

ACTIONS
Board of Supervisors Meeting of September 7, 2011

September 9, 2011

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 9:03 a.m. by the Chair, Ms. Mallek. All BOS members were present. Also present were Tom Foley, Larry Davis, Ella Jordan and Meagan Hoy. 	
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, agenda as amended. 	
<p>5. Recognitions:</p> <p>a. Proclamation recognizing September 2011 as Truancy Month.</p> <ul style="list-style-type: none"> • Chair read and presented to Debbie Chlebnikow. <p>b. Proclamation recognizing October 2011 as Domestic Violence Awareness Month.</p> <ul style="list-style-type: none"> • Chair read and presented to Robin Goldstein. <p>c. Proclamation recognizing September 21, 2011 as International Day of Peace.</p> <ul style="list-style-type: none"> • Chair read and presented to Robert McAdams. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p> <p>(Attachment 3)</p>
<p>6. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>The following persons spoke about the Route 29 Western Bypass:</u> <ul style="list-style-type: none"> • Emerald Young expressed opposition • Frances Fife expressed opposition • Nancy Goodrich expressed opposition • Morgan Butler asked that the Board reconsider tightening the language in the TIP. • Rebecca Foster expressed opposition • Cynthia Neff asked Board to not act too hastily and do what was right for the citizens, and expressed support for Cool Counties. • George Larie expressed opposition • Milton Moore discussed how political the bypass is. • Audrey Welborn expressed support and opposition to Cool Counties. • Corky Shakelford expressed support • <u>The following persons spoke about the Cool Counties resolution:</u> <ul style="list-style-type: none"> • Charles Battig expressed opposition • John Cruickshank expressed support • Betty Sevacho expressed opposition • Peggy Gilgis expressed support • Carole Thorpe expressed opposition • Jeff Werner expressed support for Cool Counties and opposition to the Bypass. • <u>Bill Tomlin</u> presented a petition requesting the Board revoke Rockydale Quarries commercial 	

	<p>mining operations permit.</p> <ul style="list-style-type: none"> • <u>Gerry Sackett</u> presented a petition requesting that VDoT defer the paving of Route 762, Rose Hill Church Lane, until its intersection with Route 732, Milton, is improved. • <u>James Pierce</u>, Exec Director of the Boys and Girls Club, provided an update of the impact of the Club on the community and thanked the Board for its continued partnership. • <u>The following persons spoke in opposition to the petition to delay the paving of Route 762, Rose Hill Church Lane:</u> <ul style="list-style-type: none"> • Ann Carter • Otto Bates • Pauline Johnson • Amanda Rose • <u>David Blount</u>, TJPDC Liaison, spoke about the regional legislative program and stated that the program would be forwarded to the Board in October and he would be coming back to present it in November. 	
	<p>NonAgenda. <u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Announced that he would be creating a Jack Jouett Bypass Advisory Committee. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • The Monticello Heritage Harvest Festival will be taking place on Saturday, September 17th, on the lawn behind the main house. 	
7.2	<p>FY 2012 Budget Amendment and Appropriations</p> <ul style="list-style-type: none"> • APPROVED the budget amendment in the amount of \$638,287.42 and APPROVED Appropriations #2012019, #2012020, #2012021, and #2012022. • Referring to Appropriation #2012022, Mr. Rooker asked staff to look into why the ECC HVAC system needs replacement after only ten years. 	<p><u>Clerk:</u> Forward copy of signed appropriations to OMB, Finance and other appropriate individuals.</p> <p><u>County Executive staff:</u> Provide response.</p>
7.3	<p>Resolution to accept road(s) in Old Trail Creekside Subdivision into the State Secondary System of Highways.</p> <ul style="list-style-type: none"> • ADOPTED. 	<p><u>Clerk:</u> Forward resolution and Form AM-4.3 to Glenn Brooks. (Attachment 4)</p>
7.4	<p>FY 12/13 Operating and Capital Budget Calendar.</p> <ul style="list-style-type: none"> • ADOPTED. 	<p><u>Clerk:</u> Forward copy of preliminary calendar to OMB, Finance and School Division. (Attachment 5)</p>
7.5	<p>Fiscal Year 2012 Region Ten Community Services Performance Contract.</p> <ul style="list-style-type: none"> • APPROVED. 	<p><u>Bryan Elliott:</u> Notify Region Ten of approval.</p>
7.6	<p>Set public hearing on ACSA-2011-00003, Arlin Martin -- Request to amend the Albemarle County Service Authority Jurisdictional Area for water service.</p> <ul style="list-style-type: none"> • SET public hearing for October 5, 2011. 	<p><u>Clerk:</u> Advertise public hearing and schedule on agenda.</p>
7.7	<p>Resolution to amend and readopt the Albemarle County Purchasing Manual.</p> <ul style="list-style-type: none"> • ADOPTED Resolution amending and re-adopting the Albemarle County Purchasing Manual, incorporating the revisions to the 	<p><u>Clerk:</u> Forward copy of resolution to Purchasing and County Attorney's office. (Attachment 5)</p> <p><u>County Attorney's office:</u> Provide Clerk with copy of adopted manual.</p>

