

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 9, 2007, at 1:30 p.m., Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. This meeting was adjourned from May 2, 2007.

PRESENT: Mr. Kenneth 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., Assistant County Executive, Thomas Foley, Mr. Bryan Elliott, Assistant County Executive, County Attorney, Larry W. Davis, and Senior Deputy Clerk, Meagan Hoy.

Agenda Item No. 1. The meeting was called to order at 1:30 p.m., by the Chairman, Mr. Boyd.

Agenda Item No. 2. Proclamation recognizing May 19, 2007 as Blue Star Salute Day.

Mr. Boyd said he would be presenting the proclamation at an event to be held on May 19, 2007.

Motion was offered by Mr. Rooker, **seconded** by Ms. Thomas, to approve the proclamation. Roll was called, and the motion carried by the following recorded vote:

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

NAYS: None.

BLUE STAR SALUTE DAY

WHEREAS, *throughout the history of the United States of America the sacrifices necessary to maintain our liberty and freedom have consistently been borne by citizen soldiers; and*

WHEREAS, *countless men and women of our great county have proudly worn the uniform of the United States Armed Forces; and*

WHEREAS, *many of our fellow citizens are serving today in the war on terror as members of the active military, National Guard or Reserves; and*

WHEREAS, *on Armed Forces Day 2007, it is appropriate as individuals and families to reflect upon the sacrifices of our fellow citizens and to celebrate their dedication; and*

WHEREAS, *the citizens of the County of Albemarle desire to honor and acknowledge those who serve in uniform for their sacrifice and preservation of our American way of life;*

NOW, THEREFORE, BE IT RESOLVED, *that, I, Kenneth C. Boyd, Chairman, on behalf of the Albemarle County Board of Supervisors do hereby recognize*

Saturday, May 19, 2007

as

BLUE STAR SALUTE DAY

in the County of Albemarle and urge all citizens of this community to honor our citizens who are serving in the United States Armed Forces by joining in the festivities of this day.

Agenda Item No. 3. Consent Agenda. **Motion** was offered by Mr. Rooker, **seconded** by Ms. Thomas, to approve Items 3.1, 3.2 and 3.3. (Discussions on individual items are included with that item.) Roll was called, and the motion carried by the following recorded vote:

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

NAYS: None.

Item 3.1. Approval of Acquisition of Conservation Easements (ACE) Ranking Order for FY 2006-07 Applicant Class.

It was noted in the Executive Summary that pursuant to sections A.1-110(G) and A.1-110(H) of the ACE ordinance, the Board of Supervisors reviews the list of ranked parcels submitted by the ACE Committee and identifies on which parcels it desires conservation easements. Each conservation easement identified by the Board of Supervisors to be purchased is appraised by an independent appraiser chosen by the County.

The Acquisition of Conservation Easements (ACE) Program received nine (9) applications for the October 31, 2006, Round 7 deadline (FY 2006-07). Three of these applications (Rives, Rushia, and Jensen/Barnett) were for re-enrolled properties from last year's application cycle. Due to budget constraints, the ACE Program was unable to acquire easements on these properties last year. Since the

recent application deadline, staff has evaluated each of the Round 7 properties according to the ranking evaluation criteria identified in the ACE ordinance. These objective criteria include: open space resources; threat of conversion to developed use; natural, scenic and cultural resources; and County fund leveraging from outside sources. Based on the results of the evaluation, staff has determined eligibility and a "final" ranking order for applicants from Round 7 of the ACE Program (Attachment A-on file in Clerk's office). These results were presented to the ACE Committee at its April 17, 2007 meeting. A general description of these properties is provided in Attachment B (on file in Clerk's office).

The evaluation of the nine applications from Round 7 indicates that all nine (9) properties scored high enough to be eligible for ACE funding. Although only \$1,387,543 of funding has been appropriated for this class plus a projected carryover of \$29,066 from the previous budget cycle, a new source of matching funds has become available from the Office of Farmland Preservation. Depending on the number of local programs that apply for the \$4,250,000 of new funding, the ACE Program could receive up to \$1,200,000. To receive funding, a locality must provide: 1) certification of the local program elements based on the model elements in "A Model Purchase of Development Rights (PDR) Program for Virginia"; and 2) certification of the amount of matching funds that the locality will provide for that fiscal year. Albemarle County can satisfy these certification requirements.

The ACE Committee believes potential funding may exist to acquire at least 5 or 6 of the 9 eligible properties. Based on the final ranking order and eligibility status of the Round 7 applicants, the ACE Committee recommends that the Board of Supervisors approve appraisals for the seven (7) highest ranked properties: Clayton, Anderson, Strawberry Hill Farm, McDaniel, Sacre, Barksdale, and Rives. Although the total potential ACE budget for FY 2006-07 is insufficient for purchasing easements on all seven properties, the ACE Committee believes it is prudent to obtain appraisals on more properties than funding will allow, in the event that additional funding becomes available or some higher ranking applicants withdraw their application from the Program.

There is no additional request for funding related to this action. The future funding for the purchase of these potential conservation easements would come from both the CIP-Planning-Conservation budget (line-item #9010-81010-580409) and the CIP-Tourism-Conservation budget (line-item #9010-72030-580416), a budget previously approved by the Board to fund ACE properties with "tourism value". Funding provided by the County would be supplemented by grants from the Office of Farmland Preservation. Additional sources of outside funding that may be available to the ACE Program include the Office of Farmland Preservation and the Preservation Trust Fund.

Staff recommends that the Board of Supervisors, as recommended by the ACE Committee:

- 1) Identify the Clayton, Anderson, Strawberry Hill Farm, McDaniel, Sacre, Barksdale and Rives properties as those on which it desires conservation easements;
- 2) Approve the final ranking order for Round 7 (FY 2006-07) as proposed in Attachment A; and
- 3) Authorize appraisals for the Clayton, Anderson, Strawberry Hill Farm, McDaniel, Sacre, Barksdale and Rives properties

(Mr. Tucker confirmed for Mr. Boyd that there may be some grant dollars coming in for ACE. Ms. Thomas explained that the state has put some money into a pot, with applications due in July, and said that Albemarle is in a good position to get a significant amount of money from the state.)

By the recorded vote set out above, the Board approved the following recommendations by the Acquisition of Conservation Easements (ACE) Committee:

- identified the Clayton, Anderson, Strawberry Hill Farm, McDaniel, Sacre, Barksdale and Rives properties as those on which it desires conservation easements;
- the proposed final ranking order for Route 7 (FY 2006-07) as proposed in Attachment A; and
- authorized appraisals for the Clayton, Anderson, Strawberry Hill Farm, McDaniel, Sacre, Barksdale and Rives properties.

Item 3.2. Approve Child Care Subsidy Advocacy.

It was noted in the Executive Summary that in FY 2007, the Virginia Department of Social Services reduced funding to localities for child care subsidies for low income working families. Specifically, an 85 percent reduction was experienced in the level of federal funding for this region's long-term collaborative child care program operated jointly by the Thomas Jefferson-United Way, the City of Charlottesville and Albemarle County. In FY 2008, it is expected that federal support for this child care subsidy program will be eliminated all-together. This action is being taken to redirect funding to the expanded population in the VIEW (Virginia Initiative for Employment Not Welfare) program mandated in the federal Deficit Reduction Act of 2006. While other funding is available to support child care subsidies for low income working families, the lack of federal funding for this vital program has resulted in the need for the Department to establish a waiting list for this service for the first time in seven years.

During a retreat in December, the Advisory Board identified several issues that are important to it and recently decided to focus on "increasing the number of children and families helped with child care subsidies" as a priority focus for this year. This includes working to raise awareness of the need, creating scholarships, educating businesses about the benefits of on-site child care and promoting high quality child care services.

The Advisory Board is established under Sections 63.2-302 and 63.2-305 of the Virginia Code and has as its duties:

- To interest itself in all matters pertaining to the social welfare of the people of the County;
- To monitor the formulation and implementation of social welfare programs in the County;
- To meet with the Director of the Department at least four times a year to make recommendations on policy matters; and
- To make an annual report to the governing body concurrent with the Department's budget presentation, concerning the administration of the public welfare program.

To accomplish these duties, the Advisory Board developed more specific roles aligned with the Code:

- To be an advocate for community issues pertaining to the social welfare of people in the County;
- To be a liaison with the Board of Supervisors and the community on issues related to the social welfare of people in the County;
- To be knowledge seekers to learn about department services and needs of the community; and
- To identify issues that the department should focus on when there is opportunity

The Advisory Board proposes implementing a plan to accomplish their goal of increasing the number of children and families assisted with child care subsidies that includes 1) creating a fact sheet about the need for child care assistance, 2) establishing partnerships with the United Way, the Chamber of Commerce and the Thomas Jefferson Partnership for Economic Development for a coordinated approach to advocacy, and 3) meeting with area business leaders, local legislators and the Governor to advocate for increased state funds to help low income working families with child care expenses. In concert with this specific plan, the Department has recently learned that a statewide organization is building a coalition to support an increase in child care subsidies to localities. The Advisory Board may desire to join this coalition and work to support their efforts with the Board's approval.

Child Care subsidy programs have traditionally required a local match ranging from 0 – 10 percent for federal/state funds allocated for this purpose. Should the General Assembly allocate additional funds for this program, it will likely require local matching funds of at least 10 percent. Since this is not a mandated program, local governments are not required to provide matching funds; instead they may opt to return unmatched state funds.

Staff recommends that the Board authorize the Advisory Board to advocate for legislation or budget language that supports increased state funding for child care subsidies for low income working families.

