

**ACTIONS**  
**Board of Supervisors Meeting of January 5, 2011**

January 18 , 2011

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 9:02 a.m. by the County Executive, Mr. Foley. All BOS members were present. Also present were Larry Davis, Ella Jordan and Meagan Hoy.</li> </ul>	
4. Election of Chairman. <ul style="list-style-type: none"> <li><b>ELECTED</b> Ann Mallek as Chair for Calendar Year 2011.</li> </ul>	
5. Election of Vice-Chairman. <ul style="list-style-type: none"> <li><b>ELECTED</b> Duane Snow as Vice-Chairman for Calendar Year 2011.</li> </ul>	
6. Appointment of Clerk. <ul style="list-style-type: none"> <li><b>REAPPOINTED</b> Ella Jordan as Clerk and <b>REAPPOINTED</b> Meagan Hoy as Senior Deputy Clerk for Calendar Year 2011.</li> </ul>	
7. Set Meeting Times, Dates and Places for Calendar Year 2011. <ul style="list-style-type: none"> <li><b>SET</b> 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. Due to April 13<sup>th</sup> being a County holiday, set April 20<sup>th</sup> as the night meeting for April. Set the meeting dates for <b>January 2012</b> for: January 4 – 9:00 a.m., and January 11 – 6:00 p.m.</li> </ul>	<u>Clerk:</u> Advertise in <u>The Daily Progress</u> and post notice on door of Lane Auditorium.
8. Set Dates for Hearing Zoning Text Amendments Requested by Citizens. <ul style="list-style-type: none"> <li><b>SET</b> as follows: September 14 and December 14, 2011 and March 15, and June 13, 2012.</li> </ul>	<u>Clerk:</u> Advertise in <u>The Daily Progress</u> as required by Section 33.10.2 of the Zoning Ordinance.
9. Rules of Procedures, Adoption of. <ul style="list-style-type: none"> <li><b>ADOPTED.</b></li> </ul>	<u>Clerk:</u> Forward copy to County Attorney and Community Development. (Attachment 1)
10. Boards and Commission Policy, Adoption of. <ul style="list-style-type: none"> <li><b>ADOPTED.</b></li> </ul>	<u>Clerk:</u> Forward copy to County Attorney. (Attachment 2)
10a. Proclamation recognizing 140 <sup>th</sup> Anniversary of Piedmont Baptist Church. <ul style="list-style-type: none"> <li>No one was present, so proclamation was removed from agenda.</li> </ul>	
10b. Proclamation recognizing “Defying Gravity” – Albemarle’s FLL Robotics Team. <ul style="list-style-type: none"> <li>Chair read and presented to Team.</li> </ul>	(Attachment 3)
10c. Resolution of Appreciation – Benjamin “Ben” Franklin Hurt. <ul style="list-style-type: none"> <li>Chair and Barbara Massey Mouley, from School Board, read and presented to Mr. Hurt.</li> </ul>	(Attachment 4)
11. From the Board: Matters Not Listed on the Agenda. <u>Rodney Thomas:</u> <ul style="list-style-type: none"> <li>Discussed rotating of fire equipment.</li> <li>Fire and Rescue Ordinance Committee will be meeting tonight at 6:00 p.m.</li> <li>Thursday, January 13, 2011, there will be a</li> </ul>	