	Purchasing Manual.	
7.8.	Set public hearing to consider amending the Water Protection Ordinance. <ul style="list-style-type: none"> • SET public hearing for October 5, 2011. 	<u>Clerk:</u> Advertise public hearing and schedule on agenda.
7.9	Cancel September 14, 2011 regular night meeting. <ul style="list-style-type: none"> • CANCELLED Board meeting. 	<u>Clerk:</u> Notify appropriate people.
7.10	Downtown Crozet Stormwater Wetlands Project. <ul style="list-style-type: none"> • This item was moved to Agenda #21 on the regular agenda. 	
8.	Pb Hrg: <u>SP-2011-00012. Locally Grown Festival (Signs #62&64).</u> <ul style="list-style-type: none"> • DEFERRED, by a vote of 6:0, SP-2011-0012, to October 5th. 	<u>Clerk:</u> Schedule on agenda after confirming with applicant.
9.	Pb Hrg: <u>ZMA-2011-00004. Albemarle Place Proffer Amendment (Signs #66&67).</u> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, ZMA-2011-04, as proffered. 	<u>Clerk:</u> Set out proffers. (Attachment 7)
10.	Pb Hrg: <u>FY 2011 Budget Amendment and Appropriations.</u> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the FY 2011 Budget Amendment in the amount of \$3,492,355.98, APPROVED Appropriations #2011090, #2011091, and #2011092, and correction of Appropriation #2011088 to provide funds for various local government and school projects and programs. 	<u>Clerk:</u> Forward copy of signed appropriations to OMB, Finance and other appropriate individuals.
	NonAgenda. At 10:51 a.m., the Board recessed, and reconvened at 11:03 a.m.	
11.	Local Climate Action Planning Process (LCAPP) Final Report. <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the following staff recommendations: <ul style="list-style-type: none"> • accept the principles and next steps recommended by the LCAPP Steering Committee as guidance and direction for the County with respect to the subject of energy and emissions; • continue to support efforts to utilize resources and mechanisms currently in place to accomplish actions that can result in measurable energy reductions and emission reductions; and • build on local experience and successes to prioritize additional actions that promote progress toward reduction goals and commitments 	<u>Andy Lowe:</u> Proceed as approved.
12.	Cool Counties Climate Stabilization Declaration Resolution. <ul style="list-style-type: none"> • RESCINDED, by a vote of 4:2 (Rooker/ Mallek), Board support of the Cool Counties Resolution. • DIRECTED staff to bring back a proposed local plan with new goals and targets based on LCAPP. 	<u>Andy Lowe:</u> Proceed as directed.
13.	CIP allocation for FY12 VDOT Revenue Sharing Program. <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the use of the FY 12 Revenue Sharing Program funds 	<u>OMB:</u> Forward appropriation for approval in October.

	(\$484,222), the re-appropriation of the FY 11 Revenue Sharing Program balance (\$74,698) and the reallocation of some of the FY 11/12 Transportation Improvement Program (Local) funds (\$941,080) to provide the required match (\$1,500,000) to participate in the FY12 VDOT Revenue Sharing Program.	
14.	<p>Review of County Grant Approval Process.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the following staff recommendations: <ul style="list-style-type: none"> • that the County Executive continues to retain the authority provided by the Board in its May 2009 Resolution regarding the submission and approval of grant applications; • that grant application summaries for General Government grants be provided to the Board on a regular basis as consent agenda information items prior to grant funding being accepted or approved; and • that the County Executive continue to consult with the Board regarding grant applications that may commit the County to ongoing funding obligations. 	<u>Ron White/Lori Allshouse</u> : Proceed as approved.
15.	<p>Closed Session.</p> <ul style="list-style-type: none"> • At 12:41 p.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 under subsection (7) to consult with legal counsel and staff regarding specific legal matters requiring legal advice concerning public safety training and facilities. 	
16.	<p>Certified Closed Meeting.</p> <ul style="list-style-type: none"> • At 1:52 p.m., the Board reconvened into open meeting and certified the closed meeting (Rooker absent). 	
17.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Cynthia Conte to the Historic Preservation Committee with said term to expire June 4, 2014. • REAPPOINTED Bruce Dotson and Stephen McLean to the Acquisition of Conservation Easements Committee with said terms to expire August 1, 2014. 	<u>Clerk</u> : Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.
18.	<p>PVCC Annual Report, Dr. Frank Friedman.</p> <ul style="list-style-type: none"> • RECEIVED. 	
19.	<p>VDoT Updates, Bypass Milestones, Jim Utterback.</p> <ul style="list-style-type: none"> • RECEIVED. <p><u>VDoT Matters Not Listed on the Agenda:</u></p> <ul style="list-style-type: none"> • Mr. Rooker asked that VDoT look into the spraying of Round-Up on sidewalks at entrance corridors. (He gave examples of Hydraulic Road and Georgetown Road.) • Mr. Snow asked VDoT to look into both the paving and possible elevation change on Rose Hill Church Road. 	<u>David Crim</u> : Proceed as approved.
20.	Albemarle County 2012 Legislative Priorities.	<u>County Attorney's office</u> : Proceed as

	<ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the proposed 2012 Legislative Priorities. 	approved. (Attachment 8)
21.	<p>Downtown Crozet Stormwater Wetlands Project.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the final project budget and AUTHORIZED staff to proceed with construction. • APPROVED the budget amendment in the amount of \$570,000.00 and APPROVED Appropriation #2012023. 	<p><u>Greg Harper</u>: Proceed as approved.</p> <p><u>Clerk</u>: Forward copy of signed appropriation to OMB, Finance and other appropriate individuals.</p>
22.	<p>From the Board: Matters Not Listed on the Agenda.</p> <p><u>Lindsay Dorrier</u>:</p> <ul style="list-style-type: none"> • Mentioned Rose Hill Church Road. <p><u>Ann Mallek</u>:</p> <ul style="list-style-type: none"> • Asked the Board for their input on a possible resolution in reference to the U. S. Route 29 Western Bypass. CONSENSUS of Board to discuss the proposed Resolution at the September 14, 2011 meeting. • Asked that a discussion on the County's Sustainability Accords be added to a future Board agenda. 	<p><u>Clerk</u>: Schedule on September 14, 2011 Agenda.</p> <p><u>County Executive</u>: Proceed as directed.</p>
23.	<p>Adjourn to September 13, 2011, 3:00 p.m., CitySpace.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 3:52 p.m. 	

ewj/mrh

- Attachment 1 - Proclamation recognizing September 2011 as Truancy Month
- Attachment 2 – Proclamation recognizing October 2011 as Domestic Violence Awareness Month
- Attachment 3 - Proclamation recognizing September 21, 2011 as International Day of Peace
- Attachment 4 – Resolution to accept road(s) in Old Trail Creekside Subdivision into the State Secondary System of Highways
- Attachment 5 – FY 12/13 Operating and Capital Budget Calendar
- Attachment 6 – Resolution to amend and readopt the Albemarle County Purchasing Manual
- Attachment 7 – Proffers - ZMA-2011-00004. Albemarle Place Proffer Amendment
- Attachment 8 – Albemarle County 2012 Legislative Priorities

PROCLAMATION

2011 TRUANCY PREVENTION AWARENESS MONTH

- WHEREAS,** the Charlottesville/Albemarle Juvenile Justice Advisory Committee (JJAC) is charged with convening stakeholders to study local juvenile justice practices; and
- WHEREAS,** the JJAC develops and implements strategies to prevent delinquency and promote accountability and rehabilitation; and
- WHEREAS,** truancy has long been identified as an educational, social and juvenile justice issue worthy of public and private attention; and
- WHEREAS,** the JJAC has identified truancy prevention as an area of focus in its efforts; and
- WHEREAS,** Truancy Prevention Awareness Month will encourage and promote daily school attendance;
- NOW, THEREFORE,** I, Ann H. Mallek, Chair, on behalf of Albemarle County Board of Supervisors, do hereby recognize **September, 2011 as**

TRUANCY PREVENTION AWARENESS MONTH

in the County of Albemarle, Virginia, and call this observance to the attention of all our citizens.

