

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on April 4, 2007, at 9:00 a.m., County Office Building on McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Ken C. Boyd, Mr. Lindsay G. Dorrier, Jr., Mr. Dennis S. Rooker, Mr. David Slutzky, Ms. Sally H. Thomas, and Mr. David C. Wyant.

ABSENT: None.

OFFICERS PRESENT: County Executive, Robert W. Tucker, Jr., County Attorney, Larry W. Davis, Senior Deputy Clerk, Meagan Hoy, and Director of Planning, V. Wayne Cilimberg.

Agenda Item No. 1. The meeting was called to order at 9:06 a.m., by the Chairman, Mr. Boyd.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Recognitions:

a. Emergency Communications Center Accreditation.

Mr. Boyd recognized officials from the ECC center for their recent accreditation from the Commission on Accreditation to law enforcement agencies. The process is designed to help agencies implement standards that reflect the best professional requirements and practices. The award symbolizes professionalism; excellence, competence, and accredited agencies can take pride in knowing that they represent the very best in public safety communications. Mr. Boyd stated that the benefits of accreditation include the provision of better quality public services, greater accountability within the agency, and an objective verification of excellence in performance as measured against peer groups. He said that the accreditation process was 24 months and included six areas including organization, direction and authority, human resources, recruitment, training, and operations. Mr. Boyd said that during the assessment the agency had to meet or exceed 216 national standards in those areas. He noted that the ECC is only the fourth public safety communication agency in Virginia, and only one of 50 in the U.S. to be accredited. Mr. Boyd congratulated the organization.

ECC Director, Mr. Tom Hanson addressed the Board, stating that the Communications Center is the "first line of defense" between the community and public safety providers who respond to needs during crisis. He said that emergency communications has become the fourth discipline of public safety, and everything is in place to allow them to function as a high-quality organization. He added that development of standards builds trust. He thanked Project Supervisor, Deborah Wade, and the staff for helping in the process.

b. Proclamation recognizing National Library Week.

Mr. Boyd read a proclamation honoring public libraries, and declared April 15 – 21, 2007 as National Libraries Week. Mr. Anthony Townsend, of the Library Board, thanked the County for its continued support of local libraries. He commented that Friends of the Library would be giving out tote bags that were purchased without taxpayer dollars.

**NATIONAL LIBRARY WEEK
APRIL 15 – 21, 2007**

- WHEREAS,** *our nation's public, academic, school and specialized libraries transform their communities; and*
- WHEREAS,** *libraries play a vital role in supporting the quality of life in their communities; and*
- WHEREAS,** *librarians are trained professionals, helping people of all ages and backgrounds find the resources they need to live, learn and work in the 21st century; and*
- WHEREAS,** *libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and*
- WHEREAS,** *libraries bring you a world of knowledge both in person and online; and*
- WHEREAS,** *libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the "digital divide;" and*
- WHEREAS,** *libraries, librarians, library workers and supporters across America are celebrating National Library Week with **The Campaign for America's Libraries.***

NOW, THEREFORE, be it resolved that I, Kenneth C. Boyd, Chairman of the Board of Supervisors of Albemarle County, proclaim

April 15-21, 2007
as
NATIOAL LIBRARY WEEK

and encourage all Albemarle County residents to visit the library this week to take advantage of the wonderful library resources available and to thank their librarians and library workers for making information accessible to all who walk through the library's doors. Come see why now is the perfect time to come together at your library.

Signed and sealed this 4th day of April, 2007.

c. Proclamation recognizing Fair Housing Month.

Mr. Boyd read a proclamation that noted April 2007 marks the 39th anniversary of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and affirm further housing choices for all Americans. He said that the Board joins the national effort to declare April 2007 "Fair Housing Month," and encouraged all individuals, businesses, etc. in the County to abide by the letter and spirit of the Fair Housing Act.

Mr. Paul Harper, of the Housing Office, addressed the Board, thanking them and County employees for all the work that goes into fair housing.

FAIR HOUSING MONTH

WHEREAS, *April 2007, marks the thirty-ninth anniversary of the passage of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and*

WHEREAS, *the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the Federal government; and*

WHEREAS, *vigorous local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and*

WHEREAS, *illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;*

NOW, THEREFORE, BE IT RESOLVED,

that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and women, the Board of County Supervisors of Albemarle County, Virginia, does hereby join in the national celebration by proclaiming

APRIL, 2007
as
FAIR HOUSING MONTH

and encourages all agencies, institutions and individuals, public and private, in Albemarle County to abide by the letter and the spirit of the Fair Housing law.

Signed and sealed this 4th day of April, 2007.

Agenda Item No. 5. From the Board: Committee Reports and Matters not Listed on the Agenda.

Ms. Thomas said this year the Virginia Association of Counties (VACO) will have a meeting on April 19th at the Fluvanna County Court House to discuss the County's Legislative interests. She encouraged Board members to attend, and if not, decide who would like to attend on behalf of the County. VACO wants the localities to send a spokesperson to present their legislative interests.

Mr. Tucker suggested staff provide Board members a copy of its previous year's legislative requests.

Mr. Boyd suggested including additional information on impact fees.

Mr. Slutzky suggested that staff schedule Board meetings to start later in the afternoon if a day and night meeting fall on the same day. Other Board members concurred with this suggestion.

Mr. Tucker said staff will work towards that. He added that this could be problematic, in terms of notification, with a new law the Governor may sign.

Mr. Slutzky said he is concerned that the Board does not meet all day and then go into a night meeting. It is difficult for Board members to stay focused and concentrate on what the public is saying. If necessary, he would prefer that a third meeting be scheduled, if the agenda is that heavy. In these instances, he would prefer starting the meeting at noon or later in the afternoon.

Mr. Rooker asked when the Fiscal Impact Committee would have information to the Board regarding impact fees. Mr. Boyd commented that a presentation is scheduled for the May 2, 2007 Board meeting.

Mr. Rooker commented that with pending legislation, it appears northern Virginia counties would be able to impose impact fees for transportation purposes.

Ms. Thomas noted that there was a community-wide committee on transportation funding and perhaps that group could reconvene to discuss options that come from that legislation.

Mr. Rooker said that is a sub-committee chaired out of the MPO that could be reconvened easily. The committee has a broad base of representation. He thinks Ms. Thomas' suggestion is a good idea.

Board members agreed that that would be a good idea once the legislative options had gone through.

Agenda Item No. 6. From the Public: Matters not Listed for Public Hearing on the Agenda.

Mr. Randy O'Neill, of Carter Mountain Road, addressed the Board, stating that he hopes to bring a mobile fitness business to the County. He read a grant application submitted on behalf of the Charlottesville Police Department, noting that the proposal would help area disadvantaged youth receive fitness services for children who might not have access to equipment or have transportation barriers. Mr. O'Neill described the unit as a trailer with exercise bikes as well as music/entertainment while citizens participate.

Mr. Boyd suggested Mr. O'Neill also take his presentation to the School Board.

Mr. Paul Grady, a resident of the Crozet area, addressed the Board. He said that he feels the money in the budget should be kept in for the new recycling center in Crozet. Mr. Grady stated that the School Board has decided to build new classrooms at Brownsville since the old Crozet Elementary did not have sufficient library and gym space. He emphasized that the Board should use the old school so that it is not sitting there empty.

Mr. Larry Claytor addressed the Board on behalf of the Charlottesville-Albemarle Rescue Squad, and he expressed thanks for the working relationship they have with the County. He encouraged the Board to continue to support volunteers and the collaborative system.

Mr. Dorrier asked about going to fees for services.

Mr. Wyant commented that the County needs to be involved in the regional approach to these services, and David Brown, Mayor of the City of Charlottesville, has formed an Oversight Committee, which also includes Dan Eggleston, CARS, Scottsville, and Crozet, to further discuss this matter. He added that he is trying to accelerate this process.

Mr. Slutzky suggested that they also communicate with surrounding counties.

Mr. Wyant said that it has been discussed.

Mr. Rooker commented that given the growth in budget in those areas, the County would be remiss to not take advantage of that potential revenue source. He stated that he strongly supports participating in the Oversight Committee process.

Mr. Tucker noted that staff is in the process of taking a look at what is being proposed and what the City has specifically authorized or agreed to do.

Agenda Item No. 7. Consent Agenda. Ms. Thomas **moved** for approval of Items 7.1 through 7.5a on the Consent Agenda and to accept the remaining items as information. Mr. Rooker **seconded** the motion. Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

Item No. 7.1. Approval of Minutes: July 12, 2006.

Ms. Thomas had read her minutes of July 12, 2006 and found them to be in order.

By the recorded vote set out above, the Board approved the minutes as read.

Item No. 7.2. Requested FY 2007 Appropriations.

The Executive Summary states that the Code of Virginia § 15.2-2507 stipulates that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget or the sum of \$500,000, whichever is lesser, must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total of this requested FY 2007 appropriation is \$38,327.43. It is anticipated that a budget amendment public hearing will be proposed in May 2007 and these appropriations would be incorporated into it. This request involves the approval of three (3) new FY 2007 appropriations as follows:

- Two (2) appropriations (#2007062 and #2007064) totaling \$15,334.00 appropriating proffered funds for the 29N Corridor Study and storm water improvements; and
- One (1) appropriation (#2007063) provides \$22,993.43 for funding of the Regional Transit Authority Plan from the Board's contingency.

Staff recommends approval of the FY 2007 Appropriation #2007062, #2007063, and #2007064.

Appropriation #2007062 \$ 9,334.00

Revenue Source:	Local Revenues (Proffer)	\$ 9,334.00
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The Greenbrier Office Park provided proffered funds in the amount of \$9,334.00 to be used toward the Minor Ridge/Wynridge drainage improvement project.

Appropriation #2007063 \$22,993.43

Revenue Source:	Local Revenues (Donations/Grants)	\$ 4,200.00
	Federal Revenues	\$ 18,793.43

At its meeting on February 22, 2007 the School Board approved the following appropriation requests: Red Hill Elementary School received a donation in the amount of \$2,000.00 from an anonymous donor. It has been requested that this donation go towards defraying the costs for the 5th grade trip to Jamestown/Yorktown on April 19th and 20th.

Stony Point Elementary School received two donations. Sam's Club donated \$500.00 and the Stony Point PTO donated \$1,700.00. Sam's Club has requested that their donation be used for any instructional needs at Stony Point. The Stony Point PTO has requested that their donation be used for visiting artists at Stony Point Elementary School.

Title V, Part A provides formula grants to State and local education agencies and is designed to increase the academic achievement of, and improve the quality of education for, all students. Funding for FY06/07 from the state was increased by \$622.68 from the original budget amount of \$13,476. There is also a state fund balance in the amount of \$1,218.32 from FY05/06 and may be reappropriated for FY06/07. The funds will be used to purchase educational materials.

Title III is a federally funded program designed to improve student learning by states and districts as part of a comprehensive approach to close the achievement gap especially between children who are limited English proficient and their peers. There is a fund balance retained by the state in the amount of \$16,952.43 from FY05/06 and may be reappropriated for FY06/07. The funds will be used to pay salaries, benefits and purchase educational materials.

Appropriation #2007064 \$ 6,000.00

Revenue Source:	Local Revenues (Proffer)	\$ 6,000.00
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Funds in the amount of \$6,000.00 have been received from the Hollymead Town Center Area D proffer. These funds will be used for the 29N Corridor Study.

By the recorded vote set out above, the Board approved the FY 2007 Appropriation #2007062, #2007063, and #2007064.

**COUNTY OF ALBEMARLE
 APPROPRIATION**

APP # 2007062
DATE _____
BATCH# _____

EXPLANATION: Appropriation of Greenbrier Office Park Proffer for Stormwater Improvements at
 Minor/Ridge/Wynridge

TYPE	FUND	DEPT	OBJECT	DESCRIPTION	SUB LEDGER		GENERAL LEDGER	
					CODE	AMOUNT	DEBIT	CREDIT
2	8539	18939	189924	Greenbrier Office Park Proffer	J 2	9,334.00		
1	8539	93010	930202	Transfer to Stormwater	J 1	9,334.00		
2	9100	51000	512052	Trsf. Fr. Greenbrier Proffer	J 2	9,334.00		
1	9100	41000	800975	Storm Water Improvements	J 1	9,334.00		
	8539		0501	Est. Revenue			9,334.00	
			0701	Appropriation				9,334.00
	9100		0501	Est. Revenue			9,334.00	
			0701	Appropriation				9,334.00
TOTAL						37,336.00	18,668.00	18,668.00

**COUNTY OF ALBEMARLE
 APPROPRIATION**

APP # 2007063
DATE _____
BATCH# _____

EXPLANATION: Education Donation and Programs
 School Board Meeting 02/22/2007

TYPE	FUND	DEPT	OBJECT	DESCRIPTION	SUB LEDGER		GENERAL LEDGER	
					CODE	AMOUNT	DEBIT	CREDIT
2	2000	18100	181109	Donation	J 2	4,200.00		
2	3215	33000	330119	Title III Grant	J 2	16,952.43		
2	3216	33000	330132	Title V Grant	J 2	1,841.00		
1	2207	61101	420100	Field Trip Mileage	J 1	2,000.00		
1	2211	61101	580000	Miscellaneous Expense	J 1	2,200.00		
1	3215	61101	112100	Salaries - Teacher	J 1	2,000.00		
1	3215	61101	132100	PT/Wages - Teacher	J 1	9,746.00		
1	3215	61101	210000	FICA	J 1	899.00		
1	3215	61101	221000	VRS	J 1	1,609.43		
1	3215	61101	231000	Health Insurance	J 1	805.00		
1	3215	61101	241000	Dental Insurance	J 1	104.00		
1	3215	61101	601300	Educational Materials	J 1	1,789.00		
1	3216	61311	601300	Educational Materials	J 1	1,841.00		
	2000		0501	Est. Revenue			4,200.00	
			0701	Appropriation				4,200.00
	3215		0501	Est. Revenue			16,952.43	
			0701	Appropriation				16,952.43
	3216		0501	Est. Revenue			1,841.00	
			0701	Appropriation				1,841.00
TOTAL						45,986.86	22,993.43	22,993.43

**COUNTY OF ALBEMARLE
 APPROPRIATION**

APP # 2007064
 DATE _____
 BATCH# _____

EXPLANATION: Use of Proffer Funds to offset cost of 29N Corridor Study previously funded from Transportation Planning funds

TYPE	FUND	DEPT	OBJECT	DESCRIPTION	SUB LEDGER		GENERAL LEDGER	
					CODE	AMOUNT	DEBIT	CREDIT
1	8528	93010	930010	Trs to CIP	J 1	6,000.00		
1	9010	81010	950136	Transp. Planning	J 1	6,000.00		
2	8528	18917	189911	Proffer Revenue	J 1	6,000.00		
2	9010	51000	512043	29N Transp. Study	J 1	6,000.00		
	8527		0501	Est. Revenue			6,000.00	6,000.00
	8527		0701	Appropriation				
	9010		0501	Est. Revenue			6,000.00	
	9010		0701	Appropriation				6,000.00
	9010		0501	Est. Revenue			160,000.00	
	9010		0701	Appropriation				160,000.00
TOTAL						24,000.00	172,000.00	172,000.00

Item No. 7.3. Virginia National Defense Industrial Authority (VNDIA) Grant Application for new ladder truck.

The Executive Summary states that the Virginia National Defense Industrial Authority (VNDIA) is now accepting applications for the Virginia Military Response Fund grant program created to support the national base realignment and closures (BRAC) projects. BRAC 2005 resulted in over 140 separate actions taken in the Commonwealth of Virginia. The 2006 Session of the General Assembly has provided funding for this grant program to address issues associated with the BRAC 2005 recommendations. Governor Tim Kaine, who had served on the Virginia Commission on Military Bases, fully supports the state's role in responding to the BRAC 2005 decisions as well as the VNDIA funding proposal during the 2006 budget deliberations. The VNDIA grant program is an important part of Virginia's response. The objective of VNDIA is to "assist impacted Virginia localities in funding needs associated with the implementation of and response to the recommendations of the 2005 BRAC which were subsequently agreed to by the President and the United States Congress." - Virginia Budget Bill, 2006.

