

ACTIONS
Board of Supervisors Meeting of January 6, 2010

January 7, 2010

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 9:03 a.m. by the County Executive, Mr. Tucker. All BOS members were present. Also present were Larry Davis, Ella Jordan and Meagan Hoy. 	
<p>4. Election of Chairman.</p> <ul style="list-style-type: none"> ELECTED Ann Mallek for Calendar Year 2010. 	
<p>5. Election of Vice-Chairman.</p> <ul style="list-style-type: none"> ELECTED Duane Snow for Calendar Year 2010. 	
<p>6. Appointment of Clerk.</p> <ul style="list-style-type: none"> REAPPOINTED Ella Jordan as Clerk and REAPPOINTED Meagan Hoy as Senior Deputy Clerk for Calendar Year 2010. 	
<p>7. Set Meeting Times, Dates and Places for Calendar Year 2010.</p> <ul style="list-style-type: none"> SET as follows: first Wednesday of the month at 9:00 a.m., second Wednesday of the month at 6:00 p.m., with meetings to be held in the County Office Building on McIntire Road. Set the meeting dates for January 2011 for: January 5 – 9:00 a.m., and January 12 – 6:00 p.m. 	<p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> and post notice on door of Lane Auditorium.</p>
<p>8. Set Dates for Hearing Zoning Text Amendments Requested by Citizens.</p> <ul style="list-style-type: none"> SET as follows: September 8 and December 8, 2010 and March 9, and June 8, 2011. 	<p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> as required by Section 33.10.2 of the Zoning Ordinance.</p>
<p>9. Rules of Procedures, Adoption of.</p> <ul style="list-style-type: none"> ADOPTED. 	<p><u>Clerk:</u> Forward copy to County Attorney and Community Development. (Attachment 1)</p>
<p>10. Boards and Commission Policy, Adoption of.</p> <ul style="list-style-type: none"> ADOPTED. 	<p><u>Clerk:</u> Forward copy to County Attorney. (Attachment 2)</p>
<p>11. From the Board: Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Welcomed the two newly elected Board members. <p><u>Lindsay Dorrier:</u></p> <ul style="list-style-type: none"> Suggested that the County look at the issue of jobs and discuss whether it is attracting necessary industry, and that this be a topic of discussion on a future agenda. Suggested the County look at engaging in an energy audit and look into alternative forms of energy. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> Presented and moved (4:2[Rooker/Mallek]) to adopt the attached Action Plan. Mr. Thomas asked for copy of list of items relative to #3 in the Plan. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Read statement on challenges and issues facing Board in coming year, achievements of 	<p><u>County Executive:</u> Move forward as directed. (Attachment 3)</p>

<p>past year, and need for citizens to participate in government.</p> <ul style="list-style-type: none"> Announced informational meeting of Virginia Chesapeake Bay TMDL for January 8, 2010, 10:00 a.m., at County Office Building, Room 241. 	
<p>12. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <u>Liz Nixon</u>, Fundraising Coordinator, Central Virginia Muscular Dystrophy Association, thanked and presented a plaque to Albemarle Fire and Rescue Association #4007 for their fundraising efforts during the Fill-the-Boot drive the past year. The firefighters raised \$11,333. <u>Eric McAllan</u>, a resident of Earlysville, expressed concern about traffic and excessive speeding on Route 743, from Broadus Wood to Earlysville General Store. <u>Susan Reed</u>, a resident of Woodbrook, expressed concerns with the Board's decision to overturn the Planning Commission's unanimous recommendation on the proposed pedestrian connection to the Woodbrook Lagoon project. She asked the Board to reverse this decision. <u>Valerie Long</u>, Vice President of the Chamber of Commerce Board of Directors for Economic Development, offered to work with the Board on economic development issues. <u>Timothy Hulbert</u>, Executive Director and President of the Chamber of Commerce, was present to offer the Chamber's assistance and availability to the Board and County staff. Expressed support for Mr. Boyd's proposed Action Plan. <u>Mike Harvey</u>, Executive Director, Thomas Jefferson Partnership for Economic Development, discussed TJPED's role in the community and offered their assistance to work with the County to customize an Economic Development Plan that works in the County. <u>Jeff Werner</u>, of Piedmont Environmental Council, expressed concern with Mr. Boyd's Action Plan. Urged the Board to not short change the rural area and commented on the need of a statement in the Plan about the importance of the community's local agricultural economy and tourism. <p><u>Rodney Thomas</u>:</p> <ul style="list-style-type: none"> Discussed bringing back the Woodbrook issue for public input and Board reconsideration. Consensus to schedule this item on the February 10th Board meeting. 	<p><u>Clerk</u>: Schedule on February 10th agenda.</p>
<p>13.1 Cancel January 13, 2010 Regular Night Meeting.</p> <ul style="list-style-type: none"> CANCELED meeting. 	<p><u>Clerk</u>: Notify appropriate individuals.</p>
<p>13.2 Resolution to accept road(s) in Old Trail Subdivision into the State Secondary System of</p>	<p><u>Clerk</u>: Forward signed resolution and Form AM-4.3 to Glenn Brooks. (Attachment 4)</p>