Signed and sealed this 7th day of September, 2011

PROCLAMATION

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging, affecting individuals and society as a whole; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and

WHEREAS, it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, for 32 years, the Shelter for Help in Emergency has led the way in the County of Albemarle and five surrounding communities of Planning District 10 providing unparalleled services to women, children and men who have been victimized by domestic violence. These services include 24-hour crisis hotline, safe shelter, case management and support services, legal advocacy, information and referral and safety planning; and

WHEREAS, in 2011, in Albemarle and the five surrounding counties of Planning District 10, the Shelter for Help in Emergency offered 24-hour intervention and referrals in response to 801 hotline calls; safe shelter to 115 women and 102 children, for a total of 3,981 nights; over 4,000 hours of advocacy and counseling; including advocacy services to 134 women who did not stay in our residential facility; provided information and educational materials to over 10,000 members of the community; with support from 7,500 volunteer hours;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, that I, Ann H. Mallek, Chair, on behalf of the Albemarle County Board of Supervisors, do hereby proclaim the month of **October 2011** as **DOMESTIC VIOLENCE AWARENESS MONTH**, and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children and men.

Signed and sealed this 7th day of September, 2011

PROCLAMATION

International Day of Peace

WHEREAS, the International Day of Peace has been recognized and celebrated by millions of people worldwide since it was started by a United Nations resolution almost thirty years ago; and

WHEREAS, many civic organizations and religious congregations in our community have formed a coalition to both celebrate the International Day of Peace and to challenge our community to envision peace and non-violence in our society; and

WHEREAS, the benefits of peace and non-violence in our community include greater personal and communal well-being, greater public safety, and greater effectiveness in the resolution of disagreements;

NOW, THEREFORE, I, Ann H. Mallek, Chair, on behalf of Albemarle County Board of Supervisors, do hereby recognize **September 21, 2011** as the

International Day of Peace

in the County of Albemarle, Virginia, and call this observance to the attention of all our citizens.

Signed and sealed this 7th day of September, 2011

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 7th day of September 2011, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Old Trail Creekside Subdivision**, as described on the attached Additions Form AM-4.3 dated **September 7, 2011**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Old Trail Creekside Subdivision**, as described on the attached Additions Form AM-4.3 dated **September 7, 2011**, 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:

6. **Mountain Path Terrace (State Route 1823)** from Mountain Path Drive (State Route 1821) south to the end of the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3587, pages 482-495, with a 40-foot right-of-way width, for a length of 0.08 miles.
- 2) **Welbourne Lane (State Route 1820)** from Mountain Path Drive (State Route 1821) west to the end of state maintenance, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3587, pages 482-495, with a 40-foot right-of-way width, for a length of 0.17 miles.
- 3) **Mountain Path Drive (State Route 1821)** from Mountain Path Terrace (State Route 1823) north to Mountain Path Court, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3587, pages 482-495, with a 40-foot right-of-way width, for a length of 0.06 miles.
- 4) **Mountain Path Drive (State Route 1821)** from Mountain Vista Lane (State Route 1822) north to Mountain Path Terrace (State Route 1823), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3191, pages 130-153, with a 40-foot right-of-way width, for a length of 0.08 miles.
- 5) **Welbourne Lane (State Route 1820)** from Old Trail Drive (State Route 1815) west to Mountain Path Drive (State Route 1821), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3191, pages 130-153, with a 40-foot right-of-way width, for a length of 0.23 miles.

- 6) **Mountain Path Court (State Route 1824)** from Mountain Path Drive (State Route 1821) south to the end of the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3587, pages 482-495, with a 40-foot right-of-way width, for a length of 0.03 miles.
- 7) **Mountain Path Drive (State Route 1821)** from Welbourne Lane (State Route 1820) north to Mountain Vista Lane (State Route 1822), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3191, pages 130-153, with a 40-foot right-of-way width, for a length of 0.06 miles.
- 8) **Mountain Path Drive (State Route 1821)** from Mountain Path Court (State Route 1824) north to the end of state maintenance, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3587, pages 482-495, with a 40-foot right-of-way width, for a length of 0.01 miles.
- 9) **Mountain Vista Lane (State Route 1822)** from Mountain Path Drive (State Route 1821) west to end of cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3191, pages 130-153, with a 40-foot right-of-way width, for a length of 0.18 miles.

Total Mileage – 0.90

FY 12/13 BUDGET CALENDAR

August 2011

- 5 Department/Agency/School CIP Project Justifications & Cost Data Due to OMB

September 2011

- 9 Operating budget manual and instructions available for County departments

October 2011

- 11-27 CIP Technical Review Team (TRT) Meetings
- 12 Department Budget Presentations to Board of Supervisors (BOS)
- 12 School Board/BOS Joint Work Session – Compensation/Benefits
- 14 Department/office FY 12/13 budget requests due to OMB

November 2011

- 8 CIP Oversight Committee Meeting
- 9 BOS Work Session – Five-Year Financial Plan – General Government
- 10 BOS Work Session – Five-Year Financial Plan – Schools
- 11 Community Agency applications due to OMB
- 15 CIP Oversight Committee Meeting
- 22 CIP Oversight Committee Meeting

December 2011

- 7 BOS Work Session – Five-Year Financial Plan
- 14 BOS Work Session – Approve the Five-Year Financial Plan
- 14 Joint meeting with BOS and School Board regarding CIP