This new grant program was developed to address impacts resulting from the 2005 BRAC decisions. It has very specific criteria regarding availability of matching funding; type of project; and completion time frame.

For this immediate funding round, the acquisition of a ladder truck for the Hollymead Fire Rescue station most clearly met the program criteria. The eventual construction of NGIC's 219,000-square-foot facility combined with the existing commercial, industrial, and instructional structures in the Hollymead development area creates an increased fire risk. The Insurance Service Office (ISO) standard for ladder company response areas is that "the built-upon area of the locality should have a first-due ladder-service company within 2.5 miles." The closest ladder truck to the NGIC facility is more than 7 miles away. Funding for the Hollymead ladder truck and equipment is included in the FY07/08 CIP.

In conjunction with the ladder truck application, the Thomas Jefferson Planning District Commission will also submit a complementary, regional application for funding expansion of the TJPDC Park and Ride program, which requires no Albemarle County match. The Park and Ride program is in development, and ranges from employer-van purchases to park and ride lot development, and potentially other approaches to improve the Park and Ride program.

For next year's VNDIA grant cycle, staff is evaluating the potential for other possible VNDIA projects to address other expected impacts from the expansion of the Rivanna Station (NGIC).

This VNDIA program requires a minimum 50 percent match of the total project cost of \$1.1 million; the matching \$600,000 is allocated in the CIP.

Staff recommends that the Board adopt the attached Resolution authorizing the County to 1) submit to the Virginia National Defense Industrial Authority (Authority) a Virginia Military Strategic Response Fund Application; 2) to enter into a Virginia Military Strategic Response Fund Agreement with the Authority; and 3) to authorize the County Executive to execute the Application and the Agreement upon approval of the County Attorney.

By the above recorded vote, the Board adopted the following Resolution authorizing the County to 1) submit to the Virginia National Defense Industrial Authority (Authority) a Virginia Military Strategic Response Fund Application; 2) to enter into a Virginia Military Strategic Response Fund Agreement with the Authority; and 3) to authorize the County Executive to execute the Application and the Agreement upon approval of the County Attorney.

**RESOLUTION AUTHORIZING SUBMISSION OF
VIRGINIA MILITARY STRATEGIC RESPONSE FUND APPLICATION AND VIRGINIA
MILITARY STRATEGIC RESPONSE FUND AGREEMENT WITH THE VIRGINIA NATIONAL
DEFENSE INDUSTRIAL AUTHORITY**

Organization Name: County of Albemarle

Name of Organization's Principal Executive Officer or Equivalent: Robert W. Tucker, Jr., County Executive

The undersigned, the duly elected or appointed principal executive officer or official of the above named organization, hereby certifies that the organization's governing body has determined that the organization has the legal authority to take the following actions and that it has adopted the following resolutions and that such resolutions remain in full force and effect as of the date of this certificate:

RESOLVED, that the organization is hereby authorized to submit to the Virginia National Defense Industrial Authority (Authority), a Virginia Military Strategic Response Fund Application (Application) and to enter into a Virginia Military Strategic Response Fund Agreement (Agreement) with the Authority;

RESOLVED, that the below listed officers/managers/officials of the organization be, and each of them hereby is, authorized to execute and deliver the Application and the Agreement in the name of and on behalf of the organization as well as such other agreements and documents as are contemplated by the Application and the Agreement or are otherwise necessary in connection with the Application and/or Agreement, as any such officer, manager or official shall deem appropriate;

<u>Robert W. Tucker, Jr.</u>	<u>County Executive</u>	_____
Name	Title	Signature
<u>Thomas C. Foley</u>	<u>Assistant County Executive</u>	_____
Name	Title	Signature

RESOLVED, that all actions previously taken or that will be taken by any officer, manager, official, employee or agent of the organization in connection with or related to the matters set forth in or reasonably contemplated by the foregoing resolutions be and each of them hereby is, adopted, ratified and confirmed and approved in all respects. I further certify that the information set forth in the Application is true and correct in all material respects.

**MILITARY STRATEGIC RESPONSE FUND
AGREEMENT**

The Governor of the Commonwealth of Virginia has awarded a grant to _____ supporting activities related to Base Realignment and Closure (BRAC) efforts in Virginia in the amount of _____ (the "Grant") based on the information provided in the application received on _____ (the "Application") and as amended.

WITNESSETH:

WHEREAS the Virginia General Assembly during its 2005 Session created the Virginia National Defense Industrial Authority ("Authority"), Va. Code Ann. §§ 2.2-2328 through -2335, to provide technical assistance and coordination between the Commonwealth, its political subdivisions, and the United States military and national defense activities located in the Commonwealth, and

WHEREAS pursuant to Va. Code Ann. §§ 2.2-2330 the Authority is empowered to enter into agreements and to make grants and this Project has been determined to benefit Virginia by responding to the BRAC 2005 actions which were adopted by both the President and the U.S. Congress, and

WHEREAS the Authority sets forth its understanding and agreement as to the use of the Grant awarded and the obligations of the Grantee regarding the use of this Grant,

NOW, THEREFORE, in consideration of the foregoing, the parties hereby covenant and agree as follows:

1. Project and Budget. The Grant is awarded to fund a portion of the project entitled _____ (the "Project").

1.1 No portion of the Grant shall be used for any other purpose except as described in the Application and its accompanying materials. No modifications shall be made in the scope of the Project or to the budget set forth in the Application without the prior written approval of the Executive Director of the Authority. Any document signed by the Executive Director

of the Authority accepting a change in purpose or budget shall describe the accepted change.

1.2 If the Grant exceeds the amount necessary to complete the Project, the excess shall not be provided to the Grantee but shall remain with the Commonwealth or be returned to the Commonwealth (if previously disbursed) within thirty (30) days of completion or termination of the Project.

2. Payment of Grant Funds. The Grant funds will be made available on a quarterly reimbursement basis. The quarterly schedule will be set at the time of the award. The reimbursement requests must be accompanied by copies of paid invoices and must be submitted by either the Project Leader or the Chief Executive identified in the Application. The Authority may in its sole discretion refuse to make disbursement if the documentation is not adequate or if it appears not to be within the scope of the budget as set forth in the Application. Grant funds will be disbursed only to Grantee and not to any third party.

2.1 The approved term of the grant is from _____ (“Term”).

3. Quality of Work. The Commonwealth or the Authority, its employees and agents shall have the right to inspect and have timely access to the Project as well as any written materials produced including, but not limited to assessments, studies, point papers, presentations, public relations products, and memoranda to Grantee on BRAC related topics paid for in whole or in part from this, or any subsequent, Grant. The Project will be monitored by on-site visits by representatives of the Authority or in any other manner the Authority deems appropriate.

4. Parties’ Relationship. In connection with the award or the administration of this Grant, the Commonwealth or the Authority does not and shall not assume any liability for any financial or other obligations of the Grantee made to third parties, whether or not related to the Project.

4.1 The Grantee shall provide written notice to all vendors, contractors and any other party retained to work on the Project that neither the Authority nor the Commonwealth of Virginia shall be liable for the Project or any payment failure or other obligation related thereto. Written notice shall provide that by accepting work on the Project, all such vendors, contractors and other parties release and relinquish the Authority and the Commonwealth from any claim which might otherwise be asserted, and that each party accepting such work thereby indemnifies and holds the Authority, its members, employees and agents, harmless against any and all such obligations; and further, that if any action is brought against the Commonwealth or the Authority, its members, employees or agents, the party accepting such work shall be liable for all legal expenses and other costs related to such action.

4.2 The Grantee is and will be acting as an independent contractor in the performance of this work, and it agrees to be responsible, where found liable by a court of competent jurisdiction and to the extent covered by insurance or specified by statute, for the payment of any claims for loss, personal injury, death, property damage, or otherwise arising out of any act or omission of its employees or agents in connection with the performance of the Project.

4.3 Nothing contained herein shall be deemed an express or implied waiver of the sovereign immunity of the Commonwealth of Virginia.

5. Recordkeeping; Audit. The Grantee shall maintain proper books of records and accounts in which accurate and timely entries shall be made in accordance with generally accepted accounting principles, consistently applied, of all their business and affairs for any period in which the Grantee expects to be a recipient of Grant funds.

5.1 Grant funds received by the Grantee shall be held in a segregated fund (“Fund”) and the Fund shall reflect all activity of the monies received for the Project, itemized by category of expenses in the same manner as in the budget as presented in the Application. The Grantee shall retain all invoices, bills, receipts, cancelled checks, proof of payment and similar documentation to substantiate expenditures of Grant funds.

5.2 Under no circumstances shall any Grant funds be co-mingled with the personal funds of, or be used for personal purposes by, any officer, director, trustee, employee or agent of the Grantee, nor will any Grant funds be deposited in personal bank accounts.

5.3 All records of receipts and expenditures of Grant monies as well as copies of the reports submitted to the Authority and supporting documentation shall be retained for a period of three years from the submission of the Final Project Report (defined below).

5.4 The Commonwealth and the Authority, its employees and its agents shall have the right to make inspections and copies of the books and records of the Grantee and the Fund at any time. A copy of the audited financial statements of the Grantee must be provided for each year during which the Project was conducted.

6. Reports to Authority. Grantee shall provide the Authority with all information and reports reasonably requested by Authority.

- 6.1 Grantee shall provide the Authority with a quarterly report ("Quarterly Report") concurrent with reimbursement requests by Grantee. Quarterly Reports will include a summary of total Project costs expended to date; source of funds expended; details on how Grant funds were used; description of actual work and results accomplished during period covered by the Quarterly Report; status of the Project and estimates of time and funds necessary for completion; and cite any potential problems that could prevent timely completion of the Project. Other information may be reported at the discretion of the Grantee.
- 6.2 Grantee shall provide the Authority with a copy of its auditor's opinion and internal control letters from the Grantee's annual report ("Opinion and Control Letters") promptly upon receipt from its independent auditor.
7. **Final Report.** The Grantee shall provide a final financial and narrative report to the Authority within thirty (30) days of completion of the Project ("Final Project Report"). The Final Project Report shall convey the type of information contained in the Quarterly Reports, a narrative as to the success of the Project, and a description of the long-term expectations for the Project.
 - 7.1 The Commonwealth/Authority will withhold final quarterly disbursement of the Grant awarded until receipt of the Final Project Report that is in all respects satisfactory to the Commonwealth/Authority. The Commonwealth/Authority may, at its sole discretion, require additional information on the actual work and results of the Project.
 - 7.2 All reports submitted to the Authority including but not limited to the Quarterly Reports, Opinion and Control Letters and Final Project Report shall be collectively referred to herein as the ("Reports").
8. **Events of Default.** The following events shall constitute events of default ("Events of Default") under the Grant and the Project:
 - (a) the Authority determines, in its sole discretion, that quality of the work performed and the progress toward completion of the Project is unsatisfactory;
 - (b) the Commonwealth or the Authority determines that any part of a Grant has not been used for the Project or for a purpose approved in writing by the Executive Director of the Authority;
 - (c) Grantee has failed to submit any of the Reports within the time specified;
 - (d) Failure to report in writing to the Authority any change in the Grantee's executive officers or the Project Leader; and
 - (e) Grantee has failed to comply with any material term or condition of this Agreement, the Application or the Instructions to Applicant;
 - 8.1 Upon the occurrence of an Event of Default after providing Grantee with written notice and a reasonable time to cure such default, the Commonwealth or Authority may take all remedies available to it at law or in equity including but not limited to the following:
 - (a) withhold any further payments to the Grantee for the Project;
 - (b) rescind the Grant, in which event the Grantee shall be obligated to return to the Authority, within ten business days following receipt of such notice, an amount equal to all Grant payments received by the Grantee pursuant to this Agreement, plus interest from the date of receipt of the Grant funds at a rate of interest equal to the prime rate printed in the Wall Street Journal on the date of the notice;
 - (c) require the Grantee to take action as the Commonwealth or Authority may direct in order to recover any improperly used Grant funds, and to comply with any procedures that the Commonwealth/Authority may direct in order to prevent further improper use;
 - (d) take any other action available to it in law or equity which it deems necessary or desirable to preserve the integrity of the Grant funds and to preserve them for appropriate uses.
 - 8.2 Should the Authority take action available to it under this paragraph 8, the Grantee covenants and agrees that it shall be responsible for paying the Commonwealth/Authority attorneys' fees and actual costs incurred in the collection of funds or for the enforcement of any obligation of the Grantee set forth in this Agreement.
9. **No Guarantee of Funding.** The Grant provided pursuant to this Agreement shall not be deemed to be an actual or implied promise to fund the Project. No representation by the Commonwealth, the Authority, its employees, its agents or other representatives shall be binding unless set forth in writing and signed by the Governor or his representative.

It is understood and agreed between the parties herein that the General Assembly may modify the amount of funds available for the Virginia Military Strategic Response Fund and that any such modification may affect the amount of funds available to fund the Grant to Grantee.

10. **Applicable Laws and Courts.** This Agreement shall be governed in all respects by the laws of the Commonwealth of Virginia and any litigation with respect thereto shall be brought in the Courts of the Commonwealth. The Grantee shall comply with all applicable federal, state, and local laws, rules, and regulations, including the Public Procurement Act and Freedom of Information Act requirements.
11. **Limitation of Liability.** Nothing herein shall be deemed to be a covenant, agreement or obligation of a present or future member of the Commonwealth/Authority or of an employee or agent of the Commonwealth or Authority. No member, employee or agent of the Commonwealth or Authority shall incur any personal liability with respect to any action taken by him or her pursuant to this Agreement.
12. **Severability.** If any provision of this Agreement shall be held invalid by any court of competent jurisdiction, such holding shall not invalidate any other provision hereof.
13. **Public Documents.** All Reports, documents, financial data and other information provided to the Authority shall be public record unless otherwise exempted by the Freedom of Information Act.
14. **Control of Grant Documents.** The Authority and the Grantee shall jointly share control of any and all information contained in Reports and all documents, correspondence (including electronic), studies and other similar written instruments purchased in whole or in part with this Grant ("Grant Documents"). For the avoidance of doubt, the Authority shall have unfettered access to all Grant Documents and the Grantee covenants and agrees to provide the Authority with any and all Grant Documents promptly upon request from the Authority and further covenants and agrees to use its best efforts to procure for the Authority any and all Grant Documents in the possession of third parties.
15. **Anti-Discrimination.** By signing this agreement, the Grantee certifies to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians with Disabilities Act, and the Americans with Disabilities Act.
16. **Ethics in Public Financing Agreements.** The Grantee certifies that this agreement was made without collusion or fraud and they have not offered or received any kickbacks or inducements from any service provider or firm receiving funding under this grant agreement.
17. **Scope of Work/Special Terms and Conditions.** The major points and deliverables of the Project may be set forth in Addendum 1 of this Agreement. This Addendum will clarify for all parties involved exactly what is being funded by the Grant as well as any special conditions or requirements that are placed on the Grant.
18. **Miscellaneous**
 - 18.1 **Incorporation of Application and Instructions to Applicant.** The terms and conditions set forth in the Application and the Instructions to Applicant as well as any Addendum are hereby incorporated by reference and shall become a part of the terms and conditions of this Agreement.
 - 18.2 **Capitalized Terms.** Capitalized terms not defined in this Agreement shall have the meaning given to them in the Application.
 - 18.3 **Notices.** Any notice, request, demand or other communication required or permitted under this Agreement will be given in writing, with all communication charges prepaid, to the party being notified. The addresses of the parties for the purposes of all communications are:

If to Grantee:

Grantee Name

Address _____

Attention: _____

Phone # _____

e-mail _____

Federal ID Number _____

If to Authority:

Virginia National Defense Industrial Authority
P. O. Box 798
Richmond, Virginia 23218

Attention: David G. Dickson, Executive Director
Phone #: 804-545-5715
e-mail: ddickson@yesvirginia.org

- 18.4 Assignment and Transfer. Grantee may not sell, transfer, assign in whole or in part or encumber its rights under this Agreement, or delegate its obligations hereunder without the prior consent of the Governor or his Chief-of-Staff. The Authority may transfer or assign its rights and obligations under this Agreement to any other instrumentality of the Commonwealth of Virginia, whether now existing or hereafter created.
- 18.5 Entire Agreement/Amendments. This Agreement, together with the Application and Instructions to Applicant, constitutes the entire agreement of the parties concerning the Project and the Grant and supersedes all prior written and oral understandings with respect to the Project and/or the Grant. No amendment or modification to this Agreement shall be binding unless in writing and signed by all parties to this Agreement. This Agreement is for the benefit of the named signatories only, there are no third party beneficiaries to the Agreement, it is not a contract, and it does not create any rights or duties of any third party. This Agreement does not purport to modify the statutory duty of any signatory agency.

