

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on June 8, 2011, at 6:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Kenneth C. Boyd, Mr. Lindsay G. Dorrier, Jr. (arrived at 6:08 p.m.), Ms. Ann Mallek, Mr. Dennis S. Rooker, Mr. Duane E. Snow and Mr. Rodney S. Thomas.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, Senior Deputy Clerk, Meagan Hoy.

Agenda Item No. 1. The meeting was called to order at 6:00 p.m., by the Chairman, Ms. Mallek.

Agenda Item No. 2. Pledge of Allegiance.

Ms. Mallek noted that Boy Scout Troup #27 was present and would lead the Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

In terms of the items scheduled on tonight's agenda, Ms. Mallek explained that there would be a staff overview of the issues, beginning with a few brief opening comments from Mr. Foley. She asked the Board to allow staff to complete their presentations before beginning to ask questions. She stated that after that, public comment would be invited, with issues brought back before the Board again.

Mr. Rooker **moved** to adopt the final agenda.

Mr. Boyd asked how "Matters from the Board not Listed on the Agenda" would be handled. He asked if it would be moved to the end of the agenda. Ms. Mallek responded, "yes".

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd, Ms. Mallek and Mr. Rooker

NAYS: None.

ABSENT: Mr. Dorrier.

(Note: Mr. Dorrier arrived at the meeting at 6:08 p.m.)

Agenda Item No. 5. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Peter Hanchak said that he lives in southern Albemarle. He asked the Board to stop the process of land leasing of natural gas production by the hydro-fracking method – which uses proprietary, secret chemicals injected miles into the earth. Money compensation for any poisoning of our ancient Appalachian aquifers is no remedy for such actions. He said that clean water and air are truly the life-sustaining issues globally and this area has been fortunate with its water resources for so long that the community may be mostly unaware of plans by the "non-elected" board in Virginia that has the power to grant licenses to the new corporate profiteers in the gas industry. Mr. Hanchak asked the Board to review its ability to intervene in new leasing for lands for drilling in the George Washington National Forest and other Virginia localities that comprise parts of the Marcellus shale formation. As a former resident of Key West, he believes Mr. Boyd is familiar with the trouble a minor incidence of EDTA – a component of gasoline - pollution in groundwater can cause and how far these chemicals can migrate through the earth.

Mr. Bruce Edmonds, a resident of the Woolen Mills neighborhood – which is located in both the City and the County, said that as technology changes, residents end up with out of date technology that needs to be recycled or reused. His company – Environmental Research Solutions – offers recycling of handheld electronic devices, such as cell phones, digital tablets, GPS, etc., absolutely free. Mr. Edmonds asked the Board to fund and sponsor an electronic waste collection of large items that are not being handled. He knows of the financial troubles of the Rivanna Solid Waste Authority and the County needs to step up. He said that the electronic waste collection held in January 2009 set an unofficial state record – with over 14 tractor trailers carrying over 130 tons of material collected, and paid for by private sources. Mr. Edmonds stated that this is one of the fastest growing waste materials, with lots of people hoarding them in their homes.

Mr. Stratton Salidis, a resident of 704 Graves Street in Charlottesville, said that he is present to request that the Board "change course" and do away with "the dam/Parkway 50-year sprawl plan." He said that Charlottesville does not owe the County these projects. It has been said that the City signed an agreement with the County in order to building the Parkway, but that agreement was conditional. Two of those conditions were the Eastern Connector and the Route 29 Bypass – both of which this Board said it did not want to do. These conditions were important because the City said it did not want to be the cut-

through for County traffic, yet that is what will happen if the Parkway is built. Mr. Salidis said that it does not make much sense to compensate the City for parkland that you then buy in the County. He added that the interchange has been paid for with federal funds. He stated that there is a lawsuit in progress because environmental and historic protection laws for the whole project were not followed. Mr. Salidis stated that the demand study for the dam is inaccurate and was done six years ago, whereas water use has gone down dramatically even as the population rises. He thinks that instead of promoting infrastructure which forces people to drive, it should be made easier for them to ride bicycles, use transit and walk. He asked that the Board not increase sprawl.

Agenda Item No. 6. Consent Agenda. **Motion** was offered by Mr. Thomas to approve Items 6.1 through 6.5 on the Consent Agenda, and to accept Item 6.6 for information. Mr. Snow **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd, Mr. Dorrier, Ms. Mallek and Mr. Rooker
NAYS: None.

Item No. 6.1. Approval of Minutes: November 3, 2010.

By the above-recorded vote, the Board approved the minutes of November 3, 2010, pages 25 (beginning with Item #12) – end.

Item No. 6.2. Resolution to accept road(s) in Wickham Pond Subdivision into the State Secondary System of Highways.

By the above-recorded vote and at the request of the County Engineer, the Board adopted the following resolution:

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 8th day of June 2011, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Wickham Pond Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 8, 2011**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Wickham Pond Subdivision**, as described on the attached Additions Form AM-4.3 dated **June 8, 2011**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

* * * * *

The road(s) described on Additions Form AM-4.3 is:

- 1) **Wickham Pond Drive (State Route 1323)** from Route 240 (Three Notch Road) to the east to end of state maintenance, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 879, pages 267-270, with a 45-67 foot right-of-way width, for a length of 0.12 miles.

Total Mileage – 0.12

Item No. 6.3. FY 2011 Budget Amendment and Appropriations.