January 2012

- 28 General Fund and Special Revenue Funds balanced

February 2012

- 24 Budget document distributed
- 29 Public Hearing on County Executive's Recommended Budget

March 2012

- 5 Budget Work Session – General Government
- 7 Budget Work Session – Schools
- 12 Budget Work Session – CIP
- 14 Budget Work Session – wrap up (if needed)
- 28 Public hearing on BOS proposed budget and CIP
- 28 Public hearing on the 2012 calendar year tax rate

April 2012

- 4 BOS adopts FY 12/13 budget & FY 13-22 CIP
- 4 BOS sets 2012 tax rate

**RESOLUTION ADOPTING THE UPDATED
ALBEMARLE COUNTY PURCHASING MANUAL**

WHEREAS, the County of Albemarle Purchasing Manual (“Manual”) delineates not only the requirements of the Virginia Public Procurement Act, but also the methods and procedures that best enable the County to procure the highest quality goods and services at a reasonable cost and in an efficient, fair, and competitive manner; and

WHEREAS, the Manual was last substantially revised on November 14, 2001 and, since 2001, there have been several amendments to the Virginia Public Procurement Act (“Act”), the state code on which the Manual is largely based; and

WHEREAS, the Manual needs to be revised and updated to reflect the changes in the Act and to provide the most comprehensive and efficient procurement of goods and services possible in the County; and

WHEREAS, the Board desires to adopt the amendments to the Albemarle County Purchasing Manual.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Purchasing Manual is hereby amended and re-adopted and shall supersede any purchasing policy adopted prior to this date.

Albemarle Place

PROFFER FORM

Date: August 5, 2011

ZMA # 2011-00004 Albemarle Place

Tax Map and Parcel Numbers: 061W0-03-00-019A0, 061W0-03-00-019B0, 061W0-03-00-02300, 061W0-03-00-02400, and 061W0-03-00-02500

65.034 Acres zoned Neighborhood Model District (NMD) to be rezoned to Neighborhood Model District (NMD)

Albemarle Place EAAP, LLC, a Delaware limited liability company, is the fee simple owner (the "Owner") of tax map parcels 061W0-03-00-019A0, 061W0-03-00-019B0, 061W0-03-00-02300, 061W0-03-00-02400, and 061W0-03-00-02500 (collectively, the "Property"), which is the subject of zoning map amendment application number ZMA 2011-00004 known as "Albemarle Place Amendment."

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed in this proffer statement, which shall be applied to the Property if the rezoning is approved by Albemarle County. These conditions are proffered as part of the rezoning and it is acknowledged that the conditions are reasonable.

The Albemarle Place project was originally approved by the County Board of Supervisors on October 22, 2003 as ZMA 2001-007, along with proffers from the prior owner dated October 22, 2003, and a Code of Development prepared by The Cox Company dated October 15, 2003 (with Exhibit A to the Code of Development last revised July 8, 2010) (the "Code of Development"). The Code of Development included an application plan (the "Application Plan"). The improvements proposed for the Property are collectively referred to as the "Project."

The term "Owner" as referenced herein shall include within its meaning the owner of record and successors in interest. The term "Application Plan" refers to Exhibit A. The term "Code of Development" refers to Exhibit B. The proffers dated October 22, 2003 that were approved with ZMA 2001-007 were amended by proffers dated July 23, 2010 that were approved with ZMA 2008-0003 by the County Board of Supervisors on August 4, 2010. These proffers amend and supersede the proffers accepted in conjunction with the approval of ZMA 2001-007 and ZMA 2008-0003.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provisions of the proffers.

6. **Phasing of Albemarle Place Improvements:** The Owner shall phase development of the Project as follows:
 6. **Phase 1:** Phase 1 of the Project shall be composed of Blocks A, B, C and D as shown on the Application Plan, and as shown in more detail on Exhibit A-1 attached hereto ("Phase 1"), and shall include street and utility improvements to serve the planned building improvements contained within Phase 1. As part of Phase 1, the Owner shall design and construct Albemarle Place Boulevard (also known as Fourth Street/Cedar Hill Road) ("Albemarle Place Boulevard") from Hydraulic Road to the point where Albemarle Place Boulevard connects with the new planned western entrance to the Sperry Marine facility in the location shown on the Application Plan, and as shown in more detail on Exhibit A-1. This first phase of Albemarle Place Boulevard shall include all supporting utility infrastructure on such street, and shall be completed prior to issuance of a final certificate of occupancy for any buildings within Blocks A, B, C and D. Construction of the first phase of Albemarle Place Boulevard shall be deemed complete when it is constructed in conformance with the plans approved by the Virginia Department of Transportation ("VDOT") and the County Engineer has approved it for vehicular travel. No more than three hundred seventy thousand (370,000) square feet of commercial space and one hundred seventy (170) dwelling units may be constructed within the Project until the remainder

of Albemarle Place Boulevard is constructed to the new planned intersection with U.S. Route 29 as shown on the Application Plan. Notwithstanding anything to the contrary contained in this Paragraph 1A, the Owner shall be permitted to utilize portions of the Phase 2 land (as shown on Exhibit A-1) for the installation of infrastructure to serve the Phase 1 building improvements to be constructed in Blocks A, B, C and D.

