

A special meeting of the Board of Supervisors of Albemarle County, Virginia, was held on August 16, 2007, at 2:00 p.m., the Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. This meeting was called by notice from the Chairman, dated August 14, 2007.

PRESENT: Mr. Kenneth C. Boyd, Mr. Dennis S. Rooker, Mr. David Slutzky, and Mr. David C. Wyant.

ABSENT: Mr. Lindsay G. Dorrier, Jr., and Ms. Sally H. Thomas.

OFFICERS PRESENT: County Executive, Robert W. Tucker, Jr., Assistant County Executive, Thomas Foley, Deputy County Attorney, Mark Trank, and Clerk, Ella W. Jordan.

Agenda Item No. 1. The meeting was called to order at 2:04 p.m., by the Chairman, Mr. Boyd.

Agenda Item No. 2. Resolution Declaring Water Emergency Exists in Albemarle County.

Mr. Boyd said the purpose of this meeting is to consider adoption of a resolution to declare a water emergency exists due to drought conditions.

Mr. Slutzky asked what the County would be limiting by taking this action.

Mr. Tucker said Mr. Gary Fern, Executive Director of the Albemarle County Service Authority, was also present. Mr. Tucker noted that, this morning, the ACSA's Board of Directors adopted a declaration of emergency. Mr. Fern has hand delivered a formal request from the Board of Directors to the Board of Supervisors requesting that it declare an emergency, which will apply to all customers in the urban, Crozet and Scottsville service areas. During this emergency, citizens cannot run their sprinkler systems, wash vehicles in their driveways, or spray down sidewalks, but they can water their gardens using three gallon buckets. Citizens are encouraged to use commercial car washes. In addition, restaurants will not automatically serve its patrons water; customers would have to request it.

Mr. Boyd commented that the County is not in dire straights, but there is a need for more conservation efforts.

Mr. Slutzky asked if it was correct that citizens were asked to scale back water usage by five percent, but they have not done so. Mr. Fern responded that is correct; at this time there has not been much conservation. Mr. Slutzky encouraged the public to become conservation oriented and to use less water voluntarily before it becomes mandatory.

Mr. Wyant commented that it seems the average weekly usage of water has been increasing. Mr. Fern said that is true in some instances. Mr. Tucker added that the same situation happened in 2002 when the County took this action; usage increased slightly.

Mr. Rooker added that, hopefully, by adopting this resolution, the Board is increasing the public's knowledge of the circumstances of the community's water supply.

Mr. Wyant asked how this action would affect swimming pools. Mr. Fern replied that citizens are not allowed to fill their pools. For those pools that require water because of how they are built structurally, they can add five gallons of water per day.

Mr. Slutzky asked if this action applies to large commercial uses such as golf courses. Mr. Fern replied, "yes", if they use clean potable water.

At this time **motion** was offered by Mr. Wyant, **seconded** by Mr. Rooker, to adopt the following resolution to declare a water emergency exists in Albemarle County.

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

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

NAYS: None.

ABSENT: Mr. Dorrier and Ms. Thomas.

RESOLUTION

WHEREAS, because of a lack of adequate rainfall the Rivanna Water and Sewer Authority ("RWSA") declared a Drought Warning on August 15, 2007 to alert the public that conditions exist that may cause a water shortage in the public water supply which serves the County of Albemarle and the City of Charlottesville; and

WHEREAS, the water levels of the reservoirs serving the area are projected to continue to decrease in the absence of adequate rainfall even after calls for voluntary conservation measures; and

WHEREAS, Section 16-500 of the Albemarle County Code provides that should the Board of Supervisors declare there to be an emergency in the County arising wholly or substantially out of a shortage of water supply, then the Albemarle County Service Authority ("ACSA") and its Executive Director are authorized during the continuation of the water emergency to order the restriction or

prohibition of certain uses of the water supply as set forth in the County Code; and

WHEREAS, the ACSA adopted an Emergency Water Restriction policy on April 20, 2006, amended July 19, 2007, which provides that upon a finding that restrictions on water use are necessary to preserve an available supply of water that its Board of Directors shall request a declaration of emergency by the Board of Supervisors to enable the ACSA to impose Drought Warning or Drought Emergency restrictions, as it deems necessary, to require water conservation measures and impose restrictions on water use; and

WHEREAS, the Board of Directors of the ACSA, pursuant to its policy, has determined that the water supply in all of its service areas is threatened by drought conditions and on August 16, 2007 acted to request the Board of Supervisors to declare that a water supply emergency exists; and

WHEREAS, the Board of Supervisors now finds that a water supply emergency exists for all the service areas of the public water system, including the Urban service area and the Scottsville and Crozet service areas.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby declares that an emergency arising out of a shortage of water supply exists in all service areas of the County, including the Urban service area and the Scottsville and Crozet service areas.

BE IT FURTHER RESOLVED that the Albemarle County Service Authority and its Executive Director are authorized during the continuation of the water emergency to implement mandatory restrictions on water usage within all of its service areas, as set forth in Section 16-02 of the Albemarle County Service Authority's Rules and Regulations and in Section 16-500 of the Albemarle County Code, when the ACSA or its Executive Director deem such restrictions are necessary.

Mr. Tucker commented that this would be the last meeting in which Mark Trank would be representing the County as Deputy County Attorney. He wished him well in his future endeavors and for all his service to the County.

Mr. Boyd also expressed well wishes. He indicated that he had the pleasure of working with Mr. Trank while he (Mr. Boyd) was a member of the School Board and as a member of the Board of Supervisors.

Agenda Item No. 3. Adjourn. At 2:12 p.m., there being no further business to come before the Board, the meeting was adjourned.

Chairman

Approved by Board of County Supervisors
Date: 09/05/2007
Initials: EWJ