By the recorded vote set out above, the Board authorized the Advisory Board to advocate for legislation or budget language that supports increased state funding for child care subsidies for low income working families.

Item 3.3. Requested FY 2007 Appropriations: Additional Funding for Sallyport Project.

It was noted in the Executive Summary 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 \$113,000.00. It is anticipated that a budget amendment public hearing will be proposed at a subsequent Board meeting and this appropriation would be incorporated into it.

This request involves the approval of one (1) new FY 2007 appropriation as follows:

- One (1) appropriation totaling \$113,000.00 in additional funds for the Sallyport project.

Staff recommends approval of the FY 2007 Appropriation #2007077.

By the recorded vote set out above, the Board approved FY 2007 Appropriation #2007077 to provide for additional funding for the Sallyport project.

COUNTY OF ALBEMARLE
 APPROPRIATION

APP # 2007077
 DATE _____
 BATCH# _____

EXPLANATION: To provide additional funding for the vehicle sallyport construction project

					SUB LEDGER		GENERAL LEDGER	
TYPE	FUND	DEPT	OBJECT	DESCRIPTION	CODE	AMOUNT	DEBIT	CREDIT
1	9010	21000	950176	Sallyport	J 1	113,000.00		
2	9010	51000	510100	CIP Fund Balance	J 2	113,000.00		
	9010		0501	Est. Revenue			113,000.00	
			0701	Appropriation				113,000.00
TOTAL						226,000.00	113,000.00	113,000.00

Agenda Item No. 4. FY 2008 Operating and Capital Budgets.

Mr. Tucker reported that they will be discussing both the operating and capital budget for FY 08, and they have held five budget sessions with the Board thus far. He said that they have reviewed the general government operations and initiatives, as well as the School Board requested budget, and proposed reductions to meet tax rate changes, and capital budget projects for next year. Mr. Tucker reminded the Board that they have set the 2007 tax rate at 68 cents, and the School Board has already adopted their FY 08 budget. He said that the Board needs to make a final decision on the general government operating budget and a final decision on the FY 08 capital budget. Mr. Tucker stated that they would need to adopt this budget today because there are CIP contracts that need to be signed, as well as agencies that are waiting to know their funding amount. Staff also needs to prepare the appropriations ordinance for the June Board meeting.

Mr. Tucker said since the last Board meeting, they have found that there would be a savings of about \$250,000 in the county's health insurance costs, and he is suggesting putting that savings into a "rainy day" fund for future needs. He noted that they have moved funding for all initiatives, with the exception of public safety, into the Board's contingency reserve. He noted that the General Assembly had increased the County's police 599 revenues by about \$110,000, so that has been included in the contingency reserve. Mr. Tucker said that the Board's total contingency would be \$430,198. He added that the Board received information on the requested initiatives in a variety of ways. Today staff is available to answer any unresolved questions about the initiatives, and vote each initiative for its inclusion in the FY 08 budget.

Referring to the chart below, Mr. Tucker said that the 68-cent scenario funded the Board's CTS initiative, four police officers, and five of the six requested personnel for East Rivanna. He explained that Zona Latina, shown through Comcast, has requested \$3,000; City Council did not support that program but did support two other Latino programs. Mr. Tucker stated that the City did fund the African-American Festival, which the County did not fund; the County did not fund the Charlottesville Community Design Center, but the City did.

FY 2007/08 Budget Adjustments Worksheet

<u>Recurring Reserves</u>			
	Beginning Board Reserves		1,600,338
<u>Latest Adjustments</u>			
	Health Insurance Reduction		249,785
	Additional Police 599 Revenue		109,584
	Subtotal -- Latest Adjustments		359,369
Net Reserves			1,959,707

Requested Initiatives		NET COST	
yes	Reserve from Health Insurance Reductions	249,785	249,785
yes	CTS (Board Initiative)	250,000	250,000
4	Police Officers*	481,504	481,504
5	East Rivanna Personnel	654,264	545,220
no	Child Welfare Division Supervisor*	61,846	-
no	Child Welfare Division Office Associate*	32,399	-
no	Police Office Associate	17,722	-
no	Eligibility Program Supervisor*	34,865	-
no	Eligibility Program Office Associate*	21,850	-
no	Assistant County Attorney	66,191	-
no	Internet Bandwidth	33,000	-
no	Course Reimbursement	65,000	-
no	Skill Certification Pay	75,000	-
no	Engineering Inspector - CIP	77,894	-
no	Recreation Program Expansion*	55,613	-
no	Project Manager - CIP	73,336	-
no	Rural Area Support Position	84,180	-
no	Master Plan Implementation Planner	75,276	-
no	Performance Analyst	119,259	-
Agency Programs			
yes	Zona Latina	3,000	3,000
no	African American Festival (Chihamba)	3,000	-
no	Charlottesville Community Design Center	30,000	-
Subtotal -- Initiatives and Agencies		2,564,984	1,529,509
Final Reserves			430,198

***These initiatives have associated revenues. The cost shown is the net cost.**

Mr. Wyant asked the purpose of the asterisk beside some of the items. Ms. Laura Vinzant, of the Office of Management and Budget, said those are programs have revenue associated with them; the costs shown is the net cost, not the total costs.

Mr. Rooker provided Board members with a listing of where staff has been added to departments. He said that the County has added 18 police officers, and 43 fire and rescue personnel, since FY 2001. He stated that they have also added 20 people in Community Development/General Services as well. He thinks it is helpful to know where we have been adding people over the years.

Mr. Boyd said that he would like to go around and get Board members' comments on the budget items.

Mr. Slutzky pointed out that the list brings attention to public safety, but there is a standard based on population that the Board agreed to try to catch up to. Mr. Rooker said that that figure is 1.5 officers per 1,000 population. Mr. Slutzky said the list stands out as very large lists of added bodies, but there are good reasons why those bodies have been added. With regard to Community Development and General Services, the Board has imposed objectives and these additional staff have been necessary to meet those objectives.

Mr. Slutzky said he has taken a look at other places in the budget where the Board may be able to scale back on funding to create the revenue sufficient to cover a number of the initiatives that he believes are of critical value and importance. He said the Board puts aside \$1.6 million into the capital budget to fund the ACE Program per year. Mr. Tucker said that the general policy is to transfer one-cent to ACE. Mr. Slutzky said he believes the Program provides significant value, but there are some specific initiatives on the list that represent some of the same goals intended for that money. Mr. Rooker said taking money out of ACE will not impact the numbers in front of the Board because it is a capital expenditure. Mr. Slutzky said if the Board decided to scale back its commitment to the capital budget for this year for some subset of that \$1.6 million, then it could use that money to fund initiatives. Mr. Tucker said the Board could do it, but it would be changing its policy. Mr. Slutzky said that would have a net effect of some additional monies for general revenues. Mr. Tucker reiterated that the Board's general policy is to transfer one cent value to the capital budget for ACE. Mr. Slutzky proposed that the policy be revised for this year to commit two-thirds of one cent, to free up about \$600,000.

Mr. Rooker said that part of that amount would go to schools. Mr. Tucker said that the policy item would be directly associated with ACE, so it might not necessarily go to schools. He added that the Board could also choose a dollar amount. Mr. Slutzky suggested redirecting some of it for initiatives that are

being brought up here today, and putting some in the reserve fund, scaling the \$1.6 million back to \$1 million. Mr. Tucker said that one way to approach this is to go down the list and see if there are four votes for certain items. The Board also has the option of using a portion of the \$250,000 in reserve from Health Insurance reductions to fund initiatives.

Mr. Slutzky then suggested that the Board scale the \$1.6 million back to \$1.0 million for this year only and use some of those funds to supplement the final reserve amount, and direct some of that money towards specific initiatives that are compatible to the goals that the ACE money seeks to satisfy. Two such goals are the Rural Areas Support position and the Master Plan Implementation Planner. He does not want to vote on any of these items without there being enough money in the pot.

Mr. Rooker said that he would not support a policy change for ACE contributions, as they have just adopted that last year; he also emphasized that the additional revenue is essentially needed to acquire property that has increased in cost along with all other properties. It is not a "just this year only"; it is an operating expense that is continuous.

Ms. Thomas said that she would be surprised if new initiatives were brought up at this time.

Mr. Dorrier asked about having an attorney devoted to ACE and conservation easements. Mr. Tucker replied that the County Attorney's office covers it usually, but occasionally there are conflicts. Ms. Thomas suggested that those groups (i.e., BZA, ACE) provide information on how often those conflicts occur. Mr. Rooker said that they retain separate counsel in those cases, after the item goes through the County Attorney's office for review. Mr. Davis said that it would be a substantial amount of money to provide independent counsel for ACE, and conflict of interest has not been a major problem. It is much more economical for his office to provide the services.

Mr. Rooker said that the funding for the ASAP initiative - \$25,000 - did not get on the list. Mr. Tucker said that it could be taken out of the CIP fund balance because it is one-time revenue.

Mr. Boyd suggested going through the items on the list one by one, and then vote to see if there is enough support for the item. He asked about the term "reduction". Mr. Tucker said staff had budgeted about seven percent for health care. The revenues in reserve were so strong that the seven percent increase in health care costs could be eliminated from the budget.

In going down the list of initiatives, there was no opposition to holding onto the reserve from health insurance reductions.

Consensus to fund the CTS Board initiative.

Mr. Rooker stated that he would support two police officers, but not four. He said that 18 officers have been added over the last five years, and the public surveys indicate that police response is one of the highest rated areas. Mr. Rooker stated that the County should add people in areas where they are perceived as not doing as good of a job. He thinks that it is necessary to add about two police officers per year to meet the County's goal.