- B. Phase 2:** Phase 2 of the Project shall be composed of Blocks E, F and G as shown on the Application Plan and as shown in more detail on Exhibit A-1 ("Phase 2"), and shall include street and utility improvements to serve the planned building improvements contained within Phase 2. As part of Phase 2, the Owner shall design and construct Albemarle Place Boulevard from the point where it connects with the new planned western entrance to the Sperry Marine facility north and east through Blocks E, F and G to the new planned intersection with U.S. Route 29 as shown on the Application Plan and as shown in more detail on Exhibit A-1. This second phase of Albemarle Place Boulevard shall include all supporting utility infrastructure on such street and shall be completed prior to issuance of a final certificate of occupancy for any buildings within Blocks E, F and G. Construction of the second phase of Albemarle Place Boulevard shall be deemed complete when it is constructed in conformance with the plans approved by VDOT and the County Engineer has approved it for vehicular travel. Notwithstanding anything to the contrary contained in this Paragraph 1B, the Owner shall be permitted to utilize portions of the Phase 2 land (as shown on Exhibit A-1) for the installation of infrastructure to serve the Phase 1 building improvements to be constructed in Blocks A, B, C and D. Notwithstanding anything to the contrary contained in this paragraph 1B or in paragraph 1A above, final certificates of occupancy may be issued for buildings within Blocks A, B, C, D or E beyond the threshold levels contained in paragraph 1A, provided that the Owner (i) has constructed at least a temporary road (at standards acceptable to the Director of Community Development) connecting the first phase of Albemarle Place Boulevard to the new planned intersection with U.S. Route 29, or (ii) can demonstrate during the site plan review process, through traffic analysis acceptable to the Director of Community Development and VDOT, that additional traffic from such buildings, when aggregated with the traffic generated by the uses for which certificates of occupancy have been issued for buildings in Phase 1, will not cause the Hydraulic Road/U.S. Route 29 intersection to fall below an acceptable level of service.
- C.** Landscape improvements and associated streetscape improvements to serve the planned building improvements contained within each block shall be reviewed at the time of final site plan review for each block. The Project shall have a consistently designed and planted streetscape along Route 29 and Hydraulic Road.
- 2. Community Development Authority Participation:** Upon request by the County, the Owner shall petition for and consent to all tax map parcels used for non-residential purposes participating in a Community Development Authority ("CDA") established pursuant to Section 15.2-5152, et seq. of the Code of Virginia ("Code") to be created for the purpose of implementing Route 29 regional transportation improvements, including but not limited to transportation improvements within the "Super Block" (the geographical area bounded by Route 29, Hydraulic Road, Commonwealth Drive, and Greenbrier Drive) and intersectional improvements associated therewith.
- 3. Cash Proffer for Route 29 Regional Transportation:** The Owner will make a cash contribution to the County for the MPO/29H250 Phase 2 Route 29 regional transportation study in the amount of One Hundred Thousand Dollars (\$100,000.00). The cash contribution shall be made by the Owner within thirty (30) days upon request by the County. This proffer has been satisfied.
- 4. Cash Proffer for City of Charlottesville Traffic Calming Improvements:** The Owner shall contribute Ten Thousand Dollars (\$10,000.00) to the City of Charlottesville for the construction by the City of traffic calming improvements on Swanson Road, Cedar Hill Road and other City streets intersecting Hydraulic Road in the vicinity of Albemarle Place. The cash contribution shall be made by the Owner within thirty (30) days upon request by the City. If the traffic calming improvements are not implemented by October 15, 2007, all unexpended funds shall be refunded to the Owner. The City constructed the traffic calming improvements, and requested the prior owner of the Property to pay the contribution on November 9, 2005, but there are no immediately available

records that such contribution was ever received by the City. Upon evidence of prior payment of such funds that is satisfactory to the County, the requirements of this Paragraph 4 shall be deemed satisfied. In the event the Owner has not produced such evidence to the County by March 31, 2010, the Owner shall contribute the funds to the City within thirty (30) days of a written request from the City, provided that such request is made no sooner than April 1, 2011. At the time such funds are delivered to the City, the Owner shall provide notice of such payment to the County.

5. **Cash Proffer for Charlottesville Area Transit (“CAT”) Commercial Corridor “Jitney Service”:** Upon the request of the County, the Owner shall contribute Twenty Thousand Dollars (\$20,000.00) per annum or an amount equal to twenty percent (20%) of the annual operating and maintenance costs, whichever is less, for a period not to exceed five years for operating and/or maintaining a dedicated “jitney bus” service to retail commercial developments, including Albemarle Place, along the Route 29 Corridor. If the CAT “jitney service” is not placed into operation by the date of issuance of the first occupancy permit for a commercial building in Albemarle Place, then the Owner shall contribute Seven Thousand Dollars (\$7,000.00) per annum, for a period not to exceed five years, to CAT for costs associated with operating existing CAT bus route(s) that provide service to Albemarle Place.
6. **Cash Proffer for Capital Improvements:** The Owner shall contribute One Million Five Hundred Thousand Dollars (\$1,500,000.00) (hereinafter referred to as the “Total Contribution”) to the County for the purpose of funding capital improvements related to Albemarle Place. The contribution shall be paid as follows: (a) Three Hundred and Seventy Five Thousand Dollars (\$375,000.00) shall be contributed to the County within thirty (30) days after the first final site plan or subdivision plat containing residential dwelling units is approved for Albemarle Place; (b) an additional Three Hundred and Seventy Five Thousand Dollars (\$375,000.00) of the total contribution shall be contributed to the County prior to the issuance of a certificate of occupancy for the first residential dwelling unit in Albemarle Place, and (c) the remaining Seven Hundred Fifty Thousand Dollars (\$750,000.00) of the Total Contribution shall be paid on a pro rata basis of Three Thousand Dollars (\$3,000.00) per residential dwelling unit at the time certificates of occupancy are issued for the first two hundred fifty (250) dwelling units. No additional contribution shall be required for the next two hundred fifty (250) dwelling units.

If, five (5) years from the date of approval of the first final site plan or subdivision plat for residential dwelling units, the Total Contribution has not been fully paid, the balance of the Total Contribution shall be contributed to the County within thirty (30) days upon request by the County. If this fund has not been exhausted by the County for the stated purpose within five (5) years from the date the last contribution is made, all unexpended funds shall be refunded to the Owner.

In addition to the foregoing, after building permits have been issued for the first five hundred (500) dwelling units within Albemarle Place, the Owner shall pay to the County Three Thousand Dollars (\$3,000.00) prior to the issuance of a building permit for each new residential dwelling unit thereafter.