<p>meeting in Dunlora with VDOT representatives and County representatives to discuss the entrance to Dunlora and the Meadow Creek Parkway.</p> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> <li>• Has been asked to serve the Virginia Department of Conservation and Recreation Technical Advisory Committee to study uses for the Biscuit Run State Park site. The first committee meeting will be held on Monday, January 24, 2011, 7:00 p.m. to 9:00 p.m., at COB-5<sup>th</sup> Street.</li> <li>• Has scheduled a town hall meeting with the Forest Lakes community at Hollymead Elementary School on January 27, 2011, 7:00 p.m. to 9:00 p.m. to discuss expansion of the growth area in the Places 29 Master Plan.</li> <li>• In preparation for the FY 2011-2012 budget, asked that presentations for departmental budgets be broken down into three categories: mandates by state and federal regulations, mandates by Board policies and principles, and discretionary funds. Board members concurred.</li> </ul> <p><u>Duane Snow:</u></p> <ul style="list-style-type: none"> <li>• Asked that staff look at implementing a paperless Board agenda.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>• Read a statement highlighting Board achievements from 2010.</li> </ul>	<p><u>Clerk:</u> Research and provide information to Board.</p>
<p>12. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li>• <u>Karen Kilby</u>, of VDOT, introduced David Crim, VDOT's newly hired Residency Maintenance Manager, for this area.</li> <li>• <u>Morgan Butler</u>, of the Southern Environmental Law Center, spoke about Places29, regarding proposed changes to the text and the proposed expansion area across from Forest Lakes.</li> <li>• <u>Scott Elliff, Derek Duval, John Scott, Grace Zisk and Mike Warlick</u>, residents of Forest Lakes, expressed opposition to the expansion of the growth area across from Forest Lakes, as part of the Places29 Master Plan.</li> <li>• <u>Hunter Dickerson and Marbella Nhare</u>, Monticello High School CAP students, expressed support for the current Water Supply Plan and asked the Board to continue meeting and working with City Council.</li> <li>• <u>Jeff Werner</u>, of Piedmont Environmental Council, spoke about various issues - the community Water Supply Plan, Places29 including expansion of the growth area, and congestion and traffic improvements to the Route 29 North corridor.</li> <li>• <u>Neil Williamson</u>, of the Free Enterprise Forum, spoke about the Places29 Master Plan and</li> </ul>	

	asked that the Board focus on what can be done in the Plan.	
13.2	FY 2011 Budget Amendment and Appropriations. <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the budget amendment in the amount of \$293,174.82 and <b>APPROVED</b> Appropriations #2011057, #2011058, and #2011059.</li> </ul>	<u>Clerk:</u> Forward copy of signed appropriation forms to Finance, OMB and appropriate individuals.
13.3	Resolution of Intent to Amend Zoning Regulations Relating to Outdoor Amplified Music at Farm Wineries. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> resolution.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to County Attorney's office and Zoning Administrator. (Attachment 5)
13.4	Acquisition of Conservation Easements (ACE) Update for FY 2009-10 Applicant Class. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> the attached Resolution accepting the offer of Ms. Pugh and Ms. Stanerson, who are approved FY 2009-10 applicants, to sell conservation easements to the County, for \$162,500, subject to the terms and conditions contained in the deed of easement, and <b>AUTHORIZED</b> the County Executive to sign the final deed of easement in a form acceptable to the County Attorney for this property.</li> <li>• <b>IDENTIFIED</b> the Thurman, Rives, Rushia, and Nash/Violette properties as those on which it desires to purchase conservation easements; and</li> <li>• <b>AUTHORIZED</b> staff to order appraisals or updates for the Thurman, Rives, Rushia, and Nash/Violette properties.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to County Attorney's office and Community Development. (Attachment 6)
13.5	Set public hearing for proposed revision of Precious Metals Ordinance. <ul style="list-style-type: none"> <li>• <b>DIRECTED</b> staff to advertise the proposed ordinance for public hearing at the February 2, 2011 Board meeting.</li> </ul>	<u>Clerk:</u> Advertise for public hearing.
14.	<b>Public Hearing: PROJECT: SP-2010-00026. Pink Ribbon Polo (Signs #63&amp;64).</b> <ul style="list-style-type: none"> <li>• <b>APPROVED SP-2010-00026</b>, by a vote of 6:0, subject to three conditions, as recommended by the Planning Commission.</li> </ul>	<u>Clerk:</u> Set out conditions of approval. (Attachment 7)
15.	Discussion: Community Advisory Councils. <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 6:0, the appointment of a community advisory council for the Village of Rivanna and <b>ADOPTED</b> the recommended revisions regarding staff support to the advisory councils.</li> </ul>	<u>Clerk/Lee Catlin:</u> Proceed as approved. (Attachment 8)
16.	Ordinance Amendment – Chapter 4, Animals and Fowl. <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 6:0, to advertised the proposed ordinance for public hearing at the February 2, 2011 Board meeting.</li> </ul>	<u>Clerk:</u> Advertise for public hearing.
17.	General District Court/Circuit Court Study. <ul style="list-style-type: none"> <li>• By a vote of 6:0, the Board <b>AUTHORIZED</b> staff to issue a limited scope RFP; <b>AUTHORIZED</b> staff to select an architectural and engineering firm and negotiate a fee; <b>REQUESTED</b> staff to bring back a recommendation and fee proposal to the Board for approval; and <b>APPROVED</b> the</li> </ul>	<u>Bill Letteri/OFD:</u> Proceed as approved.