Mr. Slutzky said he does not think that the public expressing satisfaction with the existing police office should be interpreted to mean that the public feels the level of staffing is appropriate. Normally they have sought out benchmarks to determine if the appropriate level of staffing. They are far behind in the benchmark the Board chose to tie the number of police officers per population. The actual request from the Police Department was more. Ms. Vinzant said the Police Department made a request for ten officers, but they were not all to be full year positions. Mr. Slutzky asked how far below the standard the County is without the addition of these positions. Mr. Elliott replied that the 1.5 per 1,000 came from Chief Miller and is below what national standards are out there according to him. He said if the County hired all four officers, it would still be below the 1.5 ratio by about 16 officers. Mr. Slutzky said he does not support going below the four officers.

Mr. Rooker commented that the County is way below state and federal levels for personnel for social services, and those positions are directly related to actual caseloads. He thinks that it comes down to making choices.

Motion was then offered by Mr. Rooker, **seconded** by Mr. Wyant, to fund two police officers this year. Mr. Slutzky said if this motion fails, he is going to recommend that the Board fund four police officers. Mr. Dorrier said he also supports four officers.

Mr. Tucker said that this is already funded, so essentially two are being taken out.

Ms. Thomas said these are tough choices they are making. She then suggested that the Board take a "straw vote" to see if people are willing to consider the concept of reducing some of the funds directed to the ACE program in order to augment the \$400,000.

Mr. Boyd suggested using more of a "straw poll" approach instead of voting.

Mr. Rooker withdrew his motion and Mr. Wyant withdrew his second.

Mr. Wyant said that the reason he seconded the two police officers is that the crime rate is fairly low, and looking at indicators of what the County is investing in shows that they are doing very well. It is not just population they should be factoring when determining staff.

Mr. Slutzky said that he would prefer to keep it at four.

Ms. Thomas agreed to accept two, but only because she wants to fund some other items.

Mr. Dorrier said that the County needs four, and Chief Miller has been fairly conservative, noting that this will help keep the crime rate low. There are other areas where they can work on in freeing up money.

Mr. Boyd said he supports the four officers. He is willing to look at the formula to see if it needs to be adjusted based on the crime rate. Since the Board is tied on this item, they will have to come back and revisit it.

Mr. Slutzky said that as the community becomes denser, there will be more of a need for additional police.

The next item for discussion was staffing at East Rivanna. Mr. Tucker said this is for five people rather than the six they requested. This would provide adequate funding to supplement the East Rivanna station's volunteer staff. The sixth person was being requested to get a tanker out.

Mr. Dorrier said he puts this on the same level as the police request. He supports the five.

Ms. Thomas said she needs some more information. If the Board goes with fewer than five people, is that essentially saying "no", and just the same as doing nothing.

Chief Dan Eggleston explained that five people are necessary in order to get three staff on duty five days a week for 12 hours a day, and three persons is a minimum staffing level for safety.

Ms. Thomas asked what they are doing now that they do not have the five individuals. She asked if there is any way to phase the people in. Chief Eggleston said they really do not have a level of commitment to supplement the career staff. It is a rather "hit and miss" ordeal. The minimal is five in order to have staffing during the day. Otherwise, they will have to revisit the minimal staffing.

Mr. Wyant asked if the tanker can come from Monticello or one of the other stations. Chief Eggleston said it is an option to run the tanker from the next adjacent station, but they did, in working through the Advisory Board, determine that East Rivanna is a key department in the County for water supply. That is why they supported two tankers for that station. It is an option, but would be a delay in getting water to the scene of the fire, depending on the call and if the tanker is available. They currently have a tanker at Monticello but they do not have career staffing for that tanker; they rely on volunteers.

Ms. Thomas said she supports the five. Mr. Wyant also expressed support as did Mr. Rooker, Mr. Boyd and Mr. Slutzky.

Ms. Thomas said that the social services positions focus on the needs of children who fall through the cracks, as well as adults in need of Medicaid, food stamps, etc. She has done some research. Our social services workers are required by federal and state regulations to visit the children once a month and see them in their home. In her research she found that we have children in foster in Culpeper, Leesburg, Manassas, Newport News, Petersburg, Richmond, Pittsylvania, Staunton, Culpeper, Fairfax, Harrisonburg, Portsmouth, Fredericksburg. We have workers spending almost as much time on the road visiting these children, some of them seriously damaged. For the adult workers, the eligibility program supervisors, the County had 40 new adult protection cases added this year. A lot of what is tying us up is the new regulations, as opposed to the additional people. For example, it is now necessary for everyone getting Medicaid to show their birth certificate. She emphasized that these four positions are very important, and the County is 22 staff people below where they need to be in terms of state and federal requirements. She would prioritize the people the same way as they are on this list.

Mr. Rooker asked where the funds would come from to fund the positions. Ms. Thomas said she would cut down the number of police officers.

Mr. Rooker asked how much is set aside for the Board's reserve in this budget. Mr. Tucker said the amount shown on this worksheet, along with the \$250,000. Mr. Rooker said, in a \$200.0+ million budget, a reserve of \$430,000 is not excess. He is not very supportive of taking the funds out of that reserve.

Mr. Slutzky said he thought the Board had decided to not decide where the money would come from. First the Board members would go through each initiative on their independent merit and consider whether they support them, and if that left the Board with less than \$430,000, it would then discuss where it would go from then. We need to go about this discussion one way or the other. He has a number of things he would rather do without than some of these initiatives.

Mr. Tucker said the Board could decide what it thinks is an amount it wants to keep in reserve; take that out, and then go through the straw vote. Another option is to see what is left after you decide on your initiatives and then debate where you will get the additional funds for the reserve. In response to Ms. Thomas, Mr. Tucker said this past year, the Board used very little of its reserve funds. There have been years where the Board has had "0" reserve.

Ms. Thomas asked how the CSA items were funded during the shortfall year. Ms. Vinzant said that the Board funds those out of the fund balance instead of the Board reserve.

Mr. Rooker said he does not think it is wise to go through a list of items and vote on them when we do not have the money to fund them.

Mr. Dorrier said that 80 percent of the budget is personnel, and it is important to look at each position and discuss it. He said that they just need to set some priorities as to who is going to be put on and who is not going to be put on the list. Mr. Rooker commented that it must be done with the money available.

Motion was then offered by Mr. Rooker, **seconded** by Mr. Wyant, to continue with the policy of allocating one penny to the ACE Program.

Mr. Rooker said that there were reasons for doing that, and the Board spent a good deal of time in the strategic planning sessions to come up with a goal to add 15,000 acres a year for parkland and conservation land in the community.

Ms. Thomas said that the ACE Program needs promotion, and it is important to fully fund it.

Mr. Slutzky said he does not support continuing to fund \$1.6 million in this year's budget to ACE because we have items on this list that are zeroed out in the budget because of the tax rate set by the Board. He would prefer to see the Rural Area support position to promote agriculture and to reinforce the efficacy of having a rural plan in place, and the Master Planning position is very important to maintain public credibility with that process. He said they should be seriously looking at shrinking in the near term the ACE budget to accomplish these other objectives.

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

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

NAYS: Mr. Slutzky.

Mr. Tucker suggested having Board members give a straw vote with a check or an "X" and have staff tally them to see where things stand money-wise.

Mr. Boyd said that it would be good to have each Supervisor go down the list and make note of what they support.

Mr. Rooker said the idea is to put what is it that they supported on the list that would also work financially.

Mr. Slutzky said he would support the four police officers, the five Rivanna personnel, the four child welfare and eligibility positions, and the assistant county attorney; he reluctantly withdraws support for the police associate, internet bandwidth upgrade, the course reimbursement, the skills certification pay, recreation program expansion, and performance analyst. He added that he would support the engineering inspector position, the rural areas support position, project manager, and master plan implementation planner.

Mr. Rooker said that he would support two police officers, the child welfare supervisor, the assistant county attorney, and the Rural Areas support position.

Mr. Wyant said that he would support two police officers, East Rivanna personnel, the child welfare supervisor, and the assistant county attorney.

Mr. Rooker said he supports the assistant county attorney position because they are providing services to areas they did not use to provide services, and we almost daily put more work on that office. That department has not expanded much over the years, and given the workload, the position is reasonable.

Ms. Thomas said that she would support two police officers, keeping the Rivanna fire personnel, adding the child welfare supervisor and office associate, the assistant county attorney, the CIP project manager or engineering inspector, the rural areas support position (but would rather have it come out of the Economic Development Fund), and the master plan implementation planner.

Mr. Dorrier said that he would support four police officers, five East Rivanna personnel, the child welfare supervisor and associate, eligibility program supervisor and associate, the assistant county attorney, the internet bandwidth, the engineering inspector, the project manager/CIP, and the rural areas support person.

Mr. Rooker commented that they would be running a deficit at that point.

Mr. Boyd said that he would support two police officers, five East Rivanna personnel, the child division supervisor and assistant county attorney.

(At this time (2:54 p.m.) the Board took a brief recess to allow staff time to tally the Board votes on the items. The Board reconvened at 2:57 p.m.)

Mr. Tucker commented that the Board tied on the child welfare division office associate position.

Mr. Rooker said that it was next on his list, and he would support that.

Mr. Tucker said that would get them down to \$426,000.

Before making a motion, Mr. Boyd said this would be the time to suggest where some other money can come from.

Mr. Slutzky said he thinks we have a sparse reserve, and in deference to that, he offered **motion** to reallocate the \$250,000 from the Economic Development Opportunities Fund, and put that into the Board reserve.

