

ACTIONS
Board of Supervisors Meeting of March 3, 2010

March 5, 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 9:00 a.m. by the Chair, Ann Mallek. All BOS members were present. Also present were Bob Tucker, Larry Davis, Ella Jordan and Meagan Hoy. 	
<p>4. Recognitions:</p> <p>a. Resolution Designating 2010 as The Year of the Rivanna in recognition of the 40th Anniversary of Virginia's Scenic Rivers Program.</p> <ul style="list-style-type: none"> • Chair read the attached resolution. (Note: Resolution was adopted, by a vote of 6:0, under other matters at end of meeting). <p>b. Thomas Jefferson Health District, Virginia's H1N1 Vaccination Program.</p> <ul style="list-style-type: none"> • Chair recognized the Thomas Jefferson Health District for award it received from the Virginia Department of Health recently for its vaccination work and for vaccinating the greatest percentage of its population among all 35 health districts in the Commonwealth. 	(Attachment 1)
<p>5. From the Board: Matters not listed on the Agenda.</p> <p><u>Rodney Thomas:</u></p> <ul style="list-style-type: none"> • Has been attending the fire and rescue meetings. The EMS Recovery Program is going well and moving forward in Scottsville. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Acknowledged the AHS Boys Track team for winning its second straight regional title. Jordan Hill, a senior, was responsible for 37 of the 81 team points. • Mentioned the Google fiber project where Google is planning to select one community to put high speed fiber throughout the community. Albemarle, the City and University are looking into it together. <p><u>Lindsay Dorrier:</u></p> <ul style="list-style-type: none"> • Met with the Chairman of the Library Board and staff of the Scottsville Library. Wanted to put fears to rest regarding the closure of the Scottsville Library. Did some research and found out that legally funds cannot be taken from one branch. Mr. Davis stated that there are three categories of funding that make up the Library appropriation. The Scottsville and Crozet libraries are funded 100 percent by the County. The County determines the amount of money provided for that local service. If the Library Board determined that was not an adequate amount of money to operate the Library, they could make a decision, but the County would not be obligated to appropriate 	

any of the money that would be allocated for the local libraries. The Library Board could not take those funds and reallocate them for regional services or Charlottesville-Albemarle services.

Ann Mallek:

- The Board office has received numerous postcards from citizens regarding support for schools. The postcards are in the Clerk's office and available for Board members to review.
- The Board office has also received numerous petitions in support of the libraries, and they are also in the Clerk's office and available for Board members to review.
- The QuickStart Tennis Program is celebrating its 2nd birthday. There will be a celebration on Saturday, March 13th, 11:00 a.m. to 1:00 p.m., at ACAC, located on Four Seasons Drive.
- Has information on the Governor's declaration of a natural disaster from the February snowstorms. This allows farmers the ability to apply for low-interest loans. Last Thursday, a letter from Albemarle County was sent to the Governor, requesting that the County also be declared a disaster due to the snowstorms.
- An application has been made to the National Register of Historic Places for a designation of homes and properties either renovated or designed by Marshall Swain Wells, an architect trained at UVA. A copy of the application is available on file in the Clerk's office.

6. From the Public: Matters Not Listed for Public Hearing on the Agenda.

- Greta Dishiemer, a resident of the County, representing IMPACT, urged the Board to maintain level funding for pre-K educational programs. Invited Board members to attend IMPACT's Nehemiah Action meeting on Monday, March 22nd, 6:15 p.m., at University Hall.
- Rev. John Herman, Pastor of the Peace Lutheran Church, in the Hollymead area, and member of IMPACT, asked the Board to maintain the current level of funding for the pre-K educational program, particularly Bright Stars. Also, invited Board members to attend IMPACT's March 22nd meeting.
- Jack Marshall, President of Advocates for a Sustainable Albemarle Population, ASAP, provided a summary of the findings of the Optimal Sustainable Population Project Study.
- Neil Williamson, President of the Free Enterprise Forum, said they appreciate ASAP's Study, but questions whether it was good use of government funds. Have issues with much of the study and think it is important to consider beyond the borders of Albemarle.