The executive summary states that Virginia Code § 15.2-2507 provides 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; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget 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 the requested FY 2011 appropriation itemized below is \$21,850.00. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

This request involves the approval of one (1) FY 2011 appropriation as follows:

- One (1) appropriation (#2011084) totaling \$21,850.00 for two reimbursable Emergency Management grants for the Emergency Communications Center (ECC).

Staff recommends approval of the budget amendment in the amount of \$21,850.00 and the approval of Appropriation #2011084.

Appropriation #2011084 **\$ 21,850.00**
 Revenue Source: Federal Revenue: \$ 21,850.00

This appropriation provides \$21,850.00 for two reimbursable Emergency Management grants for the Emergency Communications Center (ECC). As a separate consent agenda item at its June 8, 2011 meeting, the Board of Supervisors is requested and recommended to adopt a Resolution to authorize the County Executive, the ECC Emergency Management Coordinator or the Executive Director to execute all documents necessary for receipt of these grants.

The purpose of the first Virginia Department of Emergency Management (VDEM) grant of \$20,000.00 is to increase joint training and exercise opportunities between sheltering partners in the Albemarle & Charlottesville jurisdictions. The partners include Albemarle & Charlottesville Departments of Social Services, the Central Virginia Red Cross, the Charlottesville/Albemarle Health Department, the local office of Emergency Management, and the Albemarle and Charlottesville Sheriff's offices. The grant funds will be used to hire a contractor and for materials and supplies to conduct the training and exercises.

The purpose of the second VDEM grant of \$1,850.00 is to equip and enhance the Albemarle and Charlottesville Departments of Social Services, the Charlottesville/Albemarle Health Department and the Central Virginia Red Cross mass care management and response capabilities to operate a mass care management team for sheltering, feeding and health services during emergency situations.

By the above-recorded vote, the Board approved the following budget amendment in the amount of \$21,850.00 and approved Appropriation #2011084.

							APP #2011-084
							DATE 06/08/2011
							BATCH NAME
COUNTY OF ALBEMARLE APPROPRIATION							
EXPLANATION: ECC Grants							
ACCOUNT NUMBER							
TYPE	FUND	DEPT	FUNCTION	OBJECT	LOCATION	AMOUNT	DESCRIPTION
3	4130	33000	333000	330212	9999	20000.00	Federal Revenue
3	4130	33000	333000	330209	9999	1850.00	Federal Revenue
4	4130	31067	435600	312500	1003	15000.00	Prof Services Instruction
4	4130	31067	435600	600000	1003	5000.00	Materials and Supplies
4	4130	31068	435600	601315	1003	1850.00	Safety Equipment
TOTAL						43700.00	

Item No. 6.4. 2010 Emergency Management Performance Grant; Regional Shelter Equipment and Supplies Project Resolution.

The executive summary states that the Virginia Department of Emergency Management (VDEM) has awarded a \$1,850.00 matching reimbursable grant through the National Preparedness Directorate, US Department of Homeland Security; 2010 Emergency Management Performance Grant to the regional Charlottesville-UVA-Albemarle County Emergency Management Office of the ECC. The purpose of this project is to equip and enhance the capability of the Albemarle and Charlottesville Departments of Social Services, the Charlottesville Albemarle Health Department and the Central Virginia Red Cross to deploy a regional mass care management team for sheltering, feeding and health services during emergency situations.

The Charlottesville-UVA-Albemarle County Office of Emergency Management is the grant administrator for this Emergency Management Performance Grant. Because the County of Albemarle serves as the fiscal agent for the ECC, it is necessary for the Board of Supervisors to adopt the attached resolution authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC

Executive Director to execute all grant-in-aid documents required for implementation of this program in order for the Emergency Management Office of the ECC to administer the grant.

The County of Albemarle is serving as fiscal agent for this State Homeland Security Grant. The ECC Management Board approved a reappropriation of \$925.00 from the ECC's Fund Balance Account toward the match for this grant.

The remainder of the match will be an "in kind" contribution of materials and staff time from the mass care management team members listed above.

Staff recommends that the Board adopt the attached Resolution (Attachment A) authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC Executive Director to execute all VDEM Grant documents necessary for receipt of this 2010 State Homeland Security Grant.

By the above-recorded vote, the Board adopted the following Resolution authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC Executive Director to execute all VDEM Grant documents necessary for receipt of this 2010 State Homeland Security Grant.

Governing Body Resolution									
Emergency Management Performance Grant									
Regional Shelter Equipment and Supplies Project									
\$1,850.00									
<i>BE IT RESOLVED BY THE</i>					<u>Board of Supervisors</u>				
					(Governing Body)				
<i>OF THE</i>			<u>County of Albemarle, Virginia</u>				<i>THAT</i>		
			(Name of Applicant)						
<u>the ECC Emergency Management Coordinator</u>					, OR				
					(Name or Title of Authorized Agent)				
<u>the ECC Executive Director</u>					, OR				
					(Name or Title of Authorized Agent)				
<u>the County Executive</u>									
					(Name or Title of Authorized Agent)				
is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of Virginia, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of Virginia.									

Item No. 6.5. 2010 Emergency Management Performance Grant; Regional Shelter Training and Exercises Project Resolution.