Mr. Boyd emphasized that that fund is one-time money.

Mr. Melvin Breeden, Director of the Office of Management and Budget, noted that as of June 30th, that \$250,000 would revert back to the Fund Balance, so unless you elect to reappropriate it into FY 08, it will go back into the Board's reserve. In response to Mr. Boyd, Mr. Breeden said the funds are currently in the operating budget.

Considering Mr. Breeden's explanation, Mr. Slutzky then withdrew his motion.

Mr. Slutzky asked if the Chamber of Commerce and TJPED items would be in the FY 08 budget, noting that he voted for it for one year only and did not want it in the budget for future years without voting for it. Ms. Vinzant said they are included in the Board's budget. Mr. Slutzky said he is not supportive of the budget with those two items in it.

Mr. Rooker suggested voting on the initiatives and then take up other items that Board members may want to address. Board members concurred.

Motion was then offered by Mr. Rooker, **seconded** by Mr. Wyant to vote on the initiatives (Reserve from Health Insurance Reductions, CTS (Board Initiative), 2 Police Officers, 5 East Rivanna Personnel, Child Welfare Division Supervisor, Child Welfare Division Office Associate, Assistant County Attorney, Zona Latina, and a Rural Area Support Position).and deal with operating costs separately.

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

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

NAYS: None.

Mr. Slutzky said he would make a **motion** to approve the items discussed without commitment to join TJPED in the coming year. He would like to have a discussion at a later date before funding membership for FY 08.

Mr. Davis said that the funds for TJPED are part of a lump sum and it would be better for the Board to leave that money in there since it is small, and simply direct staff not to make that payment until the Board has further discussion.

Mr. Tucker clarified that the motion would be to bring this back before the Board to finalize a decision on whether it would be spent again.

Mr. Rooker said that the time to do that would be when the appropriation is contemplated.

Mr. Davis noted that it is a fiscal year payment, so the decision needs to be made in July.

Mr. Rooker stated that TJPED membership needs to be evaluated on the basis of how it has benefited Albemarle County.

Mr. Slutzky then **withdrew** his motion.

Mr. Boyd suggested reevaluating all memberships.

Mr. Slutzky and Mr. Rooker said they are only interested in looking at TJPED.

Agenda Item No. 5. FY 2008-2013 Capital Improvements Program (CIP).

Ms. Thomas said there has been increasing conversation about the automatic voting machines. She asked if staff has an update on the information. Mr. Foley said he will follow up at the next Board meeting.

Mr. Slutzky said it is a major concern with him. He is not comfortable with electronic voting without verifiable data. Mr. Foley said he will specifically address the issue with the Registrar and get some additional information.

Mr. Davis clarified that the law passed said that any replacement machines had to meet new standards, but this fiscal year none are required to be replaced. This is a controversial law and may get revisited in the next General Assembly as to the requirements. He does not believe the County is under any mandate to replace any existing machines in the next fiscal year. Mr. Breeden commented that he thinks the law only restricts the County from buying more of the current machines.

Mr. Foley reported that there is an appropriation needed for three projects in the CIP; the other projects are in out-years. He said that the staff would do a separate work session on the CIP after that, and said that the three projects were specifically identified by the Board as needing more elaboration. There are more projects in 2008, but these three are the ones staff will focus the discussion. Those projects are: Pantops Fire Rescue Station Construction; Recycling Center and School Building Services Office/Warehouse.

Chief Eggleston stated that the Board was not sold on the idea of the Pantops Fire & Rescue Station, because it was felt that East Rivanna or Monticello could adequately cover the Pantops area once the City/County fire services contract ended. He explained that staff reviewed the initiative and developed a report that walks through the needs analysis and concludes with a recommendation. Chief Eggleston said that the Comprehensive Plan focuses on service delivery that will support development in the development areas, and citizens have reported that fire and rescue services are a significant factor when considering relocating into a development area. He stated that the Pantops station supports and conforms to the County's land use policy, and the Pantops Master Plan summary supports the need for a station centrally located in the Pantops area.

Chief Eggleston said that the final report of the city-county consolidation was completed, and during that study there was an extensive station location analysis based on GIS and response data that recommended a station placed in the center of Pantops to adequately cover the area. Chief Eggleston emphasized that the station is not just about shaving a few minutes off response times, but is actually to provide the basic level of service to the development area and reducing the County's reliance on the City for primary response. He said that their research shows there are a number of key indicators supporting construction of this station: response times show that the City, East Rivanna, or Monticello cannot reach Pantops in less than ten minutes due to their locations and traffic congestion/controlled intersections. Chief Eggleston said that response times to Pantops are actually increasing, and the current ten to twelve minutes is twice that of the County's goal and not a basic level of fire and EMS service. He stated that demand is increasing due to population growth, and the master plans that indicate the residential population will double; current population is around 4,000 with the highest concentration of elderly people in the County, who are at the greatest risk of injury from fire – more than twice the amount of younger adults.

Chief Eggleston said that over 52,000 vehicles per day travel the Route 250 corridor through Pantops, contributing to accidents and slow response. He added that an increase in commercial, residential and institutional development – including hospital facilities and elder-care centers – has resulted in increased demand for services. Based on this information, staff believes that Pantops is a high risk area and a ten minute response time is not the basic level of service needed for a development area.

Mr. Rooker noted information in Appendix C that shows response times of Monticello arriving to the east end of Pantops development in five and one-half minutes, and reaching the west end of development in seven minutes. This information does not seem to be supportive of the previous information just given.

Chief Eggleston responded that GIS analysis did not coincide with actual response times, and Monticello is not on the initial back-up call for Pantops so there is not comparison data; this information does not factor in turns, traffic signals or controlled intersections. He stated that this is only the estimate of GIS that they have today. He added that the consultant also noted the discrepancy in this information.

Mr. Rooker commented that this information does not include an analysis of East Rivanna which can get to Pantops quicker than Monticello.

In recommending the Pantops station, Chief Eggleston said that staff is recommending reducing the station's scope and size as an acknowledgement of the lack of participation by the City and the contribution of East Rivanna and Monticello – from a three-bay station to a two-bay station, and eliminating the ladder truck and providing that service out of Monticello. He stated that the change would have a substantial impact to the CIP, and they are recommending delaying construction from FY 10 to FY 13 to give them time to seek proffered land and/or donations, work out a partnership with East Rivanna for staffing, and work with Monticello to reduce the visibility impact of the station. In order to address the service needs in the Pantops area, staff is recommending that we establish a temporary station while they work through the development issues. The benefits of that station would be to provide services and reduce that ten minute response time. It would reduce the operational impact from 18 people to 12 people. It meets the timing of the City contract and a temporary station will help to provide additional backup service to East Rivanna and Monticello, both of which are seeing an increase in calls.

He also reported that there are opportunities to put a temporary trailer in the Pantops area, and may be other opportunities to occupy existing buildings. Chief Eggleston said that the reduction would be down to \$623,000 from \$3.6 million over the next five years; operational impact would be down about \$4.5 million over five years.

Mr. Dorrier asked why this could not be a substation of East Rivanna.

Chief Eggleston said that he has spoken with Chief Hood about a partnership to supplement staffing. They have not discussed the idea of a substation with East Rivanna. The proposed setup would be the same as that in Hollymead.

Mr. Rooker asked how the temporary station would be staffed. Chief Eggleston said it would be staffed with career people 24 hours per day. He also said that the temporary station would be set up by

the end of next fiscal year, and that corresponds with the end of the city-county contract and puts the service in place for FY08-09.

Mr. Foley said that they would need to order the engine in the next fiscal year, but the staffing would not follow until the fiscal year after that.

Mr. Rooker said there is no reason to buy a fire engine if you are not going to put a station there. The decision needs to be made about the Board's plans with respect to facilities before including the engine in the budget.

Mr. Boyd said that he would like to maintain a volunteer system, and this would just get further away from that. He supports a substation or a full station, but with the caveat that it be staffed with a majority of volunteers.

Chief Eggleston said that they will continue to try, but the volunteers are already stretched thin. In his opinion, it may be unrealistic to expect volunteers to run another station. He will pursue that opportunity. Mr. Boyd said he is interested in increasing recruitment efforts and incentives in order to get more volunteers. Chief Eggleston said he would like an opportunity to come back to the Board to show what they have done, the incentives they have put in place, and the results of those incentives. They are doing their best to try to attract and maintain volunteers.

Mr. Wyant shared Mr. Boyd's concern about moving away from a volunteer-based system. The system needs to be enhanced. He also thinks a substation should be considered; not a full service station.

Ms. Thomas asked how EMS fit into this fire and rescue station if it is a small, temporary facility.

Chief Eggleston replied that that is why they are proposing cross-trained staff, and the main objective is getting there quickly, even though it would be in a fire truck.

Mr. Rooker said that there is lots of lumping together of services, adding that the buildings going up at Pantops have sprinkler systems. He added that he would be more in favor of looking into an emergency services substation instead of a fire station, as the statistics show that the County would be spending a gigantic amount of money to shorten response times only somewhat. He noted that this is relatively close to East Rivanna, Stony Point and Monticello. The City is not a part of this equation because all the statistics show that the County can get their quicker from Rivanna and Monticello than the City can get there.

In response to Mr. Slutzky's question about current response times, Chief Eggleston said that the current level is 10 to 12 minutes and the response time in the rural area for Monticello station is about eight minutes.

Mr. Slutzky commented that part of the discussion has to include protection of rural area strategies, as the amenities are supposed to be focused in the development areas. He said that he was very supportive of the strategy that Chief Eggleston had come up with because it seems to significantly reduce the cost burden and yet provides the necessary response times.