7.2	<p>FY 2010 Budget Amendment and Appropriations.</p> <ul style="list-style-type: none"> • APPROVED the budget amendment in the amount of \$94,251.25 and APPROVED Appropriations # #2010064, #201066, #2010067 and #2010068. 	<p><u>Clerk</u>: Forward copy of signed appropriation forms to Finance, OMB and appropriate individuals.</p>
7.3	<p>Resolution Endorsing The Rail Preservation Application of Buckingham Branch Railroad Company.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution endorsing the Rail Preservation Application of Buckingham Branch Railroad Company. 	<p><u>Clerk</u>: Forward copy of adopted resolution to Claude Morris, Buckingham Branch Railroad Company. (Attachment 2)</p>
7.4	<p>The Crossings at Fourth and Preston - Approve Commitment of Project-based Housing Choice Vouchers.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution to approve a commitment of up to nine (9) housing choice vouchers as project-based vouchers for The Commons at Fourth and Preston and AUTHORIZED the Chief of Housing to execute the necessary documents to commit the vouchers upon confirmation of the Charlottesville Redevelopment and Housing Authority committing twenty-one (21) project-based vouchers, the project receiving Federal Housing Tax Credits, and HUD providing sufficient funds to support the vouchers. 	<p><u>Clerk</u>: Forward copy of adopted resolution to Housing. (Attachment 3) <u>Ron White</u>: Proceed as approved.</p>
7.5	<p>Resolution accepting road(s) in Old Ballard Farm Subdivision into the Secondary System of State Highways.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution. 	<p><u>Clerk</u>: Forward adopted resolution and signed AM-4.3 Form to Glenn Brooks, County Engineer. (Attachment 4)</p>
7.6	<p>Resolution accepting road(s) in Indian Springs Subdivision into the Secondary System of State Highways.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution. 	<p><u>Clerk</u>: Forward adopted resolution and signed AM-4.3 Form to Glenn Brooks, County Engineer. (Attachment 5)</p>
7.7	<p>Adopt Resolutions to approve amendments to Personnel Policy §P-63, Retirement, and §P-30, Classified Employee Reduction-in-Force.</p> <ul style="list-style-type: none"> • ADOPTED the attached Resolution approving proposed changes to Personnel Policy §P-63 • ADOPTED the attached Resolution approving proposed changes to Personnel Policy §P-30. • Mr. Boyd asked for numbers on the cost benefit of doing this program. Ms. Mallek asked for information on the short term costs. 	<p><u>Clerk</u>: Forward copy of signed resolutions to Human Resources and County Attorney's office. (Attachments 6 and 7)</p> <p><u>Kimberly Suyes</u>: Provide requested information to Board members.</p>
8	<p>Board-to-Board, <i>Monthly Communications Report from School Board</i>.</p> <ul style="list-style-type: none"> • RECEIVED. 	
9.	<p>Presentation: Jail Re-entry Program.</p> <ul style="list-style-type: none"> • RECEIVED. 	
10.	<p>County's Performance Management System.</p> <ul style="list-style-type: none"> • RECEIVED. 	
11.	<p>Community Development Block Grant Program (CDBG) Artisan Trail Project.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, acceptance of the report to satisfy the "initial public meeting" requirement for the CDBG Planning Grant and AUTHORIZED, upon the completion of the 	<p><u>Susan Stimart</u>: Proceed as approved.</p>

<p>required activities, the County Executive to submit a Planning Grant proposal in conjunction with Nelson County for a 2010 CDBG Planning Grant for the Artisan Trail development.</p> <ul style="list-style-type: none"> • Mr. Rooker suggested the County make inquiries about the status of the building that the Post Office Distribution Center will be vacating. Suggested staff from the Office of Facilities Development look at the building and make suggestions about what can be done with it. 	<p><u>Bill Letterj</u>: Proceed as directed.</p>
<p>12a. Transportation Matters: VDOT Monthly Report, Allan Sumpter. <u>Allan Sumpter provided updates on the following:</u></p> <ul style="list-style-type: none"> • VDOT crews are continuing to address roads that were damaged during the winter weather. They are working on a lot of tree cleanup and maintenance to gravel roads. Citizens can call 1-800-367-ROAD to report potholes for repair. Their plan is to make repairs of typical potholes within 48 hours. • The process for VDOT's discontinuance of the Hatton Ferry requires them to formalize the discontinuance of the travel way as a VDOT operated system; the travel way from riverbank to riverbank. The Code requires VDOT to conduct a public hearing which will be an open format. The Transportation Board is scheduled to take action on the discontinuance at a later dated this month. When that is done, the final agreement with the transfer of the Ferry will be processed. • Presentation on the Route 29 South Corridor Safety Assessment, section from I-64 to the Nelson County line. Provided proposed recommendations for short term and intermediate improvements. 	<p><u>Clerk</u>: Forward comments to Allan Sumpter and Sue Kennedy.</p>
<p>12b. Transportation Matters not Listed on the Agenda. <u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Asked about right-of-way authorization for Georgetown Road. Mr. Sumpter responded that the right-of-way has been authorized for the agents to proceed with acquisitions. Mr. Rooker asked for contact information on the individual assigned to the project. <p><u>Lindsay Dorrier:</u></p> <ul style="list-style-type: none"> • Asked VDOT to take a look at Blacks Lane, located off Route 795, Blenheim Road. Mr. Sumpter said VDOT received an inquiry on the road last week and some maintenance should have been done. • Asked about Route 671. Mr. Sumpter said VDOT did some repairs to Route 671. As the conditions dry out, they anticipate going back and doing further work. <p><u>Duane Snow:</u></p> <ul style="list-style-type: none"> • Said the road along Red Hill School is 	