IN WITNESS WHEREOF, the undersigned have executed this Military Strategic Response Fund Agreement as of the date written below.

(NAME OF GRANTEE)

By: _____
Print Name: _____
Title: _____
Date: _____

Virginia National Defense Industrial Authority

By: _____
David G. Dickson
Title: Executive Director
Date: _____

Commonwealth of Virginia

By: _____
Jody M. Wagner
Title: Secretary of Finance
Date: _____

Agenda Item No. 7.4. Request to set public hearing to amend the Albemarle County Service Authority's jurisdictional area boundary to provide sewer service to Tax Map 32, Parcel 25B located at 2929 Proffit Road between River View Farm Road and Terrybrook Drive (McDaniels).

The Executive Summary states that the applicant is requesting ACSA Jurisdictional Area designation for water and sewer service to one parcel totaling approximately 2.092 acres located at 2929 Proffit Road between River View Farm Road and Terrybrook Drive.

The property is located entirely within the Rural Areas in the Rivanna Magisterial District. The parcel is currently served by water only with the applicant requesting the addition of sewer service. Terrybrook residential subdivision, immediately to the north of this parcel, was identified in February of 1975 as non-conforming under regulations for receiving public sewer and water. In the 1970's, due to a minimum lot size of 40,000 square feet with RS-1 zoning, public water was deemed necessary for the subdivision. No public sewer was provided at that time. Parcels adjacent to the subject parcel to the north and west are located in the Rural Areas and are designated "water only". Immediately to the south across Proffit Road is the Hollymead Development Area, with parcels designated for public water and sewer. Adjacent and to the east is Rural Areas land that is not designated for public water and sewer.

Because of a failing drain field, the applicant has requested to connect to public sewer. The applicant has indicated that the site has adequate area and soils to support a new septic drain field, but they prefer to connect to the public sewer system. The applicant has provided a copy of an expired Septic Tank-Soil Absorption System Repair Permit from the Virginia Department of Health indicating an approved plan to repair the existing septic tank/pump and to relocate the drain field; the permit has remained unused and was allowed to expire. The permit requires the applicant to hook up to public water prior to constructing the new drain field; the parcel was connected to public water on December 28, 2005. The Department of Health has indicated the permit for the new drain field can be renewed at the request of the applicant at any time.

The applicant has not demonstrated a danger to public health and safety necessary to justify the extension of public sewer service to this parcel. The parcel is located in the Rural Area. In addition, adequate area and soils are present on this parcel for the required septic system. For these reasons, connecting this parcel to public sewer would be inconsistent with County utility policies.

The subject parcel is located in the Rural Areas on the north side of Proffit Road adjacent to the boundary of the Hollymead Development Area. This region is divided into two major watersheds by a

ridgeline running along Proffit Road (Route 649). Rural Area land to the north of Proffit Road (Route 649) drains into the North Fork of the Rivanna River. Development Area land to the south of the ridgeline drains into the Powell Creek system which eventually leads into the South Fork of the Rivanna River.

Water treatment for this parcel and the adjacent development area is provided by the North Fork Rivanna River treatment plant with storage provided by the Piney Mountain storage tank.

Sewer service for the adjacent Development Area on the south side of Proffit is served by the Powell Creek sewer line which serves the Jefferson Village subdivision. Service to this property would require the extension of service across Proffit Road. The cost for this extension would be the responsibility of the property owner.

The Comprehensive Plan provides the following concerning the provision of water and sewer service to the Rural Areas:

“General Principle: Urban Areas, Communities, and Villages are to be served by public water and sewer (p. 114).”

“Provide water and sewer service only to areas within the ACSA Jurisdictional Areas (p. 130).”

“Follow the boundaries of the designated Development Areas in delineating Jurisdictional Areas (p.130).”

The Utilities section of the Comprehensive Plan (page 129) includes the following recommendations regarding changes in the Jurisdictional Area outside of the Development Areas:

“Only allow changes in jurisdictional areas outside of designated Development Areas in cases where the property is: (1) adjacent to existing lines; and (2) public health and/or safety is in danger.”

The Comprehensive Plan recommends serving only the Development Areas with public water and sewer service. This parcel is located outside the Development Areas. Designating this parcel as part of the ACSA Jurisdictional Area for public water and sewer service would not be consistent with County policy, particularly with the presence of adequate soils and surface area needed to support a new septic drain field. There is no documentation of a health or safety issue necessitating the use of public service to alleviate a health or safety danger.

The property owner would bear the costs for water and sewer hook-up.

This request is not consistent with the policies of the Comprehensive Plan for the provisions of sewer service outside of the designated Development Area. No verification of endangerment to public health and safety has been provided which necessitates the use of public sewer service to alleviate a health or safety danger. Based on this information, staff does not recommend approval of this request and does not recommend that this be set for a public hearing.

By the above recorded vote, the Board supported staff’s recommendation to not take this request to public hearing.

Item No. 7.5. Revisions to Personnel Policy P- 23 “Performance Review” - Firefighter probationary period.

The Executive Summary states that the Department of Fire Rescue has requested that the probationary period for firefighters be increased from 6 months to 12 months. Human Resources reviewed the request and agree that the change is appropriate due to the long initial training period required before a firefighter is independently carrying out his duties. The longer probationary evaluation period currently applies to Police Officers and Communication Officers.

The proposed change would add Albemarle County Fire/Rescue Department Firefighters to the list of employees who are under a 12-month probationary period versus the 6-month period for most employees. Those currently under the 12-month rule are Police Officers with no previous experience in Virginia law enforcement and Communications Officers and Supervisors of the Emergency Communications Center. When this policy was last amended in 1996, there were few, if any, paid firefighters and they were not included in the group requiring 12-month probations. Fire/Rescue has grown considerably and most of the new employees go through 3 months of training when they are hired. Six months is not enough time to allow management to see the employee’s performance in the field in enough situations to gauge their skills and competency on the job. Eighteen new firefighters have been offered positions starting April 30th, 2007 and the Department’s management wishes for the policy change to be approved in time to begin those employees under the 12-month rule.

Staff recommends that the Board adopt the attached Resolution, which will approve the proposed change to Personnel Policy P-23.

By the above recorded vote, the Board adopted the following resolution to approve the proposed change to Personnel Policy P-23:

RESOLUTION

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

WHEREAS, the Board desires to adopt a revised personnel policy changing the probationary period of firefighters from six months to twelve months.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby adopts Personnel Policy P-23, Performance Review, of the County of Albemarle Personnel Policy Manual, as attached hereto and incorporated herein, effective April 4, 2007.

§P-23

COUNTY OF ALBEMARLE
PERSONNEL POLICY

§P-23

PERFORMANCE REVIEW

The Board believes that the primary purpose of a performance review is to inform employees about their abilities, contributions, and level of performance, and to offer constructive help as to how they might improve.

The Board endorses a regular system of performance reviews and recognizes that this system is designed to:

- A. Maintain or improve each employee's job satisfaction by showing an interest in his/her development.
- B. Serve as a systematic guide in planning further improvement in job performance.
- C. Assure a considered opinion of an employee's performance.
- D. Assist in determining and recording special talents, skills, and/or deficiencies.
- E. Provide an opportunity for each employee to discuss concerns about his/her job.
- F. Assemble data for use as a guide for such purposes as wage adjustments, promotions, training opportunities, disciplinary action, reassignment, and dismissal.

§P-23

PERSONNEL

§P-23

PROCEDURE FOR COMPLIANCE FOR PERFORMANCE REVIEW

- A. Probationary Terms – The probationary term is a six-month period of continuous employment in one position during which every new employee shall demonstrate his/her ability to perform the job. Police Officers who have no previous experience in Virginia Law Enforcement, Firefighters, and Communication Officers and Supervisors of the Emergency Operations center serve a twelve-month probationary period. If this performance is not satisfactory, the employee may be released without further obligation. During the probationary period, the supervisor will meet with the new employee at the end of the third and sixth month in order to provide input about the employee's progress. The probationary performance review must be of an overall satisfactory rating for an employee to become a permanent staff member.

At the supervisor's request (made to the Director of Human Resources), an employee's probationary period may be extended if he misses 10% or more of the available work time, due to an illness or temporary disability, during the probationary period. This extension shall be for no more than the number of work days the employee was absent.

Employees who are promoted into positions in higher pay ranges may be required, by the supervisor, to serve an additional probationary period. If unsuccessful in completing this probationary period, the employee will be considered for any vacancies that occur in his previous job classification.

Likewise, an employee who has moved voluntarily to a lower pay grade, may be required by his supervisor to complete an additional probationary period. If unsuccessful in completing this subsequent probationary period, the employee will be considered for any vacancies for which he is qualified.

Employees who are promoted into positions in higher pay ranges, or who voluntarily move to positions in lower pay ranges, shall not be entitled, upon successful completion of a subsequent probationary period, to a salary increase at that time.

- B. Each permanent employee shall receive an annual performance review by May 15th of each year unless specific reasons are given to the employee, in writing, for an extension. The performance review will be conducted by the department head or designee. Reviews of performance may be conducted on a more

frequent basis when desirable. However, in no case will the review be held less frequently than once a year.

- C. Unsatisfactory Evaluation – A classified employee who receives an overall unsatisfactory evaluation will be re-evaluated in three months in order to assess progress shown by the employee. An employee who receives two consecutive overall ratings of unsatisfactory may be subject to dismissal. It shall remain the responsibility of the department head/designee to point out in writing specific areas of weakness and to suggest constructive ways to improve job performance.
- D. Performance reviews will be made on forms provided by the Human Resources Department, and a signed copy will be included in the employee's personnel file. A copy will also be given to the employee.

Item No. 7.5a. Route 683 Abandonment Request (cancel public hearing).

By the above recorded vote, the Board cancelled the advertised public hearing on the Route 683 abandonment request.

Item No. 7.6. Status Report on County's Safe Routes to School Program Grant Applications, **was received for information.**

The Executive Summary states that in order to capitalize on the funding opportunity created by the recent Safe Routes to School allocation in the Federal Transportation Bill (SAFETEA-LU), County staff and the Alliance for Community Choice in Transportation (ACCT) are partnering to submit two grants to VDOT. The Safe Routes to School Program is a federal-aid program of the U.S. Department of Transportation Federal Highway Administration (FHWA). Virginia's portion of the SRTS program is approximately \$13.5 million over five federal fiscal years (2005-2009) and is to be administered by the Virginia Department of Transportation (VDOT).

The Safe Routes to School Program provides funds to improve the ability of primary and middle school students to walk and bicycle to school safely. Specifically, the goal of the program is:

- To enable and encourage children, including those with disabilities, to walk and bicycle to school
- To make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age
- To facilitate the planning, development, and implementation of projects and activities that reduce traffic and improve safety, reduce fuel consumption and improve air quality in the vicinity of primary and middle schools (kindergarten through the eighth grade)

The County, with the assistance of ACCT, has applied for a Safe Route to School construction grant to fund sidewalk/walkway/crosswalk improvements in Crozet to improve pedestrian access to Crozet Elementary School. ACCT has also applied for a program planning grant to fund the development of an overall Safe Routes to School Plan for pedestrian/bike access improvements to elementary and middle schools in the County. ACCT has also submitted a similar program planning grant for City elementary and middle schools (improvements related to high schools are not eligible for this program). A Safe Routes to School Plan will need to be in place for localities/schools as a requirement for any future construction/infrastructure grants after this year. So that Albemarle County may be able to apply for future infrastructure grants through the Safe Routes program at VDOT, ACCT proposes to create a comprehensive Safe Routes to School Plan for Albemarle County schools.

The Crozet Elementary School construction grant proposes the following improvements (see attached map):

- Improve crosswalk in front of school with zebra stripes and an in-street bollard, and either lights in the pavement or a raised crosswalk/speed table.
- Improvements to sidewalk (8 feet in width, if possible) from St. George Ave. to Crozet Elementary School, including a connection from the Waldorf School to a crosswalk on Crozet Ave.
- Construct sidewalk on the west side of Crozet Ave. from Laurel Drive to Crozet Elementary School.
- Construct segment of sidewalk on Railroad Ave where missing and improve where existing, but in need of repair.
- Construct sidewalk on both sides of Three Notched Road and construct a mid-block crosswalk.
- Construct/improve sidewalk on both sides of Crozet Avenue from Three Notched Road to St. George Avenue.
- Move light pole or crosswalk on St. George Avenue.
- Improve crosswalk at Wayland Drive and Crozet Avenue.
- Zebra stripe all of the crosswalks within the walking zone.
- Improve crosswalk (improve visibility, a raised crosswalk or lights in the road, an in-street bollard) at St. George Avenue.

If approved, a more detailed study and design of these improvements will be conducted. These improvements received support from the principal of Crozet Elementary School, the Superintendent of

Albemarle County Schools and the former Chair of the Board of Supervisors (Dennis Rooker). The estimated cost for the improvements listed above is \$578,000. The maximum amount of the grant is \$500,000. County funding has previously been allocated in the CIP for neighborhood and sidewalk improvements in Crozet which was intended to cover some of the improvements proposed in the grant application (and noted above). If the grant is approved, staff will utilize those previously allocated funds to make up the difference in the grant amount. However, there is no requirement for a local match (either dollar or in-kind) with this grant program.

The County had originally planned to submit two applications for construction projects, but only submitted one in this round for Crozet Elementary School. The application to create a trail from Baker-Butler Elementary School to the south to the Forest Lakes area was not submitted because it was determined that planning and design of the project was not far enough along to make for a competitive application. An application for this project may be submitted in the next round of applications, next year.

The program planning grant application submitted by ACCT is to develop an overall Safe Routes to School Plan for pedestrian and bicycle access related improvements and programs for elementary and middle schools in the County. ACCT will collect data from parents, students, neighbors, and traffic studies to prioritize pedestrian and bicycle improvements. The initial focus of its planning efforts will be for areas near Cale, Baker-Butler, Woodbrook, Agnor-Hurt, Crozet, Hollymead (and possibly Stone Robinson) schools. These schools are the priority locations because pedestrian/bike improvements near these schools will have the most significant possible effect on the student's ability to walk and bike safely to school. ACCT has requested \$25,000 for this work. ACCT staff will work closely with the County Planning Division and School staff in the development of the Plan.

Staff worked closely with Alliance for Community Choice in Transportation (ACCT) to complete both the construction and program planning grant applications. ACCT arranged for an intern to assist County staff in the project development. Additionally, ACCT is planning to submit a separate application for Safe Route to School that will allow ACCT to develop a County wide Safe Routes To School Plan.

VDOT will inform staff in the Spring (mid April/May) if the construction grant and the ACCT program planning grant applications are approved. If awarded, the grant funds will not be available until January 2008.

This update is provided for information only. No action by the Board is required at this time. If the grant application is approved by VDOT, a resolution adopted by the Board of Supervisors to support and participate in the program will be required.

Item No. 7.7. Alternative Engineering Review Pilot Program Report, was received for information.