	<p>Highways.</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	
13.3	<p>Set public hearing for the proposed renewal of the lease agreement between the County and the Field School of Charlottesville for part of the Old Crozet School.</p> <ul style="list-style-type: none"> • SET public hearing for February 3, 2010. 	<p><u>Clerk:</u> Advertise and schedule public hearing on agenda.</p>
13.4	<p>FY 2010 Appropriations.</p> <ul style="list-style-type: none"> • APPROVED the budget amendment in the amount of \$364,490.13 and the approval of Appropriations #2010053, #2010054 #2010055, #2010056, #2010057, #2010058, and #2010059. 	<p><u>Clerk:</u> Forward copy of signed appropriation forms to Finance, OMB and appropriate individuals.</p>
14a.	<p>VDoT Monthly Report.</p> <ul style="list-style-type: none"> • Allan Sumpter provided the following additional comments: <ul style="list-style-type: none"> • Offered his assistance to meet with Board members to discuss issues of concern in their districts. • Summarized VDoT's snow removal efforts. • Discussed the request for additional penalties for speeding on Route 743. APPROVED, by a vote of 6:0, to request the Virginia Department of Transportation (VDoT) to conduct a speed study to determine if a consistent 35 mph speed limit is appropriate for Route 743 (Earlsville Road and Buck Mountain Road) from west of Broadus Wood Elementary School to beyond the Post Office. 	<p><u>Clerk:</u> Forward comments to Allan Sumpter and Sue Kennedy.</p>
14b.	<p>Transportation Matters Not Listed on the Agenda.</p> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Asked if the City's portion of the Meadow Creek Parkway has gone to bid. Mr. Sumpter replied, "yes", to the City's portion that is administered by VDoT. <p><u>Larry Davis:</u></p> <ul style="list-style-type: none"> • Updated the Board on the status of the Hatton Ferry. Agreements have been executed that would allow the County to accept the Hatton Ferry apparatus and boat. He will deliver those agreements to Mr. Sumpter today which will then go to the Commonwealth Transportation Board for their action. Mr. Meeks and the Historical Society have formed a separate nonprofit entity, "Hatton Ferry, Inc." and they have executed an agreement indicating their willingness to be the pass-through recipient of this property. As soon as the County receives the executed contract from VDoT, the County will execute the agreement that gives the Ferry to Hatton Ferry, Inc. 	<p><u>Clerk:</u> Forward comments to Sue Kennedy and Allan Sumpter.</p>
15.	<p>2010 Census Process Update.</p> <ul style="list-style-type: none"> • Received. 	
16.	<p>Closed Session. Personnel and Legal Matters.</p> <ul style="list-style-type: none"> • At 11:15 a.m., the Board went into closed meeting to consider appointments to boards, 	