<p>dangerous and needs work. Mr. Sumpter said VDOT can only do some maintenance work; any other work dealing with elevation, embankments, etc., would have to be a construction project and be included in the Six Year Road Plan. Mr. Benish added that this particular road was previously programmed as a Rural Rustic Road project, but the consensus of the community was to not upgrade the road.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Advance Mills Road Bridge – will citizens be able to drive on the gravel until weather allows pavement of the surface of the approaches. Mr. Sumpter said he will provide an answer to that question. <p><u>Rodney Thomas:</u></p> <ul style="list-style-type: none"> • Mentioned communication he had received concerning the bridge on Burnley Road, past Watts Passage, being reduced to five tons. He asked what will be done about fire trucks. Mr. Sumpter said he is not sure; hopefully there is an alternate route available. 	
<p>13. Work Session: ZTA-2009-009. Entrance Corridor Process Amendments.</p> <ul style="list-style-type: none"> • HELD. • Consensus of Board that the categories of county-wide Certificate of Appropriateness would be defined in the ordinance. • Consensus to schedule public hearing when proposed change is made. 	<p><u>Margaret Maliszewski:</u> Proceed as approved by Board and work with Clerk to schedule public hearing when ready to come back to Board.</p>
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> • At 11:38 a.m., the Board went into closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia, under Subsection (1) to consider appointments to boards, committees, and commissions, and an administrative position; under Subsection (7) to consult with legal counsel and staff regarding a specific legal matter requiring legal advice and probable litigation relating to retirement benefits; under Subsection (7) to consult with legal counsel and staff regarding specific legal matters requiring legal advice relating to the negotiation of an interjurisdictional agreement for public safety services; under Subsection (7) to consult with legal counsel and staff regarding specific legal matters requiring advice relating to the negotiation of an interjurisdictional agreement to provide public services; under Subsection (7) to consider a matter of probable litigation regarding a property assessment; and under Subsection (7) to consider a matter of pending litigation regarding a Zoning Ordinance waiver. 	
<p>15. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 1:35 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
<p>16. Boards and Commissions: Appointments.</p>	<p><u>Clerk:</u> Prepare appointment/reappointment</p>

<ul style="list-style-type: none"> • REAPPOINTED John Springett and Kimberly Higgins to the Police Department Citizens Advisory Committee, with said terms to expire March 5, 2012. 	letters, update Boards and Commissions book, webpage, and notify appropriate persons.
17. From the Board: Committee Reports and Matters Not Listed on the Agenda. <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, Resolution to Authorize Benefits Paid to Employees Electing Early Retirement April 1, 2008 and February 1, 2010. • ADOPTED, by a vote of 6:0, Resolution Designating 2010 as The Year of the Rivanna in recognition of the 40th Anniversary of Virginia's Scenic Rivers Program. 	Clerk: Forward copy of resolution to Human Resources and County Attorney's office. (Attachment 8)
At 1:30 p.m., the Board recessed.	
18. Call to Order. <ul style="list-style-type: none"> • The meeting was called back to order at 6:02 p.m., by the Chair, Ms. Mallek. 	
21. Proclamation recognizing the 16 th Annual Virginia Festival of the Book. <ul style="list-style-type: none"> • Chair read the attached proclamation. 	(Attachment 9)
22. PUBLIC HEARING to receive comments on the County Executive's FY 2010/2011 Recommended Budget. <ul style="list-style-type: none"> • HELD. 	
23. Adjourn to March 8, 2010, 9:00 a.m., Room 241. <ul style="list-style-type: none"> • The meeting was adjourned at 11:50 p.m. 	