The executive summary states that the Virginia Department of Emergency Management (VDEM) has awarded a \$20,000.00 matching reimbursable grant through the National Preparedness Directorate, US Department of Homeland Security; 2010 Emergency Management Performance Grant to the regional Charlottesville-UVA-Albemarle County Emergency Management Office of the ECC. The purpose of this project is to increase joint training and exercise opportunities between sheltering partners in Albemarle and Charlottesville. Sheltering partners include the Albemarle and Charlottesville Departments of Social Services, the Charlottesville-UVA-Albemarle County Office of Emergency Management, the University of Virginia, the Charlottesville-Albemarle Health Department, the Central Virginia Red Cross and the Albemarle and Charlottesville Sheriffs' Offices. Planners from this group have clarified roles and responsibilities following sheltering experiences during winter weather events. The grant funding will be utilized to hire a qualified contractor to conduct training and exercises as well as purchase associated materials and supplies.

The Charlottesville-UVA-Albemarle County Office of Emergency Management is the grant administrator for this Emergency Management Performance Grant. Because the County of Albemarle serves as the fiscal agent for the ECC, it is necessary for the Board of Supervisors to adopt the attached resolution authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC Executive Director to execute all grant-in-aid documents required for implementation of this program and to approve the reappropriation in order for the Emergency Management Office of the ECC to administer the grant.

The County of Albemarle is serving as fiscal agent for this State Homeland Security Grant. The ECC Management Board approved a reappropriation of \$10,000 from the ECC's Fund Balance Account toward the match for the grant.

The remainder of the match will be an "in kind" contribution of materials and staff time from the sheltering partners listed above.

Staff recommends that the Board adopt the attached Resolution (Attachment A) authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC Executive Director to execute all VDEM Grant documents necessary for receipt of the 2010 State Homeland Security Grant.

By the above-recorded vote, the Board adopted the following Resolution authorizing the County Executive, the ECC Emergency Management Coordinator or the EOC Executive Director to execute all VDEM Grant documents necessary for receipt of this 2010 State Homeland Security Grant.

Governing Body Resolution									
Emergency Management Performance Grant									
Regional Shelter Training and Exercises Project									
\$20,000.00									
<i>BE IT RESOLVED BY THE</i>					<u>Board of Supervisors</u>				
					(Governing Body)				
<i>OF THE</i>			<u>County of Albemarle, Virginia</u>				<i>THAT</i>		
			(Name of Applicant)						
<u>the ECC Emergency Management Coordinator</u>					, OR				
					(Name or Title of Authorized Agent)				
<u>the ECC Executive Director</u>					, OR				
					(Name or Title of Authorized Agent)				
<u>the County Executive</u>									
					(Name or Title of Authorized Agent)				
is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of Virginia, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of Virginia.									

Item No. 6.6, Copy of letter dated May 27, 2011 from Mr. Ronald L. Higgins, Chief of Zoning/Deputy Zoning Administrator, to Mr. Andrew J. Dondero, Stribling Holdings, LLC, **re: OFFICIAL DETERMINATION OF PARCEL OF RECORD BOUNDARY – Tax Map 76, Parcel 24 (property of Stribling Holdings, LLC) Samuel Miller Magisterial District, was received for information.**

Agenda Item No. 7. Discussion: Land Use Assessment Program.

Mr. Foley summarized the following executive summary:

The purpose of this Executive Summary is to provide the Board with information regarding the rates used to calculate the assessment of properties that qualify for taxation under the County's Land Use Assessment Program.

Virginia Code § 58.1-3231 authorizes counties, cities and towns to adopt an ordinance to provide for use value assessment and taxation based upon use value instead of fair market value. The County adopted Chapter 15, Taxation, Article VIII, Special Assessments for Agricultural, Horticultural, Forest or Open Space Real Estate, in 1973.

County Code Section 15-805, Valuation of Real Estate, states that the County Assessor shall use his personal knowledge, judgment and experience, and shall consider the recommended value ranges published by the State Land Evaluation Advisory Committee (SLEAC) pursuant to Virginia Code § 58.1-3239, to estimate land values.

In recent years, the County has adhered to SLEAC recommendations as the basis for its use rates. More recent SLEAC recommendations, however, have been volatile and not reflective of all value indices in the opinion of our Assessor. Like Albemarle, a number of other localities in Virginia also believe that the published rates do not adequately reflect fair values for qualifying properties. Rates have varied widely from year to year and are not uniform from locality to locality. Many jurisdictions have abandoned SLEAC values and have estimated different rates for Land Use Value Assessment.

The 2011 rates used in the County were set by the Assessor after his consideration of the SLEAC published rates, the review and verification of information provided during the County's revalidation program, and discussions with surrounding localities. The rates used were applied uniformly to all property in the Land Use Assessment Program, depending on the qualifying use and soil classification.

There are no budget impacts.

This Executive Summary for information only. Staff will present an overview of the County's history with respect to the use of SLEAC rates and reasons for the recent departure from this practice at the Board meeting."

In terms of the rates used in land use assessments, Mr. Bob Willingham, County Assessor, said that the key question from the Board related to SLEAC. SLEAC proposed some rates – but the final determination is left up to the County or City Assessor, who is required to consider those rates along with other available information. He stated that the County went through its revalidation program two years ago and a lot of information on production and income came out of those rates. He said that in formulating the rates staff considered everything including the SLEAC rates to come up with the rates for 2011, which stayed the same as 2010.

Ms. Mallek noted that there was a doubling between 2009 and 2010. She asked if there is documentation available for those who would like to come read it, and asked where else it might be available. Mr. Willingham responded that the information is available in his office, or online by going to the SLEAC website.