<p>committees and commissions, and Board member appointments; to discuss the lease of a specific County property because a discussion in an open meeting would adversely affect the negotiating strategy of the County; to consider specific legal matters requiring legal advice regarding an interjurisdictional agreement and the negotiation of a contract for professional services; and to consider a matter of probable litigation regarding a property assessment.</p>	
<p>17. Certified Closed Meeting.</p> <ul style="list-style-type: none"> • At 2:04 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
<p>18. Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Board Members to the attached Boards and Commissions. • APPOINTED Mark Gorlinsky to the Agricultural and Forestal District Advisory Committee to fill an unexpired term which will end on April 17, 2010. • APPOINTED Marvin Hilton to the Albemarle County Service Authority representing the Samuel Miller District with said term to expire December 31, 2013. • APPOINTED David Thomas to the Albemarle County Service Authority representing the Rio District with said term to expire December 31, 2013. • APPOINTED Charles Lebo to the Economic Development Authority representing the Rio District with said term to expire January 19, 2014. • REAPPOINTED Alan Collier as the Rivanna District representative to the Equalization Board with said term to expire December 31, 2010. • REAPPOINTED David Cooke as the Jack Jouett District representative to the Equalization Board with said term to expire December 31, 2010. • REAPPOINTED Virginia Gardner as the White Hall District representative to the Equalization Board with said term to expire December 31, 2010. • REAPPOINTED Rosa Hudson as the Scottsville District representative to the Equalization Board with said term to expire December 31, 2010. • REAPPOINTED Kathy Rash as the Rio District representative to the Equalization Board with said term to expire December 31, 2010. • APPOINTED Duane Zobrist as the At-Large representative to the Planning Commission with said term to expire December 31, 2011. • REAPPOINTED Don Franco as the Rio District representative to the Planning Commission with said term to expire December 31, 2013. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons. (Attachment 5)</p>

<ul style="list-style-type: none"> • APPOINTED Edward Smith as the Samuel Miller District representative to the Planning Commission with said term to expire December 31, 2013. • APPOINTED Joseph Henley to the Public Recreational Facilities Authority to fill an unexpired term which will end on December 13, 2011. • APPOINTED Glen Michael to the Public Recreational Facilities Authority to fill an unexpired term which will end on December 13, 2010. • APPOINTED Martin Burks III as the Rio District representative to the Social Services Board with said term to expire December 31, 2013. • REAPPOINTED Chief John Miller to the James River Alcohol Safety Action Program with said term to expire January 1, 2013. • REAPPOINTED Julia Monteith as the University of Virginia representative to the Planning Commission with said term to expire December 31, 2010. • REAPPOINTED William Lassetter to the Public Recreational Facilities Authority with said term to expire December 13, 2012. 	
<p>19. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Duane Snow:</u></p> <ul style="list-style-type: none"> • Thanked Liz Palmer for her years of service on the Albemarle County Service Authority. 	
<p>29. Adjourn to January 13, 2010, 9:30 a.m.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 1:55 p.m. 	

ewj/mrh

Attachment 1 – Rules of Procedures

Attachment 2 – Boards and Commissions Policy

Attachment 3 – 2010 Albemarle County Action Plan

Attachment 4 – Resolution to accept road(s) in Old Trail Subdivision into the State Secondary System of Highways

Attachment 5 - Board Members serving on Boards and Commissions

**RULES OF PROCEDURE
ALBEMARLE BOARD OF COUNTY SUPERVISORS**

A. *Officers*

1. *Chairman.* The Board at its annual meeting shall elect a Chairman who, if present, shall preside at such meeting and at all other meetings during the year for which elected. In addition to being presiding officer, the Chairman shall be the head official for all the Board's official functions and for ceremonial purposes. He shall have a vote but no veto. (Virginia Code Sections 15.2-1422 and 15.2-1423)
2. *Vice-Chairman.* The Board at its annual meeting shall also elect a Vice-Chairman, who, if present, shall preside at meetings in the absence of the Chairman and shall discharge the duties of the Chairman during his absence or disability. (Virginia Code Section 15.2-1422)
3. *Term of Office.* The Chairman and Vice-Chairman shall be elected for one-year terms; but either or both may be re-elected for one or more additional terms. (Virginia Code Section 15.2-1422)
4. *Absence of Chairman and Vice-Chairman.* If the Chairman and Vice Chairman are absent from any meeting, a present member shall be chosen to act as Chairman.