ewj/mrh

- Attachment 1 – Resolution Designating 2010 as The Year of the Rivanna in recognition of the 40th Anniversary of Virginia's Scenic Rivers Program
- Attachment 2 - Resolution Endorsing The Rail Preservation Application of Buckingham Branch Railroad Company
- Attachment 3 – Resolution - The Crossings at Fourth and Preston - Approve Commitment of Project-based Housing Choice Vouchers
- Attachment 4 – Resolution accepting road(s) in Old Ballard Farm Subdivision into the Secondary System of State Highways
- Attachment 5 – Resolution accepting road(s) in Indian Springs Subdivision into the Secondary System of State Highways
- Attachment 6 -- Resolution approving proposed changes to Personnel Policy §P-63
- Attachment 7 – Resolution approving proposed changes to Personnel Policy §P-30
- Attachment 8 - Resolution to Authorize Benefits Paid to Employees Electing Early Retirement April 1, 2008 and February 1, 2010.
- Attachment 9 - Proclamation recognizing the 16th Annual Virginia Festival of the Book

**Resolution Designating 2010 as The Year of the Rivanna
As a Part of The 40th Anniversary
of Virginia's Scenic Rivers Program**

- Whereas** *the Rivanna River was the first river in Virginia designated a State Scenic River; and*
- Whereas** *the Commonwealth of Virginia is celebrating the 40th Anniversary of the Scenic River Program; and*
- Whereas** *Fluvanna resident Minnie Lee McGehee spearheaded the successful effort to have the General Assembly create the Scenic River Program; and*
- Whereas** *the Federal Government has designated the Rivanna as a "National Treasure," the only river so honored in Virginia; and*
- Whereas** *the General Assembly created the Rivanna River Basin Commission, a regional organization to assist in maintaining and improving the water quality of the Rivanna River; and*
- Whereas** *the four jurisdictions (Albemarle, Charlottesville, Fluvanna and Greene), which constitute the greater part of the Rivanna River Basin, have acknowledged the importance of the Rivanna to their jurisdiction's health, welfare and economy;*
- Now, Therefore, Be It Resolved, That** *the Albemarle Board of County Supervisors does hereby designate 2010 as the Year of the Rivanna and extends its gratitude and appreciation to the many groups and organizations working together to organize the 40th Anniversary Celebration and to indicate its support of the Celebration.*

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

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

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost \$266,893.00; and

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

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

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

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

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

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

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 both within the County and regionally; and

WHEREAS, Virginia Supportive Housing is applying for Federal Housing Tax Credits to develop 60 studio apartment units located in Charlottesville at Fourth Street and Preston Avenue and known as The Crossings at Fourth and Preston; 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 nine (9) of the proposed housing units with household incomes limited to those families at or below 40% of the area median income; and

WHEREAS, vouchers provided by the Charlottesville Redevelopment and Housing Authority (CRHA) and Albemarle County will be reserved for homeless single adults with Albemarle vouchers restricted to those who live and/or work in Albemarle County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a commitment of up to nine (9) housing choice vouchers as project-based vouchers for The Crossings at Fourth and Preston and authorizes the Chief of Housing to commit the vouchers upon confirmation of the CRHA committing twenty-one (21) project-based vouchers, the project receiving Federal Housing Tax Credits, and HUD providing sufficient funds to support the vouchers.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 3rd day of March 2010, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Old Ballard Farm Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 3, 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 Ballard Farm Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 3, 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 Ballard Farm Road (State Route 1643)** from the intersection of Route 677 (Old Ballard Road) to the intersection of Route 1644 (Old Ballard Farm Lane), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2773, page 620, with a 40-foot right-of-way width, for a length of 0.09 miles.
- 2) **Old Ballard Farm Lane (State Route 1644)** from the intersection of Route 1643 (Old Ballard Farm Road) to the west cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2773, page 620, with a 40-foot right-of-way width, for a length of 0.04 miles.
- 3) **Old Ballard Farm Lane (State Route 1644)** from the intersection of Route 1643 (Old Ballard Farm Road) to the east cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 2773, page 620, with a 40-foot right-of-way width, for a length of 0.30 miles.