Mr. Boyd said that he does not understand the rationale for any changes, but he is aware that the Farm Bureau has been concerned about the latest methodology the County is approving for assessments. He asked Mr. Willingham why the County is changing its approach.

Mr. Willingham responded that SLEAC rates are very volatile and they do not always take in information from any one jurisdiction. There are inequities across County lines. For example, there could be a farm that straddles the Albemarle County/Greene County line. The rates in Greene County are substantially more than they are in Albemarle County for the same land and production. He stated that basically SLEAC is a good starting point. He has talked to people in the Farm Bureau. He also is a member of the Ag/Forestry Advisory Committee and he has talked to people on that committee about the farming operation. There basically was no real downturn in the farming operations of Albemarle County from 2010 to 2011, which led him to believe the rate should stay the same.

Mr. Snow stated that individuals in the farming industry believe that the move away from SLEAC is going to cost them quite a bit of money. Mr. Willingham responded that the average SLEAC assessment per acre is approximately \$300, or a tax bill of \$2.10 per acre, under their latest rates, and if you went 10% above that is about 21 cents per acre difference in tax per year.

Mr. Boyd said that farmers would probably argue that the rates should have gone down and if SLEAC rates were used, it would decrease. Mr. Willingham responded that this is correct. He added that it was his opinion, based on all available information, including SLEAC rates, that there was not enough information that was centrally located to Albemarle in their formulas. He said that SLEAC has a hard time explaining to Assessors and Commissioners of Revenue around the State how they actually come up with the rates.

Mr. Boyd commented that Mr. Willingham is saying that he considers Albemarle to be a unique enough community that the community should make decisions for itself and not have outside entities make those decisions – like the state SLEAC group. Mr. Willingham said that is not what he is saying. He added that as required by the Code of Virginia, the SLEAC rates are considered in the formulation of the land use rates.

Ms. Mallek pointed out that the Board has no role in that decision as there is a division of responsibility between the elected Board and the Assessment team.

Mr. Davis noted that there is a separate legal process that anyone who wants to challenge the Assessor's appraisal goes through, but it does not go through the Board of Supervisors. The Board does not have any role in setting any assessed values.

Mr. Willingham added that property owners can appeal their land use assessments to the Board of Equalization, just as they can to challenge fair market value. He added that for the revalidation for 2012, letters would be sent no later than August 1, and they are due September 1.

Mr. Foley mentioned that staff would be providing an update on the revalidation program to the Board at their meeting next month.

Agenda Item No. 8a. Presentation: Comprehensive Plan Update Process and Schedule and Relationship to Sustainability Communities Grant.

The following executive summary was forwarded to Board members:

"Albemarle County first adopted its Comprehensive Plan in 1970. The Comprehensive Plan is an officially adopted advisory document that outlines the community's vision and goals for its future and provides guidance for elected and appointed officials in making decisions regarding the long-range needs of the community. The written goals and guiding principles, policies, and recommendations of the Plan provide guidance for decisions affecting growth and service delivery, the use and development of land, preservation of open space and the expansion of public facilities and services.

The Commonwealth of Virginia requires localities to have a Comprehensive Plan and to review it every five years (Attachment A, see Virginia Code § 15.2-2230). The last adoption of all elements of the Comprehensive Plan at the same time was in 1989. The Land Use element was last reviewed and adopted in its entirety in 1996. Since 1996, the County has updated sections of the Comprehensive Plan as part of an ongoing review. These reviews include:

- Natural Resources and Cultural Assets (1999)
- Land Use Plan (LUP) – Neighborhood Model (2001)
- Affordable Housing Policy (2004)
- Rural Area Plan (2005)
- Transportation Section (2005)
- Community Facilities (part) (2007)
- Economic Development Policy (2009)
- Land Use Plan – Four Master Plans (2004, 2008, 2010, 2011)

This method of revising the plan matched staff capabilities and workload demands during a period of high growth and development review activity and allowed for a more focused and timely review of particular sections/initiatives of the Plan.

An unintended result of this incremental approach to updating the Comprehensive Plan is that the document has become very long, somewhat disjointed and difficult for the public to follow. In addition, some sections of the Plan have not received a complete review since 1996. In February 2010, as part of Community Development's annual review of its work program with the Board of Supervisors, staff proposed a holistic approach to updating the plan in order to address these concerns. The Board agreed with this approach and directed staff to make the update to the plan a priority project for the department. In February 2011, Community Development again reviewed its work program with the Board, noting the Comprehensive Plan review was starting and the schedule anticipated the County leveraging its resources used for the plan update through a grant awarded to the Thomas Jefferson Planning District Commission (TJPDC). There was not an in-depth discussion of TJPDC's Sustainable Communities Grant at that time, except to note that it allowed the County to reduce its costs and accelerate the schedule by using resources this made available to the County.

With regard to sustainability principles and initiatives, the Comprehensive Plan and associated Plan implementation efforts of the County, dating back to the 1970 Comprehensive Plan, have supported and fostered concepts of sustainability and livability. Attachment B provides a chronology of actions that have promoted or fostered principles and measures consistent with sustainability/livability concepts.

