

<p>Fire/Rescue Ordinance and Revenue Recovery. There was a consensus of the Board to hold a work session.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Regarding upcoming issues, such as windmills, there is new software that she hopes staff is familiar with, called Canvas. You can get a unique view of what things look like. It is free and available from NACo. • <i>Urban Spaces, Rural Spaces</i> exhibit is at CitySpace for the entire month of May. • During a Route 29 Study Group discussion, she learned that VRE has been the cause for the change in the times for the train. She asked the Board to make a request that the times not be changed. Mr. Slutzky advised that he will work with VRE to address the situation. • Asked for clarification of Family Divisions, and what the rules/options are for the Board to amend the ordinance. • Interface between timbering and forestry applications, such as a silt fence. Would like to have a discussion about raising the standard for development parcels to make sure the proper E&S regulations are being upheld. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Asked when the red light cameras discussion will come back to the Board. Mr. Davis responded it was tentatively scheduled for June 3, 2009. <p><u>David Slutzky:</u></p> <ul style="list-style-type: none"> • Updated the Board on a meeting he had with Fashion Square Mall representatives. In Roanoke, they have a kiosk for the public library, with books being held in wall slots with an access code that allows users to pick up/drop off books. He shared this information with the Library Board here. 	<p><u>Mark Graham:</u> Schedule with Clerk when ready to come to Board.</p> <p><u>Mark Graham:</u> Schedule with Clerk when ready to come to Board.</p>
<p>6. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • Jim Morris expressed concerns about the Board using stimulus money. • Dave Philips and Jim Cudhay spoke in support of the STAR swimming proposal. • Neil Williamson questioned information contained in the proffer report on the consent agenda. 	
<p>7.2 Set public hearing for June 3, 2009, for proposed lease agreement between the County and the Old Crozet School Arts to lease a portion of the former Old Crozet Elementary School.</p> <ul style="list-style-type: none"> • AUTHORIZED, by a vote of 6:0, a public hearing on June 3, 2009 to receive public comment. 	<p><u>Clerk:</u> Schedule public hearing on June 3, 2009.</p>
<p>7.3 To set a public hearing for June 10, 2009, to consider a proposed ordinance to amend County</p>	

	<p>Code Chapter 3, Sections 3-201, 3-205, 3-301 and 3-305 to change the references to the department of community development.</p> <ul style="list-style-type: none"> • AUTHORIZED, by a vote of 6:0, a public hearing on June 10, 2009 to receive public comment on the proposed lease. 	<p><u>Clerk:</u> Schedule public hearing on June 10, 2009.</p>
7.4	<p>To set a public hearing for June 10, 2009, to consider a proposed ordinance to amend County Code Appendix A-1, Sections A.1-103 and A.1-104 to change the references to the director of community development.</p> <ul style="list-style-type: none"> • AUTHORIZED, by a vote of 6:0, a public hearing on June 10, 2009 to receive public comment. 	<p><u>Clerk:</u> Schedule public hearing on June 10, 2009.</p>
7.5	<p>ACE - Acquisition of Dutnell Easement.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Resolution to accept Mr. Dutnell's offer to sell an ACE easement over his property for \$118,000. 	<p><u>Clerk:</u> Forward copy of signed resolution to David Benish, Ches Goodall, and County Attorney's Office. (Attachment 5)</p>
7.6	<p>FY 2009 Appropriations.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, budget amendment in the amount of \$637,756.57. • APPROVED, by a vote of 6:0, appropriations #2009057, #2009058, and #2009059. • APPROVED, by a vote of 4:2 (Slutzky, Mallek), #2009060. 	<p><u>Clerk:</u> Forward copy of signed appropriation forms to Finance and appropriate individuals.</p>
7.7	<p>Federal Low-Income Housing Tax Credit Applications for Treesdale Park and Piedmont Heights.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Resolution (Attachment 6) supporting Treesdale, LP's application for tax credits, AUTHORIZED the County Executive to sign the Treesdale Park Project Support Letter, and SUPPORT the commitment of up to 22 project-based vouchers that meet specific criteria, and • ADOPTED, the attached Resolution (Attachment 7) certifying that the Treesdale Park site meets VHDA's definition of a revitalization area and authorizing the County Executive to sign the Revitalization Area Certification Letter. 	<p><u>Clerk:</u> Forward copy of signed resolutions to Ron White and County Attorney's Office. (Attachments 6 and 7)</p>
7.8	<p>County Executive's Authorization to Apply for and Accept Grants.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Resolution to authorize the County Executive, or his designee, to apply for and accept grant opportunities on behalf of the County. 	<p><u>Clerk:</u> Forward copy of signed resolution to Bill Letteri, Lori Allshouse and County Attorney's Office. (Attachment 8)</p>
7.9	<p>Resolution to accept road(s) in Tanager Woods Subdivision into the State Secondary System of Highways.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution. 	<p><u>Clerk:</u> Forward signed resolution and Form AM-4.3 to Glenn Brooks. (Attachment 9)</p>
7.10	<p>FY 2009/10 Appropriation Resolution.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Annual Resolution of Appropriations for FY 09/10 (Attachment 10) that allocates a total of \$304,262,583 to various General Government and School Division operating, capital 	<p><u>Clerk:</u> Forward resolution to Richard Wiggins, Brenda Neitz, Laura Vinzant, School Superintendent, and County Attorney's Office. (Attachments 10 and 11)</p>

<p>improvement, and debt service accounts for expenditure in FY 09/10.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Resolution (Attachment 11) of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing. 	
<p>8. Competitive Pool Update.</p> <ul style="list-style-type: none"> • MOTION to direct staff to bring back an appropriation for an additional \$500,000 for the STAR swimming program over a 5 year period, failed by a vote of 3:3 (Slutzky, Thomas, Mallek). 	
<p>9. SEEA Grant Proposal Update.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 5:1, (Boyd) the attached resolution. 	<p><u>Clerk</u>: Forward copy of signed resolution to Sarah Temple and County Attorney's Office. (Attachment 12)</p>
<p>10. Resource Management Review Update.</p> <ul style="list-style-type: none"> • In the July status report, the Board would like to discuss further the following issues: Outcome measurements for AHIP and PHA, Parks and Recreation reporting relationships, value engineering, quarterly reports from agencies outside of the County (cost benefit analysis), with other Board members planning to send suggestions by e-mail. 	<p><u>County Executive Staff</u>: Proceed as directed.</p>
<p>Non-Agenda.</p> <ul style="list-style-type: none"> • The Board took a recess at 11:29 a.m. and reconvened at 11:36 a.m. 	
<p>11. Albemarle County Debt Financing - 2009.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached Resolution (Attachment 13) authorizing the proposed plan of lease financing with the Economic Development Authority of Albemarle County, Virginia, for the acquisition, construction and equipping of the Hollymead Fire Station and the replacement of certain fire and EMS vehicles. 	<p><u>Clerk</u>: Forward copy of signed resolution to Richard Wiggins, Brenda Neitz, Laura Vinzant, EDA and County Attorney's Office. (Attachment 13)</p>
<p>12. Third Quarter Financial Report.</p> <ul style="list-style-type: none"> • RECEIVED. 	
<p>13. Public Hearing: FY09 Annual Plan for the administration of the Housing Choice Voucher Program.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the FY09 Annual Plan without any changes, and AUTHORIZED the County Executive to execute the required Civil Rights Certification and the PHA Certifications of Compliance. 	<p><u>Ron White</u>: Proceed as approved.</p>
<p>14. Public Hearing: The Field School of Charlottesville Lease of the Old Crozet Elementary School.</p> <ul style="list-style-type: none"> • APPROVED the lease with the Field School of Charlottesville and AUTHORIZED the County Executive to sign the lease on behalf of the County. 	<p><u>George Shadman/Michael Freitas</u>: Proceed as approved.</p>
<p>15. Closed Meeting.</p> <ul style="list-style-type: none"> • At 12:16 p.m., the Board went into closed meeting to consider appointments to boards, committees, and commissions; to conduct an administrative evaluation; and to discuss with legal counsel and staff specific matters 	

	<p>requiring legal advice relating to the Meadowcreek Parkway.</p>
<p>16. Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 2:12 p.m., the Board reconvened into open meeting and certified the Closed Meeting. 	
<p>17. Appointments: Boards and Commissions.</p> <ul style="list-style-type: none"> Appointed Sally Thomas to the Rivanna Water and Sewer Authority, as the Board of Supervisors' representative. Appointed Ken Boyd to the Rivanna Solid Waste Authority, as the Board of Supervisors' representative. Appointed James Byrom to the Natural Heritage Committee, to fill an unexpired term that will expire on September 30, 2012. Reappointed M. Waltine Eubanks to the Advisory Council on Aging, with said term to expire May 31, 2011. Reappointed David vanRojien to the Agricultural and Forestal District Advisory Committee, with said term to expire April 17, 2013. Reappointed Christine Devine to the Historic Preservation Committee, with said term to expire June 4, 2012. Reappointed Dr. Donna Plasket to the Piedmont Virginia Community College Board, with said term to expire June 30, 2013. Reappointed Julia Monteith to the Planning Commission, as the University of Virginia representative, with said term to expire December 31, 2010. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>
<p>18a. VDOT Monthly Report.</p> <ul style="list-style-type: none"> Allan Sumpter provided the following additional updates: <ul style="list-style-type: none"> Mr. Rooker asked if the discussions have moved any further along on the Broomley Road Bridge. Mr. Sumpter replied they are moving along. Improvements should occur sometime during the summer. With work scheduled to proceed on Lanetown Road, Ms. Thomas suggested that VDoT keep a close eye on how Buckingham Railroad makes its repairs. Mr. Rooker asked VDoT to reconsider using green paint for the crossings on Georgetown Road. Mr. Sumpter replied that the Federal Highway Administration makes that determination and will not allow them to use the green paint. On Georgetown Road, Ms. Thomas suggested that the bus stops and crosswalks not be in identical locations so the bus stops do not stop on top of the crosswalk. If they are in the same locations, the person trying to catch the bus is left without a crosswalk to cross the road. 	