Total Mileage – .43

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 3rd day of March 2010, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Indian Springs Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 3, 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 **Indian Springs Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 3, 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) **Flintrock Way (State Route 1890)** from the intersection of Route 664 (Markwood Road) to the intersection of Route 1891 (Indian Ridge Road), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 60-foot right-of-way width, for a length of 0.07 miles.
- 2) **Indian Ridge Road (State Route 1891)** from the intersection of Route 1890 (Flintrock Way) to the west cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.61 miles.
- 3) **Indian Ridge Road (State Route 1891)** from the intersection of Route 1890 (Flintrock Way) to the east intersection of Route 1892 (Spring Forest Lane), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 50-foot right-of-way width, for a length of 0.12 miles.
- 4) **Indian Ridge Road (State Route 1891)** from the east intersection of Route 1892 (Spring Forest Lane) to the east intersection of Route 1893 (Misty Ridges Lane), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.09 miles.
- 5) **Indian Ridge Road (State Route 1891)** from the intersection of Route 1893 (Misty Ridges Lane) to the east intersection of Route 1894 (Footpath Lane), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.25 miles.

- 6) **Indian Ridge Road (State Route 1891)** from the intersection of Route 1894 (Footpath Lane) to the east cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.19 miles.
- 7) **Spring Forest Lane (State Route 1892)** from the intersection of Route 1891 (Indian Ridge Road) to the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.16 miles.
- 8) **Misty Ridges Lane (State Route 1893)** from the intersection of Route 1891 (Indian Ridge Road) to the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.14 miles.
- 9) **Footpath Lane (State Route 1894)** from the intersection of Route 1891 (Indian Ridge Road) to the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 478, page 512, with a 40-foot right-of-way width, for a length of 0.10 miles.

Total Mileage – 1.73

RESOLUTION

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

WHEREAS, the Board finds that an amendment to Personnel Policy P-63 is necessary to add a targeted retirement incentive to the Voluntary Early Retirement Incentive Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends the following section of the County of Albemarle Personnel Policy Manual:

**By Amending:
Section P-63 RETIREMENT**

§P-63 RETIREMENT

I. REGULAR RETIREMENT

A. General

Retirement shall be at the discretion of the employee. Full-time regular employees of Albemarle County who qualify are eligible for the benefits of the Virginia Retirement System (“VRS”). Additional information describing VRS benefits is available on-line at varetire.org.

B. Continuing Participation in the County’s Medical and Dental Insurance Plans

1. All employees retiring under VRS and/or the County’s VERIP policy are eligible for continuous participation in the group medical and dental insurance plans until they are eligible for Medicare coverage if they participated in the County’s group medical and dental insurance plans on the day prior to separation from the County. The age and service criteria for VRS are as follows: 50 years of age with 10 or more years of continuous regular employment by a VRS-participating employer; or 55 years of age with 5 or more years of continuous regular employment by a VRS-participating employer.
2. Individuals eligible to participate in the County’s group medical and dental insurance plan shall pay the full cost of health insurance coverage, including any applicable administrative expenses.
3. Any retirees or Board members who participated in the County’s group medical and/or dental insurance plans as of December 1, 2009 shall continue to be eligible to participate, at their own cost, until they are eligible for Medicare coverage.

II. LONGEVITY INCENTIVE PROGRAM

The County values the service of all of its employees, both full-time and part-time. Since part-time employees are not covered by VRS, the County has elected to establish a Longevity Incentive Program (the “Program”) and thereby provide eligible part-time employees with certain benefits as more fully explained in this section.

A. Scope of Program

All regular, part-time employees of the County will be covered by the Program provided that they work the minimum number of hours necessary to establish eligibility for County benefits. Salaried Board Members are not eligible for participation in this program.

B. Benefits

The following benefits will be provided to eligible part-time employees under the Program:

1. Life Insurance: A term life insurance policy will be provided equal to twice the employee's annual salary with double indemnity for accidental death and dismemberment payments for the accidental loss of one or more limbs or of eyesight.
2. Annuity Program: Based on length of service in the County, part-time employees will be provided with an annuity program. The Board will contribute an annual amount according to the following formula:
 - a. 5 - 9 years of County service - five percent of annual salary.
 - b. 10 - 14 years of County service - seven percent of annual salary
 - c. 15 - 19 years of County service - nine percent of annual salary.
 - d. 20+ years of County service - eleven percent of annual salary.

III. Retirement Pay/Payment upon Death

In recognition of employee service to Albemarle County, regular full-time and part-time employees who meet the age and service criteria for retirement under VRS and have been employed a minimum of five (5) years with Albemarle County shall be paid upon their retirement or death in service \$200 per year for each year of service to the County as a regular employee up to a maximum payment for 25 years of service, less any years previously paid for under this policy. Years of service do not have to be continuous.