B. *Clerk and Deputy Clerks*

The Board at its annual meeting shall designate a Clerk and one or more Deputy Clerks who shall serve at the pleasure of the Board. The duties of the Clerk shall be those set forth in Virginia Code Section 15. 2-1539 and such additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code Section 15.2-1416)

C. *Meetings*

1. *Annual Meeting.* The first meeting in January held after the newly elected members of the Board shall have qualified, and the first meeting held in January of each succeeding year, shall be known as the annual meeting. At such annual meeting, the Board shall establish the days, times, and places for regular meetings of the Board for that year. (Virginia Code Section 15.2-1416)
2. *Regular Meetings.* The Board shall meet in regular session on such day or days as has been established at the annual meeting. The Board may subsequently establish different days, times, or places for such regular meetings by passing a resolution to that effect in accord with Virginia Code Section 15.2-1416. If any day established as a regular meeting day falls on a legal holiday, the meeting scheduled for that day shall be held on the next regular business day without action of any kind by the Board. (Virginia Code Section 15.2-1416)

If the Chairman (or Vice Chairman, if the Chairman is unable to act) finds and declares that weather or other conditions are such that it is hazardous for Board members to attend a regular meeting, such meeting shall be continued to the next regular meeting date. Such finding shall be communicated to the members of the Board and to the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement shall be required. (Virginia Code Section 15.2-1416)

Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business of the Board is complete. (Virginia Code Section 15.2-1416)

3. *Special Meetings.* The Board may hold special meetings as it deems necessary at such times and places as it deems convenient. A special meeting may be adjourned from time to time as the Board finds necessary and convenient. (Virginia Code Section 15.2-1417)

A special meeting shall be held when called by the Chairman or requested by two or more members of the Board. The call or request shall be made to the Clerk of the Board and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the Clerk, after consultation with the Chairman, shall immediately notify each member of the Board, the County Executive, and the County Attorney. The notice shall be in writing and delivered to the person or to his place of residence or business. The notice shall state the time and place of the meeting and shall specify the matters to be considered. No matter not specified in the notice shall be considered at such meeting unless all members are present. The notice may be waived if all members are present at the special meeting or if all members sign a waiver for the notice. (Virginia Code Section 15.2-1418) The Clerk shall notify the general news media of the time and place of such special meeting and the matters to be considered.

D. *Order of Business*

The Clerk of the Board shall establish the agenda for all meetings in consultation with the Chairman. The first two items on the agenda for each regular meeting of the Board shall be the Pledge of Allegiance and a moment for silent meditation.

The procedures for receiving comment from the public for matters not on the agenda shall be at the discretion of the Board. Unless otherwise decided, individuals will be allowed a three-minute time limit in which to speak during the time set aside on the agenda for "From the Public: Matters Not Listed for Public Hearing on the Agenda".

Zoning applications advertised for public hearing shall be on the agenda for public hearing on the advertised date unless the applicant submits a signed written deferral request to the Clerk of the Board no later than noon on Wednesday of the week prior to the scheduled public hearing. The first request for a deferral will be granted administratively by the Clerk. The Board will be notified of the deferral in the next Board package and the deferral will be announced at the earliest possible Board meeting to alert the public of the deferral. Any request received later than the Wednesday deadline and any subsequent request for a deferral for the same application previously deferred will be granted only at the discretion of the Board by a majority vote. The deferral shall not be granted unless the Board determines that the reason for the deferral justifies the likely inconvenience to the public caused by the deferral. The staff will make every effort to alert the public when a deferral is granted.