<ul style="list-style-type: none"> • Mr. Boyd asked if VDOT has any plans to make the Route 250/Rolkin Road pedestrian friendly. Mr. Benish said staff has been working with Facilities Development to get that into their Work Program for the next fiscal year. The first step is a design study to determine the type of necessary improvements. • Mr. Sumpter stated that work is progressing for the four-way stop installation at Woodlands and Raes Ford Roads. • Mr. Sumpter updated Board members on VDOT's summer paving schedules. He explained the types of treatments and the areas of the County where the paving will occur. • Mr. Sumpter said his Residency budget has now been cut from \$13.0 million to approximately \$7.0 million. There are going to be changes in level of service, and as organizational changes occur, VDOT will have to prioritize their work and handle things as efficiently as possible. • Referring to the monthly report, Ms. Thomas asked about the status of the Meadow Creek Parkway, "project risks: failure of RWSA to execute permit with Norfolk Southern Railroad". Mr. Sumpter replied that is ongoing and could potentially delay some of the work. He is not sure of the exact status. • Ms. Mallek asked if stripping of Garth Road is still on VDOT's list of priorities. Mr. Sumpter said that is still on the stripping schedule for the summer. • Ms. Mallek asked about the counting cords. Mr. Sumpter said VDOT goes through a periodic count; some is done on certain amounts of roads every year as part of the standard practice. 	
<p>18b. <u>Transportation Matters not Listed on the Agenda. David Slutzky:</u></p> <ul style="list-style-type: none"> • Discussed the delay in the Hillsdale safety project and VDOT's Office of Civil Rights rejection of the bid. Asked what will be done to move forward. Mr. Letteri responded that the bid requirements include a specification that the low bidder meet or attempt to meet the DBE requirement. In the future, the County hopes to team with some local contractors to do a work session on the DBE requirements, and VDOT's expectations to make sure they are conforming. He added that they are proceeding with the next low bidder and hope to determine in the next week or so if this bidder meets the qualifications. The alternative is to rebid the project. 	<p><u>Clerk:</u> Forward comments to Sue Kennedy and Allan Sumpter.</p>

<p>18c. Draft United Jefferson Area Mobility (UnJam) Plan 2035.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the attached resolution. 	<p><u>Clerk</u>: Forward adopted resolution to Melissa Barlow, TJPDC. (Attachment 14)</p>
<p>Board recessed at 2:54 p.m. and reconvened at 3:00 p.m.</p>	
<p>19. Work Session: Joint Meeting with Planning Commission, re: Wind turbines.</p> <ul style="list-style-type: none"> • HELD. • CONSENSUS to proceed with development of a tiered approach for consideration and move through the process, with no lighting. 	<p><u>Mark Graham</u>: Proceed through Commission process and bring back to Board when ready.</p>
<p>Board recessed at 4:30 p.m. and Reconvened at 4:36 p.m.</p>	
<p>20. Work Session: Stormwater Regulator Considerations.</p> <ul style="list-style-type: none"> • HELD. • CONSENSUS to support and bring forward the five changes as set out in staff report: <ol style="list-style-type: none"> 1. Reduce the minimum parking space requirement for professional office space. 2. Require stronger on-site stormwater protections when surface parking lots will exceed the County's maximum limit on parking spaces. 3. Increase the percentage of parking lot area that must be landscaped with vegetation, while granting developers the flexibility to use on-site stormwater facilities to: (1) meet the landscaping requirement, and (2) satisfy a Code provision that allows developers to reduce the length of individual parking spaces (and thereby reduce the size of the overall parking lot). 4. Create a firmer time limit on how long large areas of earth on construction sites may be left denuded and destabilized. (Mr. Graham said staff can bring this back to the Board possibly in July.) 5. Provide more detail about the protective measures developers and landowners must take when they opt to enter into an erosion control agreement with the County instead of submitting a formal erosion and sediment control plan. (Mr. Graham stated this is administrative and staff will implement and make effective now.) 	<p><u>Mark Graham</u>: Proceed through Commission process and bring back to Board when ready.</p>

ewj/mrh

- Attachment 1 – Proclamation - National Tourism Week
- Attachment 2 - Proclamation - National Law Enforcement Officer's Week
- Attachment 3 – Proclamation - Public Service Recognition Week
- Attachment 4 - Proclamation – Letter Carrier Food Drive Day
- Attachment 5 - Resolution - Dutnell Easement
- Attachment 6 – Resolution - Treesdale Park
- Attachment 7 – Resolution - Treesdale Park

- Attachment 8 – Resolution - Authorize the County Executive to make grant applications and accept grants on behalf of the County.
- Attachment 9 - Resolution - Tanager Woods
- Attachment 10 – Resolution - Annual Resolution of Appropriations for FY 09/10
- Attachment 11 – Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing
- Attachment 12 – Resolution to support the SEEA Grant Application
- Attachment 13 – Resolution authorizing the proposed plan of lease financing with the Economic Development Authority of Albemarle County, Virginia for the acquisition, construction and equipping of the Hollymead Fire Station and the replacement of certain fire and EMS vehicles.
- Attachment 14 – Resolution Endorsing the UnJAM 2035 Plan

National Tourism Week

WHEREAS, the travel and tourism industry in Albemarle County is vital to our economic stability and growth; and it contributes significantly to our County's cultural and social climate; and

WHEREAS, the travel and tourism industry supports the vital interests of the Albemarle County community, contributing to our employment, economic prosperity, international travel and relations, peace, understanding and good will; and

WHEREAS, in 2007 the Virginia Tourism Corporation reported \$268.0 million in tourism revenues attributed to County businesses; and approximately 4,764 people work in fields in Albemarle County directly related to the hospitality industry, including lodging, food service, and attractions; and

WHEREAS, the Tourism Fund in Albemarle County provides significant monetary support to the County's Acquisition of Conservation Easements (ACE) program which preserves and protects critical rural resources; and

WHEREAS, every citizen in Albemarle County benefits from the tourism industry; and it is fitting that we recognize the importance of travel and tourism.

NOW, THEREFORE, BE IT RESOLVED, that I, David Slutzky, Chairman of the Albemarle County Board of Supervisors, do hereby proclaim the week of

May 9 through May 17, 2009

as

NATIONAL TOURISM WEEK

in Albemarle County, and I call upon all citizens to recognize the value of the tourism industry in our community and to observe this week with appropriate ceremonies and activities.

ATTACHMENT 2

National Law Enforcement Officer's Week

WHEREAS, May 15 of each year was proclaimed "**Police Officer's Memorial Day**" by President John F. Kennedy on October 1, 1962, in honor of those peace officers who, through their courageous deeds, have lost their lives or become disabled in the performance of duty; and

WHEREAS, Albemarle County is faithfully served by a professional and committed Police Department whose men and women are dedicated to providing outstanding service to the community; and

WHEREAS, these days of increasing fear, rising crime, reckless acts of violence, recall to our minds President Kennedy's words of praise for these officers as "**truly men and women of courage, judgment and dedication**"; and

WHEREAS, we share his sentiments and agree that it is time to remind the public of the day-by-day heroism of our officers, both those on active duty and those who have given their lives in the line of duty; and

WHEREAS, we will be recognizing Police Memorial Day in Albemarle County with a special ceremony to be held on May 15, 2009;

NOW, THEREFORE, I, David Slutzky, Chairman, on behalf of the Albemarle Board of County Supervisors, do hereby declare and set aside the week of

May 10 through May 20, 2009, as

NATIONAL LAW ENFORCEMENT OFFICER'S WEEK

and call upon all citizens to recognize the significant efforts and accomplishments of these officers.