Chief Eggleston said, similar to what other localities do, a fire engine would include staff that could respond to EMS calls, advanced life support, fire, etc., whereas an emergency services station would only be responding to medical calls.

In response to Mr. Wyant's comments about insurance premiums, Chief Eggleston explained that it would have a positive impact on ISO ratings, and most commercial development receives an independent rating.

Ms. Vinzant confirmed that the cost in this year is \$89,000 for the new engine.

Mr. Tucker said the issue of staffing – volunteer or career – can be brought back to the Board during next year's budget process. The adjustment to the FY 08 CIP to move forward would be \$499,000. Mr. Foley said that following this discussion there would be a resolution prepared to reflect the numbers for items discussed today, then brought back to the Board. Mr. Boyd commented that establishing a temporary station will cost more in the CIP for FY 08 than the original planned amount. Ms. Vinzant said it will cost more in FY 08, but less in the five years.

In response to Mr. Dorrier, Mr. Foley said they are buying the fire engine earlier, but pushing construction of the station out of the five years, so there is a considerable savings because there is no ladder truck and the construction has been scaled back. This station will provide EMS and fire response; the question is whether that service will be provided by volunteers. He stated that staff would work with CARS and East Rivanna to encourage volunteer involvement in the fire stations, but the same thing happened with Monticello and the County ended up having to add more staff later.

Motion was then offered by Mr. Slutzky, **seconded** by Ms. Thomas, to have staff go forward with the recommendation to delay the construction of a permanent station at Pantops and to establish a temporary station in FY 09. Roll was called, and the motion carried by the following recorded vote:

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

Mr. Rooker said that he thinks adequate service can be provided from existing stations and this creates a large ongoing expense.

Mr. Foley reported that the CIP includes \$250,000 in each of the next three years for establishment of recycling centers in different areas of the county; there are a number of questions about the role of the Rivanna Solid Waste Authority (RSWA) in a separate recycling center. He said that RSWA is charged with providing solid waste services to the County and City, and this would be a bit of a departure for them. Mr. Foley stated that there are curbside services and other options that should also be discussed. He suggested having the Board leave the \$250,000 in the CIP for now and then discuss it further this summer to see if they want to make a change.

Mr. Slutzky said he would like to see the recycling program expanded; he does not support a lower number, and recommended that the \$250,000 remain where it is.

Ms. Thomas said that RSWA is hiring a consultant to do an in-depth study of their operations, and that is another reason to consider it later.

It was the consensus of the Board to maintain the \$250,000 in the FY 08 budget for a recycling center and to have a work session in the summer to study the policy issues relating to recycling centers.

Ms. Diane Behrens, Executive Director, Support and Planning Services, said that the proposal for the storage warehouse for the schools is not really just a warehouse, but is an office complex designed to accommodate the technology department, which is currently located in a trailer adjacent to Building Services. She explained that much of the Building Services space has been taken up by the County for the County's data center and they would like not to have to move the data center to find a new place for Information Technology. Ms. Behrens said that IT would take over the current Building Services space, and a new facility would be opened for Building Services personnel, staff, director, deputy director, etc., and fold into that office complex the Department of Child Nutrition – located in a trailer between Jack Jouett and Greer. She stated that records for 26 schools would be housed there as well, and space would be provided for SOL materials and operations. They are planning out for the long term rather than a short term "quick fix".

Mr. Slutzky asked if anyone had done an analysis to compare the capital costs to building a building to house the hard copies vs. digitizing the materials and storing them in electronic media.

Ms. Behrens replied that that has not been done, and she does not know if those records could be digitized, but assumed that they could be. She emphasized that the records piece of it is very small compared to the office space usage. Mr. Slutzky said he would rather see if that is a viable, less expensive option before making a commitment to this.

Mr. Boyd commented that perhaps the County needs to do a floor space cost-benefit analysis to see that it is being adequately utilized.

Mr. Foley said that several years ago, the County did a master plan for the building and that is what led to the decision to get more space. He stated that staff is currently evaluating space needs, but the building cannot accommodate IT at this time. Mr. Boyd said he, also, would like to see that information before moving forward with this project. He is interested in knowing if we are utilizing County buildings to their best capacity possible. Mr. Foley said there is some good basic information on current space availability and projected needs that staff can share with the Board.

Mr. Slutzky said he would like to know the cost to digitize the records and how much square footage that would save, and secondly, a county-wide space utilization study, which may mean expending money to hire a consultant. He then asked what the square foot cost of this new building would be. Mr. Rooker responded that it is about \$225 per square foot, and the total size is 38,000 square feet for a total cost of \$7.49 million.

Mr. Slutzky again stated that he would like to know about the possibility of digitization, space utilization county-wide, and a justification for a fairly high dollar-per-square-foot price. Board members concurred with Mr. Slutzky's request.

Ms. Behrens replied that they set the barometer with COB-5th and went through a study that determined future office space. She said that from the school's perspective, it would be difficult to justify using a lesser space than what those numbers called for. Mr. Slutzky said they need to look at whether they are optimizing the use of public resources; not making this decision based on the size of space used previously. Everyone has to be aware that the Board cut the real estate rate this year and they have to look closely at expenditures. Ms. Behrens said the School Division is contemplating doing a resource utilization study next year for efficiencies.

Mr. Boyd concurred with Mr. Slutzky and said this Board has not seen the numbers used for COB-5th and therefore do not know any of that information.

Mr. Rooker said this did go through the CIP process, but he also has some of the same questions.

Mr. Foley said that the changes being made over the last three to five years have been based on space standards, and staff could provide further detail. He said that it would be difficult to get all of that information in the next month, and the Board could either delay the project until the next fiscal year or amend the CIP along the way and add the item in.

Mr. Slutzky said that he's not at all against the project, but he just wants to make sure the County is making the best possible utilization of space.

Mr. Breeden said that the technical and oversight committees have extensively reviewed this project already. He agrees the dollars are high, but the background and details have been done on the project. Board members said they would like to have that information shared with them.

Mr. Foley agreed to make that information the starting point for an evaluation.

Mr. Tucker commented that this has been in the CIP for several years, but since there is more scrutiny this year perhaps the Board needs more information.

Mr. Slutzky stated that he wants to step back and take a broader view of the CIP.

Mr. Boyd said it may become necessary when the Board gets its CIP report from the oversight committee, it will need more detailed information on what generated the decision.

Mr. Foley said there is more detailed information than has been provided to the Board in the past. Providing this information is going to involve some work sessions with the Board that have not been done before; this may also change the role of the oversight committee.

Ms. Thomas agreed, stating that perhaps the role of the oversight committee would need to be expanded.

Mr. Wyant said that he did not necessarily need every detail of this information.

Mr. Boyd said that perhaps a summary would be sufficient.

Mr. Rooker asked, for a building of this utilization, why a metal building would be considered. Ms. Behrens said that this is a two-story metal building. Mr. Rooker said it is a lot more expensive than he would think for a metal building.

Mr. Foley said the direction he is hearing from the Board is for staff to delay the project by one year.

Mr. Tucker said, before staff develops the final resolution on the capital budget and initiatives, he needed to bring back the agency programs to see if the Board had any changes. Board members said they concurred with staff's recommendation.

Mr. Foley noted that the next presentation would be on proffers, and it would take about an hour to go through the information.

Mr. Tucker mentioned that the CIP did not have to be adopted right away, but could be brought back in June and adopted in July.

Ms. Thomas asked about the status of the request from ASAP. Mr. Tucker said the Board can approve their request at any time from their reserves. Mr. Rooker said when he raised the issue earlier, he was told to bring it up during the CIP discussion. Mr. Tucker said it can be done in June since it is one time monies.

(At 4:10 p.m., the Board took a brief recess, then reconvened at 4:25 p.m.)

Agenda Item No. 7. Discussion: Proffer Policy (continued from May 2, 2007).

The following memorandum dated May 6, 2007, was received from Mark Graham, Director of Community Development:

"In response what staff heard at the May 2nd Board meeting, we have attempted to list the questions that would need to be addressed with a proffer policy. Please recognize this is an attempt to very quickly compile a list of issues and we cannot claim this is an exhaustive list. With more time and careful analysis, it is possible other issues important to this policy could be discovered. We have attached a list of those identified policy issues.

Next, we heard an interest in an accelerated process with the goal of completing this policy as quickly as possible and an interest in assuring various interest groups are given the opportunity for meaningful participation in the process. Recognizing those goals can conflict, we have attached two drafts of possible schedules for consideration. Based on the advice of the County Attorney, both schedules assume this policy should be incorporated into the Comprehensive Plan. Neither schedule should be considered a 'take it or leave it', but simply provide the Board some ideas as to how the process could be arranged.

- The first schedule simply looks at how quickly could the County incorporate a proffer policy into the Comprehensive Plan without consideration for anything beyond the need for the Board to advise staff on policy issues and the legal requirements with an amendment to the Comprehensive Plan. This process would rely on staff to very quickly complete an analysis and draft the language. This would require several key staff to put aside current work on other initiatives and make this policy their primary focus for the next several months. Additionally, public input would be limited to the public hearings, after the policy has been drafted. This also anticipates both the Board and Planning Commission would quickly resolve any issues without deferring a recommendation or decision. Staff notes that public participation is minimal in this process, which combined with the quick turnaround, increases the likelihood of issues being discovered after the fact.
- The second schedule proposes a process where we take a little more time on the front end for analysis, the public has an opportunity to participate before the policy language is proposed, and both the Planning Commission and Board would have more time for deliberations. While this process is not the “drop everything” described above, it does assume this will be a priority effort and that will require some reprioritization of staff’s work program. Those impacts are being evaluated with the presumption that work Board’s Strategic Plan (e.g. master plans, Rural Areas implementation) should remain on schedule, but all other items would be considered a lower priority than the proffer policy.