It is the Board's preference that a public hearing should not be advertised until all of the final materials for a zoning application have been received by the County and are available for public review. To achieve this preference, applicants should provide final plans, final codes of development, final proffers, and any other documents deemed necessary by the Director of Community Development, to the County no later than two business days prior to the County's deadline for submitting the public hearing advertisement to the newspaper. Staff will advise applicants of this date by including it in annual schedules for applications and by providing each applicant a minimum of two weeks advance notice of the deadline.

If the applicant does not submit the required materials by this date, the public hearing shall not be advertised unless the applicant demonstrates to the satisfaction of the Director of Community Development that good cause exists for the public hearing to be advertised. If not advertised, a new public hearing date will be scheduled. If the public hearing is held without final materials being available for review throughout the advertisement period due to a late submittal of

documents, or because substantial revisions or amendments are made to the submitted materials after the public hearing has been advertised, it will be the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application, unless the Board finds that the deferral would not be in the public interest or not forward the purposes of this policy.

Final signed proffers shall be submitted to the County no later than nine calendar days prior to the date of the advertised public hearing. This policy is not intended to prevent changes made in proffers at the public hearing resulting from comments received from the public or from Board members at the public hearing.

E. *Quorum*

A majority of the members of the Board shall constitute a quorum for any meeting of the Board. If during a meeting less than a majority of the Board remains present, no action can be taken except to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code Section 15.2-1415)

A majority of the members of the Board present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning such meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.

F. *Voting Procedures*

1. *Approval by Motion.* Unless otherwise provided, decisions of the Board shall be made by approval of a majority of the members present and voting on a motion properly made by a member and seconded by another member. Any motion that is not seconded shall not be further considered. The vote on the motion shall be by a voice vote. The Clerk shall record the name of each member voting and how he voted on the motion. If any member abstains from voting on any motion, he shall state his abstention. The abstention will be announced by the Chairman and recorded by the Clerk. A tie vote shall defeat the motion voted upon. (Article VII, Section 7, Virginia Constitution)
2. *Special Voting Requirements.* A recorded affirmative vote of a majority of all elected members of the Board shall be required to approve an ordinance or resolution (1) appropriating money exceeding the sum of \$500; (2) imposing taxes; or (3) authorizing the borrowing of money. (Virginia Code Section 15.2-1428)
3. *Public Hearings.* The Board shall not decide any matter before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the holding of a public hearing or consideration of such matter. The procedures for receiving comment from the applicant and the public for public hearings shall be at the discretion of the Board. Unless otherwise decided, the applicant shall be permitted no more than ten minutes to present its application. Following the applicant's presentation, any member of the public shall be permitted no more than three minutes to present public comment. Speakers are limited to one appearance at any public hearing. Following the public comments, the applicant shall be permitted no more than five minutes for a rebuttal presentation.
4. *Motion to Amend.* A motion to amend a motion before the Board, properly seconded, shall be discussed and voted by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both the members making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.
5. *Previous Question.* Discussion of any motion may be terminated by any member moving the "previous question". Upon a proper second, the Chairman shall call for a vote on the motion of the previous question. If approved by a majority of those voting, the Chairman

shall immediately call for a vote on the original motion under consideration. A motion of the previous question shall not be subject to debate and shall take precedence over any other matter.

6. *Motion to Reconsider.* Any decision made by the Board may be reconsidered if a motion to reconsider is made at the same meeting or an adjourned meeting held on the same day at which the matter was decided. The motion to reconsider may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the matter for discussion in the exact position it occupied before it was voted upon.

7. *Motion to Rescind.* Any decision made by the Board, except for zoning map amendments, special use permit decisions, and ordinances, (these exceptions shall only be subject to reconsideration as provided above) may be rescinded by a majority vote of all elected members of the Board. The motion to rescind may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Zoning map amendments, special use permit decisions and ordinances may be rescinded or repealed only upon meeting all the legal requirements necessary for taking action on such matters as if it were a new matter before the Board for consideration.