	use of \$35,800 in the "Court Square Enhancement" account for this purpose.	
18.	CIP Funding Strategy. <ul style="list-style-type: none"> <li>• <b>HELD DISCUSSION.</b></li> </ul>	
19.	Closed Session. Personnel and Legal Matters. <ul style="list-style-type: none"> <li>• At 11:28 a.m., the Board went into Closed Meeting to consider appointments to boards, committees and commissions, and an administrative position; and to discuss with legal counsel and staff specific matters requiring legal advice relating to an interjurisdictional agreement with the City of Charlottesville.</li> </ul>	
20.	Certified Closed Meeting. <ul style="list-style-type: none"> <li>• At 2:00 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>	
	Non-Agenda: Appointment. <ul style="list-style-type: none"> <li>• <b>APPOINTED</b>, by a vote of 6:0, Bill Letteri as the Assistant County Executive for Financial and Management Services effective January 1, 2011.</li> </ul>	<u>County Executive:</u> Notify Human Resources.
21.	Boards and Commissions: Appointments. <ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Marcia Joseph to the Charlottesville Area Community Foundation Governing Board with said term to expire December 31, 2013.</li> <li>• <b>APPOINTED</b> Joseph Barnes, Hawkins Dale, Scott Elliff, Joan Graves, Brian Johnson, Tim Kaczmarek, George Larie, Charles Lebo, Christopher Lee, Cynthia Neff, Jeff Pixton, Joel Spring, Henry Weinschenk, and Lloyd Wood to the Places29 Community Advisory Council.</li> <li>• <b>REAPPOINTED</b> Scott Goodman as the Jack Jouett representative to the Economic Development Authority with said term to expire January 19, 2015.</li> <li>• <b>REAPPOINTED</b> Mitchell Neuman as the At-Large representative to the Economic Development Authority with said term to expire January 19, 2015.</li> <li>• <b>REAPPOINTED</b> Julia Monteith as the UVA representative to the Planning Commission with said term to expire December 31, 2012.</li> <li>• <b>REAPPOINTED</b> John deKoven Bowen and Sherry Buttrick to the Public Recreation Facilities Authority with said terms to expire December 13, 2013.</li> <li>• <b>REAPPOINTED</b> Mike Gaffney as Chairman and Joint City/County representative to the Rivanna Solid Waste Authority and the Rivanna water and Sewer Authority with said term to expire December 31, 2012.</li> <li>• <b>APPOINTED</b> Marcia Joseph to the Housing Committee to serve as the Habitat for Humanity representative.</li> <li>• <b>APPOINTED</b> Dennis Rooker as the Board of Supervisors representative to the TJPDC.</li> <li>• <b>APPOINTED</b> Duane Snow as the Board of</li> </ul>	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.

	Supervisors representative to the MPO.	
22.	Piedmont View-Transmission Line Expansion, F. Scott Reed. • <b>RECEIVED.</b>	
23.	Department of Social Services Advisory Board Annual Report. • <b>RECEIVED.</b>	
24a.	Quarterly Update: Albemarle County Service Authority, Gary O'Connell. • <b>RECEIVED.</b> • <b>DIRECTED</b> staff to set up a joint meeting with City Council to discuss the Water Supply Plan.	
24b.	Quarterly Update: Rivanna Water and Sewer Authority, Tom Frederick. • <b>RECEIVED.</b>	
24c.	Resource Management Review Update. • <b>RECEIVED.</b>	
25.	<b><u>Work Session: CPA-2005-010. Places29 Master Plan.</u></b> (continued from December 1, 2010). • A majority of the Board <b>directed</b> staff to include the Piney Mountain Expansion Area as land to be designated as Development Areas in the proposed Places29 Master Plan.	
26.	From the Board: Committee Reports and Matters Not Listed on the Agenda. • There were none.	
27.	Adjourn. • The meeting was adjourned at 5:15 p.m.	

ewj/mrh

Attachment 1 – Rules of Procedures

Attachment 2 – Boards and Commissions Policy

Attachment 3 – Proclamation recognizing “Defying Gravity” – Albemarle’s FLL Robotics Team.