7. **Construction of Frontage improvements on Route 29 and Hydraulic Road:** At its expense, the Owner shall plan, design, bond and construct travel lane improvements to be dedicated for public use on its Hydraulic Road and Route 29 frontage. The design shall be submitted with the first site plan for the initial phase of Albemarle Place. The subject frontage improvements are depicted by Exhibit F, “Short Term Route 29 Transportation Improvements.” The County may require these improvements to be completed as a prerequisite to the issuance of any certificates of occupancy. The construction of the subject improvements shall be deemed complete when they are constructed in conformance with the plans approved by VDOT and opened to public use as approved by VDOT.
8. **Construction of Off-Site Improvements:** Upon request by the County or as provided herein, the Owner shall plan, design, bond and construct off-site transportation improvements in the County and the City, as depicted on Exhibit F, “Short Term Route 29 Transportation Improvements”. If the improvements are required to be constructed, the County may require these improvements to be completed as a prerequisite to the issuance of any certificates of occupancy. Construction shall be deemed complete when the improvements are constructed in conformance with the plans approved by VDOT and opened to public use as approved by VDOT.

6. **Off-site Improvements in the County at the Northwest Quadrant of the Hydraulic Road/Route 29 Intersection.** The engineering, plats and construction documents for off-site improvements in the County shall be submitted with the first final site plan for Phase 1 of Albemarle Place.

B. **Off-site Improvements in the City at the Northeast Quadrant of the Hydraulic Road/Route 29 Intersection (numbered items 4 and 11 on Exhibit F).** The Owner shall submit the engineering, plats and construction documents (the "Plans") for the improvements in the City of Charlottesville to the City of Charlottesville within sixty (60) days after the first final site plan for Phase 1 of Albemarle Place is submitted to the County. The Owner shall diligently pursue approval of the Plans in the City. If the City does not approve the Plans within six (6) months after the first final site plan for the first phase of Albemarle Place is approved by the County, the Owner shall not be required by this proffer to construct any improvements for which approvals have not been obtained. The Owner shall not be required by this proffer to acquire or otherwise pay for right of way in the City for these improvements.

If the improvements are required to be constructed, the Owner shall complete construction of the improvements for which right of way is available within twelve (12) months after the issuance of the first certificate of occupancy within Albemarle Place. Construction shall be deemed complete when the improvements are constructed in conformance with the plans approved by VDOT and opened to public use as approved by VDOT.

This Paragraph 8(B) is subject to the terms of Paragraph 14, "Substituted Transportation Improvements."

9. **Reservation and Dedication of land for Regional Route 29 and Hydraulic Road Intersection Improvements:** The Owner shall reserve for the future dedication to the Commonwealth of Virginia certain land on the Property in the County for certain short-term transportation improvements for the Route 29 and Hydraulic Road intersection (the "Short-Term Route 29/Hydraulic Road Improvements") as follows: (a) the land shown as "Parcel A 6,511 S.F." on the plat of Kirk Hughes and Associates dated March 3, 2009, last revised March 25, 2010, which plat is attached hereto as Exhibit H; and (b) any portions of the parcels shown as "Parcel One Future Right of Way 1,117 S.F.," "Parcel Two Future Right of Way 9,079 S.F.," "Parcel Four Future Right of Way 1,660 S.F.," and "Parcel Five Future Right of Way 790 S.F.," on the Official Map adopted by the County on December 2, 2009, a copy of which Official Map is attached hereto as Exhibit I, that are required by VDOT for the Short-Term Route 29/Hydraulic Road Improvements (collectively, the "Short-Term Improvements Dedication Area"), provided, however, that the subdivision plats depicting the Short-Term Improvements Dedication Area are subject to final approval by the County Department of Community Development and that the precise boundaries and size of the Short-Term Improvements Dedication Area may be adjusted accordingly.

The Owner shall dedicate the Short-Term Improvements Dedication Area to the Commonwealth of Virginia in fee simple by October 1, 2010, or within thirty (30) days after the County approves the subdivision plat necessary to dedicate the Short-Term Improvements Dedication Area, whichever is first to occur. In addition to the dedication of the Short-Term Improvements Dedication Area, the Owner shall dedicate and convey all necessary drainage and construction easements for the Short-Term Route 29/Hydraulic Road Improvements. If the Short-Term Improvements Dedication Area is not dedicated and conveyed as part of a subdivision plat, the Owner shall pay all costs of surveying and preparing legal documents in a form acceptable to the Office of the Attorney General necessary to dedicate and convey the Short-Term Improvements Dedication Area land.

After dedication and until the subject regional transportation improvements are funded for construction, the Owner shall, at the request of the County, and with the consent of the Commonwealth of Virginia, maintain the Short-Term Improvements Dedication Area land until requested by the County to no longer do so provided the Owner is granted the right to the exclusive use of the land for landscaped open space, a pocket park, temporary parking, fencing, signage, utilities or other purpose as may be approved with the final site plan for the first phase of Albemarle Place. Upon being requested by the County to no longer maintain the land, the Owner shall cease

all use of the land and remove all improvements established by the Owner that the County requests be removed.

In the event that the adopted design for future public intersection improvements does not require the utilization of all of the Short-Term Improvements Dedication Area land, upon the Owner's request, the residual portion of the dedicated land shall be transferred to the Owner at no expense to the Owner. The deed(s) of dedication for the Short-Term Improvements Dedication Area may provide for such conditions.

- 10. Reservation and Dedication of Additional Land for Route 29 and Hydraulic Road Intersection Improvements:** The Owner shall reserve for future dedication to the County, subject to the conditions herein below, certain additional land on the Property for the right of way for future Hydraulic Road and Route 29 related regional transportation improvements (the "Long-Term Route 29/Hydraulic Road Improvements") as follows: (a) the area shown as "Parcel A1 1,432 S.F." on Exhibit H; and (b) any portions of the parcels shown on Exhibit I that were not previously dedicated to the Commonwealth of Virginia for the Short-Term Route 29/Hydraulic Road Improvements pursuant to the Paragraph 9 herein (collectively, the "Long-Term Improvements Dedication Area") provided, however, that the subdivision plats depicting the Long-Term Improvements Dedication Area are subject to final approval by the County Department of Community Development and that the precise boundaries and size of the Long-Term Improvements Dedication Area may be adjusted accordingly.

The Owner shall dedicate the Long-Term Improvements Dedication Area to the County within ninety (90) days after the County's request for such dedication, and such dedication shall include the dedication and conveyance of all necessary drainage and construction easements for the Long-Term Route 29/Hydraulic Road Improvements. If the Long-Term Improvements Dedication Area is not dedicated and conveyed as part of a subdivision plat, the Owner shall pay all costs of surveying and preparing legal documents in a form acceptable to the County Attorney's Office necessary to dedicate and convey the Long-Term Improvements Dedication Area.