Public Service Recognition Week 2009

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation working; and

WHEREAS, public service is among the most demanding and noble of professions; and

WHEREAS, **Public Service Recognition Week** is observed annually to celebrate and recognize the valuable service that millions of public servants provide to the nation; and

WHEREAS, over 500 Albemarle County Local Government employees work tirelessly throughout the year to serve our residents, businesses, and visitors, providing them with the highest level of customer service and maintaining careful stewardship of the resources with which they have been entrusted; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and

WHEREAS, we appreciate the many accomplishments and contributions made daily by these public servants;

NOW, THEREFORE, BE IT RESOLVED that we, the Albemarle County Board of Supervisors, do proclaim

**May 4 through May 10, 2009 as
Public Service Recognition Week**

and call upon the citizens of Albemarle County to join their fellow citizens across the County to recognize crucial role of public employees.

Letter Carrier Food Drive Day

WHEREAS, in May, 2008, the National Association of Letter Carriers, assisted by the U. S. Postal Service, held its 17th Annual Food Drive for the Charlottesville-Albemarle area food banks; and

WHEREAS, this one-day project garnered more than 37,000 pounds of food which was channeled by the Thomas Jefferson Area Food Bank to more than 100 different agencies serving the County of Albemarle, the City of Charlottesville, and seven surrounding counties; and

WHEREAS, the National Association of Letter Carriers, in conjunction with Feeding America, the Thomas Jefferson Area Food Bank and the U. S. Postal Service will be collecting nonperishable food items on **Saturday, May 9, 2009**; and

WHEREAS, on **Saturday, May 9, 2009**, every postal customer can leave nonperishable food items in bags near their mail boxes. When the letter carrier comes by delivering mail on his or her route, the food will be collected, taken back to the Main Post Office and delivered to Feeding America – Thomas Jefferson Area Food Bank.

NOW, THEREFORE, I, David Slutzky, Chairman, on behalf of the Albemarle County Board of Supervisors, do hereby recognize

**Saturday, May 9, 2009 as
LETTER CARRIER FOOD DRIVE DAY**

in Albemarle and call upon all citizens to recognize the significance of this event and to help make the event a success.

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

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

Dutnell Property	TM 99, Parcel 36C (89.883 acres)
	<u>TM 99, Parcel 38 (62.998 acres)</u>
	Total (152.881 acres)

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

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

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

RESOLUTION

WHEREAS, the County of Albemarle is committed to ensuring that safe, decent, affordable, and accessible housing is available for all residents; and

WHEREAS, the County of Albemarle is committed to improving the livability of all neighborhoods and access to support services by residents; and

WHEREAS, the County of Albemarle is committed to preserving existing and promoting the development of new affordable housing stock; and

WHEREAS, Treesdale, LP is applying for Federal Housing Tax Credits to develop 88 units of rental housing located on East Rio Road and known as Treesdale Park; and

WHEREAS, all proposed units in the development will be restricted to households with incomes at or below 60% of the area median income; and

WHEREAS, the Albemarle County Office of Housing proposes the use of Housing Choice Vouchers to provide project-based assistance for up to 22 of the proposed housing units with household incomes limited to those families at or below 40% of the area median income;

NOW, THEREFORE, BE IT RESOLVED that the County of Albemarle supports Treesdale, LP's application for tax credits and authorizes the County Executive to sign the Local CEO Support Letter. The County of Albemarle also supports the commitment of up to 22 project-based vouchers to provide rental assistance for households with incomes at or below 40% AMI provided that the U.S. Department of Housing and Urban Development (HUD) continues to provide sufficient financing to meet the commitment.

RESOLUTION

WHEREAS, the County of Albemarle is committed to ensuring that safe, decent, affordable, and accessible housing is available for all residents; and

WHEREAS, the County of Albemarle is committed to improving the livability of all neighborhoods and access to support services by residents; and

WHEREAS, the County of Albemarle is committed to preserving existing and promoting the development of new affordable housing stock; and

WHEREAS, the access to and use of federal low-income housing tax credits (LIHTC) as source of equity financing for affordable housing is critical in ensuring financial feasibility; and

WHEREAS, the Virginia Housing Development Authority (VHDA) administers the LIHTC program on a competitive basis; and

WHEREAS, applicants may receive additional points in the competitive process if the proposed development is in a revitalization area as defined by VHDA and certified by the locality; and

WHEREAS, the Treesdale Park development of 88 affordable rental units is proposed on a site which meets VHDA's definition of "blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements, or other facilities in such area are subject to one or more of the following conditions – dilapidation, obsolescence, overcrowding, inadequate ventilation, light, or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition ... and, private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of the low and moderate income persons or families in such areas and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area" by virtue of the existence of two vacant, deteriorating structures sitting on approximately six acres of land in one of the County's designated growth areas.

NOW, THEREFORE, BE IT RESOLVED that the County of Albemarle certifies that the proposed Treesdale Park site meets VHDA's definition of a revitalization area recognizing that equity investments from the acquisition and sale of tax credits are necessary to make the development financially feasible and authorizes the County Executive to sign the Revitalization Area Certification.

ATTACHMENT 8

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO MAKE GRANT APPLICATIONS
AND ACCEPT GRANTS ON BEHALF OF THE COUNTY**

WHEREAS, the County of Albemarle finds it appropriate that the County pursue grant opportunities that might provide enhanced funding for important County initiatives; and

WHEREAS, grant application processes generally require that a grant application or proposal, certifications, and other supporting or related contracts or documents be submitted to complete an application or to accept grant funding; and

WHEREAS, to ensure that the County is well-positioned to apply for and receive grants, it is important to have an efficient process in place to meet the tight timetables often associated with many requests for proposals for grant funding or the acceptance of such funding; and

WHEREAS, the efficiency of government is improved by delegating to the County Executive the authority to apply for and accept grant funding opportunities.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the County Executive, or his designee, to act on behalf of the County to execute grant applications or proposals along with any necessary certifications and supporting or related contracts or documents required to obtain or accept a grant, provided that such documents are approved as to form and content by the County Attorney.

RESOLUTION

WHEREAS, the street(s) in **Tanager Woods Subdivision**, as described on the attached Additions Form AM-4.3 dated **May 6, 2009**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Tanager Woods**, as described on the attached Additions Form AM-4.3 dated **May 6, 2009**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**ANNUAL RESOLUTION OF APPROPRIATIONS
OF THE COUNTY OF ALBEMARLE
FOR THE FISCAL YEAR ENDING JUNE 30, 2010**

A RESOLUTION making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 2010; to prescribe the provisions with respect to the items of appropriation and their payment; and to repeal all previous appropriation ordinances or resolutions that are inconsistent with this resolution to the extent of such inconsistency.

BE IT RESOLVED by the Albemarle County Board of Supervisors:

SECTION I - GENERAL GOVERNMENT (Fund 1000)

That the following sums of money be and the same hereby are appropriated from the GENERAL FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2010:

Paragraph One: TAX REFUNDS, ABATEMENTS, & OTHER REFUNDS:

Refunds and Abatements	\$169,500
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Paragraph Two: GENERAL MANAGEMENT AND SUPPORT

Board of Supervisors	\$587,011
County Attorney	\$897,522
County Executive	\$1,229,972
Department of Finance	\$3,997,875
Department of Human Resources	\$1,071,197
Department of Information Technology	\$2,556,948
Voter Registration/ Elections	<u>\$482,177</u>
	\$10,822,702

Paragraph Three: JUDICIAL

Circuit Court	\$104,063
Clerk of the Circuit Court	\$687,202
Commonwealth's Attorney	\$899,547
General District Court	\$22,700
Juvenile Court	\$133,359
Magistrate	\$4,800
Sheriff's Office	<u>\$1,964,669</u>
	\$3,816,340

Paragraph Four: PUBLIC SAFETY

Albemarle County Fire/Rescue Department	\$6,624,973
Building Codes and Inspections	\$1,120,365
Community Attention Home	\$60,149
Department of Police	\$12,578,068
Emergency Communications Center	\$1,975,393
Fire Department Contract (City of Charlottesville)	\$777,878
Fire/Rescue Credit	\$50,430
Forest Fire Extinguishment	\$22,656

Juvenile Detention Center	\$719,473
Offender Aid and Restoration (OAR)	\$155,382
Regional Jail Authority	\$3,227,959
SPCA Contract	\$198,106
Thomas Jefferson EMS Council	\$21,184
Volunteer Fire Departments	\$1,251,655
Volunteer Rescue Squads	<u>\$420,255</u>
	\$29,203,926

Paragraph Five: GENERAL SERVICES / PUBLIC WORKS

Facilities Development Department	\$658,002
General Services	\$350,000
Rivanna Solid Waste Authority	<u>\$3,585,253</u>
	\$4,593,255