IV. Voluntary Early Retirement Incentive Plan (VERIP)

A. Eligibility

1. Participants in the Albemarle County VERIP must be regular full-time or regular part-time employees eligible for benefits as defined in P-02, Definition of Employee Status and meet the following additional requirements:
 - a. Full-time employees must be eligible for early or full retirement under the provisions of VRS. Part-time employees must meet the same age and service criteria as if they were full-time employees covered under VRS.
 - b. Have been employed by the County government and/or school division for 10 of the last 13 years prior to retirement.
2. Employees retiring under the disability provisions of VRS and/or Social Security shall not be eligible for the VERIP.
3. VERIP benefits will cease if the retiree returns to work in a regular full-time or regular part-time position with the County government and/or school division.
4. VERIP benefits will continue if the retiree returns to work in a temporary part-time or temporary full-time position with the County government and/or school division.

B. Benefits

1. VERIP benefits shall be paid monthly for a period of five years after retirement or until age 65, whichever comes first. The VERIP benefits consist of a stipend calculated in accordance with Section B.2 ("stipend") and an annual monetary contribution in the amount of the Board's current contribution to Board employees for health insurance ("medical contribution").

2. Stipends under VERIP will be calculated as follows:
 - a. Compute the annual VRS benefit. This computation shall include any reductions for early VRS retirement if appropriate.
 - b. Recompute the annual VRS benefit with the addition of five more years of service or the number of additional years needed to reach age 65, whichever is lesser.
 - c. The difference between these two calculations is the annual VERIP stipend ("Stipend Value") to be paid on a monthly basis.
 - d. Stipends for part-time employees who are eligible to participate in VERIP shall be determined as if the part-time employees are eligible for an annual VRS benefit and the amount shall be calculated in the same manner as benefits for VRS-eligible employees under subsections (a) – (c) above.
3. The County Executive will recommend to the Board an annual adjustment to the VERIP stipend after having been apprised of the VRS adjustment for retirees.
4. The Board will pay to the employee an amount equal to the Board's annual contribution toward an employee's health insurance as long as the employee remains eligible to receive VERIP benefits.
5. Effective December 2, 2009, the VERIP stipend shall continue to be calculated in the manner provided in Section B.2, but the stipend amount shall be modified in accordance with the following schedule:
 - a. Retirements effective on or after July 1, 2012 but before July 1, 2013: 80% of the Stipend Value.
 - b. Retirements effective on or after July 1, 2013 but before July 1, 2014: 60% of the Stipend Value.
 - c. Retirements effective on or after July 1, 2014 but before July 1, 2015: 40% of the Stipend Value.
 - d. Retirements effective on or after July 1, 2015 but before July 1, 2016: 20% of the Stipend Value.
 - e. Retirements effective on or after July 1, 2016: No VERIP Stipend.

C. Application

Applications for VERIP must be made to the Human Resources Department prior to December 1st of the year preceding the fiscal year the employee's participation in VERIP takes effect. Applications after December 1 may be approved based on the needs of the County.

D. Approval

All VERIP applications are subject to approval by the County Executive or designee.

E. Duration

The Board of Supervisors reserves the right to modify this policy in its discretion, and all benefits described in this policy shall be subject to future modifications and annual appropriations by the Board of Supervisors.

F. Additional Benefits

1. Current employees who apply for VERIP by February 27, 2009 and who meet the eligibility standards identified below shall be entitled to receive, at their election, **one** of the following:

- a. Two additional years of Board contributions toward health insurance beyond the duration established by Section IV.B, paid on a monthly basis. Employees who retire at 65 years of age or older shall receive two years of contributions toward health insurance.
- b. The cash equivalent of two additional years of Board contributions toward health insurance, calculated at the FY 2009-10 annual rate and paid in one or more installments.

2. To be eligible for the additional benefits in this section, employees must:

- a. Submit VERIP applications by February 27, 2009;
- b. Submit a letter by April 1, 2009 establishing a retirement date no later than June 30, 2009; **and**
- c. Retire after the effective adoption date of this subsection (F) but no later than June 30, 2009.

G. Targeted Retirement Incentives

1. Current employees holding positions in paygrades 16 and higher whose retirement is determined by the County to not impair the essential functions of the department, who apply for VERIP by March 15, 2010, and who meet the eligibility standards identified below shall be entitled to receive, at their election, **one** of the following:

- a. A lump sum payment equivalent to 20% of the employee's current salary. "Salary," for non-exempt employees receiving benefits pursuant to this section, shall mean the employee's current annualized pay based on his regular hourly rate and regularly scheduled work hours.
- b. Monthly payments, the total of which is equivalent to one week of pay for every full year of service with the County for up to 20% of the employee's salary. The number of monthly payments will be determined by the County, however, it shall not exceed sixty (60) monthly payments.
- c. Continued full Board contributions toward the employee's health insurance for an additional 3 years beyond the contributions specified in Section B of this policy, or until the age of 65, whichever comes first.