Policy Issues to Consider

1. Is there an expectation that all new re-zonings will pay for the equivalent of their full impact as determined by the cash proffer calculations?

Put another way, is it the Board’s policy to expect that all new development will pay its own way to the extent possible under the law? (Also, see #3 and #4 below)
 2. Is there a size of development below which the policy will not apply?

For example, would this policy be applied to an in-fill project which divides one lot into two?
 3. Does the policy apply to the total development proposed in the re-zonings or only the additional development above what is by-right?

For example, Belvedere was over 800 units but had the same density possible without rezoning the property. What if the rezoning only adds 10% to the by-right density? Not providing a credit for the by-right could create a disincentive for rezoning to a better form, but all of the units create a demand for infrastructure.
 4. Are dwelling units that meet the County’s definition of “affordable” exempt from the policy and the value of affordable housing provided exclusive of the cash proffer amount?

Each affordable unit creates a demand for infrastructure, but the cash proffer amount can increase the difficulty of providing this affordable unit.
 5. Should “credits” against the calculated cash amount be provided for:
 - Affordable units in excess of the County’s policy (currently 15%)?
 - Proffers for land/facilities on the development site that are called for in the Comp Plan or identified in the CIP? (e.g. school site in the development)
 - Proffers for land/facilities off of the development site that are called for in the Comp Plan or identified in the CIP? (e.g. school site on another piece of property)
 - Proffers for services or other recommendations in the Comp Plan not otherwise anticipated in the CIP (e.g. transit)?
 - Comprehensive Plan consistency (e.g. consideration of projects in a designated priority area)?
 - Other design issues (e.g. LEED certified structures, public space in developments)?
 - Conservation Easements that capture Development Rights?
(For each of the above that are anticipated as quantifiable credits, staff will need to prepare a methodology for the Board’s consideration.)
 6. Which of the following are considered non-credit conditions:
 - Proffers for land/facilities that are **not** called for in the Comp Plan or identified in the CIP? (e.g. parkland not in CIP)
 - Impacts occasioned by the development and **not** included in the cash proffer calculations? (e.g. road improvements beyond the CIP and Comp Plan which are necessitated by this development)
 7. How should inflation factors be addressed in the proffer policy? (e.g. indexed from approval dates)?
-

Mr. Graham said he hopes everyone has had an opportunity to review the above information. He said that staff has looked at a process for how to proceed with the proffer policy, and that they have looked at other localities like Chesterfield as well as considering what is fairly unique to Albemarle. He said that the big question is how much public input the County wants, as the most abbreviated process would just include staff working up something to bring to the Planning Commission and Board for public hearings. He also thought he heard some interest in getting public input before staff attempted to draft a document for a Comprehensive Plan amendment.

Noting that Ms. Vinzant needed to leave at a specific time, the Board went back to the budget discussions, with the intent to continue this discussion later.

Ms. Vinzant distributed the formal budget resolution and the sheet of new initiatives (set out below). She explained that the General Government capital portion adds \$499,000 with changes for the engine for Pantops fire station and the removal of \$2.47 million from FY08 for a school capital project for warehouse construction.

BUDGET RESOLUTION

BE IT RESOLVED by the Board of County Supervisors of Albemarle County, Virginia:

- 1) That the budget for the County for the Fiscal Year beginning July 1, 2007 is made up of the County Executive's Recommended Budget document and the amendments made by the Board of Supervisors as detailed in Attachment B of this Executive Summary.
- 2) That the budget for the County for the Fiscal Year beginning July 1, 2007 is summarized as follows:

	FY 07/08 Adopted
Administration	\$10,459,959
Judicial	3,662,401
Public Safety	29,330,505
General Services	4,522,698
Human Development (including PVCC)	23,602,186
Parks, Recreation, and Culture	6,246,526
Community Development	10,743,991
Refunds/Other	648,340
City/County Revenue Sharing	13,212,401
General Government Capital Projects	14,139,592
Stormwater Improvements	725,000
General Government Debt Service	2,253,761
Education - Capital Projects	14,128,000
Education - Debt Service	12,467,283
Education - School Operations	143,988,884
Education - Self-Sustaining Funds	14,954,196
Reserve - Health Insurance Reductions	249,785
Board Reserves	426,334
TOTAL	\$305,761,842

- 3) That the budget for the County for the Fiscal Year beginning July 1, 2007 as described in 1) and 2) above be approved.

Board of Supervisors' FY 07/08 Operating and Capital Budgets		
Changes from Recommended Budget - 68 Cent Tax Rate		
GENERAL FUND EXPENDITURES		
	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
General Government Operations	79,419,180	
Health Insurance Reduction		-249,785
Subtotal, General Government Operations		79,169,395
General Government Initiatives	2,190,529	
Initiatives		-1,118,526
Expanded Bus Service		250,000
Subtotal, General Government		1,322,003
Refunds	146,590	
Subtotal, Refunds		146,590

City Revenue Sharing	13,212,401	
Subtotal, Revenue Sharing		13,212,401
Capital Improvement & Debt Service Transfers	26,374,945	
Adjustment based on revised revenue estimates		-580,938
Subtotal, Capital & Debt Transfers		25,794,007
Transfer for School Operations	100,023,166	
Adjustment based on revised revenue estimates		-1,589,765
Subtotal, Transfer for School Operations		98,433,401
Contingency Reserves	4,511,283	
Reassessment Reserve Adjustment		-3,500,000
Health Insurance Reserve		249,785
Board Reserve Adjustment		-201,649
Subtotal, Contingency Reserve		1,059,419
FY 07/08 GENERAL FUND EXPENDITURES	225,878,094	219,137,216
GENERAL FUND - REVENUES & FUNDING SOURCES	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
COUNTY EXECUTIVE'S RECOMMENDED BUDGET	225,878,094	
REVENUE ADJUSTMENTS		
Reduce Tax Rate to \$0.68		-9,830,547
Revenues Associated with Initiatives		-119,915
Police 599 Revenue		109,584
Assess vehicles at trade in value		1,700,000
Increase Decal Fee		1,400,000
TOTAL, Revenue & Fund Balance Adjustments		-6,740,878
FY 07/08 GENERAL FUND REVENUES	225,878,094	219,137,216
SCHOOL DIVISION EXPENDITURES	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
School Fund Operations	149,457,289	
Decrease Transfer from General Fund		-1,589,765
Other Revenue Adjustments		82,828
Subtotal, School Fund Operations		147,950,352
Self-Sustaining Fund Operations	15,354,196	
Subtotal, School Self-Sustaining		15,354,196
FY 07/08 SCHOOL DIVISION BUDGET	164,811,485	163,304,548
CAPITAL IMPROVEMENTS BUDGET	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
General Government Projects	15,236,530	
Reduce Contingency Reserve		-1,096,938
Subtotal, General Government Projects		14,139,592
Storm Water Projects	725,000	
Subtotal, Storm Water Projects		725,000
School Division Projects	16,598,000	
Defer Funding for Building Services Office/Warehouse		-2,470,000
Subtotal, School Division Projects		14,128,000
Debt Service	14,721,044	
Subtotal, Debt Service		14,721,044
FY 07/08 CAPITAL IMPROVEMENTS BUDGET	47,280,574	43,713,636
SPECIAL REVENUE FUND OPERATIONS	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
Comprehensive Services Act	6,843,342	
Subtotal, Comprehensive Services Act		6,843,342
E-911 Service Charge Fund	1,672,295	
Eliminate Fund		-1,672,295
Subtotal, E-911 Service Charge Fund		0
Other Special Revenue Funds	7,552,964	
Subtotal, Other Special Revenue Funds		7,552,964
FY 07/08 SPECIAL REVENUE FUND OPERATIONS	16,068,601	14,396,306

SUMMARY OF ALL FUNDS	FY 07/08 Recommended Budget	FY 07/08 Adopted Budget
General Fund	225,878,094	219,137,216
School Fund/School Self-Sustaining	164,811,485	164,811,485
Capital and Debt Service Funds	47,280,574	47,280,574
Special Revenue Funds	16,068,601	14,396,306
SUBTOTAL - ALL FUNDS	454,038,754	440,551,706
LESS INTERFUND TRANSFERS	(138,632,862)	(134,789,864)
TOTAL COUNTY BUDGET - ALL FUNDS	315,405,892	305,761,842

FY 2007/08 Budget Adjustments Worksheet

<u>Recurring Reserves</u>			
	Beginning Board Reserves		1,600,338
<u>Latest Adjustments</u>			
	Health Insurance Reduction		249,785
	Additional Police 599 Revenue		109,584
	Subtotal -- Latest Adjustments		359,369
Net Reserves			1,959,707
<u>Requested Initiatives</u>		NET COST	
yes	Reserve from Health Insurance Reductions	249,785	249,785
yes	CTS (Board Initiative)	250,000	250,000
2	Police Officers*	481,504	240,752
5	East Rivanna Personnel	654,264	545,220
yes	Child Welfare Division Supervisor*	61,846	61,846
yes	Child Welfare Division Office Associate*	32,399	32,399
no	Police Office Associate	17,722	-
no	Eligibility Program Supervisor*	34,865	-
no	Eligibility Program Office Associate*	21,850	-
yes	Assistant County Attorney	66,191	66,191
no	Internet Bandwidth	33,000	-
no	Course Reimbursement	65,000	-
no	Skill Certification Pay	75,000	-
no	Engineering Inspector - CIP	77,894	-
no	Recreation Program Expansion*	55,613	-
no	Project Manager - CIP	73,336	-
yes	Rural Area Support Position	84,180	84,180
no	Master Plan Implementation Planner	75,276	-
no	Performance Analyst	119,259	-
<u>Agency Programs</u>			
yes	Zona Latina	3,000	3,000
no	African American Festival (Chihamba)	3,000	-
no	Charlottesville Community Design Center	30,000	-
	Subtotal -- Initiatives and Agencies	2,564,984	1,533,373
Final Reserves			426,334

***These initiatives have associated revenues. The cost shown is the net cost.**

Motion was then offered by Mr. Rooker and **seconded** by Mr. Wyant, to adopt the Budget Resolution, as presented.