Paragraph Six: HUMAN SERVICES

AIDS Support Group	\$4,861
Arc of the Piedmont Infant Development Program	\$8,970
Boys and Girls Club	\$13,887
Bright Stars Transfer	\$647,086
BRMC - Latino Lay Health Promoter	\$5,445
Charlottesville Free Clinic	\$114,636
Children, Youth and Family Services (CYFS)	\$97,614
Commission on Children & Families (CCF)	\$248,936
Comprehensive Services Act Transfer	\$2,710,747
Computers4Kids	\$15,617
Department of Social Services	\$11,257,067
Health Department	\$551,444
JAUNT	\$876,442
Jefferson Area Board on Aging (JABA)	\$280,478
Jefferson Area CHIP	\$317,144
Legal Aid Justice Center	\$38,494
Madison House	\$10,370
Music Resource Center	\$6,335
Northwestern Virginia Health Systems	\$4,723
Piedmont CASA	\$8,925
Piedmont Virginia Community College (PVCC)	\$23,475
Piedmont Workforce Network	\$13,805
Region Ten Community Services	\$569,531
Sexual Assault Resource Agency (SARA)	\$23,690
Shelter for Help in Emergency (SHE)	\$89,974
Tax Relief for Elderly/Disabled	\$1,000,000
United Way	\$119,507
Urban Vision	<u>\$24,463</u>
	\$19,083,666

Paragraph Seven: PARKS, RECREATION AND CULTURE

African American Festival	\$3,000
Ash-Lawn Highland	\$10,164
Darden Towe Park Transfer	\$155,862
Department of Parks & Recreation	\$2,251,277

Jefferson-Madison Regional Library	\$3,173,138
Literacy Volunteers	\$26,355
Municipal Band	\$18,190
Piedmont Council of the Arts	\$12,594
Virginia Discovery Museum	\$11,978
Virginia Festival of the Book	\$11,960
Virginia Film Festival	\$16,380
Visitors Bureau	\$707,044
WVPT Public Television	<u>\$5,463</u>
	\$6,403,405

Paragraph Eight: COMMUNITY DEVELOPMENT

Albemarle Housing Improvement Program (AHIP)	\$416,328
Alliance for Community Choice in Transportation	\$6,500
Central Virginia Small Business Development Center	\$7,800
Charlottesville Transit Service	\$666,634
Department of Community Development	\$4,962,988
Housing Office	\$756,158
Monticello Area Community Action Agency (MACAA)	\$150,083
Piedmont Housing Alliance (PHA)	\$113,396
Planning District Commission (TJPDC)	\$108,292
Soil and Water Conservation	\$96,239
Stream Watch	\$10,816
VPI Extension Service	<u>\$201,290</u>
	\$7,496,524

Paragraph Nine: CAPITAL OUTLAYS

Transfer to General Government Capital Improvements Fund - Recurring	\$681,958
Transfer to Schools Capital Improvements Fund	\$1,034,000
Transfer to Storm Water Fund	<u>\$250,000</u>
	<u>\$1,965,958</u>

Paragraph Ten: REVENUE SHARING AGREEMENT

Revenue Sharing Agreement	\$18,038,878
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Paragraph Eleven: OTHER USES OF FUNDS

Board Contingency Reserve	\$96,745
Salary Contingency - Reclassifications	\$100,000
VERIP One-Time Payout	\$140,000
Transfer to General Government Debt Service	\$2,784,935
Transfer to School Division Debt Service	\$14,956,864
Transfer to School Fund - Recurring	<u>\$100,150,577</u>
	\$118,229,121

Paragraph Twelve: ANTICIPATED SAVINGS

Anticipated Salary Savings - Frozen Positions	<u>(\$831,803)</u>
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Total GENERAL FUND appropriations for the fiscal year ending June 30, 2010: **\$218,991,472**

To be provided as follows:

Revenue from Local Sources	\$189,439,770
Revenue from Local Sources - Transfers	\$1,780,807
Revenue from the Commonwealth	\$23,486,237
Revenue from the Federal Government	\$4,138,383
Revenue from Fund Balance	\$146,275

Total GENERAL FUND resources available for fiscal year ending June 30, 2010: **\$218,991,472**

SECTION II: REGULAR SCHOOL FUND (Fund 2000)

That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: REGULAR SCHOOL FUND

Administration, Attendance & Health	\$8,661,624
Facilities Construction/ Modification	\$107,600
Facilities Operation/ Maintenance	\$14,711,969
Instruction	\$109,256,919
Pupil Transportation Services	\$8,717,314
Technology	\$3,173,993
Other Uses of Funds	\$4,349,069

Total REGULAR SCHOOL FUND appropriations for fiscal year ending June 30, 2010: **\$148,978,488**

To be provided as follows:

Revenue from Local Sources (General Fund Transfer)	\$100,150,577
Revenue from Other Local Sources	\$675,278
Revenue from School Fund Balance, Carry-Over, Transfers	\$2,224,000
Revenue from the Commonwealth	\$43,260,327
Revenue from the Federal Government	\$2,668,306

Total REGULAR SCHOOL FUND resources available for fiscal year ending June 30, 2010: **\$148,978,488**

SECTION III: OTHER SCHOOL FUNDS

That the following sums of money be and the same hereby are appropriated for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: FOOD SERVICES (Fund 3000)

Maintenance/ Operation of School Cafeterias	\$4,796,913
Summer Feeding	<u>\$304,000</u>

Total FOOD SERVICES appropriations for fiscal year ending June 30, 2010:	\$5,100,913
To be provided as follows:	
Revenue from Local Sources	\$3,519,206
Revenue from the Commonwealth	\$60,784
Revenue from the Federal Government	<u>\$1,520,923</u>
Total FOOD SERVICES resources available for fiscal year ending June 30, 2010:	\$5,100,913
 Paragraph Two: PRE-SCHOOL SPECIAL EDUCATION FUND (Fund 3205)	
Special Ed Pre-School Program	<u>\$67,416</u>
Total PRE-SCHOOL SPECIAL EDUCATION FUND appropriations for fiscal year ending June 30, 2010:	\$67,416
To be provided as follows:	
Revenue from the Federal Government	<u>\$67,416</u>
Total PRE-SCHOOL SPECIAL EDUCATION FUND resources available for fiscal year ending June 30, 2010:	\$67,416
 Paragraph Three: McINTIRE TRUST FUND (Fund 3501)	
Payment to County Schools	<u>\$10,000</u>
Total McINTIRE TRUST FUND appropriations for fiscal year ending June 30, 2010:	\$10,000
To be provided as follows:	
Revenue from Investments Per Trust	<u>\$10,000</u>
Total McINTIRE TRUST FUND resources available for fiscal year ending June 30, 2010:	\$10,000
 Paragraph Four: PREP PROGRAM	
C. B. I. P. Severe (Fund 3201)	\$1,041,290
E. D. Program (Fund 3202)	<u>\$826,890</u>
Total PREP PROGRAM appropriations for fiscal year ending June 30, 2010:	\$1,868,180
To be provided as follows:	
Revenue from Tuition and Fees	<u>\$1,868,180</u>
Total PREP PROGRAM resources available for fiscal year ending June 30, 2010:	\$1,868,180
 Paragraph Five: FEDERAL PROGRAMS	

Adult Education (Fund 3115)	\$126,500
Carl Perkins (Fund 3207)	\$147,231
Chapter I (Fund 3101)	\$1,235,950
Drug Free Schools (Fund 3107)	\$40,000
Migrant Education (Fund 3103)	\$147,050
Title II (Fund 3203)	\$494,970
English Literacy/Civics (Fund 3221)	\$166,500
Economically Dislocated Workers (Fund 3116)	\$55,000
Title III (Fund 3215)	\$120,000
21st Century Grant (Fund 3219)	\$163,177
Technology Challenge Grant (Fund 3131)	\$13,654
Race to GED (Fund 3309)	\$32,812
Families in Crisis (Fund 3304)	<u>\$50,000</u>

Total FEDERAL PROGRAMS appropriations for fiscal year ending June 30, 2010: \$2,792,844

To be provided as follows:

Revenue from Local Sources	\$75,050
Revenue from Local Sources (Transfer from School Fund)	\$50,000
Revenue from the Federal Government	<u>\$2,667,794</u>

Total FEDERAL PROGRAMS resources available for fiscal year June 30, 2010: \$2,792,844

Paragraph Six: COMMUNITY EDUCATION FUND (Fund 3300)

Community Education	<u>\$1,699,433</u>
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Total COMMUNITY EDUCATION FUND appropriations for fiscal year ending June 30, 2010: \$1,699,433

To be provided as follows:

Revenue from Local Sources (Tuition)	<u>\$1,699,433</u>
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Total COMMUNITY EDUCATION FUND resources available for fiscal year ending June 30, 2010: \$1,699,433