2. To be eligible for the additional benefits in this section, employees must:

- a. Submit VERIP applications by March 15, 2010;
- b. Submit a letter by April 1, 2010 establishing a retirement date no later than June 30, 2010; **and**
- c. Retire after the effective date of this subsection G but no later than June 30, 2010.

3. The County Executive or his designee may extend for up to 6 months the June 30, 2010 retirement date required by G.2.b and G.2.c for an employee who is otherwise eligible for the benefits in this subsection G upon a finding that such employee's retirement serves the interest of the County.

Amended: August 4, 1993; April 19, 1995; June 2, 2004; January 7, 2009; December 2, 2009; March 3, 2010.

RESOLUTION

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

WHEREAS, the Board finds that an amendment to Personnel Policy P-30 is necessary to clarify the reduction criteria and process and to add a provision for separation benefits.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends the following section of the County of Albemarle Personnel Policy Manual:

By Amending:
Section P-30 CLASSIFIED EMPLOYEE REDUCTION IN FORCE

§P-30 EMPLOYEE REDUCTION-IN-FORCE*

The Board recognizes that occasionally a department must reduce its number of staff members. The reasons for such a reduction include, but are not limited to, the following: a general downsizing of the total organization; a change in the organizational structure of the given department; the changing needs of the clients served by that department.

* Social Services employees are covered under the State's reduction in force policy and procedures.

The following procedures shall be applied when a reduction-in-force becomes necessary for the reduction of any full-time, regular employees of the County:

I. Employee Notification

When a reduction-in-force becomes necessary, the department head will notify the Director of Human Resources and the employee(s) being affected as soon as a potential reduction is known. Full-time employees will be notified in writing as soon as possible, but no less than 60 calendar days prior to the effective date of the elimination of the position.

The affected full-time employee(s) will be given the opportunity to discuss the reduction with the Director of Human Resources and department head.

II. Reduction Criteria and Process

In any reduction implemented under this policy, the performance, level of training and experience of the personnel involved compared to other members of the same position and/or same job group will be considered. "Job group" for purposes of this policy shall mean a group of related job positions which serve a common function or functions within a department. The following process will be utilized:

A list will be developed, as needed, by the Director of Human Resources, according to the following:

- A. The list will be rank-ordered from the most senior down to the least senior employee within job groups. "Seniority" for this purpose will be defined according to length of continuous service, including any approved leaves of absence, as a regular, full-time employee in the current position and in any prior full-time position within the same job group. The list will be further refined to group employees according to their respective positions: Office Associate, Custodian, Police Officer, Etc.
- B. Once the seniority list for each of the respective groups has been developed, then the employees' performance and discipline, as documented in their Human Resources personnel files for the past three years, will be reviewed by the County Executive and rank

ordered. The County Executive may consider all such documented performance and discipline to determine who will be reduced.

In the event that two employees in the same position/job group with the same hiring date, qualifications, and performance record are being considered for a reduction, the County Executive will apply the following criteria, not necessarily in this order, to determine which employee to lay off:

- A. Additional training;
- B. Written documentation of skills and abilities;
- C. Total experience in present position;
- D. Total experience in Albemarle County;
- E. Recommendation of the employees' department head.

III. Reassignment and Recall

A member of the Human Resources Department will meet with employees in positions identified to be eliminated to determine their skills, experience, education, training and interests in order to identify other positions in the County for which they may qualify, or for which retraining is feasible. Every reasonable effort will be made to place an affected employee in a vacant position for which he/she may qualify.

In lieu of being laid-off, full-time employees may be eligible to assume vacant positions within the same or lower pay classifications provided they hold appropriate qualifications or have had previous successful experience in the particular position. An employee reassigned to a position in a lower paygrade pursuant to this policy will be bound by the provisions of policy §P-60, Procedure for Salary Administration and Position Classification, section H.3.

Laid-off employees' names will be placed on a recall list that will remain effective until the end of the next fiscal year. If a position becomes available during that period, and the employee is qualified to fill that position, the employee will be notified in writing. The employee will then be interviewed for this vacant position. After the period on the recall list has expired, the former employee may apply/reactivate his/her application for any vacant position for which he/she is qualified.

