

ACTIONS	
Board of Supervisors Meeting of July 13, 2011	
July 14, 2011	
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 6:03 p.m. by the Chair, Ms. Mallek. All BOS members were present. Also present were Tom Foley, Larry Davis and Ella Jordan. 	
4. Adoption of Final Agenda. <ul style="list-style-type: none"> ADOPTED agenda with no changes. 	
5. From the Public: Matters Not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> <u>Gregory H. Quinn</u> spoke about national security and how it affects this community. <u>Charles Battig</u> made a presentation on Agenda21, ICLEI and Cool Counties. 	
6.2 Long Term Care Insurance Coverage for County Employees. <ul style="list-style-type: none"> APPROVED the County's participation in the Voluntary Group Long Term Care Insurance Program and AUTHORIZED the County Executive to execute the Employer Adoption Agreement on behalf of the County. 	<u>Lorna Gerome</u> : Proceed as approved. (Attachment 1)
6.2a Resolution to set FY12 Compensation and Benefits for the County Executive. <ul style="list-style-type: none"> ADOPTED resolution. 	<u>Clerk</u> : Forward copy of adopted resolution to Human Resources and County Attorney's office.
7. Update: Use Value Tax - Revalidation. <ul style="list-style-type: none"> RECEIVED. Board members asked for a listing of properties located in their respective districts. 	<u>Bob Willingham</u> : Provide information.
8. <u>Pb Hrg: PROJECT: ZMA 2010-03 Morey Creek Professional Center (Concurrent with SP-2010-09 for a parking structure) and PROJECT: SP-2010-09 Morey Creek Professional Center-Parking Structure (concurrent with ZMA 2010-03).</u> <ul style="list-style-type: none"> APPROVED, by a vote of 6:0, ZMA-2010-03, as proffered dated June 17, 2011. APPROVED, by a vote of 6:0, SP-2010-09 (no conditions). APPROVED, by a vote of 6:0, the Critical Slopes waiver (no conditions). 	(Attachment 2)
9. <u>Pb Hrg:</u> Route 29 Western Bypass. <ul style="list-style-type: none"> RECEIVED. 	
10. From the Board: Committee Reports and Matters Not Listed on the Agenda. <ul style="list-style-type: none"> There were none. 	
11. Adjourn. <ul style="list-style-type: none"> The meeting was adjourned at 12:24 a.m. 	

/ewj

Attachment 1 – Group Long Term Care Insurance Program
Attachment 2 – ZMA 2010-03 Morey Creek Professional Center Proffers

**COMMONWEALTH OF VIRGINIA VOLUNTARY
GROUP LONG TERM CARE INSURANCE
PROGRAM**

EMPLOYER ADOPTION AGREEMENT

THIS AGREEMENT executed this ____ day of _____, 20____,
between _____ hereinafter referred to as the "Employer", and
the Virginia Retirement System ("VRS").

Recitals

- A. The Commonwealth of Virginia has established, and VRS has assumed responsibility for, the Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program (the "Plan") in which employees of local governments, local officers and teachers, as defined in Section 51.1-513.3 of the Code of Virginia (1950), as amended (the "Code"), may participate, and
- B. Pursuant to the same section of the Code, the Employer desires to enter into an Agreement with VRS to permit participation in the Plan by its employees, and
- C. The official entering into this Agreement is duly authorized on behalf of the Employers Governing Body.

Agreement

NOW, THEREFORE, in consideration of the benefits arising from cooperation between the Employer and VRS to provide long term care insurance coverage to the employees of the Employer, the parties do agree as follows:

- 1. VRS represents and warrants to the Employer that it will comply with all applicable laws affecting the Plan.
- 2. VRS represents to the Employer that it shall provide sufficient services to administer the Plan and to appropriately respond to inquires by employees and participants.
- 3. The Employer acknowledges and agrees to the terms and conditions established in the Plan.
- 4. The Employer agrees to provide the VRS selected long term care insurance carrier with a mail file of all active employees, in the format provided by the insurance carrier.