The Executive Summary states that on September 13, 2006, the Board, at the recommendation of the Development Review Process Task Force, approved a two year pilot program designed to simplify staff review and approval of final engineering plans. To address concerns that the pilot program has well-defined criteria, the review checklist was made very detailed, with a strict format of plan content and certification. Additionally, it was agreed that six month updates would be provided to the Board throughout the pilot program to verify it was working as planned. The pilot program was initiated on the County website on October 3, 2006 and this update covers the first six months of the pilot program.

This pilot program was originally proposed by staff as a way to improve consistency and reduce staff workload by reducing the need for numerous resubmissions as applicants sought to meet requirements. At the time this program was being developed, the queue for engineering reviews was in excess of 100 plans and it was often four to six weeks before staff would start review of a plan submission. For the development community, the benefit of this program was seen as a way to reduce costs by reducing the time required to gain plan approval. That said, while the pilot program's process can dramatically reduce the delays for plan reviews and the need for multiple submissions, many plan preparers found the review checklist to be extremely rigorous, making it much more expensive to prepare a plan, and have elected not to use the program. In the six months since inception, staff has received only three plans submitted under this program. In each case, County engineering review was completed within one to three days of submittal and the plans all met County requirements. Of the three plans reviewed, one was approved within one day of submission. The other two plans received tentative County approvals, but had to wait for approval by outside agencies (e.g. VDOT, Army Corps.). Each of the three plans was prepared by a different design firm.

Most applicants have elected not to use this process. During the same six month period, staff completed the following reviews in addition to the three plans submitted under the pilot program:

- 36 final site plan reviews
- 97 erosion control plan reviews
- 71 stormwater management plan reviews
- 37 road plan reviews

It is staff's observation that the plans under this pilot program have far better quality than those not under the program. This is due largely to the detailed checklist and certification, which was designed to encourage plans to be completed and receive a thorough quality control review by the plan preparer before submission. Comments on the program have been received from the development community. The comments have been in the form of letters, e-mails and discussions, many of which have been

posted on the web site forum (<http://expvprocess.blogspot.com/>). Responses have been overwhelmingly positive from the three firms who have used the program. They cited the following positive aspects:

- Review was quick, efficient, and seemed more objective
- There was better cooperation between County staff and design professionals

Some concerns raised by the three firms who used the pilot program were:

- The checklist was very long and intimidating
- There was a greater up-front cost and time commitment to prepare plans
- Other parts of the County review (e.g. planning, zoning, architectural review board) did not give the plan equal priority
- The format and order of items required to be included on plan sheets was contrary to their practice, and required adjustment

For those designers who have not used the process, the following reasons have been given:

- They rely on County engineering staff to provide quality control for their plans (staff has found this to be very common among plan preparers)
- Before spending too much effort in the final details of plans, they want to get County engineering input on their design with the first submission
- They do not believe that County staff will quickly review their project

One of the more significant findings of this pilot program has been the verification that designers in the community rely on County staff to provide quality control for plan work, as noted above. It appears that plan preparers may be averse to trying the process because of additional up-front design costs that clients are not willing to pay, an ongoing reliance on County staff for quality control of their plans, and some simply taking a "wait and see" attitude to the new process. Staff notes the relatively small number of applicants using this process while many applicants complain about delays appears a contradiction. Based on conversations with plan preparers, staff believes there may be an issue with developers distinguishing between immediate time and time to plan approval. Plan preparers are often under intense pressure to finish designs and to submit plans to the County. By submitting a 50% or 75% plan (staff often sees plans stamped to this effect), the immediate pressure is lifted from the plan preparer. In effect, the plan preparer is counting on the time County staff takes to review a first submission of the plan and comment to finish their work with the rest of the plan. This practice does not work for the alternative program, which requires a completed plan that has received a thorough quality control review before submission. At this point, staff can offer no evidence on why more plans are not using this process, but notes the following as possibilities:

- Plan preparers have been unable to convince their clients to spend the upfront time and money in exchange for knowing a plan will be quickly approved,
- A desire of plan preparers to continue relying on the County to provide quality control reviews of their plans,
- An ability for plan preparers to charge for revisions in response to County comments on a cost-plus basis, or
- Developers are less concerned with the time it takes to get a plan approved than with minimizing their costs.

The Board raised concerns in its previous discussions about compliance with regulations during inspection and construction in addition to design. Given this program has only been in effect for six months, we do not have any projects far enough along in the process to assess construction issues. Anecdotally, staff believes the projects that have been approved under this process may prove to have far fewer construction related issues because of the detail of care required in preparing the plan.

This is an informational update and no action is needed. The next update will be provided in November.

Item No. 7.8. Copy of Crozet Community Advisory Council Resolution for Recycle Center, **was received for information.**

Crozet Community Advisory Council Resolution for Recycle Center

WHEREAS, as the Crozet Community Advisory Council's sense of the Crozet community, with which the Crozet Community Advisory Council earnestly concurs, is that establishment of a recycling center in Crozet is essential to maintain the high quality of life in the Crozet community, be it, and it hereby is,

RESOLVED, that the Crozet Community Advisory Council hereby requests that all necessary action be taken with all deliberate speed to identify a suitable site for a recycling center in the Crozet community, and thereafter that the center be constructed and made operational as soon as reasonably possible, and it is

FURTHER RESOLVED, that the Crozet Community Advisory Council hereby expresses its desire: (1) to see Crozet be the first new recycling center constructed and made operational in Albemarle County; (2) to be included in the site selection and implementation process relative to such center; and (3) to assist in this undertaking in any way it can.

Adopted unanimously by the Crozet Community Advisory Council on March 15, 2007

Members of the Crozet Community Advisory Council: Ed Adam, Tanya Brockett, Beverly Ergenbright, Gloria Johnson, Mac Lafferty, Mike Marshall, Jo Ann Z. Perkins, Mary Rice, Jimmy Stork, Terry Tereskerz, Tim Tolson, Veronica Warnock, David Wayland, Barbara Westbrook.

Item No. 7.9. Copy of letter dated March 23, 2007, from John Shepherd, Manager of Zoning Administration, to Richard Howard-Smith, Feil, Pettit & Williams, PLC, re: OFFICIAL DETERMINATION OF PARCELS AND DEVELOPMENT RIGHTS -- Tax Map 75, Parcels 2, 2C, 11, 46, 47 & 64-Samuel Miller District (Property of Hedgerow Corporation) Section 10.3.1, **was received for information.**

Item No. 7.10. Copy of Planning Commission minutes for January 16, 2007, **was received for information.**

Agenda Item No. 8a. Transportation Matters: VDOT Monthly Report.

Item No. 8b. Transportation Matters Not Listed on the Agenda.

Mr. Allan Sumpter, Charlottesville Residency Administrator, reported that VDOT is working on a data collection survey for Georgetown Road. Mr. Rooker said that he would like to set up a meeting shortly after it is done.

Mr. Sumpter said that the meeting on Advance Mills Bridge would be rescheduled to May 8th, and added that with the help of the Research Council they have placed some stress measuring devices to help monitor the weight of the bridge.

Mr. Sumpter said that he would make sure the speed limit signs are posted for 30 mph on 21 Curves Road.

Mr. Sumpter said he would like to set up a time with Mr. Wyant to look at any right-of-way issues for the Bargamin development.

Mr. Sumpter indicated to Ms. Thomas that he has been actively involved with the tree-cutting on Route 29, and he appreciates her comments which he has passed on to the district office. He also said that there have been concerns raised about the tree-cutting on Route 29 South near the Nelson County line, and he is trying to get those issues ironed out with contractors given the scenic intent of that highway. Ms. Thomas responded that she appreciates the effort, as the issue was raised by a Nelson County supervisor.

Mr. Slutzky noted that he is very supportive of this, and Mr. Rooker agreed.

Ms. Thomas said that the contractor had gone into Nelson by mistake, and the supervisor heard complaints from constituents. She added that there is a lot of strong community feeling about this, with lots of landowners putting their property into conservation easements.

Mr. Sumpter stated that he has attached the Rural Rustic report with this monthly report. He noted that this plan is used internally, and VDOT's goal is to complete these by the end of the season.

Ms. Thomas thanked him for adding Routes 711 and 712 to the program as this would be "a good fix."

Mr. Boyd asked VDOT to look at the timing of the left turn signal from Route 250 to Route 20 North at Pantops. Mr. Sumpter noted that there are a number of traffic concerns in that area. He said that he has a traffic engineer in his office that will be looking into the concerns.

Mr. Boyd asked about the status of establishing Stony Point Pass as a Rural Rustic road. Mr. Sumpter replied that the project needs to be included in the Six Year Road Plan as a regular project.

Mr. Boyd asked if anyone had received comments about the convex mirrors under the underpass on Polo Grounds Road.

Mr. Sumpter replied that there were many, many people stopping and thanking VDOT for putting them up, but VDOT is not totally happy with one of the angles because there is still a blind spot.

Mr. Wyant confirmed that the Crozet sidewalk project is all set with needed permits.

Agenda Item No. 9. Appeal: SDP-2006-081. Black Cat Road Service Station Preliminary Site Plan Waiver Requests, Tax Map 94, Parcels 38 and 39). (Applicant requests deferral until July 11, 2007)

Mr. Rooker **moved** to defer this item until July 11, 2007 at the applicant's request. Ms. Thomas **seconded** the motion. Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.

NAYS: None.

Agenda Item No. 10. Strategic Plan Biannual Report, Lori Allshouse.

Ms. Lori Allshouse addressed the Board, stating that the plan was approved in July 2006 and was based on the Board's top priorities that were identified at the Board's 2005 Planning Retreat and finalized with staff during work sessions in 2006. She said that it brings together numerous departments, staff members and community partners; strategic planning is a way for organizations to position themselves for a desired future. Ms. Allshouse reviewed the process taken in preparation for the Board's fall retreat.

Ms. Allshouse reported that there have been actions taken to move forward with all nine objectives, and a lot of these are continuations of things that were in a previous plan; 280 employees attended the "Passport to the Future" event to learn about the event from those employees working with each of the strategies. Ms. Allshouse said that the Board helped staff design the plan to be more measurable than the previously written objectives, and staff developed performance indicators to show progress.

With regard to the enhance quality of life/increase collaboration with the School Division, Ms. Allshouse reported that they held a joint summit at Darden with school and local government leadership, with approximately 50 people in attendance. She said at that time, they reviewed both the school's and the general government's strategic plans and looked for ways to collaborate. She indicated that there are 12 areas where both groups already collaborate, such as closing the achievement gap.

Ms. Allshouse reported that the Citizen Survey trend data shows that they continue to be satisfied with the quality of education the County, with 85 percent over the last six years and 88 percent in the last survey. She indicated that the enhance quality of life goal also includes the objective of increasing affordable housing opportunities. She noted that the County received a \$300,000 cash proffer towards this and there are others pending. Ms. Allshouse said that the Federal Funding Housing Choice Voucher Program, administered by the Housing Department, provided rental assistance for 407 households, an increase of 17 percent since July 1st. She reported that the department targeted one of its programs for local government employees during the last six months and also plans to provide a special outreach to school employees for this type of program in the future. Ms. Allshouse said that the trend data shows that citizen satisfaction was around 75 percent in 2002, but decreased to 58 percent in 2004 and remained the same in 2006.

Ms. Allshouse said that the third objective relates to economic vitality, and it contains three parts: maintain the strong economy in Albemarle County, increase economic vitality in development areas, and increase the ability of those in lower income households to become self-sufficient. She said that a cross-departmental team comprised of community and business representatives, Kathy Ralston of Social Services, and Susan Steinmart led that effort. Ms. Allshouse said that a couple highlights provided by Ms. Steinmart for this report in regard to the business areas include expansion by several companies in Albemarle County. She indicated that the Workforce Training office was awarded a \$1.5 million grant by the U.S. Department of Labor to do some contractor training, and that is underway. She said that the Crozet area employment base increased by nearly 100 employees by the expansion of Music Today and the new U.S. Joyner headquarters. Ms. Allshouse said that two Albemarle County wineries have invested \$1 million in their operations. She indicated that 83 percent of participants in the County's VIEW program (Employment not Welfare) obtained employment, and over 3,000 County children (100 percent of those eligible) are enrolled in the FAMIS and/or Medicaid programs. Ms. Allshouse said that from the trend data, 75 percent are satisfied with economic growth and job opportunities in the County, a seven percent increase from 2004.

Ms. Allshouse said that goal two of protecting natural resources includes an objective to increase land and conservation easements and qualifying parkland by 50 percent by 2010, and that 6,355 acres were added in 2006. She noted that 18.4 percent of County land is protected in conservation easements or parklands at this time. Ms. Allshouse said that they also want to increase the quality, supply, and protection of water resources; Ragged Mountain Reservoir expansion has been approved as an alternative for the community's water supply, and the County received a water quality improvement grant from the Virginia Department of Conservation and Recreation to fund the restoration and riparian buffers. She noted that regarding the trend data, satisfaction with the County's protection of water resources has increased from 71 percent to 79 percent between 2004 and 2006.

Ms. Allshouse reported that one goal in the strategic plan is to expand regional transit opportunities and accelerate transportation projects; the Regional Transit Authority discussions are continuing and a consultant would be selected in spring 2007. Ms. Allshouse said that VDOT is scheduled to begin preliminary design work on Georgetown Road this month, and the advertisement date for Meadowcreek Parkway is June 2008. She said that Jarman's Gap Road project improvements include bike lanes, curbs and gutters, and sidewalks, and this would go to the CDB for design approval. She reported that citizen satisfaction with the ease of using public transit was approximately 58 percent in 2002, dropped to 46 percent in 2004, and increased to 55 percent in 2006. Ms. Allshouse said that citizen satisfaction about getting around by car decreased from 83 percent in 2002 to 69 percent in 2004 but did not decrease any further in 2006.

Ms. Allshouse said that the fourth goal includes completion of all the master plans for the development areas by 2010; Pantops and Places 29 are being worked on, and Crozet will be reviewed in FY 2011. She added that the trend data shows that the support of the County's growth management plan has been consistently over 70 percent over the past six years. Ms. Allshouse also said that the fourth goal includes increased protection of the rural areas; the Country Stores Preservation Initiative will be reviewed by the Planning Commission in Summer 2007, and the Mountain Overlay District Committee's recommendations are being considered for implementation across the entire rural area. She noted that over 65 percent of citizens are satisfied with County efforts, and that number has remained fairly constant.

Ms. Allshouse explained that the final goal is toward funding the future. She stated that the Board reviewed long-range budget projections starting at their fall retreat and directed staff to prepare a financial plan to provide funds for the County's long-range plan. Ms. Allshouse said that staff identified long-range funding strategies for the CIP, prepared recommendations regarding general obligation or lease revenue bond scenarios, and drafted the 2008 CIP. She noted that regarding citizen satisfaction trends, over 80 percent of the County citizens have been satisfied with the value they receive for the tax dollar over the last six years, and there was a significant increase from 2004 to 2006.

Ms. Allshouse stated that the Board would have the option to adjust the plan if needed to for budgetary reasons, identification of challenges or opportunities, staff insight, or changes in priorities.

Mr. Slutzky mentioned that there may be several things that have been identified in the plan that should now be realigned to acknowledge gaps created by the adopted budget.

Mr. Dorrier said that the strategic plan and budget do not seem to mesh at this point.

Ms. Thomas commented that the budget does mesh as presented.

Mr. Boyd added that the dollar amount is still going up, so that is not exactly a budget cut.

Mr. Slutzky agreed, but he said that if the items in the budget can not be funded, then they essentially are being cut and that needs to be communicated to the public.

Mr. Boyd noted that one item that has been left hanging is how the CIP would be funded in the future. He used the library projects as an example, stating that those have been discussed by the technical committee but not in detail by the Board.

Mr. Rooker asked about the marketing plan for conservation easements.

Ms. Allshouse replied that it is being actively worked on with Lee Catlin, Community Relations Manager.

Ms. Catlin stated that the marketing plan is part of an event planned for this spring. There has been some creative involvement from other conservation easement holders. She commented that there would be an art exhibit featuring visuals of the conservation easement properties, adding that participants are the best salespeople for the program.