Until the Long-Term Improvements Dedication Area land is dedicated, the Owner shall maintain the land and shall retain the right to the exclusive use of the land for landscaped open space, a pocket park, temporary parking, fencing, utilities or other purposes as may be approved with the first final site plan for Phase 1 of Albemarle Place.

The conditions on the subject reservation and dedication shall be as follows:

6. In the event that the adopted design for future public intersection improvements does not require the utilization of all of the Long-Term Improvements Dedication Area land, upon request of the Owner the residual portion shall be released by the County from the reservation or, if the land has been dedicated, upon request of the Owner title shall be transferred back to, and for the use of, the Owner at no expense to Owner. The deed(s) of dedication for the Long-Term Improvements Dedication Area may provide for such conditions.
 - (b) The design and construction of the Long-Term Route 29/Hydraulic Road Improvements shall substantially maintain the access, function, and continuity of service of the planned intersection of Swanson Road (Extended) and existing Hydraulic Road into Albemarle Place at the location of the existing Swanson Road and Hydraulic Road intersection; otherwise this proffer becomes null and void.
- 11. Signalization of Hydraulic Road and Route 29 Intersections:** The Owner shall be responsible for traffic signalization improvements as follows:
6. The Owner at its expense shall engineer, bond, and construct traffic signalization improvements at the intersection of Albemarle Place Boulevard and Hydraulic Road. The traffic signalization improvements at this intersection shall be constructed when the County or VDOT request installation of such, but in any event prior to the issuance of a certificate of occupancy for any building in Blocks A, B, C or D, provided that such signal is warranted by the traffic volumes or is otherwise approved by VDOT.

B. Owner at its expense shall engineer, bond and construct traffic signalization improvements at the intersection of Albemarle Place Boulevard and U.S. Route 29. The traffic signalization improvements at this intersection shall be constructed when the County or VDOT request installation of such, but in any event prior to the issuance of a certificate of occupancy for any building in Blocks E, F or G, provided that such signal is warranted by the traffic volumes or is otherwise approved by VDOT, provided that such signal is warranted by the traffic volumes or is otherwise approved by VDOT.

12. Commonwealth Drive Connection: Upon demand of the County, but no earlier than the issuance of a building permit for any building within Block F, the Owner shall reserve right-of-way along the northern edge of the parking lot in Block F of the Property for a future street connection to Commonwealth Drive through the "Comdial Property" (TM 61W-3-18). The future connection will be a two lane facility.

Upon the request of the County, the Owner shall engineer, bond and construct both the on-site and the off-site portions of the connection to Commonwealth Drive on the "Comdial Property" provided that easements and acquisition of right-of-way as may be necessary for such construction for the connection through off-site properties for this improvement have been granted at no cost to the Owner, and the request for such connection through the off-site property is made by the County prior to October 15, 2020. Upon the request of the County, the connection shall be completed by the Owner within twelve (12) months from the date of satisfaction of the conditions as set forth above.

13. Other "Super Block" Street Connections: The Owner shall reserve land and grant construction and permanent access easements or right of way at no expense to the County for the purposes of future construction (by others) of inter-parcel street connections within the "Super Block" at the following locations; First Street (to west to Commonwealth Drive), Third Street (to west to Commonwealth Drive), Cedar Hill Road Extended (in Block F north to "Comdial Property"), Fourth Street (between Blocks F and G north to "Comdial Property"), Swanson Road Extended (to north to "Sperry Property") and at two additional locations into Sperry Property.

The locations for easement or right of way reservation and dedication are as generally depicted on Exhibit A and labeled thereon as "Future Extension." However, the locations and numbers of such inter-parcel street connections may be modified by the Owner upon a variation granted by the County Planning Director. These easement or right of way locations shall be identified, platted and dedicated at the request of the County in conjunction with subsequent site plan applications for Albemarle Place.

14. Substituted Transportation Improvements.

6. In lieu of constructing the improvements referenced in Paragraph 8(B) herein, which Paragraph 8(B) refers to certain off-site improvements in the City of Charlottesville at the northwest quadrant of the Hydraulic Road/Route 29 intersection, and also other improvements along the City side of Route 29 between Hydraulic Road and Greenbrier Drive, which improvements are collectively hereinafter referred to as the "Paragraph 8(B) Improvements", the Owner may elect, in its sole discretion, and on the terms and conditions contained in this Paragraph 14, to contribute cash to the City for certain transportation improvements in the City known as the "Rte. 29/250 Bypass Interchange Improvement Project" identified as VDOT and City project number 0029-104-248 (the "Substituted Improvements Project").

B. In the event the Owner elects to contribute cash toward the Substituted Improvements Project (the "Owner's Contribution") in lieu of constructing the Paragraph 8(B) Improvements, the following terms shall apply:

6. The Owner shall notify the County's Director of Community Development (the "Director") in writing of its election within sixty (60) days after the approval of the first final site plan for Phase 1 of Albemarle Place (the "Notice"). The Owner shall also send a copy of the Notice to the City Development Services Manager at the same time it is sent to the Director.