Focus of Plan Update – The primary areas of focus for the Comprehensive Plan Update are:

- To improve the form and continuity of the plan/plan sections, making the document more user friendly and understandable for all users
- Update of the Land Use Plan section, including
 - Evaluate the need for, and location of, any adjustments to the designated Development Area boundaries;
 - Designate additional industrial land in Development Areas (per the Economic Development Policy update and Board's Economic Vitality Action Plan);
 - Evaluate the Interstate Interchange Policy, particularly as related to land uses permitted at Rural Area interchanges (per the Economic Development Policy update and the Board's Economic Vitality Action Plan);
 - Consider simplifying and clarifying the Land Use Plan map designation descriptions and development guidelines and standards;
 - Evaluate the need for a policy related to urban agriculture (as directed by the Board);
 - Consider updating and integrating current "Three Party Agreement" Area B studies into the Land Use Plan;
 - Evaluate policy on uses permitted in Rural Areas, with a focus on the review of non-residential uses consistent with and supportive of RA intent/activities (as Directed by the Board);
- Update the Community Facilities Plan, including of level of service standards (specifically, police, fire-rescue, parks & recreation)
- Review of public requests for Comprehensive Plan Amendments (as directed by Planning Commission)

For the remaining sections of the Plan, no major changes to policies are anticipated. For these sections, a more basic review is anticipated, with a focus on updating information, reformatting and simplifying the content of the sections, and reviewing and updating the implementation strategies and priorities. These sections include the Natural Resources and Cultural Assets; Economic Development (recently updated); Rural Areas Plan (recently updated), and the Affordable Housing Policy. Public requests may generate additional policy considerations, but those would be vetted with the Planning Commission and/or Board before staff began work on possible policy changes. The general timeline for the Plan's review is provided in Attachment C.

Coordination with City, MPO (Regional Transportation Plan), and University

The City is beginning the review of its Comprehensive Plan and the Metropolitan Planning Organization (MPO) is beginning the update of the regional transportation plan for the City and the

urbanized portion of Albemarle County as defined by the MPO study area. This provides the County an opportunity to collaborate on issues of mutual interest with the City. County and City consideration of planning issues of mutual interest, particularly as regards land use and transportation, have been a long standing expectation of the Planning Commission and the elected officials in both jurisdictions. County participation in the regional transportation plan is mandatory for any project requiring the use of federal funds and expected in that the County is a member of the MPO and the regional transportation plan and modeling is intended to reflect the city and county land use plans.

Under the "Three Party Agreement" between the County, City and University (signed in 1986), all entities agreed to a planning, review and approval process for certain geographic areas of interest to all parties. The agreement also establishes expectations for the development of comprehensive plans/master plans by each party. This agreement calls for each plan to be based on the same planning period, use common definitions and land use data bases, have a substantially similar topic outline, to share drafts of those plans with each party and established areas mutual of agreement regarding each plan. Attachment D provides a copy of this agreement which outlines the expectations for comprehensive plans (this agreement also established the basis for the Planning and Coordination Council, or PACC). Recognizing this expectation, the Community Development work plan has anticipated coordination with the City and University since it was proposed in 2010.

The Sustainable Communities Grant – Timed with the planning processes underway in the City, County and MPO, this grant has provided the opportunity to bolster the collaborative efforts of each and obtain additional resources to support each plan update by leveraging staff time already allocated to these planning initiatives. This includes a more extensive public input process than could have been implemented with existing resources. A working group (consisting of staff from the City, County, UVA and PDC) has been in place since November 2010 to organize the process for moving forward and to ensure that the interest and concerns of each locality are considered.

The underlying concept of the grant is to develop possible products that can help move the region forward in implementing the sustainability accords that were adopted by the County, City, and TJPDC in the 1990's. The Sustainability Accords were completed in 1998 by an advisory group comprised of citizens from this region. Fifteen (15) of the fifty-six (56) accords were subsequently incorporated into the County's Comprehensive Plan with the update of the Land Use Plan in 1999 (Attachment E). This local and regional sustainability effort was consistent with the Virginia General Assembly's Joint Resolution No. 653, encouraging the Governor, State and local officials, and the leaders of educational institutions and civic organizations to work together to prepare a Virginia Strategy for Sustainable Development. Staff believes Attachment B demonstrates that many of these accords were not new concepts, but simply restated long standing County goals that were included in the County's original 1970 Comprehensive Plan or added in subsequent plan updates before the accords were incorporated.

The draft Consortium Agreement required by HUD as part of the grant agreement, establishes the PACC as the entity responsible for review and approval of the products resulting from the grant work (Attachment F). The products resulting from the grant are subject to endorsement by PACC and will be presented in the respective Comprehensive Plan update processes of each party as non-binding considerations. Those products would then be forwarded to the City and County for consideration and potential incorporation into each locality's Comprehensive Plan. Each locality will decide what will be included in its Comprehensive Plan through the review, public hearing and approval processes with the Planning Commission and Board of Supervisors.

The specific products developed by the grant are outlined in Attachment G.

The sustainability grant is funding additional manpower which augments in-house staff capabilities to update the Comprehensive Plan. This is leveraging County resources already planned for this project by using them as "in kind" matches to the grant funding. As the 2011 Community Development work program anticipated this grant providing additional resources for the plan update, some adjustments to schedules or County funding will be needed without this grant. Should the Board decide against utilizing this grant, staff recommends a Board work session where those other priorities on the work program can be considered and a decision made as to either increasing County funding to maintain the current work program or deferring / deleting other projects from the work program.