Paragraph Seven: SUMMER SCHOOL (Fund 3310)

Summer School	<u>\$550,183</u>
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Total SUMMER SCHOOL appropriations for fiscal year ending June 30, 2010: \$550,183

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund)	\$239,243
Revenue from Local Sources (Tuition)	\$171,440
Miscellaneous Revenues	\$2,000
Revenue from the Commonwealth	<u>\$137,500</u>

Total SUMMER SCHOOL resources available for fiscal year ending June 30, 2010: \$550,183

Paragraph Eight: SCHOOL BUS REPLACEMENT (Fund 3905)

School Bus Replacement	<u>\$500,000</u>
Total SCHOOL BUS REPLACEMENT appropriations for fiscal year ending June 30, 2010:	\$500,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund)	<u>\$500,000</u>
Total SCHOOL BUS REPLACEMENT resources available for fiscal year ending June 30, 2010:	\$500,000

Paragraph Nine: AIMR SUMMER RENTAL FUND (Fund 3145)

AIMR Summer Rental	<u>\$446,010</u>
Total AIMR SUMMER RENTAL FUND appropriations for fiscal year ending June 30, 2010:	\$446,010

To be provided as follows:

Revenue from Local Sources (rental)	<u>\$446,010</u>
Total AIMR SUMMER RENTAL FUND resources available for fiscal year ending June 30, 2010:	\$446,010

Paragraph Ten: INTERNAL SERVICE - VEHICLE MAINTENANCE FUND (Fund 3910)

Vehicle Maintenance	799,536
Total INTERNAL SERVICE VEHICLE MAINTENANCE FUND appropriations for fiscal year ending June 30, 2010:	\$799,536

To be provided as follows:

Revenue from Local Sources (Charges)	<u>\$799,536</u>
Total INTERNAL SERVICE VEHICLE MAINTENANCE FUND resources available for fiscal year ending June 30, 2010:	\$799,536

Paragraph Eleven: GENERAL ADULT EDUCATION FUND (Fund 3133)

General Adult Education	<u>\$19,000</u>
Total GENERAL ADULT EDUCATION FUND appropriations for fiscal year ending June 30, 2010:	\$19,000

To be provided as follows:

Revenue from Local Sources	\$9,000
Revenue from the Commonwealth	<u>\$10,000</u>

Total GENERAL ADULT EDUCATION FUND resources available for fiscal year ending June 30, 2010: **\$19,000**

Paragraph Twelve: DRIVERS SAFETY FUND (Fund 3305)

Drivers Safety Fund \$401,500

Total DRIVERS SAFETY FUND appropriations for fiscal year ending June 30, 2010: **\$401,500**

To be provided as follows:

Revenue from Local Sources (Tuition) **\$341,000**

Revenue from the Commonwealth \$60,500

Total DRIVERS SAFETY FUND resources available for fiscal year ending June 30, 2010: **\$401,500**

Paragraph Thirteen: OPEN DOORS FUND (Fund 3306)

Open Doors Fund \$123,000

Total OPEN DOORS FUND appropriations for fiscal year ending June 30, 2010: **\$123,000**

To be provided as follows:

Revenue from Local Sources (Tuition) **\$120,000**

Revenue from Local Sources (Advertisements) \$3,000

Total OPEN DOORS FUND resources available for fiscal year ending June 30, 2010: **\$123,000**

Paragraph Fourteen: STATE PROGRAMS

Special Education Jail Program (Fund 3212) \$140,408

Algebra Readiness (Fund 3152) \$35,000

Individualized Student Alternative Education (Fund 3142) \$23,576

Teacher Mentor Program (Fund 3151) \$9,586

Total STATE PROGRAMS appropriations for fiscal year ending June 30, 2010: **\$208,570**

To be provided as follows:

Revenue from the Commonwealth \$208,570

Total STATE PROGRAMS resources available for fiscal year ending June 30, 2010: **\$208,570**

Paragraph Fifteen: COMMUNITY CHARTER SCHOOL

Community Charter School \$330,000

Total COMMUNITY CHARTER SCHOOL appropriations for fiscal year ending June 30, 2010: **\$330,000**

To be provided as follows:

Revenue from Local Sources	\$130,000
Revenue from Federal Sources	<u>\$200,000</u>

Total TNE PARTNERSHIP GRANT resources available for fiscal year ending June 30, 2010: \$330,000

Paragraph Sixteen: COMPUTER EQUIPMENT REPLACEMENT FUND (Fund 3907)

Computer Equipment Replacement Fund	<u>\$1,000,000</u>
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Total COMPUTER EQUIPMENT REPLACEMENT FUND appropriations for fiscal year ending June 30, 2010: \$1,000,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund)	<u>\$1,000,000</u>
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Total COMPUTER EQUIPMENT REPLACEMENT FUND resources available for fiscal year ending June 30, 2010: \$1,000,000

Paragraph Seventeen KLUGE-CLUB YANCEY (Fund 3157)

Kluge-Club Yancey	<u>\$20,000</u>
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Total KLUGE-CLUB YANCEY appropriations for fiscal year ending June 30, 2010: \$20,000

To be provided as follows:

Revenue from Local Sources	<u>\$20,000</u>
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Total KLUGE-CLUB YANCEY resources available for fiscal year ending June 30, 2010: \$20,000

Paragraph Eighteen: FOUNDATION FOR EXCELLENCE (Fund 3502)

Foundation for Excellence	<u>\$12,000</u>
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Total FOUNDATION FOR EXCELLENCE appropriations for fiscal year ending June 30, 2010: \$12,000

To be provided as follows:

Revenue from Local Sources (Miscellaneous)	<u>\$12,000</u>
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Total FOUNDATION FOR EXCELLENCE resources available for fiscal year ending June 30, 2010: \$12,000

Paragraph Nineteen: Textbook Replacement Fund

Textbook Replacement	<u>\$1,000,000</u>
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Total TEXTBOOK REPLACEMENT FUND appropriations for fiscal year ending	\$1,300,950
To be provided as follows:	
Revenue from Local Sources (Transfer)	<u>\$1,000,000</u>
Total TEXTBOOK REPLACEMENT FUND resources available for fiscal year ending June 30, 2010:	\$1,300,950
GRAND TOTAL - OTHER SCHOOL FUNDS	<u><u>\$16,948,585</u></u>

SECTION IV: OTHER SPECIAL REVENUE FUNDS

That the following sums of money be and the same hereby are appropriated for OTHER PROGRAM purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: COMPREHENSIVE SERVICES ACT FUND (Fund 1551)

Comprehensive Services Act Program Expenditures	<u>\$7,250,000</u>
Total COMPREHENSIVE SERVICES ACT appropriations for fiscal year ending June 30, 2010:	\$7,250,000
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$2,710,747
Revenue from Local Sources (Transfer from School Fund)	\$1,040,000
Revenue from the Commonwealth	\$3,458,840
Revenue from Fund Balance	<u>\$40,413</u>
Total COMPREHENSIVE SERVICES ACT resources available for fiscal year ending June 30, 2010:	\$7,250,000

Paragraph Two: BRIGHT STARS 4 YEAR OLD PROGRAM FUND (Fund 1553)

Bright Stars Program	<u>\$1,126,621</u>
Total BRIGHT STARS 4 YEAR OLD PROGRAM FUND appropriations for fiscal year ending June 30, 2010:	\$1,126,621
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$647,086
Revenue from Local Sources (Transfer from School Fund)	\$95,535
Revenue from the Commonwealth	<u>\$384,000</u>
Total BRIGHT STARS 4 YEAR OLD PROGRAM FUND resources available for fiscal year ending June 30, 2010:	\$1,126,621

Paragraph Three: TOWE MEMORIAL PARK FUND (Fund 4200)

Darden Towe Memorial Park	<u>\$242,805</u>
Total TOWE MEMORIAL PARK FUND appropriations for fiscal year ending June 30, 2010:	\$242,805
To be provided as follows:	
Revenue from Local Sources (Transfer from the General Fund)	\$155,862
Revenue from Other Local Sources	<u>\$86,943</u>
Total TOWE MEMORIAL PARK FUND resources available for fiscal year ending June 30, 2010:	\$242,805
 Paragraph Four: MJ HEALTH GRANT (Fund 1563)	
MJ Health Grant	<u>\$5,000</u>
TOTAL MJ HEALTH GRANT appropriations for fiscal year ending June 30, 2010:	\$5,000
To be provided as follows:	
Revenue From Local Sources	<u>\$5,000</u>
Total MJ HEALTH GRANT resources available for fiscal year ending June 30, 2010:	\$5,000
 Paragraph Five: COURTHOUSE MAINTENANCE FUND (Fund 9150)	
Transfer to General Government Capital Improvements Fund	<u>\$33,765</u>
TOTAL COURTHOUSE MAINTENANCE FUND appropriations for fiscal year ending June 30, 2010:	\$33,765
To be provided as follows:	
Revenue from Local Sources	<u>\$33,765</u>
Total COURTHOUSE MAINTENANCE FUND resources available for fiscal year ending June 30, 2010:	\$33,765
 Paragraph Six: TOURISM FUND (Fund 1810)	
Tourism Enhancement (Transfer to General Fund)	\$849,149
Tourism Projects (Transfer to General Government Capital Improvements Fund)	<u>\$500,851</u>
Total TOURISM FUND appropriations for fiscal year ending June 30, 2010:	\$1,350,000
To be provided as follows:	
Revenue from Local Sources	<u>\$1,350,000</u>
Total TOURISM FUND resources available for fiscal year ending June 30, 2010:	\$1,350,000