G. *Amendment of Rules of Procedure*

These Rules of Procedure may be amended by a majority vote of the Board at the next regular meeting following a regular meeting at which notice of the motion to amend is given.

H. *Suspension of Rules of Procedure*

These Rules of Procedure may be suspended by the majority vote of the Board members present and voting. The motion to suspend a rule may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to suspend a rule, if approved, is to make that rule inapplicable to the matter before the Board. Provided, however, approval of a motion to suspend the rule shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

I. Necessary rules of procedure not covered by these Rules of Procedures shall be governed by Robert's Rules of Order's Procedure in Small Boards.

* * * * *

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 01-06-2010).

**ALBEMARLE COUNTY BOARD OF SUPERVISORS
POLICY FOR BOARDS AND COMMISSIONS**

A. CREATION OF NEW BOARDS AND COMMISSIONS

1. On an annual basis the list of active boards and commissions will be purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior twelve-month period.

2. Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.

3. Any newly created task force or ad hoc committee which is intended to serve for a limited time period may be comprised of magisterial or at-large members at the discretion of the Board of Supervisors. The appointment process shall follow that adopted in Section B for other magisterial and/or at-large positions.

B. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. All appointments to boards and commissions based upon magisterial district boundaries will be made by the members of the Board of Supervisors. At the discretion of the supervisor of that district, magisterial positions may be advertised and selected applicants may be interviewed for the position.

2. Prior to each day Board meeting, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next sixty days. The Board will then advise the Clerk which vacancies to advertise.

3. In an effort to reach as many citizens as possible, notice of boards and commissions with appointment positions available may be published through available venues, such as, but not limited to, the County's website, A-mail, public service announcements and local newspapers. Interested citizens will be provided a brief description of the duties and functions of each board, length of term of the appointment, frequency of meetings, and qualifications necessary to fill the position. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.

4. All interested applicants will have a minimum of thirty days from the date of the first notice to complete and return to the Clerk of the Board of Supervisors a detailed application, with the understanding that such application may be released to the public, if requested. No applications will be accepted if they are postmarked after the advertised deadline, however, the Board, at its discretion, may extend the deadline.

5. Once the deadline for accepting applications is reached, the Clerk will distribute all applications received to the members of the Board of Supervisors prior to the day meeting for their review. For magisterial appointments, the Clerk will forward applications as they are received to the supervisor of that district who will then recommend his/her appointment.

6. From the pool of qualified candidates, the Board of Supervisors, at their discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held during the next day meeting. For magisterial appointments, the decision to interview selected candidates will be determined by the supervisor of that district.

7. All efforts will be made to interview selected applicants and make appointments within ninety days after the application deadline. For designated agency appointments to boards and

commissions, the agency will be asked to recommend a person for appointment by the Board of Supervisors.

8. All vacancies will be filled as they occur.

9. All incumbents will be allowed to serve on a board or commission without his/her position being readvertised unless, based on attendance and performance, the chairman of the body or a member of the Board of Supervisors requests the Board of Supervisors to do otherwise.

10. As a condition to assuming office all citizen members of boards and commissions shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act and thereafter shall file such form annually on or before January 15.

11. If a member of a board or commission does not participate in at least fifty percent of a board's or commission's meetings, the chairman of the body may request the Board of Supervisors terminate the appointment and refill it during the next scheduled advertising period.

C. ADOPTION

This policy shall be reviewed and readopted by the Board of Supervisors in January.

