Board believes that the primary purpose of a performance review is to inform employees about their abilities, contributions, and level of performance, and to offer constructive help as to how they might improve.

The Board endorses a regular system of performance reviews and recognizes that this system is designed to:

- A. Maintain or improve each employee’s job satisfaction by showing an interest in his/her development.
- B. Serve as a systematic guide in planning further improvement in job performance.
- C. Assure a considered opinion of an employee’s performance.
- D. Assist in determining and recording special talents, skills, and/or deficiencies.
- E. Provide an opportunity for each employee to discuss concerns about his/her job.
- F. Assemble data for use as a guide for such purposes as wage adjustments, promotions, training opportunities, disciplinary action, reassignment, and dismissal.

PROCEDURE FOR COMPLIANCE FOR PERFORMANCE REVIEW

- A. Probationary Terms – The probationary term is a six-month period of continuous employment in one position during which every new employee shall demonstrate his/her ability to perform the job. Police Officers who have no previous experience in Virginia Law Enforcement, and Communication Officers and Supervisors of the Emergency Operations center serve a twelve-month probationary period. If this performance is not satisfactory, the employee may be released without further obligation. During the probationary period, the supervisor will meet with the new employee at the end of the third and sixth month in order to provide input about the employee’s progress. The probationary performance review must be of an overall satisfactory rating for an employee to become a permanent staff member.

At the supervisor’s request (made to the Director of Human Resources), an employee’s probationary period may be extended if he misses 10% or more of the available work time, due to an illness or temporary disability, during the probationary period. This extension shall be for no more than the number of work days the employee was absent.

Employees who are promoted into positions in higher pay ranges may be required, by the supervisor, to serve an additional probationary period. If unsuccessful in completing this

probationary period, the employee will be considered for any vacancies that occur in his previous job classification.

Likewise, an employee who has moved voluntarily to a lower pay grade, may be required by his supervisor to complete an additional probationary period. If unsuccessful in completing this subsequent probationary period, the employee will be considered for any vacancies for which he is qualified.

Employees who are promoted into positions in higher pay ranges, or who voluntarily move to positions in lower pay ranges, shall not be entitled, upon successful completion of a subsequent probationary period, to a salary increase at that time.

- B. Each permanent employee shall receive an annual performance review by June 1st of each year unless specific reasons are given to the employee, in writing, for an extension. The performance review will be conducted by the department head or designee. Reviews of performance may be conducted on a more frequent basis when desirable. However, in no case will the review be held less frequently than once a year.
- C. Unsatisfactory Evaluation – A classified employee who receives an overall unsatisfactory evaluation will be re-evaluated in three months in order to assess progress shown by the employee. An employee who receives two consecutive overall ratings of unsatisfactory may be subject to dismissal. It shall remain the responsibility of the department head/designee to point out in writing specific areas of weakness and to suggest constructive ways to improve job performance.
- D. Performance reviews will be made on forms provided by the Human Resources Department, and a signed copy will be included in the employee's personnel file. A copy will also be given to the employee.

Amended: August 7, 1996; March 4, 2009

**RESOLUTION OF INTENT**

**WHEREAS**, Zoning Ordinance § 30.6 was adopted in 1990 for the purpose of implementing the enabling authority in Virginia Code § 15.2-2306(A) by identifying those arterial streets and highways found to be significant routes of tourist access to designated historic landmarks, structures or districts within the County or in contiguous localities (hereinafter, “entrance corridors”), requiring that the erection, reconstruction, alteration or restoration of structures, including signs, on parcels contiguous to those streets and highways, be architecturally compatible with those historic landmarks or structures, and establishing the substantive and procedural requirements for approving development by the Architectural Review Board within the entrance corridors; and

**WHEREAS**, the Development Review Task Force (the “DRTF”) was charged by the Board of Supervisors in 2006 to review and assess current legislative land use processes to identify needed improvements in efficiency, effectiveness, quality and public participation; and

**WHEREAS**, one of the DRTF’s recommendations to the Board of Supervisors in 2007 was to clarify the extent of Architectural Review Board review expected by the Board of Supervisors and development proposals that would later be considered by the Board of Supervisors and as a result of that recommendation, the Board of Supervisors, the Planning Commission and the Architectural Review Board have recently held two joint meetings to discuss issues pertaining to the DRTF’s recommendation and, related thereto, discussed recommendations presented by County staff for streamlining the Architectural Review Board review process in Zoning Ordinance § 30.6; and

**WHEREAS**, in order to improve the efficiency, effectiveness, and quality in Zoning Ordinance § 30.6’s substantive and procedural requirements, Zoning Ordinance § 30.6 and related sections of the Zoning Ordinance should be amended to reorganize, revise and streamline applicable procedural requirements, to reorganize, revise and amend applicable substantive requirements, to further clarify the authority and the role of the Architectural Review Board to facilitate the exercise of its powers, and to make other changes deemed appropriate in order to better achieve the purpose of Zoning Ordinance § 30.6 and to address the recommendation of the DRTF.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare and good land development practices, the Board of Supervisors hereby adopts a resolution of intent to amend Zoning Ordinance §§ 3.1, 4.15, 30.6 and any other regulations of the Zoning Ordinance deemed appropriate to achieve the purposes described herein.

**BE IT FURTHER RESOLVED THAT** the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendation to the Board of Supervisors, at the earliest possible date.

**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 \$857,143.00; 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; and

BE IT FURTHER RESOLVED, that a copy, of this resolution be spread upon the minutes of the March 4, 2009 meeting and sent to Buckingham Branch Railroad.