Mr. Wyant said that it seems this plan has been implemented without discussion from the Board.

Ms. Catlin commented that ordinarily the action plan for an item is not reviewed by the Board.

Mr. Rooker noted that this is being implemented with existing funding and staff, and he does not want to slow down staff momentum.

Mr. Wyant said that he just wants to be kept apprised and informed so he is aware of what is going on.

Mr. Rooker commented that he is very pleased to see the marketing plan go forward, and that participants feel they are part of a group. He said that you want to create a buzz in the community that it is a good thing to put your property in conservation easement.

Ms. Catlin replied that word of mouth is very important with this program.

Ms. Thomas added that the ACE Committee also works with that in mind, and you can actually add buildings which is one rumor that the program is trying to overcome.

Mr. Rooker said that with the Virginia Outdoors Foundation (VOF) you can negotiate to add certain square footage.

With regard to affordable housing, Mr. Boyd said that he would like to get some feedback from that committee.

Mr. Rooker noted that the IMPACT Committee was supposed to include information about income levels related to affordable housing in their report to the assembly, but did not.

Mr. Boyd commented that the Board is long overdue for a report from the Affordable Housing Committee.

Ms. Thomas added that she wants to make sure what comes out of the Home Consortium fits with the strategic plan and is reported back and forth.

Ms. White reported that there were three major issues that went before the Planning Commission including the density bonus, proffer policy, and long-term affordability, and they have finalized the first two issues and are ready to go back for approval from the commission. She said that she is not sure of the timeframe, but staff could submit a report to the Board at the same time.

In response to Mr. Rooker's question about the charitable land trust concept, Mr. Davis noted that there are some legal issues, and his office is not prepared to address that right now.

Agenda Item No. 11. Piedmont Virginia Community College Annual Report, Dr. Frank Friedman.

Dr. Frank Friedman reported that all three PVCC Board appointees rotate off in one year and would need to be replaced. He said that last fall's enrollment was just 19 short of their all-time high, and more younger students have enrolled, with FTE's setting a record at 3.5 percent; the Albemarle County portion of the enrollment has growth, with 4,451 students in the fall and 1,733 students from Albemarle County. He noted that number has increased from 32 percent to 39 percent since 2000. Mr. Friedman also mentioned that the value of classes in the dual-enrollment program for high school students was \$122,000 in the Fall 2007 alone. He added that in the fall there were 750 students in distance learning courses, with one-third of them from Albemarle County. Mr. Friedman reported that there were 837 County high school graduates in June, and 162 of them, just under 20 percent, came to PVCC in the fall, and that number continues to grow.

Dr. Friedman noted that there was a major renovation of the main academic building, and it is "vastly improved," with the library scheduled for renovation this summer. He added that they are down to the final design phases of the science building and hope to break ground before the end of the calendar year. Dr. Friedman also said that PVCC welcomes having the YMCA build their building on campus, and he said that the College would like to acquire the vacated building when the visitors' center moves to a new facility across the road.

Dr. Friedman reported that PVCC has signed guaranteed admission agreements with almost every university in the State, and this gives a student and parent an "up-front guarantee" that if a student graduates from Piedmont in a transfer curriculum and earns a certain GPA they are guaranteed admission if they transfer. He said that last year, even without the guarantee, they transferred 500 students. He noted that for some institutions, a student has to earn a very high GPA. Dr. Friedman said that they have acquired several grants, including \$1.5 million from the Construction Academy through the Department of Labor to offer programs in basic skills such as carpentry, HVAC, and electricity, and this money will enable PVCC to lease space and start up these programs.

Dr. Friedman reported that the College received \$1 million from the National Science Foundation to improve and expand their engineering program, including science, technology, engineering, and mathematics (STEM), with a special emphasis on underserved populations in those fields. He added that they are also involved with the Piedmont Virginia Business Education Alliance, and the County school system is one of five school systems to contract with PVCC to use business contacts to get them involved with the schools. Dr. Friedman said that this includes tutoring and mentoring programs, career awareness programs, internships, summer jobs, and adopt-a-school programs.

Dr. Friedman noted that the College did not request an increase in regular funding from the Board, but has requested for program funding to start a Licensed Practical Nursing program which is very much needed and would cost about \$195,000 per year to initiate and run the program. He said that PVCC is trying to get \$65,000 each from the State, employers, and jurisdictions served. Dr. Friedman indicated that approximately 18 of 20 students enrolled would be estimated to graduate, and their average starting salary would be \$37,000 per year. He said that the request to Albemarle would be \$21,000.

Dr. Friedman described the "most prestigious award for community college students", the New Century Scholar program sponsored by Phi Theta Kappa, *USA Today*, and the Coca-Cola Foundation. He said that this is an academic competition, and for each of the 50 states one student is recognized as the New Century Scholar, based on academics, leadership, and service. Dr. Friedman stated that Ben Sargeant, a PVCC student, would be the Virginia recipient of that award this year. He noted that the program started in 2000, and this is the third time that the Virginia representative would be a Piedmont student.

Mr. Rooker asked about the need to lease space for the Construction Academy.

Dr. Friedman responded that when Piedmont was founded in 1972, it was not constructed to have large open spaces necessary for programs that are lab-intensive, and they have partnered with CATEC to use their labs which are only available at night. He added that with the money coming in from the Department of Labor there would be an RFP out to lease the space needed to start the programs. Dr. Friedman said that he thought they needed 10,000 square feet but was not sure.

Dr. Friedman explained that the whole renovation of the academic building was about a \$5 million project. He stated that the library this summer which was done with private money is considerably less, a few hundred thousand dollars.

In response to Mr. Dorrier's question about the nursing program, Dr. Friedman explained that the majority of program funding is almost always for personnel. Dr. Friedman said that 20 participants are all they could handle and currently Albemarle is 39 percent of PVCC enrollment so that is probably a reasonable expectation.

Agenda Item No. 12. Commission on Children and Families Annual Report.

Ms. Gretchen Ellis addressed the Board, stating that 2006 was a substantial year of change as Saphira Baker moved on to another position, and the CCF expanded from 22 to 28 members with the addition of the Chiefs of Police, Directors of Parks & Recreation, and representatives from each School Board. Ms. Ellis reported that fiscal oversight for CCF moved to Albemarle County, and that transition has been incredibly smooth thanks to County staff. She reported that nine years ago, the CCF was established by a joint agreement between the City and the County to plan, coordinate, monitor, and evaluate a community-wide system of children and family agencies. Ms. Ellis said that CCF was further charged to improve services to children and families, to be accountable for the efficient use of public and private resources, and to be responsive to the changing needs of the community. She stated that in addition to carrying out the mandated responsibilities for managing a range of human services funding, including the Comprehensive Services Act, the localities presented seven charges to CCF.

Ms. Ellis said that the first charge is to adhere to the responsibilities of the community policy and management team under the Comprehensive Services Act. She added that this year, they have expanded CCF's prevention focus: to keep kids from coming into the foster care system and thus reduce large expenses under Comprehensive Services. Ms. Ellis mentioned that they have also begun a utilization and review system that has resulted in the past year in an \$890,000 increase in the use of Medicaid funds rather than CSA funds, resulting in a \$200,000 reduction in local costs for the County. She said that they are collaborating with the State to improve the system of care and are planning for a local crisis assessment and stabilization facility to avoid sending children to costly out of town and out of state placements from which it is hard to return them to the community.

Ms. Ellis explained that the second area of focus is to provide comprehensive long and short-range planning for children and families within the Charlottesville/Albemarle community. She stated that in addition to issuing the seventh edition of "Stepping Stones," CCF produced a human services budget which was presented to the Board in November and is now producing a strategic plan to align investments with community needs; U.Va. has provided two faculty members and six students to work with CCF on this project. She added that they would be working to bring that to the Board before deliberations on the next funding cycle.

Ms. Ellis reported that the third area of focus is to make program and funding recommendations to City and County government bodies within the budgetary procedure; the agency budget review team has reviewed applications from 26 organizations representing 53 programs and made recommendations to the Board for funding. She noted that in addition, staff provided over 100 hours of technical assistance in preparation of the applications to 17 of those 26 agencies.

Ms. Ellis indicated that the fourth charge is to review and evaluate the current service delivery system to ensure that the needs of children and families are being met effectively and efficiently, and at the request of the police departments they convened a gang prevention/intervention task force that hosted two community forums and identified services and strategies to combat gang involvement. Ms. Ellis said that they are also evaluating their CSA system of care, using a nationally endorsed process with the intention of improving outcomes and reducing costs.

Ms. Ellis stated that the fifth area is to identify and encourage new and innovative approaches to program development for children and families. She said that they have created specialized programs to address truancy, which is a gateway behavior for delinquency and foster care; CCF has obtained grant funding to provide evidence-based services for children who are truant or at risk of truancy. Ms. Ellis added that the Partnership for Children has implemented a seal of good child care quality to establish high standards and the Governor has an interest in supporting this initiative and applying it to other communities. In response to Mr. Rooker's question, Ms. Ellis said that there is a rigorous standard in child care that has to be met. She said that this is a volunteer level of participation, and there are five area providers that meet the basic requirements.

Ms. Ellis also said that CCF has created the Foothills Child Advocacy Center to coordinate investigation services in child victimization cases; that was launched as a pilot project through the County and will be available as a free-standing non-profit later this year. She said that the sixth charge would be to identify additional public and private funding sources for children and family programs, and in 2006 Commission staff wrote grants that raised over \$520,000 for children and family services as well as providing technical assistance to other agencies bringing in \$600,000. Ms. Ellis said that CCF is currently

working with schools and other partners on the Safe Schools-Healthy Students proposal, which stands to bring \$6 million into the City and County over a four-year period to improve school safety and outcomes.

Ms. Ellis indicated that the final charge is to provide structured opportunities for community input and participation into the needs of families; this year CCF implemented the youth development network to provide coordination and expansion of development activities, which are among the strongest prevention activities offered. Ms. Ellis said that they have solicited community input into the Human Services Strategic Plan, including 32 focus groups and three community forms, and there has been a 56 percent increase in media coverage and a 37 percent increase in use of their website.

Ms. Ellis added that the next steps are completion and implementation of the plan, full implementation of the Youth Development Network, submission of the Safe Schools-Healthy Students grant, improvement of CSA cost containment, and implementation of an evidence-based system of care wrapped around a Comprehensive Services Act system. Ms. Ellis noted that there are over 250 volunteers with CCF.

Mr. Rooker said that this commission does wonderful work in the community. He asked about the CSA cost containment and asked what CCF is doing in that regard.

Ms. Ellis responded that they have hired a utilization review manager who is providing casework consultation work to case managers to help them find the most cost-effective placements; she is also following up to ensure that vendors are providing what they have indicated they would. Ms. Ellis has said that despite efforts to impose regulatory requirements on vendors, nothing has been done at the state level to make that happen.

Agenda Item No. 13. Update on Environmental Assessment for Runway Extension Project and Airport Transportation Enhancement Program, Bryan Elliott.

Mr. Bryan Elliott, Executive Director of the Charlottesville Albemarle Airport Authority, addressed the Board. Mr. Elliott reported that the environmental assessment is being prepared in accordance with the National Environmental Protection Act as well as FAA standards, and the assessment would analyze and disclose potential environmental impacts associated with the Airport Authority's implementation of phases 1 and 2 of the approved airport master plan and the proposed extension to its runway from 6,000 feet to 6,800 feet. He added that this project was included in the adopted master plan for the airport and the reason for the extension is to meet existing needs of air carrier airlines as well as general aviation users. Mr. Elliott explained that they would coordinate the review of 18 categories of potential impacts for a total of ten projects, including things such as noise impacts, ensuring compatible land use, impacts due to construction, wetlands impacts, and protection of water quality.

Mr. Elliott added that the process involves evaluation of four proposals, including no action; an extension involving approximately 2.3 million cubic yards of embankment, and the acquisition of approximately 14 acres of property from three property owners with a cost of \$53 million. Mr. Elliott said that the construction limits would be to airport property and would meet federal standards for runway protection zones. He added that with all three build proposals there are nine elements being evaluated, including property acquisition, obstructions to clearance zones, grading, snow removal equipment building, construction of an access road, construction of a new airfield electrical vault, and extension of the access road along the western perimeter of airport property. Mr. Elliott also said that there would need to be a de-icing containment system, and they are awaiting input from the EPA and FAA on treatment of de-icing chemicals that would come off of aircraft during winter months. He mentioned there would also need to be the relocation of a fuel farm.

Mr. Elliott confirmed that the \$53 million is just for the runway extension, and the overall master plan is about \$90 million; these elements would be around \$65 million total. He also said that there would be a 200-foot extension of the runway to the south and a 600-foot runway extension to the north. Mr. Elliott noted that this option would require 2.2 million cubic yards of embankment, the acquisition of 24 acres of property on the north and south ends of the runway, the partial relocation of Route 606, and the relocation of navigational aids; that extension proposal would cost about \$62 million.

Mr. Elliott said that the final alternative to be considered is a 400-foot extension to the south and a 400-foot extension to the north; there would be a road relocation and more property would be acquired to the south end of the runway further south on State Route 743. He stated that this cost is about \$55 million. He concluded by saying that the preferred option, as reflected in the master plan, is to proceed with the 800-foot extension to the north; there are less property impacts, no road relocations, and the extent of the navigational aid replacement is considerably less than moving anything on the south end. Mr. Elliott said that there would be some impacts such as wetlands on the north end, construction impacts, protection of water quality, and tree removal, subject to final review by all Federal and State review agencies.

Mr. Elliott presented a timeline for the overall process, which showed it completed by the first quarter of 2008. He said one of the key elements of this process is public information. He added that they have updated their website to include a link to the environmental assessment project, and they are conducting three open houses for public input on the project over the course of the study. He said that agency coordination meetings have been scheduled, and at the close of the process the Virginia Department of Environmental Quality would conduct a public hearing on the concept. Mr. Elliott said that they would be hosting their second of three open houses toward the end of this month on April 30th from 5:30 p.m. to 7:30 p.m. at the Holiday Inn on Emmet Street.

Mr. Elliott said that, if approved, there would be an issuance of a finding of no significant impact, and then the project would move forward with trying to secure necessary funding and design. He noted that if that is not the case then an environmental impact study would likely need to be conducted. He said that at that point, the FAA takes the project over.

In response to Mr. Wyant's question about the ILS system for the northern expansion, Mr. Elliott explained that there would be an approach lighting system, not a full ILS. He added that the north end of the runway has a satellite-based navigational approach, and if the light towers go in for the approach lighting system it would help reduce the minimum for those approaches.

Ms. Thomas asked about the clearing of the flight zone of the southern approach, particularly the old church.

Mr. Elliott responded that the Airport Authority has retained airport consultants to coordinate the review of the historic nature of the church with the Department of Historic Resources; an initial filing was made with that agency in January and some additional questions came up which Delta is addressing now. He added that there was concern that funding slotted for the acquisition would expire, and the grant was slated to expire in summer 2007; in January and February they worked with the FAA to rearrange the grant funding program with them so that the pressure has been relieved.

In response to Mr. Wyant's question about right of way, Mr. Elliott said that they have been working with VDOT on the process of abandoning the old section of Route 606 south of the runway and dedicating the new section of Route 606; the same is true with Route 649, and the process is ongoing.

Mr. Elliott reported that the cooperative enhancement project attempts to landscape and beautify the Route 649 corridor and put trees at Route 606 and Route 649 where it intersects with Route 29. He said that the plan is to plant trees along the northern side of 606 to the Crutchfield property and then to the south down to an adjoining property owner, and will continue the trees eastbound along to determination of property east of the roundabout; the roundabout itself would have an area landscaped with crape myrtles, lariope, and evergreens. He noted that the tree-scaping is already consistent with what is already on the western side of Route 606, such as red maples and willow oaks, but that was not continued further south because of acquisition of property as well as utilities and ongoing development along Route 649. He said that it has been presented to the ARB and the airport is hopeful that this combination will continue so as to provide a uniform appearance to the corridor.