Staff recommends that the Board approve the County Executive executing the Consortium Agreement on behalf of the County, particularly in consideration of the following:

- The grant funds additional staff support for the update of the County's Comprehensive Plan without additional County resources.
- The grant provides for expanded public outreach during the County's Comprehensive Plan review process.
- The project heightens the area's on-going collaborative and cooperative planning efforts that date back to the "Three Party Agreement" between the County, City and University signed in 1986.
- The grant provides a unique opportunity to closely link the Comprehensive Plans of the City and County with the MPO's regional transportation plan.
- The work product generated through the Consortium Agreement is merely advisory in nature and will require an extensive review and public hearing process by the County Planning Commission and Board of Supervisors prior to any aspect of the work being incorporated into the County's Comprehensive Plan Update.

Should the Board decide against executing the Consortium Agreement, staff recommends scheduling a work session so that Community Development's work program can be reviewed and the Board can provide guidance on how to balance resources and priorities."

Item No. 8b. Presentation: Cool Counties commitments and continued membership in the ICLEI-Local Governments for Sustainability.

The following executive summary was forwarded to Board members:

"Albemarle County has advocated good energy conservation and environmental stewardship programs dating back to the 1990's. Board focus in these areas intensified on September 13, 2006 with a Board work session that included discussion regarding Green Building and Sustainability and a review of the County's Comprehensive Plan goals for sustainability and the County's green building and sustainability efforts up to that time. (Attachment A)

On October 4, 2006, the Board unanimously adopted a resolution supporting the *intent* of a resolution adopted by the U.S. Conference of Mayors regarding the U. S. Conference of Mayors Climate Protection Agreement as part of the County's effort toward Green Building initiatives and sustainability. (Attachments B and C)

On February 7, 2007, staff provided a status report to the Board on progress and efforts made to increase sustainability in the four areas that had been identified by the Board during the September 13, 2006 work session. (Attachment D) The four areas were:

1. Work with the public to expand knowledge and benefits of green building
2. Work with development community to promote green building and remove obstacles.
3. Work with County policy and operations to demonstrate and promote green building and overall efficiency.
4. Amend the Comprehensive Plan in support of green building.

During the regular Board of Supervisors meeting on July 11, 2007, Supervisor Rooker distributed the "US Cool Counties Climate Stabilization Declaration" and stated he would like to discuss it at a future meeting for possible adoption. Also during the July 11, 2007 meeting the Board unanimously approved CPA-2007-003, Green Building and Sustainability Amendment to the Natural Resources and Cultural Assets chapter of the Comprehensive Plan. (Attachment E) The adoption of the "U.S. Cool Counties Climate Stabilization Declaration" resolution (Attachment F) was unanimously approved by the Board at its December 5, 2007 meeting. This resolution committed Albemarle County to:

- i. Create an inventory of our county government (operational) greenhouse gas (GHG) emissions and implement policies, programs and operations to achieve significant, measurable and sustainable reduction of those operational GHG emissions to help contribute to the regional reduction targets as identified in paragraph ii; and
- ii. Work closely with local, state and federal governments and other leaders to reduce county geographical GHG emissions to 80 percent below current levels by 2050, by developing a GHG emissions inventory and regional plan that established short-, mid-, and long-term GHG reduction targets, with recommended goals to stop increasing emissions by 2010, and to achieve a 10 percent reduction every five years thereafter through to 2050; and
- iii. Urge Congress and the Administration to enact a multi-sector national program of requirements, market-based limits, and incentives for reducing GHG emissions to 80 percent below current levels by 2050. Urge Congress and the Administration to strengthen standards by enacting legislation to strengthen standards by enacting legislation such as a Corporate Average Fuel Economy ("CAFÉ") standard that achieves at least 35 miles per gallon (mpg) within 10 years for cars and light trucks.

We will take immediate steps to identify regional climate change impacts; and

We will draft and implement a county plan to prepare for and build resilience to those impacts."

Involvement with ICLEI-Local Governments for Sustainability

Given Albemarle County's support of sustainability and environmental stewardship, its adopted resolution supporting the intent of the 2006 US Mayor's Climate Protection Agreement and the general focus on the importance of reducing emissions to address climate change efforts, staff researched communities that had already adopted climate protection initiatives as well as other Virginia counties with a reputation for excellent environmental programs. Following these benchmarking efforts, Albemarle County joined ICLEI-Local Governments for Sustainability on October 3rd, 2007 to "Provide technical assistance with climate change protection program development and implementation" as specified in the application. ICLEI-LGS membership provides staff with the resources and information needed to assist in implementation of the Board's direction established through sustainability efforts and policies including the unanimous endorsement of the 2006 resolution supporting the Mayors Climate Protection Agreement and ongoing discussion of the Cool Counties Stabilization Declaration. While the primary benefit of membership is access to the Clean Air Climate Protection (CACP) software program used to inventory and track greenhouse gas emissions and reduction targets eventually set through adoption of the Cool Counties Stabilization Declaration, additional benefits include opportunities to network with other

communities and access to case studies for various programs and projects around the United States but more specifically in Virginia.

It was found that the Clean Air Climate Protection software program was currently in use by some highly regarded cities and counties across the nation and also endorsed by the National Association of Counties (NACo), the Virginia Association of Counties (VACo) and the Virginia Municipal League (VML). This particular software would assist staff to meet the targets approved by the Board. CACP's development was partially funded by the U. S. Environmental Protection Agency (EPA). While the software is available at no cost through various EPA outlets, the necessary software maintenance, updates, training and technical support requires an annual fee of \$1,200.00 in the form of membership in ICLEI-USA.