Paragraph Seven: CRIMINAL JUSTICE PROGRAMS FUND (Fund 1520)

Criminal Justice Grant Programs	<u>\$690,477</u>
Total CRIMINAL JUSTICE PROGRAMS FUND appropriations for fiscal year ending June 30, 2010:	\$690,477
To be provided as follows:	
Revenue from the Commonwealth (Grant)	<u>\$690,477</u>
Total CRIMINAL JUSTICE PROGRAMS FUND resources available for fiscal year ending June 30, 2010:	\$690,477

Paragraph Eight: VICTIM-WITNESS GRANT FUND (Fund 1225)

Victim-Witness Program	<u>\$108,272</u>
Total VICTIM-WITNESS GRANT FUND appropriations for fiscal year ending June 30, 2010:	\$108,272
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$32,052
Revenue from the Commonwealth (Grant)	<u>\$76,220</u>
Total VICTIM-WITNESS GRANT FUND resources available for fiscal year ending June 30, 2010:	\$108,272

Paragraph Nine: METRO PLANNING GRANT FUND (Fund 1208)

Metropolitan Planning Organization Funding	<u>\$14,500</u>
Total METRO PLANNING GRANT FUND appropriations for fiscal year ending June 30, 2010:	\$14,500
To be provided as follows:	
Revenue from the Federal Government (Grant)	\$11,600
Revenue from the Commonwealth (Grant)	\$1,450
Local Funds (Transfer from the General Fund)	<u>\$1,450</u>
Total METRO PLANNING GRANT FUND resources available for fiscal year ending June 30, 2010:	\$14,500

Paragraph Ten: HOUSING ASSISTANCE FUND (Fund 1227)

Family Self-Sufficiency Program (Transfer to General Fund)	\$292,256
Section 8 Housing Assistance Payments	<u>\$2,642,424</u>
Total HOUSING ASSISTANCE FUND appropriations for fiscal year ending June 30, 2010:	\$2,934,680

To be provided as follows:

Revenue from the Federal Government	<u>\$2,934,680</u>
Total HOUSING ASSISTANCE FUND resources available for fiscal year ending June 30, 2010:	\$2,934,680

Paragraph Eleven: VEHICLE REPLACEMENT FUND (Fund 9200)

Vehicle Replacement	<u>\$616,785</u>
Total VEHICLE REPLACEMENT FUND appropriations for fiscal year ending June 30, 2010:	\$616,785

To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$377,776
Revenue from Other Local Sources	\$12,000
Revenue from Fund Balance	<u>\$227,009</u>
Total VEHICLE REPLACEMENT FUND resources available for fiscal year ending June 30, 2010:	\$616,785

GRAND TOTAL - SPECIAL REVENUE FUNDS \$14,372,905

SECTION V - GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND (Fund 9010)

That the following sums of money be and the same hereby are appropriated from the GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2010:

Paragraph One: COURTS

Court Square Maintenance/Replacement Projects	\$100,000
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Paragraph Two: PUBLIC SAFETY

VFD Fire & EMS Apparatus Replacement	\$2,737,000
Police Patrol Video Cameras	<u>\$125,000</u>
	\$2,862,000

Paragraph Three: PUBLIC WORKS

County Facilities - Maintenance/Replacement	\$610,000
Ivy Landfill Remediation	\$1,100,000
Keene Landfill Closure	\$50,000
Moore's Creek Septage Receiving	\$171,000
Storage Facility Lease (Tr to General Fund)	<u>\$54,000</u>

	\$1,985,000
Paragraph Four: COMMUNITY/NEIGHBORHOOD DEVELOPMENT	
Neighborhood Implementation Plan Program	\$850,000
Sidewalk Construction Program	\$263,000
Transportation Improvement Program - Regional	<u>\$100,000</u>
	\$1,213,000
Paragraph Five: HUMAN DEVELOPMENT	
JAUNT (Tr to General Fund)	\$150,950
Paragraph Six: PARKS, RECREATION & CULTURE	
County Athletic Field Development	\$44,000
Greenway Program	\$50,000
Paramount Theater	\$33,000
Park Enhancements	\$100,000
Parks - Maintenance/Replacement	\$190,000
River and Lake Access Improvements	<u>\$35,000</u>
	\$452,000
Paragraph Seven: LIBRARIES	
Central Library Maintenance/Replacement	\$55,000
Paragraph Eight: TECHNOLOGY AND GIS	
County Server/Infrastructure Upgrade	\$375,000
Paragraph Nine: ACQUISITION OF CONSERVATION EASEMENTS	
Acquisition of Conservation Easements (ACE) Program	\$950,000
Paragraph Ten: CONTINGENCY FUNDS	
Contingency Funds	\$1,349,050
Total GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2010:	\$9,492,000
To be provided as follows:	
Revenue from Local Sources (Tourism Fund Transfer)	\$500,851
Revenue from Local Sources (General Fund Transfer)	\$681,958
Other Local Sources (including Proffers)	\$673,449
Loan Proceeds	\$3,112,000
Use of Fund Balance	\$4,523,742
Total GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2010:	\$9,492,000

SECTION VI: SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND (Fund 9000)

That the following sums of money be and the same hereby are appropriated from the SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: EDUCATION (SCHOOL DIVISION)

Administrative Technology	\$175,000
Crozet Elementary Addition/Renovation	\$395,000
Greer Elementary School Addition/Renovation	\$80,000
Gymnasium HVAC and Lighting Replacement	\$1,794,000
Henley Auxiliary PE/Meeting Space	\$200,000
Instructional Technology	\$550,000
Maintenance/Replacement	\$3,789,000
Storage Facility Lease	\$139,000
Technology Grant	\$700,000

Total SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2010: **\$7,822,000**

To be provided as follows:

Revenue from Local Sources (General Fund Transfer)	\$1,034,000
Proffers	\$50,000
Interest Earned	\$100,000
State Technology Grant	\$700,000
VPSA Bonds	\$5,738,000
Fund Balance	\$200,000

Total SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2010: **\$7,822,000**

SECTION VII: STORM WATER CAPITAL IMPROVEMENTS FUND (Fund 9100)

That the following sums of money be and the same hereby are appropriated from the STORM WATER CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: STORM WATER PROJECTS

Storm Water Control Program	\$250,000
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Total STORM WATER CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2010: **\$250,000**

To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$250,000
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Total STORM WATER CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2010:	<u>\$250,000</u>
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SECTION VIII: DEBT SERVICE

That the following sums of money be and the same hereby are appropriated for the function of DEBT SERVICE to be apportioned as follows from the GENERAL GOVERNMENT DEBT SERVICE FUND and the SCHOOL DIVISION DEBT SERVICE FUND for the fiscal year ending June 30, 2010:

Paragraph One: SCHOOL DIVISION DEBT SERVICE FUND (Fund 9900)

Debt Service Payments - School Division	\$14,956,864
Debt Service Payments - PREP	<u>\$217,938</u>
Total SCHOOL DIVISION DEBT SERVICE appropriations for fiscal year ending June 30, 2010:	\$15,174,802

To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$14,956,864
Revenue from Local Sources (PREP Fees)	<u>\$217,938</u>
Total SCHOOL DIVISION DEBT SERVICE resources available for fiscal year ending June 30, 2010:	\$15,174,802

Paragraph Two: GENERAL GOVERNMENT DEBT SERVICE FUND (Fund 9910)

Emergency Services Radio System Lease/Debt Service Payment	\$826,556
Debt Service Payments - General Government	\$2,231,557
Bond Issuance Cost	<u>\$10,000</u>
Total GENERAL GOVERNMENT DEBT SERVICE appropriations for fiscal year ending June 30, 2010:	\$3,068,113

To be provided as follows:

Revenue from Local Sources	\$283,178
Revenue from Local Sources (Transfer from General Fund)	<u>\$2,784,935</u>
Total GENERAL GOVERNMENT DEBT SERVICE resources available for fiscal year ending June 30, 2010:	\$3,068,113