Mr. Rooker said that it would be helpful to have roundabout plantings kept low for visibility reasons.

Mr. Elliott agreed, and he said that the trees would be maintained by the Airport Authority through a maintenance agreement with VDOT. He explained that they are hoping to install a monument-type sign, with plantings to be completed by the fall. Mr. Elliott confirmed that there are bike lanes and sidewalks as part of the plan.

Agenda Item No. 14. Public hearing to amend the Albemarle County Service Authority Jurisdictional Area Boundary to provide water and sewer service to Tax Map 55, Parcels 51 and 51A, located in the Crozet Development Area (Bowen property). (Advertised in the *Daily Progress* on March 20 and March 26, 2007.)

Mr. Benish reported that this is a public hearing on a jurisdictional area amendment request for Tax Map 55, Parcels 51 and 51A in Crozet. The applicant is requesting that water and sewer service be provided to the two acres encompassed by the parcels. He stated that they are in the designated development area, and the request is being made due to septic problems on the site. Mr. Benish said that this is consistent with the County's policies, and staff recommends water and sewer designation for these two parcels.

Public comment was invited. There being no one from the public to speak, the public hearing was closed, and the matter was placed before the Board.

Mr. Slutzky asked why the entire growth area was not included as part of the jurisdictional area.

Mr. Benish responded that is going to happen, and this request was made a long time ago so it has not been addressed.

Mr. Wyant **moved** to approve the amendment to the Albemarle County Service Authority Jurisdictional Area to extend public sewer and water service to the Bowen property in Crozet (Tax Map 55, Parcels 51 and 51A). Ms. Thomas **seconded** the motion.

Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

Agenda Item No. 15. Proposed Sally Port Design at County Court House, Sheriff Robb and Jim Camblos.

Mr. Tucker explained that staff has recommended and put forward to bid a project, one with a tunnel and one without a tunnel. He stated that it would take an additional \$113,000 to build the second alternative, which is favored by Mr. Camblos and the Sheriff. Mr. Tucker explained that it would be next to the Commonwealth Attorney's office, and prisoners would be taken out and walked down the existing walkway into the Circuit Court; he said that option B provides a cover and tunnel that is separated from the walkway.

Ms. Thomas asked how it would work with the sidewalk.

Mr. Tucker explained that the tunnel would be separated and there would be a wall between the sidewalk and the tunnel. He referenced a visual diagram of how it would lay out, emphasizing that the sidewalk exists down the side of the building and not along High Street.

Mr. Camblos explained that the van pulls down High Street, the gate closes behind it, it pulls into a covered sally port that has a roof, and prisoners are taken out of the van. He noted that there is no way for anyone to get to them. He emphasized that Sheriff Robb is concerned that the option without the covered walkway allows someone to walk up to the wall and inflict harm on the prisoners and/or law enforcement. Mr. Camblos commented that the prisoners are routinely taken down an alleyway into secured lockup in the building. He also mentioned that the windows are on level with his office, in view of employees. Mr. Camblos said the people responsible for locking them up are sitting at their workspace.

Mr. Slutzky said that he did not understand how the cost is \$13,000.

Mr. Tucker explained that there is a new wall to build, the tunnel area would need to be excavated, and a cover would need to be placed.

Mr. Camblos said that without that tunnel now, if the County attempts to add it later it would be cost prohibitive.

Ms. Thomas commented that the length seems to be about 40 feet.

Mr. Dorrier noted that in one of the photos, a Venetian blind appears that seems able to be lowered to prevent prisoners from looking in.

Mr. Camblos said that there is not enough light in the building without that window.

Mr. Dorrier responded that he was not bothered by the prisoners walking by that office, and the blinds seem to be able to solve that problem. He said he does not see it as a \$100,000 project.

Mr. Boyd asked if those offices were eventually going to move out.

Mr. Tucker replied that he would be moving to the current Sheriff's space in the future.

The Board determined that the existing wall is eight feet high.

Mr. Rooker commented that there is no way anyone could see over that wall.

Mr. Camblos mentioned that the grassy area is higher than the wall, and the roof takes away the view to below.

Mr. Wyant commented that you could tint or raise the windows so that no one can see in.

Mr. Camblos said that these workspaces would be nicer if they did not have to look at prisoners.

Mr. Wyant asked if prisoners would be transported once the move happened.

Mr. Tucker replied that there would be both spaces, and it would be up to Mr. Camblos as to how to configure it.

Mr. Camblos said the three rooms are ideally for offices.

Mr. Tucker noted that staff has worked with Mr. Camblos and the Sheriff, and this option solves all of the concerns.

Mr. Dorrier stated that he believes in giving them what they ask for, but in a year in which people are struggling, \$100,000 for this project is about \$99,000 too much. He added that if they could come up with a less expensive solution that would be the way to go. Mr. Dorrier also stated that there has never been any activity of people coming up on the side of the walkway, and he asked about building a fence.

Mr. Camblos noted that on a daily basis from his office, he can see people through the windows, and they occasionally jump the wall to get down on High Street. He added that an aggressive person being led to and from courts would not be deterred by a small fence.

Mr. Dorrier said that for controversial cases, you could park closer to the court and not use the walkway.

Mr. Camblos agreed that you could, but he said that the sally port area should be protected.

Mr. Rooker emphasized that the prisoner would not have access to that walking area once the sally port area is built.

Sheriff Robb entered the meeting and Ms. Thomas brought him up to date as to what had been discussed thus far. He explained that he proposed building the sally port due to safety concerns, adding that manpower has allowed him to provide enough deputies to ensure security. Sheriff Robb also said that they have to deal with inclement weather, but deputies should not have to be exposed to these conditions. He said he knows of no other sheriff that does not have a secure way of moving their prisoners and do it. The law clearly states that the sheriff is responsible for the safety and security of the courthouses and the courtrooms and shall provide deputies for that purpose.

Sheriff Robb emphasized that if this is not done right, he could see a horrendous lawsuit if somebody should get hurt being transported through that system.

Mr. Wyant asked what the new construction would entail.

Mr. Slutzky commented that he is not seeing enough information here to be able to explain to constituents the justification for the project. He said he was struggling to try and understand the relationship between the price tag and the objective, yet he wants to satisfy the objective.

Mr. Wyant agreed, stating that these plans are not acceptable.

Mr. Camblos pointed to what the construction would entail on the sketch provided.

Mr. Wyant made a suggestion as to how to modify the plan by extending the wall.

Sheriff Robb said that he had suggested an alternate plan, but it would have cost a lot more money. He said he was willing to settle for anything better than what they have now. His conservative fiscal thoughts are that spending \$100,000 now will be far better than spending \$1 million later on.

Mr. Boyd stated that he agrees with Mr. Slutzky that more information is needed, and he felt it would be wise to delay a decision on it until the project cost could be justified.

Mr. Rooker responded that this is an actual bid for work being done.

Mr. Tucker replied that this is the low bid.

Mr. George Shadman explained that the covered roof was bid as an addendum to the original plan, and it added about \$113,000 to the project with about \$30,000 of it due to digging and such.

Mr. Camblos said that they should either cover all of it or none of it.

Mr. Slutzky responded that he is just mystified as why a small stretch of additional covering costs so much more.

Sheriff Robb replied that a haphazard roof could be used to lessen the cost, but the appearance would be unacceptable.

Mr. Rooker added that the ARB would likely not approve of that plan.

Mr. Foley noted that it has gone through the Board of Architectural Review (BAR) twice and both have been accepted; changes would require going back.

Due to the lateness of the hour, Mr. Boyd suggested the Board continue this discussion after the lunch break.

Mr. Rooker then offered **motion** for approval of up to \$113,000 for the project as presented. For lack of a second, the motion died.

Mr. Wyant suggested that he would like to look at the alternative.

Mr. Tucker suggested having the Board talk to the building committee and work with Sheriff Robb and Mr. Camblos on this.

Mr. Slutzky said that he would like to understand it better, and perhaps they could vote on it later tonight.

Mr. Boyd agreed that it should go back to the building committee.

Mr. Rooker stated that he does not feel the Board can come in and say they will redesign it.

Mr. Boyd said that the building committee should weigh in on it.

Mr. Camblos reiterated that it needs to either be entirely covered, or not at all, as the danger and ambience issues are still there.

Mr. Slutzky emphasized that he would like to bring this back after lunch.

Agenda Item No. 16. Closed Session.

At 12:33 p.m., **motion** was offered by Mr. Slutzky that the Board go into closed session pursuant to Section 2.2-3.711(A) of the Code of Virginia under Subsection (1) to consider appointments to Boards, Committees, and Commissions, under Subsection (3) to consider the acquisition of real property for a potential park facility, under Subsection (7) to consult with legal counsel and staff regarding matters of probable litigation relating to a construction contract and an agreement related to a construction contract, and, to consult with legal counsel and staff regarding specific matters requiring legal advice relating to an inter-jurisdictional agreement. Mr. Wyant **seconded** the motion.

Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

Agenda Item No. 17. Certify Closed Session.

At 2:15 p.m., the Board reconvened into open session, with **motion** by Mr. Slutzky that the Board certify by recorded vote that to the best of each Board member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session. Mr. Rooker **seconded** the motion. Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

Agenda Item No. 18. Appointments.

Mr. Wyant **moved** the following appointments:

- **APPOINT** Carolyn Lawlor to the Commission on Children and Families with said term to expire June 30, 2008.
- **REAPPOINT** Ann Mallek to the CHART Advisory Committee with said term to expire April 3, 2010.
- **REAPPOINT** Eric Bryerton to the Route 250 West Task Force with said term to expire April 4, 2010.

Mr. Rooker **seconded** the motion. Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

At this time the Board went back to its previous discussion on Agenda Item No. 15.

Mr. Slutzky explained that as they approached the building, there was someone looking down over the wall. He said that it is clear to him that there is a genuine potential risk, and there might be ways of looking at cutting the budget, but he would like to move forward with approval of the project.

Mr. Tucker confirmed for Ms. Thomas that this would not change the way that prisoners enter the building.

Mr. Slutzky **moved** to approve the alternative proposal and additional allocation of \$113,000 for construction of the Circuit Court building sally port project. Mr. Rooker **seconded** the motion.

Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Mr. Wyant, Mr. Boyd, and Mr. Rooker.
NAYS: Ms. Thomas and Mr. Dorrier.

Agenda Item No. 19. ZMA-2005-017 – Biscuit Run, Referral to Planning Commission.

Mr. Dorrier **moved** for referral of the Biscuit Run item back to the Planning Commission.

Ms. Thomas noted that the only way that this could be enthusiastically approved, in her mind, is if it is a transit-using community and that would involve more than just the developers. She commented that this would be a marketing plus and would need to be designed from the very beginning.

Mr. Boyd asked her to explain what she means.

Ms. Thomas replied that it would require a high number of commuters using a bus system as developments that have had a lot of students have done successfully. She emphasized that as much as one-third of commuter trips could be by bus if the project were designed that way and if the bus service/system were available. She said if you do not make it safe and attractive to get on the bus, then you cut down immediately on the number of people who use that kind of system. Ms. Thomas noted that VDOT has come up with an estimate of \$20 million in road impacts which is more than a developer could possibly pay.

Mr. Boyd stated that he is not sure what the Board would be directing the Planning Commission to do: bus stops, ongoing commitment to bus purchases, etc.

Mr. Dorrier said that there is a conference in June on electric cars, and there is a community in Georgia (Peachtree City) that uses these with great success, adding that perhaps this could be considered for Biscuit Run.

Mr. Slutzky stated that the biggest concern is getting people out of cars and onto buses.

Mr. Rooker explained that the idea with Peachtree City is to transport people within the community.

Mr. Cilimberg noted that the Planning Commission has had a lot of discussion about transit and having a general layout that is conducive to transit service, and that is a primary concern.

Mr. Rooker said that he agrees with a transit-friendly design, but he does not agree with taking dollars away from hard projects that are needed based upon a guess that a certain number of people may or may not take transit. He stated that there would not be 3,000 homes for 15 or 20 years and requiring expenditure of \$200,000 or more each year to establish transit would not be realistic. Mr. Rooker said his concern is taking money away that could be spent in the next couple of years on projects that we know need to be done and putting it into a basket of contributions to something that we do not know is needed or when it is going to be needed in that area. He added that he does not want to see a nebulous transportation contribution take away from hard projects that already exist. Mr. Rooker emphasized that only ten percent of people in the Washington, D.C. area take transit.

Ms. Thomas responded that there are other communities that have a higher percentage.

Mr. Rooker said that he is very doubtful that there would be a community here with a very high percentage of people taking transit.

Ms. Thomas agreed to research other communities and bring information back.

Mr. Slutzky said that he also strongly supports pursuit of public transit.

Mr. Cilimberg stated that in the last public hearing, the Commission discussed with the applicant having the transportation funding commitments be higher and more broadly applicable so there is not a lot of money put on different projects without public funds. He added that the County could decide to put a large chunk into one or two projects so that they can get done, and the applicant was agreeable to making the money more flexible.

Ms. Thomas commented that it is a design issue more than it is a dollars issue in my mind.

Mr. Wyant noted that this is designed for the future, not for tomorrow.

Mr. Rooker said that at a recent MPO meeting, it was decided that a transportation study was needed to see how transportation disperses from that property to the University, with or without the Sunset Connector.

Mr. Boyd suggested that it could be restricted just to transit.

Mr. Wyant commented that it could be an HOV type of route or have that as part of the road.

Mr. Cilimberg noted that the Planning Commission has requested enough time and information to look at this in a very complete way.

Ms. Thomas then **seconded** the motion. Roll was called, and the motion carried by the following recorded vote:

AYES: Mr. Slutzky, Ms. Thomas, Mr. Wyant, Mr. Boyd, Mr. Dorrier, and Mr. Rooker.
NAYS: None.

Agenda Item No. 20. From the Board: Committee Reports and Matters not Listed on the Agenda.

Ms. Thomas commented that she has a constituent who is bothered by train whistles, and there is a way to quiet them, but she is not wanting to do this because she likes them.

Mr. Slutzky said that he would not be in favor of silencing them either.

Mr. Davis noted that it is not as easy to accomplish this as perhaps the constituent has said, explaining that it depends on the crossing, installation of a warning system, review of a petition, and a safety history. He said it is a several month process after you assure that those safety improvements can be in place.

Mr. Boyd added that you also have to determine which train company owns the track at a given point, and he went through this with Keswick Country Club, who found out the cost was \$300,000.

Mr. Rooker said that he would not support it because of safety concerns.

(Note: At 2:48 p.m., the Board recessed.)

Agenda Item No. 21. Call to Order. At 6:02 p.m., the Chairman called the meeting back to order. All Board members were present.

Agenda Item No. 22. Pledge of Allegiance.
Agenda Item No. 23. Moment of Silence.

Agenda Item No. 24. PUBLIC HEARING to receive comments on Recommended Operating and Capital Budgets for FY 2007/2008. (Advertised in the *Daily Progress* on March 25, 2007.)

Mr. Tucker reported that the public hearing tonight is a continuation of the dialogue and deliberation about the County's budget that began at last month's hearing. He said that the budget is a road map for the future of the community, a plan for how resources would support programs, services, construction, and the basic general functions of local government. Mr. Tucker stated that there have been significant revisions to the budget based on information received from the Board during worksessions over the past several weeks.

Mr. Tucker explained that the major goals of the budget are to stay within adopted fiscal policies that maintain the County's AAA bond rating; follow guidelines and direction established by the Board; address education needs and public safety service gaps; address strategic planning goals; invest in the future through the capital program; and maintain competitive compensation for employees. He said that there are two primary budget drivers that impact the growth of the County's expenditures, and increases in the budget are attributable to two major factors: meeting obligations and commitments. He said that mandates and obligations include things such as landfill remediation and stormwater management, both of which are unfunded mandates placed by state and federal government. Mr. Tucker stated that they also have the revenue sharing agreement with the City of Charlottesville which includes ten cents on the real estate tax rate; the 60/40 local government/school split; and the two-cent real estate tax rate to the capital program for future investment. He noted that the second driver is responding to community priorities, and this proposed budget is designed to support citizen priorities and major areas including education, public safety, infrastructure, protecting natural resources, and meeting human service needs.