5. When requested by VRS or the insurance carrier, the Employer shall permit the VRS selected long term care insurance carrier to conduct group and individual meetings for the purpose of explaining the Plan or enrolling employees on the Employer's premises during normal working hours subject to such reasonable restrictions that the Employer communicates in writing to VRS and which are accepted by VRS.
6. The Employer elects does not elect to offer their employees payroll deduction. If the employer elects to offer payroll deduction, the employer shall be responsible for remitting premiums under the Plan to the VRS-selected long term care insurance carrier in accordance with the established processes and procedures promulgated by VRS or the insurance carrier.
7. This Agreement may be amended from time to time by written agreement between VRS and the Employer.
8. The term of this Agreement shall be for three years beginning on the date of its execution, and thereafter may be terminated by either party upon 60 days written notice to the other party.

IN WITNESS WHEREOF, the parties have caused the Agreement to be duly executed intending to be bound thereby.

Employer

Virginia Retirement System

By: _____

By: _____

Title: _____

Title: _____

RETURN TO: Virginia Retirement System
P. O. Box 2500
Richmond Virginia 23218
Attention: Long Term Care

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA No 2010-00003 Morey Creek Professional Center

Tax Map and Parcel Number(s): Tax Map and Parcel Numbers 07600-00-00-012A0 & 07600-00-00-012G0.

Owner(s) of Record: **University of Virginia Health Services Foundation**

Date of Proffer Signature: June 17, 2011
12.606 acres to be rezoned from PRD (Planned Residential Development) to PD-MC (Planned District – Mixed Commercial) in accordance with the Application Plan dated March 15, 2010, and last revised on May 16, 2011 (the “Application Plan”).

University of Virginia Health Services Foundation, is the owner (the “Owner”) of Tax Map and Parcel Numbers **07600-00-00-012A0 & 07600-00-00-012G0** (the “Property”) which is the subject of rezoning application ZMA No. **2010-00003**, a project known as “**Morey Creek Professional Center**” (the “Project”).

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable.

1. The Owner shall construct, at its expense, an off-site asphalt-paved pedestrian walkway and other improvements in accordance with standards for such walkways of the Virginia Department of Transportation (VDOT), as specified in the VDOT Road Design Manual, from the southeast corner of the site within the existing public right-of-way along the north side of Fontaine Avenue to the Fontaine Business Park intersection as shown on Sheet C2.0 Pedestrian Pathway and Offsite Waterline of the Application Plan. The walkway and other improvements shall be completed prior to the issuance of the certificate of occupancy for the office building.
2. The Owner shall design and construct a pedestrian/bicycle bridge crossing Morey Creek, as shown on the Application Plan, to a standard approved by the County Engineer, and it is to be a fully engineered clear span bridge, similar to the “Connector” bridge as manufactured by the Steadfast Bridge Company (1-800-749-7515) or an equivalent bridge approved by the County Engineer. The bridge shall be designed and constructed above the 100-year flood plain. The bridge shall be completed, as reasonably determined by the County Engineer, prior to the issuance of the certificate of occupancy permit for the office building.
3. The Owner shall provide a loading space for the JAUNT bus to a standard approved by the County Engineer, in consultation with Charlottesville Area Transit (CAT), JAUNT, and/or VDOT. Space may be provided on the main entrance road or on the parking deck as determined by the Owner at the time of site plan approval. The JAUNT loading space shall be completed, as reasonably determined by the County Engineer, prior to the issuance of the certificate of occupancy for the office building.
4. The Owner at its expense shall design, bond and construct the following transportation improvements:
 - A. A traffic signal at the Fontaine Avenue/US 29 Northbound Ramp intersection. The signal shall be constructed upon approval of VDOT and in accordance with current VDOT standards. The

traffic signal shall be installed and operational within six (6) months after VDOT approves the signal design, and not later than twelve (12) months after the County and VDOT request the installation of the signal.