2. The submission of the Notice to the Director shall suspend the deadline for the Owner to submit the Plans (as "Plans" is defined in Paragraph 8(B)) to the City, if applicable.
3. The amount of the Owner's Contribution to the Substituted Improvements Project shall be subject to a written agreement between the Owner and the City (the "City Agreement"). Within ten (10) days after full execution of the City Agreement, the Owner shall provide a copy of the City Agreement to the Director.
4. Within six (6) months after the Notice is sent to the Director, or within sixty (60) days after execution of the City Agreement, whichever is later to occur, the Owner shall contribute a portion of the Owner's Contribution to the City in the amount of One Million Dollars (\$1,000,000), less any amounts credited by the City and VDOT to the Owner for planning and design work on the Paragraph 8(B) Improvements (the "Net Contribution"). The Net Contribution may be in the form of cash or a letter of credit issued by a bank approved by the City, or a combination thereof. The City Agreement shall set forth the terms of and schedule for draw down of the Net Contribution.
5. In the event that the Substituted Improvements Project is terminated, or has not otherwise been completed (as described herein) within thirty-six (36) months after the City receives the Net Contribution (which thirty-six (36) month period may be extended by mutual agreement of the Charlottesville City Manager and the Albemarle County Executive), and upon the City's refunding of the Net Contribution to the Owner pursuant to the City Agreement, the Owner shall forward funds equal to Five Hundred Thousand Dollars (\$500,000) to the County for funding transportation improvements in the vicinity of the U.S. Route 29/Hydraulic Road intersection identified in the County's Capital Improvements Program. In the event such funds have not been expended by the County for the stated purpose within ten (10) years from the date the funds were contributed to the County, all unexpended funds shall be refunded to the Owner. Construction of the Substituted Improvements Project shall be deemed complete when the improvements are accepted by the appropriate public entity or are bonded for the entity's acceptance.
6. Notwithstanding the provisions of Paragraph 14(B)(5) herein, upon the City's receipt of the Net Contribution, the Owner shall be relieved of any obligation to construct the Paragraph 8(B) Improvements.

WITNESS the following signature:

ALBEMARLE PLACE EAAP, LLC,
a Delaware limited liability company

By: Edens Albemarle, LLC,
a South Carolina limited liability company, its manager

By: _____
Jodie W. McLean, President

Albemarle County 2012 Legislative Priorities

Growth Management, Land Use and Transportation

Biosolids—Request legislation enabling localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of **biosolids** to specific areas within the locality based on criteria related to the public safety and welfare of its citizens and the environment. In addition, support legislation regarding land application of biosolids that protect the environment, public health and safety.

Local Authority—Support legislation to 1) strengthen localities' authority by enabling them to utilize adequate public facilities ordinances; and 2) not pass legislation that preempts or circumvents existing local authority to regulate land use.

Impact Fee Authority—Support impact fee legislation that allows for 1) a fair allocation of costs representing a "pro-rata" off-set of new growth on public facilities; 2) impact fees for facility costs related to transportation, schools, fire, police, emergency medical services, libraries, stormwater management, open space and parks/recreation lands; 3) effective implementation through simple locally-based formulae and reasonable administrative requirements; 4) does not cap or limit localities' impact fee updates; and 5) does not diminish the existing proffer system.

Conservation Easements—Support legislation that augments local efforts in natural resource protection through 1) continuing to fund the Virginia Land Conservation Foundation (VLCF) for locally established and funded Purchase of Development Rights programs (e.g. ACE Program in Albemarle County); 2) continuing to provide matching funds to localities for their Purchase of Development Rights programs through the Office of Farmland Preservation; 3) retaining provisions in transient occupancy tax legislation so that funds can continue to be used to protect open-space and resources of historical, cultural, ecological and scenic value that attract tourism; and 4) increase incentives for citizens to create conservation easements.

Scenic Protection and Tourist Enhancement—Support enabling legislation for Albemarle County to provide for a scenic protection and tourist enhancement overlay district. As the County pursues options to protect the visual quality of land as an aesthetic and economic resource, this legislation would provide a method to ensure full consideration of visual resources and scenic areas when the County makes land use decisions in designated areas.

Transportation Funding—Support legislation to 1) establish stable and consistent state revenues for Virginia's long-term transportation infrastructure needs; 2) direct funding efforts at all transportation modes; 3) coordinate planning for transportation and land use, being mindful of local Comprehensive and regional Transportation Plans when planning transportation systems within a locality; and 4) **strongly oppose any legislation or regulations that would require the transfer of responsibility to counties for construction, maintenance or operation of new and existing secondary roads.**

Health and Human Services

Comprehensive Services Act (CSA)—Request that the legislature assist localities' implementation of CSA in a consistent, financially stable manner by: 1) fully funding the state pool for CSA with allocations based on realistic anticipated levels of need and a cap on local expenditures for serving a child through CSA; 2) enhancing state funding for grants to localities to create community-based alternatives for children served in CSA; 3) establishing state contacts with CSA providers to provide for a uniform contract management process, improve vendor accountability and control costs; and 4) encouraging the state to be proactive in making service providers available and to support local and regional efforts to address areas of cost sharing among localities by procuring services through group negotiation.

Child Care for Low Income Working Families—Request that the legislature provide additional funds to local governments to assist low-income working families with childcare costs. This funding helps working-class parents pay for supervised day care facilities and supports efforts for families to become self-sufficient.

Local Department of Social Services (LDSS)—Request that the legislature increase funds for LDSS to match all available federal dollars to assist LDSS staffing needs in order to meet state mandated services and workloads.

Local Government Administration and Finance

Voting Precincts—Request legislation to eliminate split precincts to the extent possible. The Virginia Senate and House of Delegates redistricting plans have created split precincts in the Jack Jouett, Rio and Rivanna Magisterial Districts. The Jack Jouett precinct is split between the 17th and 25th Senate Districts in

three places. The Woodbrook precinct is split between the 17th and the 25th Senate Districts. The Free Bridge precinct is split between the 57th and 58th House Districts; and the Stony Point precinct is split between the 17th and 25th Senate Districts.

Full Funding of State Mandates—Request that the state budget provide full funding for its mandates in all areas of local government including the Standards of Quality (SOQs), positions approved by the Compensation Board, costs related to jails and juvenile detention centers and human services positions.

Local Control of Local Revenues—Oppose legislation that restricts or limits the existing local control of local revenues so that local government leaders can take appropriate measures to generate sufficient revenues to sustain and improve services.

Drug Court Funding—Request that the legislature fully fund the Drug Court Program, which provides effective treatment and intensive supervision to drug offenders through the Circuit Courts of several Virginia localities.

Cost to Compete Pay Differential—Due to the documented high cost of living in Albemarle County, request that the legislature include Albemarle County Schools in the “Cost to Compete Pay Differential” so that the County may reach and maintain competitive compensation to help recruit, develop and retain a highly qualified and diverse teacher workforce.

Composite Index—Support legislation to amend the Composite Index Funding Formula by re-defining the local true values component of the formula to include the land use taxation value of real property rather than the fair market assessed value for those properties that have qualified and are being taxed under a land use value taxation program.