IV. Separation Benefits

Laid-off, full-time employees will receive the following separation benefits to assist them in their transition from County employment:

- A. **Separation Pay.** Pay will be calculated at the employee's regular rate of pay at the time of the reduction-in-force, based on the length of service and the schedule provided below. "Length of service" shall mean years of continuous service, including any approved leaves of absence, as a regular, full-time employee in the employee's current position and in any prior, full-time position within the same job group.

Length of Service:	Separation Pay Period:
Less than two years	Two weeks of pay
Two years and above	One week of pay for every full year of service, up to a maximum of 12 weeks

- B. **Continued Insurance Contributions.** The Board contribution for medical and dental insurance coverage will continue for the duration of the separation pay period for laid-off employees who were enrolled in those plans at the time of the reduction. Upon completion of the separation pay period, the employee may elect to continue coverage under COBRA.

Unless otherwise specified, an employee who declines a reassignment to another vacant position prior to the effective date of the reduction shall not be entitled to separation benefits under this policy. If an employee receiving separation benefits is rehired by the County, he/she will be under no obligation to repay those funds.

Amended: August 7, 1996; March 3, 2010

**RESOLUTION TO AUTHORIZE BENEFITS PAID TO EMPLOYEES ELECTING EARLY RETIREMENT
BETWEEN APRIL 1, 2008 AND FEBRUARY 1, 2010**

WHEREAS, the County of Albemarle Personnel Policy P-63 establishes a Voluntary Early Retirement Incentive Plan (“VERIP”) that provides qualifying employees who are eligible to retire under the Virginia Retirement System (“VRS”) both a stipend and continued Board contributions toward health insurance for a period of five years, or until the age of 65, whichever is earlier; and

WHEREAS, the VERIP stipend amounts for employees electing early retirement under VERIP between April 1, 2008 and February 1, 2010 were calculated incorrectly, resulting in overpayments to those employees that were not authorized by Policy P-63; and

WHEREAS, the Board of Supervisors regrets the financial impacts resulting from these miscalculations and desires to minimize those impacts by retroactively authorizing the VERIP stipend benefits that were paid in excess of the benefits authorized by Policy P-63 between April, 2008 and February 1, 2010; and

WHEREAS, to further minimize the immediate financial impacts caused by the miscalculations, the Board of Supervisors will authorize the County Executive to modify the future VERIP stipend payment schedule for the former employees, if requested, by increasing the amounts of the monthly payments and decreasing the number of VERIP stipend payments, provided that the total payments received after February 1, 2010 do not exceed the VERIP stipend amounts authorized by Policy P-63; and

WHEREAS, after February 1, 2010 these former employees, like all other qualifying retirees, will be paid the correct VERIP stipend amounts consistent with Policy P-63 for the remainder of their VERIP benefits periods, and will also continue to receive their lifetime VRS retirement benefits.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the prior payment of additional VERIP stipend benefits to each former employee electing early retirement under VERIP between April 1, 2008 and February 1, 2010 equal to the amount of the overpayment received by such employee prior to February 1, 2010; and

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive to establish future VERIP stipend payment schedules for those former employees electing early retirement under VERIP between April 1, 2008 and February 1, 2010 to modify the future monthly payments for VERIP stipend benefits due under Personnel Policy P-63 after February 1, 2010, provided that the total payments received after February 1, 2010 do not exceed the VERIP stipend amounts authorized by Personnel Policy P-63.

VIRGINIA FESTIVAL OF THE BOOK

WHEREAS, *Albemarle County is committed to promoting reading, writing, and storytelling within and outside its borders; and*

WHEREAS, *our devotion to literacy and our support of literature has attracted over 1,000 writers and tens of thousands of readers to our VIRGINIA FESTIVAL OF THE BOOK; and*

WHEREAS, *the VIRGINIA FESTIVAL OF THE BOOK celebrates the power of books and publishing; and*

WHEREAS, *businesses, cultural and civic organizations, and individuals have contributed to the ongoing success of the VIRGINIA FESTIVAL OF THE BOOK; and*

WHEREAS, *the citizens of the County of Albemarle and Virginia, and the world, have made the VIRGINIA FESTIVAL OF THE BOOK the best book festival in the country;*

NOW, THEREFORE, *I, Ann Mallek, Chair, on behalf of the Albemarle Board of County Supervisors, do hereby proclaim Wednesday, March 17, 2010 through Sunday, March 21, 2010 as the Sixteen Annual*

VIRGINIA FESTIVAL OF THE BOOK

and encourage community members to participate fully in the wide range of available events and activities.

Signed and sealed this 3rd day of March, 2010.