GRAND TOTAL - DEBT SERVICE FUNDS	<u>\$18,242,915</u>
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TOTAL APPROPRIATIONS MENTIONED IN
SECTIONS I - VIII OF THIS RESOLUTION
FOR THE FISCAL YEAR ENDING June 30, 2010

RECAPITULATION:

Appropriations:

Section I	General Fund	\$218,991,472
Section II	School Fund	\$148,978,488
Section III	Other School Funds	\$16,948,585
Section IV	Other Special Revenue Funds	\$14,372,905
Section V	General Government Capital Improvements Fund	\$9,492,000
Section VI	School Division Capital Improvements Fund	\$7,822,000
Section VII	Storm Water Capital Improvements Fund	\$250,000
Section VIII	Debt Service	<u>\$18,242,915</u>
		\$435,098,365

Less Inter-Fund Transfers

General Fund to School Fund	(\$100,577,992)
General Fund to Special Revenue Funds	(\$3,919,993)
General Fund to Capital Improvements Funds	(\$1,965,958)
General Fund to Debt Service Funds	(\$17,741,799)
Special Revenue Funds to General Fund	(\$1,141,405)
Special Revenue Funds to Capital Improvements Funds	(\$534,616)
School Fund to Self-Sustaining Funds	(\$2,791,939)
School Fund to Special Revenue Funds	(\$1,135,535)
School Fund to General Fund	(\$421,595)
Self-Sustaining Funds to School Fund	(\$400,000)
Capital Improvements Funds to General Fund	<u>(\$204,950)</u>
	(\$130,835,782)

GRAND TOTAL - ALBEMARLE COUNTY APPROPRIATIONS

\$304,262,583

SECTION IX: EMERGENCY COMMUNICATIONS CENTER

That the following sums of money be and the same hereby are appropriated from the EMERGENCY COMMUNICATIONS CENTER FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2010:

Paragraph One: EMERGENCY COMMUNICATIONS CENTER FUND

Emergency Communications Center	<u>\$5,059,909</u>
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Total EMERGENCY COMMUNICATIONS CENTER FUND appropriations for fiscal year ending June 30, 2010:

\$5,059,909

To be provided as follows:

Albemarle County	\$1,975,393
City of Charlottesville	\$1,705,008
University of Virginia	\$527,468
Revenue from Other Local Sources	\$243,572
Revenue from the Commonwealth	\$605,822

Revenue from the Federal Government

\$2,646

Total EMERGENCY COMMUNICATIONS CENTER FUND resources available for fiscal year ending June 30, 2010:

\$5,059,909

BE IT FURTHER RESOLVED THAT the Director of Finance is hereby authorized to transfer monies from one fund to another, from time to time as monies become available, sums equal to, but not in excess of, the appropriations made to these funds for the period covered by this appropriation resolution.

SECTION IX

All of the monies appropriated as shown by the contained items in Sections I through VIII are appropriated upon the provisos, terms, conditions, and provisions herein before set forth in connection with said terms and those set forth in this section. The Director of Finance (Richard Wiggans) and Clerk to the Board of Supervisors (Ella W. Jordan) are hereby designated as authorized signatories for all bank accounts.

Paragraph One

Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional, and proportionate appropriations - the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full.

Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all

realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said

fiscal year by the Board of Supervisors.

Paragraph Two

All revenue received by any agency under the control of the Board of Supervisors included or not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by the said agency under the control of the Board of Supervisors without the consent of the Board of Supervisors being first obtained, nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation.

Paragraph Three

No obligations for goods, materials, supplies, equipment, or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for items exempted by the Albemarle County Purchasing Manual shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual, the County Attorney, and the Purchasing Agent or Director of Finance. The Purchasing Agent shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency, or individual.

In the event of the failure for any reason of approval herein required for such contracts, said contract shall be awarded through appropriate action of the Board of Supervisors.

Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County

Purchasing Manual shall not be considered obligations of the County, and the Director of Finance shall not

issue any warrants in payment of such obligations.

Paragraph Four

Allowances out of any of the appropriations made in this resolution by any or all County departments, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the same rate as that established by the State of Virginia for its employees and shall be subject to change from time to time to maintain like rates.

Paragraph Five

All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Director of Finance.

Paragraph Six

All resolutions and parts of resolutions inconsistent with the provisions of this resolution shall be and the same are hereby repealed.

Paragraph Seven

This resolution shall become effective on July first, two thousand and nine.

**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING**

WHEREAS, the Albemarle County Board of Supervisors, Virginia (the “Borrower”), intends to acquire, construct and equip the items and projects set forth in Exhibit A hereto (collectively, the “Project”); and

WHEREAS, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the “Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

NOW, THEREFORE, BE IT RESOLVED by the Albemarle County Board of Supervisors that:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the “Bonds”) or to incur other debt, to pay the costs of the Project in an amount not currently expected to exceed \$30,193,839.

2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.

4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.

5. The Borrower intends that the adoption of this resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

6. This resolution shall take effect immediately upon its passage.

RESOLUTION TO SUPPORT THE SEEA GRANT APPLICATION

WHEREAS, on January 14, 2009, the County of Albemarle passed a resolution to support the County, City and University working collaboratively to address energy efficiency and climate change; and

WHEREAS, on January 14, 2009, the County of Albemarle passed a resolution requesting enabling legislation to implement a clean energy financing program, which has been realized in the passing of the State of Virginia's Senate Bill 1212; and

WHEREAS, a clean energy financing program is a key component of an effective local energy alliance, as described in the SEEA grant RFP; and

WHEREAS, the establishment of a local energy alliance or "operating company" as described in the SEEA grant RFP by localities is dependent upon enabling legislation and can only be developed if permitted by the Commonwealth of Virginia; and

WHEREAS, with the acknowledgement of Virginia local governments' current limitations, the County is pleased to support a SEEA grant proposal; and

WHEREAS, the creation and implementation of a local energy alliance or operating company would assist the community in achieving important goals and underscores our commitment to energy efficiency, affordable housing, renewable technologies, and greenhouse gas emissions reduction; and

WHEREAS, the County may request that SEEA or the State of Virginia act as a temporary operating company for the purposes of the grant, until enabling legislation can be obtained; and

WHEREAS, the County would collaborate with the operating company to develop the capabilities, programs, and services our community needs with respect to its energy use – education, conservation, energy efficiency, and renewable generation; and

WHEREAS, the County intends to work closely with the local energy alliance, if established, and operating company to promote a variety of energy efficiency campaigns and programs (e.g., for owner-occupied residences, the business/commercial sector, rental properties, neighborhood campaigns, etc.), and to incorporate workforce and economic development into these campaigns, as well as into the overall regional effort, through both systemic and episodic strategies; and

WHEREAS, the County will continue to implement an aggressive internal energy conservation program towards our goal of 30% energy reduction from County buildings by 2012, which includes a goal of increased use of renewable energy such as solar panels, and the continuation of maintaining our community demonstration green roof and rain garden projects; and

WHEREAS, the County intends to consider using a portion of the Energy Efficiency and Conservation Block Grant (EECBG) funds in support of applicable energy efficiency-related programs in the residential and commercial sectors; and

WHEREAS, the County plans to demonstrate financial support in the near term by pursuit of competitive energy-related grants, and will continue to contribute staff time, information and resources towards this overall effort; and

WHEREAS, the County will continue to evaluate opportunities for future financial support of this effort on a regular basis; and

WHEREAS, the County looks forward to working with our partners on the continued development and implementation of this effort, and are hopeful for the successful award of the SEEA grant.

NOW THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby supports the County, jointly with the City of Charlottesville, applying for SEEA grant funds and will provide support, in all of the ways described above, helping establish a model community energy efficiency program so that other localities in the Commonwealth of Virginia, as well as throughout the southeastern U.S., will be able to replicate this effort.