- B. An eastbound right turn lane within the public right-of-way on Fontaine Avenue at the US 29 Southbound Ramp intersection as shown on “Morey Creek Professional Center and Fontaine Research Park Improvements” (Attachment A). The right turn lane shall be designed and constructed in accordance with current VDOT standards. Construction of the right turn lane shall be completed not later than twelve (12) months after the County and VDOT request construction of the right turn lane.
- C. A traffic signal and additional lanes at the Fontaine Avenue / U.S. Route 29 Bypass Southbound Ramps intersection, as shown on the drawing entitled “Morey Creek Professional Center and Fontaine Research Park Improvements” prepared by the Timmons Group (Attachment A), according to one of the two options below to be approved by VDOT at the time of signal design and construction. The traffic signal shall be installed and operational and construction of the additional lanes shall be completed within six (6) months after VDOT approves the signal design, and not later than twelve (12) months after the County and VDOT request the installation of the signal.
 1. Construct an additional westbound lane on Fontaine Avenue from the northwestern corner of the northbound ramps intersection to the southbound ramps intersection to provide a shared through and left-turn lane. Restripe the existing westbound lane as an exclusive left-turn lane to provide dual left-turn movements onto the southbound ramp. Both lanes shall provide full-width storage between the northbound and southbound ramps intersections. Widen the southbound on-ramp to receive dual left-turns, and add a merge section to reduce the two lanes to one lane. Reconstruct the pavement between the northbound and southbound ramps and under the bridge. Install a traffic signal to operate with split-phasing and interconnect with other study area traffic signals; OR
 2. Construct an exclusive left-turn lane on the westbound approach by modifying the existing median to provide back-to-back left-turn lanes with the eastbound left-turn lane at the U.S. Route 29 Bypass Northbound Ramps intersection. Construct an additional westbound lane on Fontaine Avenue from the northwestern corner of the northbound ramps intersection to the southbound ramps intersection to provide an exclusive westbound through lane. Restripe the existing westbound lane as an exclusive left-turn lane to provide dual left-turn movements onto the southbound ramp with the addition of the new left-turn lane. Widen the southbound on-ramp to receive dual left-turns, and add a merge section to reduce the two lanes to one lane. Reconstruct the pavement between the northbound and southbound ramps and under the bridge. Install a traffic signal to operate with standard left-turn phasing and interconnect with other study area traffic signals.
5. The Owner shall design and construct buildings on the site in general accord with the renderings prepared by Daggett & Grigg Architects, entitled “Morey Creek Professional Center View from Buckingham Circle w/ Morey Creek PC Model” (Attachment B) and “Morey Creek Professional Center Revised Elevation at Fontaine Ave.—6’ Offsets w/ continuous Fascia” (Attachment C), as reasonably determined by the Director of Planning and the Zoning Administrator. To be in general accord with the renderings, buildings shall reflect the following major elements:
 - Building massing including stepbacks in the horizontal and vertical planes shall remain generally as shown in the renderings
 - The building elevation along Fontaine Avenue, including stepbacks of 6 feet every 60 +/- feet horizontally shall be generally as shown in the renderings. A continuous fascia/sunshade at the second floor will be included.

6. The uses of the buildings described on Attachment B and Attachment C permitted by right shall be all those uses allowed by right under Section 25A.2.1 of Chapter 18, Zoning, of the Albemarle County Code, as that section is in effect on July 13, 2011, except for "day care, child care or nursery facility" (reference 5.1.6), a use otherwise permitted by right in the Commercial Office zoning district under Section 23.2.1(12) and therefore otherwise permitted by right in the PD-MC zoning district under Section 25A.2.1(1). Copies of Sections 23.2.1 and 25A.2.1 are attached hereto and incorporated herein as Attachment D.

OWNER:

Eric J. Strucko

By: ERIC J. STRUCKO

Title: Chief Financial Office
University of Virginia Health Services Foundation

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF ALBEMARLE, to-wit:

The foregoing instrument was acknowledged before me this 17 day of June, 2011, by ERIC STRUCKO, Chief Financial Officer, of University of Virginia Health Services Foundation.

My Commission expires: 8/31/2012 David W. Parow
Notary Public

Notary registration number: 291912

David W. Parow
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 291912
My Commission Expires 8/31/2012