Current efforts in the Cool Counties Program

Staff has used the CACP software to produce an "Emissions Baseline Report" which summarizes the greenhouse gas and criteria air pollutant emissions for the County using the baseline year 2000. Updates to the report for 2006 and 2008 have been completed and included in the report. (Attachment G) The goal of the program has been to continue tracking emission levels every 2 years.

In a subsequent effort to advance regional GHG reductions, the County, City and UVA formed a local steering committee to make recommendations for a strategic plan that would enable the three entities to reach their respective goals. The steering committee's charge, entitled Local Climate Action Planning Process (LCAPP), was endorsed by the Planning and Coordination Council (PACC). A resolution passed unanimously by the BOS on January 14, 2009, endorsed this collaborative effort. (Attachment H) LCAPP consists of over 70 local citizens from government, business, real estate, corporate, academia, and construction areas and have met regularly in an effort to formulate a GHG reduction plan to meet the goals in the Cool County Resolution.

Other staff efforts related to Cool Counties and ICLEI include attendance at conferences or workshops as follows:

- March 6, 2009 – Sarah Temple, George Shadman and Thushara Gunda attended the Virginia State Climate Protection Network Meeting at the Charlottesville Community Design Center Charlottesville, VA.
- May 15, 2009 – Sarah Temple gave a presentation at ICLEI Northeast/Mid-Atlantic Regional Workshop – White Plains, New York. Hotel and registration provided by ICLEI – travel approved by County Executive.
- November 13, 2009 – Thushara Gunda facilitated a GHG inventory work group at an ICLEI, Clean Cities and VML roundtable meeting regarding the Go Green Virginia Community Challenge at the Department of Environmental Quality regional offices Richmond, VA.
- April 7, 2011 – Andy Lowe attended the Virginia State Climate Protection Network meeting in Lexington, Virginia. This meeting occurred at the end of the Virginia Environment Symposium that he was already scheduled to attend.

The ICLEI-LGS network meetings (March 6, 2009 and April 7, 2011) were free of charge and intended to allow representatives from localities, companies and organizations to meet and discuss energy efficiency projects and programs to further climate protection initiatives and goals.

Administrative Policies

The County has implemented administrative policies to assure that the County complies with environmental law requirements and best practices and to promote energy savings and efficiencies. (See Attachments I, J and K)

This executive summary is provided as background information to assist in the Board's discussion regarding its commitments pursuant to the adoption of the "U.S. Cool Counties Climate Stabilization Declaration" resolution that was unanimously approved by the Board at its December 5, 2007 meeting and its continued membership in ICLEI-USA.

Mr. Foley said that staff would begin with a brief presentation on the County's efforts to update its Comprehensive Plan, which include consideration of participation in the Sustainable Communities Grant – which is one way to accomplish that update. He stated that regardless of Board actions tonight with respect to the grant, the Comprehensive Plan is due for an update.

Mr. Boyd said that it is not required to be updated; it is simply up for review.

Mr. Foley clarified that the update of the Comprehensive Plan was approved by this Board in review of the Community Development Work Plan, but it is not required by law. He said that the grant being discussed tonight is one way to get that accomplished and staff would explain why that makes some sense.

Mr. Foley also said that staff would also provide an overview of the County's involvement based on the Board's previous direction in moving forward with efforts to reduce energy use and greenhouse gas emissions. He stated that this would specifically address the County's involvement in the organization known as ICLEI – Local Governments for Sustainability, and the two Board actions that led to that involvement in ICLEI.

Mr. Foley said that this presentation will also address the County's adoption and subsequent actions related to the Cool Counties Climate Stabilization Declaration approved in December 2007.

As part of this overview and based on recent comments made questioning staff's actions and authorizations, Mr. Foley said that he feels it is important to take a moment to provide some factual information regarding the Board's policy direction to staff and staff's implementation of that direction. Mr. Foley stated that unfortunately this discussion regarding future policy direction by the Board has shifted in recent days to claims that staff has exceeded its authority in implementing previous Board direction. He said that because of these claims he feels it is important to take a few brief moments to emphasize some important facts as the Board begins consideration of these issues. These items will be further clarified in the presentation.

Mr. Foley stated that the County's participation in the regional grant to update the County's Comprehensive Plan is not new, but has been discussed by the Metropolitan Planning Organization – which includes two Board members, dating back to 2010 – and with the Board of Supervisors as a whole in February and April of 2011, as part of the Community Development Work Program. He said that the regional grant application was not submitted without Board authorization, as the Board has specifically authorized the County Executive to submit grant applications to offset the use of local taxpayer dollars for priority projects, dating back to at least 2009. Mr. Foley stated that staff has not committed the unauthorized expenditure of \$161,000 towards the regional grant, as these funds are already approved and in place in the current budget to complete an update of the Comprehensive Plan regardless of the County's participation in the grant opportunity. He said that participation in the grant was designed to accelerate the review process and increase public input and outreach.

Mr. Foley said that staff's previous actions to join ICLEI were driven by the technical assistance provided by this organization to implement clear Board direction through approved resolutions. The Board's direction called for reduced energy use and emissions and preceded the Board's adoption of the Cool Counties resolution. He stated that staff's direct involvement with the ICLEI organization has been minimal; instead staff has made use of software tools provided by ICLEI, focused on networking locally and across the State on energy and emissions reduction and attendance at four meetings over the past four years, the last of which was approximately a year and a half ago.