Mr. Slutzky said that he has some comments to make before he votes against this motion. He said the Board needs to pay more careful attention to the need for implementation strategies to back up the master planning process. He recommended not funding the planner position given that there is no strategy in place to fund the infrastructure that the plans imply. He thinks they are doing the public a great disservice by touting our master planning successes and yet being pretty soft on the reality of actually implementing them. Mr. Slutzky said that reducing the tax rate and implementing certain policies have been contrary to the master planning process.

Mr. Rooker said that over 20 people have been added to General Services/Community Development, and it is the one area that the County spends a lot more money per capita than other localities because of things like master planning and rural area programs. He said that master planning will continue to move forward, and just funding this position would not discount the planning efforts in the community.

Mr. Boyd said that he does not subscribe to the philosophy that a master plan is something set in stone. Master planning takes a tremendous public/private partnership. We are funding those things that are appropriate for us, as local government, to fund; we have to look to VDOT to fund those things they should fund; and we have to look at developers and the private community to buy into the process and fund their portion.

Mr. Slutzky said that the master plan is not set in stone, but it does communicate to the public a certain vision for what is going to happen. For example, there is Jarmans Gap Road sitting on a map meaninglessly knowing that Richmond is not funding it, and not having sufficient long-term provisions for addressing that. He does not feel the Board have shown sufficient commitment to the outcome of the master plans to be able to go forward and continue to do them. A component of those plans is funding the infrastructure, staffing of the implementation plan and the decision the Board made last summer to phase the growth areas. He said he does not want to support a budget that he thinks ultimately contains some elements of misguided investments.

Mr. Rooker said that Mr. Slutzky had not disagreed with a single expenditure that he disagreed with, but he wanted more money allocated for certain things.

Ms. Thomas said the entire Board had things it did not like in the budget, but if everyone voted against it for that reason, they would be at a stalemate. She was very proud of the Board for reaching a unanimous vote on a tax rate of 68 cents. Government is the art of compromise. She added that she would like to see unanimous support for the budget because they all could tear apart some major portions of it.

Mr. Slutzky agreed to support it as a demonstration of support for this very complex County budget after making his views know.

Mr. Dorrier said master planning is not just a top down effort; we need to have more of a partnership with County citizens in getting their involvement.

Mr. Wyant said no planning is a mistake; master planning is essential. He agrees that implementation is the key word; that position is critical. He is supportive of the budget because we have been through that discussion. He appreciates the compromises that have been made and the wisdom that has been spoken.

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

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

(At this time the Board went back to the proffer discussion.)

Mr. Rooker noted that even if the County debated the proffer policy for years, he is not sure they could come up with anything better than what Chesterfield has. He suggested using that as a guideline and trying to move forward with a definite policy.

Mr. Slutzky said he does not believe the \$17,000 figure accurately reflects the actual costs. It is a meaningful number. He would like a near-term strategy but also a long-term one that has involved more analysis and contemplation. He is comfortable with picking a number today and moving forward with that.

Mr. Rooker mentioned that there does not need to be anything in the Comp Plan except a simple statement that references proffers as an attempt to recover costs from the impact of development on infrastructure in the County. He said that they do not have to put the whole policy into the Comp Plan.

Mr. Davis added that the Comp Plan currently has a policy adopted that does not emphasize having large developments in the growth areas pay for infrastructure. He said that the basic policy issue is to state that new growth in the development areas would pay for proportional, reasonable contribution to infrastructure as established in a proffer policy. He said that that is probably an important element in defending a cash proffer policy if it were ever challenged. Mr. Davis noted that Chesterfield does include these general statements, and they then adopted their policy as a stand-alone document as an addendum to follow the Comp Plan procedures. He added that there is an expectation under all policies, he has seen, that the Board revisit that number periodically, and that number is going to adjust. The number the Fiscal Impact Committee arrived at is solely dependent on the CIP and when the CIP changes, that number is going to adjust. He said that enabling legislation available July 1 would allow for inclusion of all reasonable costs of associated infrastructure related to development.

Mr. Slutzky said that he would like to come up with a number, but he does not see that that number would fully reflect the impacts of development. He then asked about the under-funding of infrastructure from past growth. Mr. Davis said that the impacts addressed by cash proffers are going to have to be the reasonable impacts of the proposed rezoning.

Mr. Slutzky said that there are still theoretically 50,000 development rights out there in the rural area and he does not want development pushed out there. He added that he wants to make sure that the Board also explores down-zoning, Transfer of development rights, or some other measure will help plug the gap of by-right development in the rural areas.

Mr. Boyd asked if the Board thinks the proposed fast-track abbreviated process is out of line. In his opinion, it is a good objective to move towards in terms of having a draft plan by mid August. He thinks there has been enough discussion and he does not want to drag it out. He thinks it is one of the most important decisions the Board needs to get resolved.

Mr. Slutzky said he would like to see a public hearing at the front end of the fast tracking process so that stakeholders can have an opportunity to weigh in on the discussion. Just delaying the process one month will make it a more "politically legitimate" exercise.

Mr. Boyd said the Board has the option of opening up some of its work sessions to allow public comment.

In response to Mr. Slutzky's comments about needing to better involve stakeholders, Mr. Rooker said that the public has said for years that they would like for development to pay for its impact on infrastructure. Mr. Rooker commented that the Board can make this process as complicated or as simple as they want, but they adopted the Fiscal Impact Committee's recommendation a week ago – along with modified numbers.

Ms. Thomas said that Chesterfield does not have a development area or neighborhood model, and they basically do not care what you build or even where you build it as long as it is shaded from the road. She added that the public has been unsure about the Neighborhood Model because they have not really seen it in action yet, but the County continues to promote that form of development. She thinks that we are going to have to give developers a lot of credits for the things they do. She also happens to think that \$17,500 is too low of an accurate reflection of costs. Ms. Thomas said that it is going to take some hard work to come up with an actual proffer policy. She does not think that the Board can just pick up Chesterfield's policy.

Mr. Dorrier said that Chesterfield divides their county into service districts which have different taxing schemes. Mr. Davis said that they divide it into two districts for valuing cash proffers for certain road impacts, and into three districts for purposes of schools. This is not a service district that is a taxing service district. He said that it is a true service district as to where development has impacts related to roads and schools based on its location.

Mr. Boyd said the Fiscal Impact Committee spent a lot of time talking about whether to develop the cost of development by districts or keep as a county-wide approach. Mr. Rooker said that seems more appropriate because when you get into transportation, it is difficult to determine which areas have an impact on the Route 29 corridor or the Route 250 corridor since everyone in the community drives in those areas.

Mr. Boyd said he does not know if we can make this schedule, but he would like to try. He likes that it starts with Board work sessions.

Mr. Graham said there are questions that need to be answered. This is something staff has pulled together very quickly and is not convinced that they have touched on all the issues; they have not done a thorough analysis yet. He noted that it would take additional staff time on this that would pull them away from other priorities.

Mr. Slutzky suggested reviewing the information prior to the work session, and they need to start with that meeting and a series of questions.

Mr. Rooker said that Greene County put their plan in place, and it is simple. He said that this is not something that cannot be changed annually. He thinks it is important that we not take forever to get something in place, and would hope the Board would adopt a commitment to move forward on the first recommended schedule that Mr. Graham laid out; and commit themselves to having as many work sessions as required to make those decisions.

Referring to the proposed schedule, Mr. Tucker said, because of its schedule, the Board cannot hold a work session on June 6.

Mr. Boyd said that he would be willing to set some extra days for meetings. He also said that he would like to have the list of proffer policy options put online. That would be a great way to solicit input.

Ms. Lee Catlin, Community Relations, agreed that she could work with Mr. Graham to get this information electronic, adding that forced choice questions provide better hard data.

Ms. Thomas suggested that there be some way to point out that the proffers will only be levied on rezoning, these are not impact fees, and there may be policy reasons to encourage development in some areas and not others.

Mr. Rooker said that he hopes the County takes whatever is possible from the enabling legislation for transportation cost impact fees to level the playing field.

Mr. Graham stated that he and Ms. Catlin would work on a way to get the information online. He also said that there are a number of applications that are at the Board or close to being there, and some guidance as to how staff should be treating those would be helpful.

Mr. Davis said that up to now staff has been analyzing development proposals on a case by case basis. The Fiscal Impact Committee has established a maximum impact figure based on the current CIP and methodology, which has been accepted by the Board. He added that there may be things that offset the per-unit cash proffers, and the question is whether staff should formalize something as they review applications.

Mr. Graham added that staff recognizes that there obviously is going to be some changes along the way. Staff will have to make assumptions to move things forward and then those assumptions can be discussed when the particular project is brought before the Board.