Mr. Tucker reviewed some of the revised key elements. He said that the proposed operating budget amounts to approximately \$265.5 million, an increase of \$16.1 million over the current fiscal year. Mr. Tucker said of that increase, \$8.6 million is attributed to the school division budget, and \$3.3 million funds public safety. He stated that the proposed capital budget amounts to \$31.2 million, a decrease of \$7.9 million or 20 percent over the current fiscal year. Mr. Tucker noted that the revenue sharing agreement with the City totals \$13.2 million, a 30 percent increase from last year, and this is a fixed cost that can not be adjusted. Mr. Tucker explained that the total budget is \$309.9 million, and is built on a 70-cent real property tax rate; a 60-cent rate must be used for operations because of the ten-cent transfer under the revenue-sharing agreement.

Mr. Tucker noted the differences in this budget versus last month's version:

- The real property tax rate has been adjusted to 70 cents from the current tax year's rate of 74 cents.
- The total operating and capital budget has been reduced by \$5.5 million.
- The proposed budget includes \$250,000 for the Charlottesville Transit System funding.
- This proposed budget includes increases in other local tax revenues to partially offset the reduction in the real property tax revenues.

Mr. Tucker noted that the school division would receive an increase of \$8.6 million in new local tax money over the current fiscal year, which is \$347,000 below the Superintendent's full funding request. He said that the school division would not have any reductions or impacts in the current year resulting from the adjusted tax rate.

Mr. Tucker stated that general government expenditures have been reduced by \$230,000; school operations would be reduced by \$350,000 for a total of \$580,000 in total operations. He noted that capital projects are reduced by \$1.39 million and the \$3.5 million reassessment reserve has been set aside for a total reduction of \$5.47 million in expenditures.

Mr. Tucker said that on the revenue side, real property taxes are reduced \$6.55 million and other taxes and fees are increased by \$2.1 million to partially offset this; \$2 million is used from the fund balance for a total of \$5.47 million.

Mr. Tucker summarized the highlights of the budget:

- The County has stayed within their adopted fiscal policies.
- The budget responds to Board and community policies, including an adjustment of the real property tax rate from 74 cents to 70 cents.
- The budget meets mandates and commitments.
- Education needs and public safety service gaps are addressed.
- The budget addresses strategic planning goals.
- The capital program continues to invest in the future.

Mr. Tucker said that tonight would allow for public comment, and on April 11th the Board is scheduled to adopt the operating and capital budget and set the tax rate.

Mr. Boyd briefly outlined the rules for speakers.

At this time, Mr. Boyd opened the public hearing.

Ms. Blaire French, a member of IMPACT (Interfaith Movement Promoting Action by Congregations Together), addressed the Board. Other members of IMPACT stood. Ms. French thanked Board members for attending the IMPACT March 15th meeting. She said that the first proposal is to establish daytime bus service on 5th Street Extended to serve Southwood, Mountainwood, and COB-5th. Ms. French noted that many residents of Southwood and Mountainwood cannot afford cars, and she thanked the Board for their allocation of \$250,000 for transportation in this budget.

Ms. French also said that IMPACT advocates for a City-County-University housing task force, comprised of high-level officials, as affordable housing requires a regional effort. She said they see a dire need that requires immediate action. Ms. French noted that Leonard Sandridge had committed to delegating a high-level University representative to work with others who are equally empowered to get results. She indicated that the task force's charge would be creation of at least 150 additional housing units over the next five years for residents earning less than \$20,000 a year and to keep the units affordable for at least 15 years. Ms. French noted that IMPACT takes no position on the tax rate.

Ms. Rosa Gomez addressed the Board, and she thanked them for their commitment to public transportation. She encouraged them to allocate some funding to offer service to Route 5.

Ms. Anne Geraty addressed the Board, stating that she is a teacher and parent as well as a 25-year resident. She said that there are many issues that need to be addressed, and cutting taxes now will only make the needs more imperative. Ms. Geraty said that urgent needs include improving County roads, caring for the environment, and taking steps to make sure that service workers do not have to live in church rec rooms or at the Salvation Army. She added that many agree with Aristotle's contention that the fate of empires depends on the education of youth, and an uneducated citizenry is not capable of wise participation in a democracy. Ms. Geraty said that the amount saved through tax cuts is very small per landowner, but the cost to programs and services would have a much greater impact.

Mr. Keith Drake addressed the Board, stating that a petition at the "Truth and Taxation" town hall meeting two weeks ago states that the Albemarle County budget has grown at twice the rate of population growth, inflation, and school enrollment. He said that the petition states that the County should establish a revised tax rate as no more than to accommodate those three items, and 1,453 citizens have signed it. Mr. Drake presented a jar filled with teabags, each one representing a citizen of Albemarle County who is asking you to practice a more responsible budgeting process. He asked that the budget conversation to begin at 58 cents, stating that the proposed 70 cents is not a tax or rate cut. He said it is an effective tax rate increase of nearly 21 percent, and it creates \$8.2 million more in operating funds for school than last year. Mr. Drake reported that the Albemarle Republicans commissioned a poll done by a firm out of Richmond, and 23 percent of those surveyed felt the tax rate should generate the same amount of revenue as last year, or 58 cents; 40 percent wanted the same amount plus a factor to consider growth, inflation, or school enrollment; 12 percent thought the 70-cent rate was fair; and only five percent felt a rate greater than 70 cents was appropriate. He said that nearly two-thirds wanted no increase or a modest tax increase on the tax burden on taxpayers. Mr. Drake added that over the past seven years, the combination of inflation, population and school enrollment growth has averaged 4.1 percent; the taxpayers seem to be saying that a rate of 60 cents is reasonable and fair. He said they are going to keep hammering until this Board gets the message.

Mr. Guy Larry Brown addressed the Board. Mr. Brown commented that he served 24 years in the military, 20 of which were active duty, and he taught at PVCC for 27 years. He said that he knows what it is liked to be overpaid and underworked, adding that he has never felt that any government employee has been paid what they were worth, especially public schoolteachers, firemen, and policemen. Mr. Brown stated that his family came here in 1973, and until 2001 his real estate taxes were reasonable; at that time the tax [assessments] were raised by double digits, then by 10 percent each year afterward. He said enough is enough. He added that the Board has failed miserably to draw the connection between real estate taxes and the cost of living in this County. Mr. Brown said that now is the time to seize the chance to get things back in order and make Albemarle County an affordable County not just for the wealthy. He supported the 58-cent tax rate, and he asked members to resign if they are unwilling to do that.

Mr. Peter Wurzer addressed the Board, stated that his remarks are aimed at the entire County budget process even though the information he is presenting revolve around one school. He said that in the strategic plan, not much is said about what concrete, measurable value we get for the money. Mr. Wurtzer pointed out an area where there are four managers who make a total of \$500,000, which is 8.2 teachers. He said they need more transparency, more accountability before we ask for more money. He asked the Board to start at 58 cents and work up, instead of starting at 70 cents and working down.

Mr. Christian Schoerewald addressed the Board, asking people who support a lower tax rate to stand up. He noted that some of these people have had families here since Jefferson's time, and the Board's highest obligation is to protect citizens and keep their rights and livelihoods in mind. Mr. Schoerewald stated that there are many people who feel the same as people in the participants in the Boston Tea Party did, when they felt the British government had become unresponsive and oppressive. He said that this group does plan to go to Richmond and get the General Assembly to put restrictions on counties to force them to be responsive to their people.

Mr. Tom Strassburg addressed the Board, thanking them for supporting the IMPACT requests. He also said that the problem is with other spending in the school and general government operations budgets, such as the Community Engagement Specialist position.

Mr. Cecil Whitt addressed the Board, encouraging them to look at positions and what they pay, noting that there are 81 positions that pay \$80,000 or more and 31 positions that pay \$100,000 or more, not including principals. He itemized the salaries of the County Executive, Director of Community Development, Director of Planning, and Chief of Planning and Community Development.

Mr. Chad Sansing addressed the Board, stating that he is a teacher at Jack Jouett Middle School. He encouraged the Board not to slash the budget. He said that he served on the school's Strategic Planning Committee, and the plan to cut back thwarts the Board's own commitment to fund education. Mr. Sansing emphasized that any cuts would affect underserved populations, would push the schools back years in equity and rigor in education, and would also make it more difficult to attract the best teachers. He said Board members have turned their backs on their own hope in the strategic plan for the future. Board members have also turned their backs on the public input poured into both strategic plans.

Mr. David Oberg addressed the Board, stating that there are similarities with what is happening here and the Boston Tea Party, but the Tea Act actually involved the elimination of an import tax in order to benefit rich British Lords at the expense of poor citizens of the colonies. He said that the Tea Act was passed because a group of business people felt they should be exempt from paying their fair share of taxes. Mr. Oberg encouraged the Board to fund education so that there would always be an opportunity for open dialogue such as this meeting.

Ms. Diane Wilson addressed the Board, stating that new skills and preparation for lifelong learning are essential. She also stated that it is imperative that proficiency in addressing career and technical educational needs for students are met. Ms. Wilson said that a highly educated workforce contributes to economic growth, particularly in knowledge-based economies, and if the budget allocation is cut short it would likely generate more tax-users than taxpayers. She asked the Board to invest in the students' future.

Mr. Steve Gissendanner, representing the Albemarle Education Association, addressed the Board. He said that he has been involved with the budget process all the way along, noting that he has listened respectfully and talked to speakers on all sides of the issue. Mr. Gissendanner stated that while some would leave this meeting unhappy, they can be assured that the Board did their job in acting with fairness in their decision-making. He also said that property values would level off, and he encouraged the Board to think long-term. Mr. Gissendanner asked the Board to consider these questions: Do you believe in the strategic goals you have set for Albemarle County? Do you believe in the ability of your staff to put together the budget to meet those needs? Do you believe in the strategic goals the School Board has set for the schools? Do you believe in the school division staff's ability to put together the best possible budget to meet those needs? He said that if the answer is yes to these questions, the Board needs to act accordingly to meet those needs.

Mr. James Maupin addressed the Board. He said that he is a lifelong resident of the County, and real estate taxes have more than doubled since 1999 and are on track to double again in the next seven years if the 70-cent rate is enacted. He noted that in the 20-year period prior to that, taxes only went up half as much in percentage. Mr. Maupin said that Orange County is basing their budget on 42 cents per \$100, and Albemarle could do 58 cents per \$100. He also noted that the County spends excessively, including school budgets increasing 63 percent despite school enrollment only climbing 1.7 percent. Mr. Maupin said that since FY 2000-01, 253 teaching positions have been added, but there have been only 209 new students. He added that there are likely fewer students because families can not afford to live

here. Mr. Maupin said that school administrative staff has had ten percent salary increases each year for the past five years, adding that they could forego any pay increase this year and put it in the classroom. He said that Community Engagement has gone to five management positions and one technical position, with projected expenses now totaling almost \$949,000. Mr. Maupin asked the Board members to get rid of some of this bloated budget.

Ms. Sue Friedman addressed the Board, stating that several of the additional positions with the schools have been added due to mandated and required testing, assessment, and ESL services. She noted that a 5.33 percent increase in this year's School Board budget request does not allow the County to meet the \$7.6 million needed in compensation to fully fund the agreed-upon competitive market compensation strategy, and the School Board has already decreased its request by over \$2.5 million. Ms. Friedman said that not fully funding the budget would be not funding several items, such as technology support for teachers, teachers' professional development, and additional salary for teachers with 21-30 years of service. She noted that 88 percent of County citizens stated that education is the number one priority in the recent survey, and as Thomas Jefferson said, "public education is the key to the future and to our democracy."

Ms. Diantha McKeel addressed the Board, speaking as a citizen and not as a School Board member. She said that the Board has committed to offering the best educational opportunity for all children, and it has embedded in its mission statement that the County's educational system will be "world class" and the County's quality of life will be exceptional. Ms. McKeel said that she trusts that is a substantial commitment and not just rhetoric. She said that she was saddened by the tone the budget arguments have taken. She has heard salary increases for educators and the hard work of school departments publicly misrepresented with no attempt to find a fair balance. Ms. McKeel added that some school employees feel demoralized by this.

Ms. Margaret Shepherd addressed the Board, stating that she is a lifelong resident who just graduated from a County high school last year. She said that the same people promoting lower taxes are the ones who push for SOL testing yet do not fund it from the State; they push for more accountability and more testing brought to by No Child Left Behind (NCLB) and then do not fund the programs. She said that they pushed for no car taxes yet have done nothing to make up the revenues. Ms. Shepherd said this is just a small group of small-minded, short sighted people compared to the 95 percent who said that excellent schools are the number one priority. She added that those people never liked any taxes at any rate, so why are you letting them tell you what to do? Ms. Shepherd said that the recent threats at Henley show that the suspension center is needed but with cuts this will not happen, and class sizes would be bigger.

Ms. Anne Mallek addressed the Board, noting that they have a challenge ahead of them to balance the budget and encouraged them to delay hiring of new planning staff until new revenue sources are found and greater contributions are sought from developers. She said that she hopes the County funds the ACE program, and she noted that taxpayers can no longer subsidize rapid growth. Ms. Mallek said that the current situation is driving people away, and she would like tax relief to be available and better publicized. She also encouraged the Board to adopt a property tax deferral program for a percentage of the tax payment to protect qualifying senior citizens, and she said that developers should pay substantially more for expenses they create. Ms. Mallek said that citizens learned from the County fiscal agent last week that the net loss to the County budget from Biscuit Run is over \$45 million when compared to its development by right.

Mr. David Tyree addressed the Board, stating that he took a petition around Keswick and listened to people as to how they were going to pay their taxes. He said that the poor, fixed income, and low middle-income families will bear the brunt of this budget.

Ms. Betty Sevachko addressed the Board, stating that she has lived in the Rio District for 21 years. She reminded the Board that they were elected to represent taxpayers in the County. Ms. Sevachko asked the Board to be fiscally responsible with the citizen's money.

Ms. Sally Cushing of the Brownsville PTO addressed the Board and presented a petition of 170 signatures supporting the County schools' proposed budget. She emphasized that an overwhelming majority of citizens have indicated they are happy with the quality of education their children are receiving.

Ms. Katrien Vance addressed the Board, stating that she appreciates the money for recycling in the budget and encouraging the Board to keep money in for the recycling center in Crozet. She said that her parents now recycle because of curbside recycling, and if it is more convenient more people will recycle and pay attention to recyclable containers.

Ms. Dee Weikle addressed the Board, stating that she would like for the Board to keep the school budget intact and to keep the Crozet recycling center. She noted that she wants teachers to continue to get paid better, and she also noted that the No Child Left Behind Act requires data analysts and that is not a choice. Ms. Weikle said that she would like programs to be provided for those who need tax relief. She added that there should be money in the school budget for foreign languages, and she noted that their PTO raises \$20,000 each year for foreign languages.

Mr. John Martin thanked the Board for the immense amount of time they spend in their roles. He said that this community is extremely popular and does not need development to be encouraged.

Mr. Charlie Trachta addressed the Board and stated that over the last 30 years, the rate has been 72 cents for 15.5 years, 77 cents for five years, 76 cents for four and a half years, 74 cents for two years,

and 67 cents for three years. He said it was never 58 cents. He noted that home values were not the same in 1976 so to cut the budget is misleading, and he emphasized that it is the tax assessments that are at issue and not the tax rate. Mr. Trachta said that with the higher assessments, lower and middle class people cannot afford a home here. He stated that money will not be saved by cutting the school budget as only 79 percent of students graduate in Virginia; in Charlottesville it is 76 percent, and in Albemarle it is 90 percent. Mr. Trachta said that the County pays the price for those dropouts who can not find good paying jobs. He stated that if the dropout rate in the U.S. was cut in half, the nation would save \$45 billion.