(Amended and/or Readopted 01-07-98; 02-12-2005; 01-04-2006; 01-03-2007; 01-09-2008; 01-07-2009; 01-06-2010)

2010 Albemarle County Action Plan
January 6, 2010

1. Increase Revenues through Economic Development –We need to increase the commercial tax base, restore fading sales taxes, and provide taxpayers relief from constant increases in the personal property and real estate taxes. Increasing economic development is now the top fiscal priority for Albemarle County. The best way to accomplish this is by reducing unnecessary and burdensome regulations and shortening approval times. Staff should work closely with the Partnership for Economic Development and the Chamber of Commerce to develop a plan in the first six months of 2010 to significantly increase non-personal tax revenues through economic growth and not increased taxes to our business community. We should update our five year strategic plan to reflect this priority and goal.
2. Zero based budgeting – This year we want to build the County budget from the ground up in all departments based on realistic revenue projections, and the current tax rate of \$0.742. The 2010-2011 budget should be developed under a zero based budget model with priority on core government services and separate categorical expenses for non-core services.
3. The Development Review Process – As part of the economic development priority all the outcomes from the Development Review Process that were designed to streamline the process should be brought back to the board for consideration of implementation and/or improvement within the year.
4. Yancy Mills and 250 East Corridor from I-64 to Shadwell Store – The report on available light industrial zoning should be expedited and a report on the possibility of expansion of this type of zoning in these areas should be brought back to the board in the first quarter of the year for discussion and possible action.
5. Berkmar Drive Extended – Identified as of critical importance to help alleviate traffic congestion on Rt. 29 North, staff should be directed to work expeditiously, in concert with the private sector on a public/private solution to getting some portion of this road developed.
6. Sign Ordinances – The sign ordinances need to be re-examined to ensure they do not overly restrict economic vitality of area businesses. Staff should work with local retailers to develop new ordinances that will help promote good business practices as well as maintaining quality aesthetic values.

ATTACHMENT 4

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6th day of January 2010, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Old Trail Subdivision**, as described on the attached Additions Form AM-4.3 dated **January 6, 2010**, 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 **Old Trail Subdivision**, as described on the attached Additions Form AM-4.3 dated **January 6, 2010**, 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.

* * * * *

The road(s) described on Additions Form AM-4.3 is:

- 1) **Old Trail Drive (State Route 1815)** from 0.3 miles north of Route 1816 (Reas Creek Drive) to the intersection of Route 691 (Jarmans Gap Road), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2233, page 389, with a 35-foot variable right-of-way width, for a length of 0.84 miles.

Total Mileage – 0.84

Board Members on Committees**Board Member:****Term Began:****Ken Boyd:**

Darden Towe Memorial Park Committee	1/07/04
Fiscal Impact Advisory Committee	2/01/06
Rivanna Solid Waste Authority	5/06/09
Rivanna Water and Sewer Authority	1/06/10

Lindsay Dorrier:

Audit Committee	1/05/00
CIP Oversight Committee	
Jail Authority	1/04/06
Police Department Citizens Advisory Committee	2/01/06
Rivanna River Basin Commission	9/13/06

Dennis Rooker:

Audit Committee	2/01/06
C'Ville/Albemarle/UVA Planning and Coordination Council Policy Committee	2/01/02
High Growth Coalition	1/09/08
MPO	1/09/02

Rodney Thomas:

Agricultural and Forestal Advisory Committee	1/06/10
Darden Towe Memorial Park Committee	1/06/10
Hazardous Materials Local Emergency Planning Committee	1/06/10
MPO	1/06/10
Albemarle County Fire Rescue Advisory Board	1/06/10

Duane Snow:

Building Committee	1/06/10
High Growth Coalition	1/06/10
Historic Preservation Committee	1/06/10
TJPDC	1/06/10
CIP Oversight Committee	1/06/10

Ann Mallek:

ACE	1/09/08
Building Committee	1/09/08
Piedmont Workforce Network Council	1/09/08
TJPDC	1/09/08
Rivanna River Basin Commission	1/06/10
C'Ville/Albemarle/UVA Planning and Coordination Council Policy Committee	1/06/10
*LEAP Governance Board	2010

*(LEAP's organizational documents stipulate that the LEAP Board shall include the chairman of the BOS or his/her designee. This requires no action by the BOS.)

Updated 01/11/10