Mr. Rooker said that is how things are done now. He added that they do have the Fiscal Impact Committee's computation that the Board adopted as a guideline. He emphasized that it would help staff if the Board had consensus on these things which would help staff in the interim.

At this time it was the consensus of the Board to start going through the policy issues and address as many as possible as time would allow.

Is there an expectation that all new re-zonings will pay for the equivalent of their full impact as determined by the cash proffer calculations?

Mr. Graham said when the Board discussed the fiscal impact policy it had different rates for single family detached, single family attached, and multi-family. Chesterfield's policy charges one price for a dwelling unit regardless of the type. He asked if the Board would want to come up with a fixed price per unit.

Mr. Rooker replied that the Board adopted a policy last week that extrapolated a different amount for each unit type. The Board decided that it would not charge a fiscal impact fee on affordable units within rezonings.

Mr. Boyd noted that he did not think mobile homes should be included. Mr. Rooker reminded him that they were going to exclude mobile homes.

In response to Mr. Boyd, it was the consensus of the Board that no fiscal impact fee be charged on affordable units.

Mr. Graham said where the type of units are not specified, staff will assume the highest. Board members concurred. Mr. Graham said the Board's response also answers question #4, which is:

Are dwelling units that meet the County's definition of "affordable" exempt from the policy and the value of affordable housing provided exclusive of the cash proffer amount?

The Board then moved to the next question:

Is there a size of development below which the policy will not apply?

Ms. Thomas said this brings into the issue of fostering infill. Using Places29 as an example, it will only be the way that it is supposed to be if we have a lot of infill. That does not mean we do not charge any impact fee, but there should be some kind of credit given for infill development.

Mr. Graham said the answer, he is hearing from the Board, to the size is "no", but that could be one element of Comprehensive Plan consistency.

Mr. Slutzky said he is more interested in giving some slack to the smaller size units because those are more likely to be pushed into the rural areas. It is an issue that needs to be discussed further.

Mr. Boyd said the overall plan is to get people to develop in the growth areas and not push them out into the rural areas.

Mr. Graham said staff will bring this question #2 back to the Board for further discussion.

Does the policy apply to the total development proposed in the re-zonings or only the additional development above what is by-right?

Mr. Slutzky said this also needs to come back to the Board for further discussion.

Mr. Davis said Chesterfield specifically addresses this issue and they apply it to all development allowed by the rezoning and not the net number.

Mr. Rooker asked if staff knew of any locality that does not apply their policy to the total number of units. If the Board goes down that road, it will significantly limit the applicability of the proffer policy.

Ms. Thomas said that is when you give the developer a lot of credits for LEED and things like that which might provide some incentive.

Mr. Boyd said one of the most difficult issues for this Board is going to be how to blend the Neighborhood Model, which is unique, into this proffer policy process.

How should inflation factors be addressed in the proffer policy? (e.g. indexed from approval dates)?

Mr. Slutzky suggested this come back to the Board for further discussion using indexes to be determined at the work sessions.

Mr. Davis commented that it is an expectation that proffers from this point forward would have an inflation factor.

Which of the following are considered non-credit conditions:

- **Proffers for land/facilities that are not called for in the Comp Plan or identified in the CIP? (e.g. parkland not in CIP)**
- **Impacts occasioned by the development and not included in the cash proffer calculations? (e.g. road improvements beyond the CIP and Comp Plan which are necessitated by this development)**

Mr. Davis mentioned that up to now proffered land such as parkland could not be dedicated until it was approved in the CIP, but that such property could be accepted anytime under the authority given by the new enabling legislation.

Ms. Thomas suggested that the Board proceed as if the new legislation had taken effect.

Mr. Rooker said if we are going to give credit for parkland, then it should be given, and the same with road improvements that may not be in the CIP that we decide are important that are occasioned by the development and should be given credit.

Mr. Boyd asked if it would be possible to include in the policy that those are discretionary proffers and the Board determine on a case-by-case basis if it qualifies as a proffer.

Mr. Rooker said he thinks that is what actually happens.

Mr. Davis said that proffers would need to be accepted in total, not individually. The Board does not have the ability to say it will accept proffers one through five, and not accept the remaining. Mr. Boyd said we are only talking about how much is credited against the \$17,500.

Ms. Thomas said that there are also "fake" proffers that provide credit just for developers to obey ordinances.

Mr. Davis said that where this gets problematic is when improvements are proffered and staff must determine what is beyond what is necessitated by the rezoning and should be given a credit. An example is the North Pointe development where a number of road improvements were proffered. He believes that a vast number of those road improvements are going to be required by VDOT. Do you give credit for road improvements that are going to be required at the site plan stage? He believes the staff position will be that you should not get credits for those improvements because they are necessitated by the development. If they did an improvement such as adding another lane that was beyond VDOT requirements, then the developer should be given credit.

Mr. Slutzky asked if the Board would not want the latitude to choose to give a value of credit for one or some of those improvements.

Mr. Boyd said he thinks that the Board needs to first concentrate on the value of things, whether we accept them or not is secondary, i.e., what is the value of wetlands, a school site, off premises transportation improvements that are not required.

Mr. Davis noted that Chesterfield used the county-assessed value for land dedications, and the value their staff would place on an improvement is what it would cost the county to do that improvement. Mr. Rooker said he thinks we need to look at staff to provide us with the estimates of the worth of a proffer and the cost to the County. Mr. Boyd said that is an initial guideline that we can use.

Mr. Graham mentioned that if someone is proffering something that is not in the CIP, or even in the Comp Plan, perhaps a proffer may not be accepted. The question is whether we even give that credit.

Mr. Rooker responded that that would need to be evaluated on a case by case basis.

Mr. Wyant noted that it is public value that they are looking for.

Mr. Davis asked about buffer areas that are not developable. The County having ownership is not negative, but it does not add a great deal of value.

Should "credits" against the calculated cash amount be provided for:

- **Affordable units in excess of the County's policy (currently 15%)?**

- **Proffers for land/facilities on the development site that are called for in the Comp Plan or identified in the CIP? (e.g. school site in the development)**
- **Proffers for land/facilities off of the development site that are called for in the Comp Plan or identified in the CIP? (e.g. school site on another piece of property)**
- **Proffers for services or other recommendations in the Comp Plan not otherwise anticipated in the CIP (e.g. transit)?**
- **Comprehensive Plan consistency (e.g. consideration of projects in a designated priority area)?**
- **Other design issues (e.g. LEED certified structures, public space in developments)?**
- **Conservation Easements that capture Development Rights?
(For each of the above that are anticipated as quantifiable credits, staff will need to prepare a methodology for the Board's consideration.)**

Mr. Slutzky said he thinks staff needs to bring this item back during the work session.

Mr. Rooker commented that he does feel that credit should be given to affordable housing above what is requested by the County. He thinks that some of these items should be given credit.

Mr. Slutzky said he is not sure about the credit automatically given for a school site because that school may have been necessitated because of that development.

Mr. Rooker said he thinks the general policy should be that we give credit for those things that are in the Comp Plan that creates capacity beyond that development.

Ms. Thomas said there are going to be times when we will want to give credit for things that are off site, i.e., fire engine or bus. Mr. Slutzky commented that transit is a much more complicated issue. We want transportation operating contributions, but if they say "we will give you a bus", he does not want to give full credit on something that we only get ten percent of the full value.

Mr. Davis commented that proffers generally do not have an opportunity to address operating costs. Ms. Thomas asked if operating costs is precluded. Mr. Davis said that starting July 1, the developer can proffer reasonable cash proffers that are reasonably related to the rezoning.

Mr. Boyd said that he feels the Board will come together with a consensus at the work sessions.

Mr. Graham asked if the Planning Commission should be invited to the work session in June. Board members agreed.

Mr. Rooker asked if we want to invite public comment during the first portion of the work session. Board members also agreed.

Agenda Item No. 8. Closed Session.

At 5:47 p.m., **motion** was offered by Mr. Slutzky and **seconded** by Mr. Wyant 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, and appointment of staff position; and under Subsection 7 to consult with legal counsel and staff regarding specific matters requiring legal advice relating to an inter-jurisdictional agreement.

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

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

NAYS: None.

Agenda Item No. 9. Certify Closed Session.

At 6:31 p.m., the Board reconvened into open session. **Motion** was offered by Mr. Slutzky, **seconded** by Mr. Rooker, 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. Dorrier and Ms. Thomas left the meeting at 6:30 p.m.)

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

AYES: Mr. Wyant, Mr. Slutzky, Mr. Boyd and Mr. Rooker.

NAYS: None.

ABSENT: Mr. Dorrier and Ms. Thomas.

Motion was offered by Mr. Wyant to make the following appointments/reappointments:

to **reappoint** M. Waltine Eubanks to the Advisory Council on Aging with said term to expire May 31, 2009;

to **reappoint** Rod Gentry to the Workforce Investment Board as an at-large member with said term to expire June 30, 2010;

to **appoint** Emily Bardeen to the Workforce Investment Board with said term to expire June 30, 2010; and

to **appoint** William M. Letteri as Director of Facilities Development effective June 5, 2007.

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

AYES: Mr. Wyant, Mr. Slutzky, Mr. Boyd and Mr. Rooker.

NAYS: None.

ABSENT: Mr. Dorrier and Ms. Thomas.

Agenda Item No. 10. Adjourn. At 6:32 p.m., there being no further business to come before the Board, the meeting was adjourned.

Chairman

Approved by Board of County Supervisors

Date: 08/08/2007

Initials: EWJ