**A RESOLUTION APPROVING A PLAN OF LEASE FINANCING WITH
THE ECONOMIC DEVELOPMENT AUTHORITY OF ALBEMARLE COUNTY, VIRGINIA,
FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A FIRE STATION AND THE
REPLACEMENT OF FIRE AND EMS APPARATUS**

WHEREAS, the Board of Supervisors (the “Board”) of Albemarle County, Virginia (the “County”), desires to finance and refinance the costs of (a) acquiring, constructing and equipping a fire station to be known as the Hollymead Fire Station and (b) replacing certain fire and EMS apparatus (collectively, the “Project”);

WHEREAS, the Economic Development Authority of Albemarle County (the “Authority”) is authorized under the Industrial Development and Revenue Bond Act (the “Act”) to exercise all the powers set forth in the Act, which include, among other things, the power (i) to make loans to, among others, a county in furtherance of the Act, (ii) to finance or refinance and lease facilities for use by, among others, a county, (iii) to issue its revenue bonds, notes and other obligations from time to time for such purposes and (iv) to pledge all or any part of its revenues and receipts derived from payments received by the Authority in connection with its loans or from the leasing by the Authority of such facilities or from any source, as security for the payment of principal of and interest on any such obligations;

WHEREAS, the Board desires to undertake the financing and refinancing of the Project through a lease structure with the Authority, pursuant to which the County would lease certain property to the Authority pursuant to the terms of a Ground Lease (as hereinafter defined) and the Authority would lease such property back to the County pursuant to the terms of a Lease Agreement (as hereinafter defined);

WHEREAS, until the County acquires fee simple title to the Hollymead Fire Station and can substitute such property as leased collateral, the Board desires to secure the financing through a lease of its Monticello Fire Station located on land in the County (with such land, together with all improvements now or hereafter located thereon being, collectively, the “Property”);

WHEREAS, the Board desires that the Authority (a) issue a tax-exempt bank qualified revenue note in an aggregate principal amount not to exceed \$7,000,000 (the “Note”) pursuant to the terms of the Lease Agreement between the Authority, the County and the Noteholder (as hereinafter defined) and (b) lease the Property to the County at a rent sufficient to pay when due the principal of and interest on the Note;

WHEREAS, the County Executive has requested Davenport & Company LLC, as the County’s financial advisor (the “Financial Advisor”), to solicit bids from banking institutions for the purchase of the Note;

WHEREAS, there have been presented to this meeting drafts of the following documents (collectively, the “Documents”) that the County proposes to execute to carry out the transactions described above, copies of which shall be filed with the records of the County:

- (a) Ground Lease to be dated the date of its delivery (the “Ground Lease”), between the Authority and the County pursuant to which the County will lease the Property to the Authority;
- (b) Note Purchase Agreement and Lease Agreement to be dated the date of its delivery (the “Lease Agreement”), between the Authority, the County and the banking institution selected by the Authority and the County (the “Noteholder”) pursuant to which the Authority will (1) issue and sell the Note, (2) use the proceeds of the Note to finance the Project, and (3) lease the Property to the County.

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ALBEMARLE COUNTY,
VIRGINIA:**

1. The following plan for financing the Project is approved. The Authority is hereby requested to issue the Note in a maximum principal amount not to exceed \$7,000,000 and use the proceeds to finance the Project. The County will lease the Property to the Authority pursuant to the terms of the Ground Lease. Thereafter, the Authority will lease the Property to the County pursuant to the terms of the Lease Agreement. The County will undertake to make payments to the Authority of basic rent ("Basic Rent") and additional rent ("Additional Rent") under the terms of the Lease Agreement in amounts sufficient to amortize the Note and to pay the fees and expenses of the Authority. The obligation of the Authority to pay principal of and premium, if any, and interest on the Note will be limited to payments of Basic Rent and Additional Rent received from the County. The undertaking by the County to make payments of Basic Rent and Additional Rent will be subject to appropriations from time to time by the Board of sufficient amounts for such purposes. If the County exercises its right not to appropriate money for such payments, the Authority shall have the right to exercise any remedies provided in the Lease Agreement upon an event of non-appropriation, including the right to terminate the Lease Agreement and exclude the County from possession of the Property. The Note will be secured by an assignment to the Noteholder of the Authority's rights to receive payments of Basic Rent. The plan of financing for the Project shall contain such additional requirements and provisions as the County Executive may approve and determine to be in the best interest of the County.
2. Subject to the pricing parameters of the Note described below, the Board hereby authorizes the County Executive, in consultation with the Financial Advisor and the Authority, to review the bids from the banking institutions and to select the bid that the County Executive determines to be in the best interests of the County. The banking institution submitting such winning bid shall be selected as the Noteholder.
3. The County Executive is authorized and directed to execute the Documents, which shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Executive, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes. In making completions to the Lease Agreement, the County Executive shall provide for payments of Basic Rent on terms equivalent to a Note that (a) matures in installments ending no later than December 31, 2029; (b) has an aggregate principal amount not exceeding \$7,000,000; (c) has a "true" or "Canadian" interest cost not exceeding 5.0% per year; (d) is subject to optional redemption, if at all, at a premium not exceeding 1.0% of the principal amount thereof; and (e) is sold to the Noteholder at a price not less than 99.0% of the aggregate principal amount thereof. Following the sale of the Note, the County Executive shall file a certificate with the records of the Board of Supervisors setting forth the final terms of the Note and the Lease Agreement. The actions of the County Executive in approving the terms of the Note and the Lease Agreement shall be conclusive, and no further action shall be necessary on the part of the County. As set forth in the Lease Agreement, the County undertakes to pay from legally available funds such "late charges" and other charges as described therein.
4. The officers of the County are authorized and directed to execute and deliver all certificates and instruments and to take all actions necessary or desirable in connection with the execution and delivery of the Documents and the completion of the financing.
5. The undertaking by the County to pay any amounts under the Lease Agreement shall be limited obligations payable solely from funds to be appropriated by the Board for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing herein or in the Lease Agreement shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

6. The Board believes that funds sufficient to make payment of all amounts payable under the Lease Agreement can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Lease Agreement. The Board directs the County Executive or Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Lease Agreement an amount sufficient to make the payment of all amounts payable under the Lease Agreement. Within 10 days after adoption of the County's annual budget and related appropriation resolution, but not later than 10 days after the beginning of each fiscal year, the County Executive is authorized and directed to deliver to the Authority and the Noteholder a certificate stating whether an amount equal to or credited to the payment of Basic Rent and Additional Rent which will be due during such fiscal year has been budgeted and appropriated by the Board. So long as the Note is outstanding, if at any time during any fiscal year of the County, the amount appropriated in the County's annual budget in such fiscal year is insufficient to pay when due the amounts payable under the Lease Agreement, the Board directs the County Executive or Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at its next scheduled meeting, or as promptly as practicable (but in any event within 45 days), a request for a supplemental appropriation sufficient to cover the deficit.
7.
 - (a) The County covenants that it will not take or omit to take any action the taking or omission of which will cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause the interest due on the Note to be includable in the gross income of the holder thereof under existing statutes. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the funds received under the Lease Agreement, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Note from being includable in the gross income for federal income tax purposes of the holder thereof under existing law.
 - (b) The County covenants that during the term of the Lease Agreement it shall not permit the Project or the proceeds of the Note to be used in any manner that would result in (a) 10% or more of such proceeds or the facilities financed with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Note from being includable in the gross income for Federal income tax purposes of the holder thereof under existing law, the County need not comply with such covenants.
8. Such officers of the County as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Note, and any elections such officers deem desirable regarding rebate of earnings to the United States, for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the County.

9. All costs and expenses in connection with the undertaking of the Project and the issuance of the Note, including the Authority's fees and expenses and expenses of bond counsel, counsel for the Authority, shall be paid from the proceeds of the Note or other legally available funds of the County. If for any reason the Note is not issued, it is understood that all such expenses shall be paid by the County from its legally available funds and that the Authority shall have no responsibility therefor.
10. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
11. All other actions of the officers of the County that are in conformity with the purposes and intent of this Resolution and in furtherance of this financing and the undertaking of the Project are approved and ratified.
12. The Board requests the Authority to designate the Note as a "qualified tax-exempt obligation" under Section 265(b)(3)(B) of the Code, and, to the extent required by law, concurs with such designation. The Board acknowledges that, for purposes of such designation, the County will not issue, nor approve the issuance of, any tax-exempt obligations which, taking into account the Note, will result in more than \$30,000,000 in tax-exempt obligations being issued in calendar year 2009, unless the County obtains an opinion of bond counsel to the effect that such issuance will not adversely affect the status of the Note as a "qualified tax-exempt obligation."
13. This Resolution shall take effect immediately.

Resolution Endorsing the UnJAM 2035 Plan

WHEREAS, the U. S. Department of Transportation (DOT) requires that each urbanized area over 50,000 population update its long range plan every five years; and

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO) last adopted its long range plan, UnJAM 2025 in May 2004; and

WHEREAS, the urban and rural area transportation plans are again combined in UnJAM 2035 to stress the effects transportation networks have on the entire region and to develop effective regional solutions; and

WHEREAS, the major goal of the UnJAM 2035 Plan is to create and advance a balanced, regional multi-modal transportation network; and

WHEREAS, the Thomas Jefferson Planning District Commission (TJPDC) and the Charlottesville-Albemarle MPO have led the efforts to complete UnJAM 2035 with an extensive public outreach campaign conducted to solicit input from the community; and

WHEREAS, the UnJAM 2035 addresses future planned transportation projects in the City of Charlottesville and the urbanized portion of Albemarle County over the next 20 years; and

WHEREAS, the MPO Policy Board seeks to approve the urban portion of the plan in May 2009; and

NOW, THEREFORE, BE IT RESOLVED THAT the Albemarle County Board of Supervisors endorses the UnJAM 2035 Plan and supports MPO adoption.