Attachment 4 – Resolution of Appreciation – Benjamin “Ben” Franklin Hurt

Attachment 5 - Resolution of Intent to Amend Zoning Regulations Relating to Outdoor Amplified Music at Farm Wineries

Attachment 6 – Resolution - ACE for FY 2009-10 Applicant Class

Attachment 7 – Planning Item Conditions of Approval

Attachment 8 – Revisions to Community Advisory Councils

**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; 01-05-2011).

**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; 01-05-2011)

**PROCLAMATION**

**WHEREAS,** *“Defying Gravity”, a FLL Robotics team comprised of Jack Jouett Middle School and Albemarle High School students, is one of the top 50 Robotics teams in the Commonwealth of Virginia; and*

**WHEREAS,** *this team of students developed their own innovative idea for solving the problem of bone density loss that astronauts experience in micro gravity; they interviewed U. S. Astronaut, Dr. Kathryn Thornton and they created a robot which efficiently completed numerous robot challenges; and*

**WHEREAS,** *under the team leadership of Coaches Trish Kenney and Stephen Bosley, and team mentors, Rachael Bosley and Charlie Owen, this team laid the foundation for present and future successes; and*

**WHEREAS,** *through countless hours of research, programming, teamwork and robot design, the team came in First Place in the Regional competition held in November, 2010. With over 500 teams competing in December, 2010 in the State competition at James Madison University, “Defying Gravity” came in Second Place and now is the first alternate for the World Competition; and*

**WHEREAS,** *at the competition, these young men and women worked under pressure as a team on a seemingly impossible engineering task to be completed in five minutes. This task not only demonstrated their ability to work inclusively and thoughtfully as a team but also garnered them a special Teamwork Award for all their hard work; and*

**WHEREAS,** *with all these outstanding accomplishments, overall working with adults and professionals in an interactive environment helped these students learn how to handle themselves under pressure exhibiting total confidence and absolute respect for each other.*

**NOW, THEREFORE, BE IT RESOLVED** *that the Albemarle County Board of Supervisors hereby recognizes, commends and congratulates “Defying Gravity” in setting the high standard for excellence both individually and as part of a team:*

***Jack Jouett Middle School - Luc Bailey, Eli Bosley, Stephanie Owen and Sean Simpson; and***

***Albemarle High School – Eric Hahn, Meghana Illendula and Peter Owen***

**RESOLUTION OF APPRECIATION**

**WHEREAS,** *Benjamin “Ben” Franklin Hurt is the quintessence of a role model who had the unique ability to touch each student that passed through the halls of Albemarle High School; and*

**WHEREAS,** *both of Ben’s parents pursued learning throughout their lives, thus instilling in him a thirst and fascination for learning at an early age. This led Ben to be the first in his family to attend college, all the while working and eventually graduating from Hampden Sydney. After graduation Ben was hired by Greenwood High School Principal, Paul Cale, to not only teach his favorite subject, Latin, but also teach math and science, coach the baseball, basketball and track teams, and sponsor the boy’s club and chorus; and*

**WHEREAS,** *in 1941, Ben was drafted into the U.S. Army and used his language and typing skills to assist him in becoming the company clerk for the First Armored Division where he prepared daily accounts of campaigns through Africa and Italy, achieving the rank of Sergeant Major, a good preparation towards continuing his educational journey. After the Army, Ben returned to Greenwood High School where he rose to Principal in 1946. Continuing his educational journey, in 1951, Ben earned a Masters of Education Degree from the University of Virginia after which he became Assistant Principal at Albemarle High School when it opened in 1953. In 1954, Ben was appointed Principal and led the Albemarle High School Patriots for thirty years before retiring in 1984; and*