Ms. Virginia Rovnyak addressed the Board, stating that she lives in the White Hall District. She said that while local taxes have increased, federal taxes have gone down as higher levels of government are pushing costs downward. Ms. Rovnyak stated her support for IMPACT initiatives, including having a joint task force with the City. She said that everyone needs to get on board.

Ms. Ashley Kindler addressed the Board, representing building level administrators for Albemarle County including principals and assistant principals. She presented the Board with a teapot shaped like a house, and she said that her investment in her home is paying off in its value. Ms. Kindler emphasized that the County schools are now on spring break, but she asked people in the audience to stand in support of schools.

Mr. Lou Kramer, a 37-year resident of Earlysville, addressed the Board. He said that just because property values have gone up does not mean incomes have. Mr. Kramer said that it will be hard for him to retire because of the tax increases on his property.

Mr. D. D. Hudson, a 55-year resident of Albemarle County, addressed the Board. He said that he came here for a job but stayed because he loved the area. Mr. Hudson stated that recently he has reconsidered that decision because he might not be able to afford to continue to live here. He was critical of three Board members, and he said he finds it hard to find justification for a 63 percent increase in school expenditures over the last seven years when there has only been a 1.6 percent increase in enrollment. Mr. Hudson said that cost of living increases are expected, but 70 cents would represent a 20 percent plus increase in income for the County for the coming year.

Ms. Charlotte Hogue, a long-time resident of the County, stated that with extra revenue a lower rate could be achieved. She asked if the County has really looked at reducing waste or if the Board just rubber-stamped a wish list put in front of them. Ms. Hogue said it is not the County's money to spend; it is the people's money. She added that this has to stop, and now is the time.

The Board took a brief recess, then reconvened.

Mr. Charles Battig addressed the Board, stating that the actions of the Board over the past seven years are a complete breakdown of the budget process. He noted that from 2000 to now, County population has increased 10 percent but spending has gone up 79 percent; County school enrollment has increased two percent whereas spending increased 63 percent. Mr. Battig said that this type of freewheeling spending smacks of bureaucratic bloat. He stated that there will always be an endless list of seemingly worthwhile projects, but in the real world the public does not have the capacity to pay for all of it.

Ms. Barbara Kittel addressed the Board, stating that she bought her own home in 2004, and her assessment increased in 2006. She said that she is a single parent, and her 4 percent raise will not cover a 30 percent tax increase, much less a 20 percent tax increase. Ms. Kittel asked the Board to consider the older, single, middle-class people who love their homes but will be forced to leave the County if the tax rate keeps increasing.

Ms. Audrey Welborn addressed the Board, stating that she has lived in her home since 1979 and hopes to retire there. She said that they have planned for retirement but have not planned for a 58.8 percent tax increase in just four years. Ms. Welborn said that if the rate were 70 cents per hundred, their tax increase would be \$1,400 per year; at 58 cents this would mean a three percent increase in taxes. She mentioned that property should be taxed on acquisition value to help defray this. She noted that in Oregon ten years ago, voters voted in Measure 50 which rolled back the assessed value of property to 90 percent of the property's real market value and then limited any increase in maximum assessed value for subsequent years to three percent per year. Ms. Welborn said that she does not understand how the schools are planning with increases before assessments are actually known.

Ms. Linda Shaw addressed the Board, stating that the school operations are only increasing by 3.3 percent or \$10.1 million, but if you take all of the numbers, that is still requiring \$22 million in real estate taxes.

Ms. Mary Ellen Ford addressed the Board, thanking the Board for their attention. She said that the average assessment for their properties went up 68 percent, and she would like to leave the land to her children and grandchildren. Ms. Ford said that she was born and raised in the County. She said that she got a good education with good teachers, and she learned to live on a budget. She emphasized that she loves her property and does not support a lot of growth, but the people in the subdivisions should be generating more money for the County.

Mr. Keith Ford addressed the Board, stating that he had to work in a sawmill camp from age 14, and then he went to Morton's Foods. He said that he studied nights, got a GED, and moved into a supervisor's position. Mr. Ford stated that he never thought in his wildest dreams that he would pay

\$1,100 per month in taxes. He said he knows Board members have a hard job and they need the schools, but the taxpayers do not need this tax burden.

Ms. Madeline Michel addressed the Board, stating that she feels like the evil tax witch. Ms. Michel said that she is a teacher at Monticello High School, and she would support a fund for tax relief as it seems people are feeling marginalized by their taxes. Ms. Michel stated that many teachers can not even afford to live in Albemarle because of the cost of living here. She emphasized that the County wants excellent schools, not just good schools. Ms. Michel said that her students have won the National History competition and could never have traveled had it not been for the support of the schools.

Mr. Robert Hogue addressed the Board, stating that his property taxes have doubled in the past six years, but he will not receive anything in return for this. He emphasized that the school system is top heavy. He urged the Board to cut the school budget further as well as County government spending. Mr. Hogue said that there is a growing resentment around this kind of giveaway, adding that the Board cannot do everything for everyone.

Mr. Robert Remesz addressed the Board, stating that he has been an educator for over 39 years. He said that when they moved here, they chose to teach here because of the philosophy of supporting the education of young people and the financial backing that existed to make this happen. Mr. Remesz said that he is not sure the support is there any more, and he has had firsthand experience on the negative impact of lack of funding on students. He noted that his class size is currently 22 students, and this would likely rise with less money available. He also mentioned that books and supplies would also become limited with inadequate funding. Mr. Remesz said that he hopes the Board, the County, and the students do not go the way of schools that have inadequate funding.

Ms. Joanne Hayden addressed the Board, asking them for help. She said that she is a good employee, but she has not been able to achieve a 20 percent increase despite what her needs are. Ms. Hayden stated that Thomas Jefferson also said "we all hang together or we all hang separately," and it is not right to ignore the needs of taxpaying citizens.

Mr. Steve Floyd addressed the Board, stating that both of his parents were teachers, and he loves the County. Mr. Floyd said that he and his wife used to live in Louisa but moved back to Albemarle because they liked it here despite higher taxes. He stated that if there is a way to fully fund education without hurting people on the tax end he is all for it, but he does not want to see the schools suffer. Mr. Floyd said that he and his wife are both County school nurses. He said there are not bad guys in this situation; we are all just trying to figure out what's best for everyone involved.

Mr. Vernon Fischer addressed the Board, stating that he is a musician and carpenter, and he supports the 58-cent tax rate. He also said that he would like to have the tax rate set by referendum and would like to see the County work with the State on tax alternatives such as user fees. Mr. Fischer stated that he would like for schools to focus more on "the three R's", and he would like to eliminate positions in the County government.

Ms. Elizabeth Gathright addressed the Board, stating that her husband signed the wrong list and she had not intended to speak. She said that she believes there is a movement afoot to sell out the lower socio-economic strata and replace it with millionaires. Ms. Gathright said that her home is less than 2,000 square feet yet her assessment has increased by 68 percent. She noted that what the Board is doing underneath is going to be perceived as perhaps even racist.

Ms. Linda McRaven addressed the Board, thanking them for their time commitment at this meeting and to the issues. Ms. McRaven expressed the opinions of the seven voting members of her family and many neighbors. She said that she is here because of the envelope she received in the mail for a tax increase for a house and barns that she and her husband built from scratch in the 1970's on 22 rustic acres with no dwellings. Ms. McRaven stated that there is not a big organized group of people trying to be mean but just concerned citizens trying to remain in the County.

Mr. John Munchmeyer, Chairman of the Jefferson Area Libertarians, addressed the Board. He said that it is important to stop using terms like tax relief and tax cuts to refer to a tax increase. Mr. Munchmeyer said that if the amount paid in taxes goes up, that is a tax increase, and he encouraged the Board to cut waste and replace government programs with free-market solutions. He encouraged the Board to adopt zero-based budgeting, where the budget is based on previous revenues with adjustments for inflation and population. Mr. Munchmeyer said that if they did not allow the budget to be outlandishly inflated at the outside, a lot less people would be upset when they are actually getting more as opposed to losing something.

Mr. Vic Peña addressed the Board, stating that he spoke last month about cost-benefit, and he directed his comments to the school budget. Mr. Peña said that when he looks at the producers, he especially looks at the teachers who are in direct contact with students, adding that they deserve the maximum support that can be provided by taxpayers. He added that the non-producers, such as managers, are making more than the teachers. Mr. Peña said that the County needs to get rid of the Community Engagement people as people are looking for a fair and frugal investment.

Mr. Lea Schultz addressed the Board, stating that they have sworn to serve the County, and he does not believe in this hoax of bringing a budget before the County which includes the highest percentage ever imagined. Mr. Schultz said that by State authority the tax rate is 58 cents, and he supports that, or perhaps a bit higher. He said that to go over 21 percent to 70 cents per \$100 is not realistic. He indicated that the budget is beyond reason just because the assessment went up 30 percent,

and his retirement does not include a 30 percent increase in income. Mr. Schultz said this is his money being taken and spend in the County.

Mr. Tom Pajewski addressed the Board, stating that he is President of the Baker-Butler PTO. He noted that the citizen's survey last year indicated that providing quality education for schoolchildren had the highest rating.

Mr. Amyas Player addressed the Board, stating that he cannot afford not to pay the increased taxes, and he would gladly pay that to ensure the future of his children. Mr. Player said that he grew up south of the equator, and he has seen the effect of people who were denied an education including unemployment, disease, and crime. He asked if this is what the Board members want in their community.

Mr. Ron Mallory addressed the Board, thanking the County for voting down Biscuit Run. He said that he cannot afford to pay taxes on his property in Albemarle County. Mr. Mallory stated that an increase of \$100 per month requires much more than \$100 worth of work after taxes are taken out of your check.

Ms. Debra Kara addressed the Board, stating that the current property tax situation needs to be re-examined. She noted that from 2001 to 2006 her taxes have quadrupled as her assessment is five times what it was when she bought her farm. She suggested amending the system to what California did with Proposition 13 in the 1970s: property is assessed at what you paid for it and the ceiling for increase is two percent annually. Ms. Kara said that this makes it much more fair to people and exceptions include reappraisals if the property is sold. She said it really did work.

Mr. Brian Scruby addressed the Board, stating that his neighbors in Greenwood are very concerned about problems with tax rate and tax assessments. He said that a 70-cent rate would mean a 26 percent increase in his taxes, and a 58-cent rate would mean a 4.5 percent increase. Mr. Scruby said that his income actually declined over the past year, and many seniors he speaks with are living on fixed or declining incomes and having to cope with increased costs on practically everything. He suggested that people could always donate to the Charlottesville-Albemarle Public Education Fund, and if enough did, it would then be possible to fully fund the school system even with a tax rate of 58 cents.

Ms. Rachel Schoerewald addressed the Board, stating that she and her husband joined over 1,400 others in signing the petition presented earlier. She stated that they are not anti-education or anti-schoolteacher, but they are interested in holding the School Board accountable for the money they are asking for. Ms. Schoerewald said that they want transparency, and they want the money spent well. She noted that a teacher indicated she would not be able to cover her own tax bill even with the projected raise. She stated that the school administration should be cut back to make room for money for the teachers and programs for the students, and she said that the Board should demand a detailed budget from the schools.

Mr. Jim Stohr addressed the Board, stating that the people do not seem to trust them. He asked if the Board members have looked at every line on the budget.

Mr. Bill Jones addressed the Board, stating that he moved here 22 years ago when his daughter entered U.Va. He stated that he owns several rental properties, and he expressed concern about the tax situation, stating that there was also a tea party at the mouth of the Delaware River where the tea was burned. Mr. Jones encouraged the Board to thoroughly look at expenses.

Mr. Adam Dussalt addressed the Board, stating that he loves living in Albemarle County. Mr. Dussalt stated that the Supervisors are put in the trying position of leading the County in a positive direction for the future. He said that it is the job of the Board to decide what taxes are necessary, and there is much to consider in the week ahead. Mr. Dussalt said that no matter what decisions are made by the Board, he hopes that public safety will not be forgotten and that the fiscal report for fire and rescue will remain strong.

Ms. Stacy Walker addressed the Board, stating that she believes the education budget should be fully funded, and she is glad to pay the extra tax money for a strong school system.

Mr. John Reynolds addressed the Board, stating that he will pay 30 percent additional taxes this year, but the County website indicates only a six percent increase in the budget.

Mr. Charles Morris addressed the Board, stating that he lives in the Scottsville District. He said that the County went out and assessed properties that he owns, and he would be paying 70 percent more in taxes this year. Mr. Morris complained about the assessed value of a very small piece of his family's property. He said that schools should be supported, but they have to be reasonable. Mr. Morris said that some of the appraisals are really far-fetched.

Mr. Phillip Nelson of Albemarle County addressed the Board, stating that he is looking at a 28 percent increase in his taxes and that is way out of bounds. Mr. Nelson said that the budget should have been built on 58 cents, not 70 cents, and the way it was set up has created a lot of animosity.

Ms. Doris Davis addressed the Board, stating that her assessment has gone from \$411,000 to \$1,270,000, and she cannot afford to eat.

Mr. Ron McPearson addressed the Board, stating that he is a classroom educator, and more money does not equal better education. He emphasized that education does not take place in administrative offices, it takes place in the classroom.

There being no further public comments, the Chairman closed the hearing.

Agenda Item No. 25. PUBLIC HEARING on Proposed FY 2007 Tax Rates. (Advertised in the *Daily Progress* on March 25, 2007.)

Mr. Boyd opened the public hearing.

Mr. Charles Morris asked why the property owners are paying for this, and why individuals cannot be taxed to cover the school costs.

Mr. Vernon Fischer asked if a tax credit could be issued.

Mr. Christian Schoerewald said that 62 or 63 cents would be reasonable. He stated that there is no tax cut here; it is an increase. He agreed that some of the fight should be taken to Richmond if it means real estate tax relief can be secured. Mr. Schoerewald said that switching to acquisition-based assessments makes a heck of a lot of sense. He also added that impact fees could be enacted. Mr. Schoerewald said that everyone agrees that education is important. They are asking for responsibility from the administration.

[unidentified speaker] He said that the town hall meeting was a public "Truth in Taxation" meeting and was attended by Democrats, Independents, and Libertarians. He said it was attended by the community. He stated that at the last Board meeting, Supervisors indicated that the State did not give them other tax options, but the meals tax was passed with the intent of solving the education dilemma as was the lottery.

Mr. Lou Kramer of Earlsville addressed the Board, expressing concern that the School Board needs to tighten its belt.

Mr. Lea Schultz addressed the Board, stating that they started out wrong by going to the highest number possible as a rate when they should have started at ground zero and building the budget from there. He said he thinks the Board needs to get that rate back down, and it needs to come back down more than seven cents.

Mr. Amyas Player addressed the Board, asking them not to be swayed by the representation in this room. He said the Board represents everyone in the County.

Mr. D. D. Hudson addressed the Board. He asked why a modest increase could not be implemented, as a 70-cent tax rate is completely beyond reason and reflects wants rather than needs.

Mr. Steve Koleszar addressed the Board, stating that he is a resident of Sherwood Manor. He said that the 70-cent tax rate is needed because the State is failing to do their part for transportation. Mr. Koleszar emphasized that housing values have skyrocketed and that is what is driving up the taxes, but property owners are realizing a good return on their investment.

Mr. Ron McPearson addressed the Board. He presented written statistics on assessment values to the Board and gave them to the Clerk.

There being no further public comment, the public hearing was closed.

Agenda Item No. 26. Adjourn to April 11, 2006, 3:00 p.m.

At 10:34 p.m., with no further business to come before the Board, Mr. Rooker **moved**, and Mr. Slutzky **seconded**, that the Board to adjourn to April 11, 2007 at 3:00 p.m.

Chairman

Approved by the
Board of County
Supervisors

Date: 10/10/2007

Initials: EWJ