**WHEREAS,** *during his journey, Ben, with his lifelong partner and wife of 62 years, Maria, raised a family, remained active in his Church, civic organizations in Crozet and throughout the County; and*

**WHEREAS,** *Ben is known for his kindness and understanding, and his advocacy for fairness and opportunity, but most importantly, his students were never a number or an unknown. Ben, known as Mr. Hurt to all his students, knew every student’s name, their face, their parents, where they lived, their struggles and their successes. Ben instilled in everyone who graduated from Albemarle High School, whether they went to college, went to work, or studied a trade, that they were unique, had personal gifts and had a responsibility to their school and community; and*

**NOW, THEREFORE, BE IT RESOLVED** *that on this day of January 5, 2011, the Albemarle County Board of Supervisors and the Albemarle County School Board hereby recognize and thank you - Ben Hurt for your inspiration, for your service and leadership, and for your legacy and high standard of education in Albemarle County.*

**RESOLUTION OF INTENT**

**WHEREAS**, County Code § 18-5.1.25(e) establishes the standard for sound generated from outdoor amplified music at a farm winery, which is based on the audibility of the sound by a person of normal hearing from specified locations; and

**WHEREAS**, the standard is unique among the noise standards for land uses regulated under the Zoning Ordinance, which are otherwise decibel-based standards in County Code § 4.18; and

**WHEREAS**, it is desired to consider a new standard for outdoor amplified music at a farm winery considering the needs of the farm winery industry to preserve its economic vitality, the effect of outdoor amplified music on residents living near farm wineries, and the need for a standard that is reasonable, effective and efficient in its administration and enforcement.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to amend County Code §§ 18-4.18, 18-5.1.25 and any other regulations of Chapter 18, Zoning, of the County Code deemed appropriate to achieve the purposes described herein; and

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

**RESOLUTION 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 owners of the following property:

<u>Applicant</u>	<u>Tax Map</u>	<u>Acreage</u>	<u>Amount</u>
Ethel Pugh/Stanerson (Ivy)	TM 56, Parcel 25C	96.220	\$162,500

**WHEREAS**, the owners offered to sell a conservation easement on the property described above to the County for the purchase price indicated above, 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.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors hereby accepts the offer to sell a conservation easement for the property described above at the amount indicated above, and authorizes the County Executive to execute all documents necessary for completing this acquisition.

**BE IT FURTHER RESOLVED** that the Board of Supervisors hereby directs the County Attorney to send copies of this resolution to the owners of the property identified herein, or the appropriate contact person.



**CONDITIONS OF APPROVAL**

SP-2010-00026. Pink Ribbon Polo.

1. Special Use Permit 2010-00026 shall be developed in general accord with the sketch plan submitted March 16, 2005, prepared by the Pink Ribbon Polo Committee, and titled "American Cancer Society, Pink Ribbon Polo, SP2006-03" (Attachment A-1 and A-2 [of the April 25, 2006, report]). However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance;
2. The event shall be held once (1) a year between the dates of May 30<sup>th</sup> and July 1. The event shall be limited to the hours of 10:00 am and 6:00 pm. Amplified sounds shall be limited to the National Anthem and announcements related to the polo game. The applicant shall arrange for traffic control personnel to be placed at all locations and for what period of time the Albemarle County Police Department deems necessary; and
3. Annual approval of a zoning compliance clearance for not more than two thousand (2,000) attendees is required prior to commencing this use each year. The applicant shall apply for the zoning clearance no later than three (3) weeks prior to the date for the event. Zoning approval will be contingent upon the Zoning Administrator determining that the provisions in Section 5.1.27 of the Albemarle County Code and all conditions of this special use permit have been satisfied and on confirmation from the Health Department, as well as the Departments of Fire/Rescue and Police, that they have been contacted by the applicant and can recommend approval.

**Revisions to Community Advisory Councils**

1. Individual meetings with each council involving staff would be reduced to 1 – 2 per year instead of 2 – 3 per year as approved in September – additional meetings would be scheduled as necessary for project-specific issues.
2. Administrative support including updates to websites, issuing A Mails, and updates regarding development activity and capital project status may be delayed.
3. As workload increases/shifts for Community Development and other involved staff, this approach may need to be revisited in the future.