Mr. Foley said that staff has been responsive to the clear direction provided by the Board regarding sustainability and energy and emission reduction dating back to 2006. In considering the issues tonight, he stated that it is important to clearly distinguish between Board policy direction and staff implementation of that policy. Mr. Foley said that the issues before the Board are clearly about policy direction and not staff implementation. As staff has done over the past five years regarding these issues, staff will be responsive in moving forward based on whatever direction the Board provides tonight.

Mr. Foley introduced Mr. Mark Graham, Director of Community Development, who will discuss the first agenda item related to the regional grant.

Mr. Graham said that he will provide an overview of the process for the Comprehensive Plan update and how the sustainability grant relates to the Plan update. A Comprehensive Plan update is done because State Code requires localities to review the Plan every five years and requires localities to have a Comprehensive Plan. He said that the County has a long-standing tradition of updating the sections of the Plan. For example, the County has updated the Affordable Housing section (2004), Rural Area section (2005), Community Facilities Plan (2007), Economic Development Policy (2009) and Four Master Plan updates to the Land Use Plan.

A full review of the Plan is needed at this time because incremental updates of the Plan over the last 15 years have caused the document to be long and difficult for the public to use – as well as raising questions of consistency between the updates. Also, because of the updates staff has delayed reviews on some of the other sections. Mr. Graham said that in February 2010 as part of their work program, staff brought forth the idea of doing a full review of the Plan – and the Board endorsed it at that time. He noted that this was done before anyone had knowledge of the sustainability grant. In 2011, he said, staff came back to the Board and once again presented the Work Program with the Comp Plan review built into the Work Program – indicating to the Board at that time that they are aware of this grant opportunity and building a schedule as to when things might be completed based on the additional resources the grant would provide.

Mr. Graham explained that a full review should: 1) improve the form and continuity of the Plan to make it easier for the public to use, 2) update the Land Use Plan to match recent Board policy direction – such as identifying additional industrial land in the Land Use Plan (as recommended in the Economic Vitality Action Plan and Economic Development Policy); evaluation of the interstate interchange policy, particularly as it relates to rural area interchanges; rural uses (particularly non residential use supportive of or consistent with rural; consideration of a policy on urban agriculture; possible expansion/adjustments to the Development Areas; and considering updating and incorporating the Area B Studies - a joint effort between the University, the County and the City, 3) update the Community Facilities Plan, which allows for updating level of service standards, specifically infrastructure planning for fire stations, libraries, parks, etc., 4) review public requests for changes to the Plan including where the public wants to see the Plan changed, i.e., expansion areas, and 5) evaluate the strategies and priorities of other Plan sections, such as emergency service response times.

Mr. Graham said that the reason why the Comp Plan update should be done with the City, the MPO and the University is that there is a cooperative agreement with the City and U.Va. that is 25 years old. The "Three Party Agreement" states that we will work together on land use planning. Similarly there

is Cooperative Transportation Planning through the MPO that has a Memorandum of Understanding on how to do transportation planning and, finally, it provides opportunities to collaborate with the City and the University on issues of mutual interest.

Mr. Graham stated that the County has demonstrated a long history of policies related to sustainability and initiatives that are in the Comp Plan and land use regulations. He said that this Sustainable Communities Grant promotes the advancement of the Sustainability Accords that were adopted in 1998, with the County adopting 15 of those Accords but not all of the goals and objectives. Mr. Graham said that staff included a statement that said the County would review and support as appropriate the Sustainability Council's Statements of Accord. There wasn't really anything else that the County did with that.

He stated that the grant ensures consideration of the Sustainability Accords as part of the Comprehensive Plan update process, but does not obligate the County to adopt any of the additional Accords or recommendations. Mr. Graham emphasized that the grant does not decide, the Board decides. The grant provides the information and a mechanism for decisions.

Mr. Graham said that there are five products will be developed with the grant: 1) livability performance measurement system; 2) common land use transportation vision, a map showing how it fits with the County, City and University; 3) integrated livability strategies; 4) recommendations for changes to local codes and ordinances; and 5) a plan for voluntary individual organizational change to promote livability. Mr. Graham stated that all of these products of this project will be non-binding recommendations to the County, City and University. They are simply recommendations. They do not obligate the County to adopt any of those.

Regarding the benefits of the grant to the County, Mr. Graham said that it provides additional resources for updating the Comprehensive Plans and the Regional Transportation Plan. For the County in particular, he said, for the Community Development Work Program, the grant provided expanded public input as part of the Comp Plan update. Without that staff would have to do a considerable scale back on the amount of public input and public participation opportunities, or staff would have to request additional funding resources from the Board. The grant also allowed the County to accelerate the Plan update by providing additional staff resources. The grant requires no additional County funding and the resources received have an in-kind match, but staff resources are allowed to be used as that match.

Mr. Graham stated that the recommendation from staff is to authorize the County Executive to sign the consortium agreement on behalf of the County, recognizing the following considerations with the grant: 1) it accelerates the Comprehensive Plan update; 2) it expands the public outreach; 3) it supports regional collaboration; 4) it connects the County and City Comprehensive Plans with the MPO's Regional Transportation Plan; and 5) it does not obligate the Board of Supervisors to adopt any policy contrary to the County's interest.

Mr. Foley said that the Comprehensive Plan update was really the foundation for the County's efforts toward environmental stewardship. In 2006 – in addition to the planning efforts that were in place previously, the County moved to add an additional focus on energy and emissions reduction which included membership in ICLEI and adoption of the Cool Counties resolution – which drove some additional efforts to move forward with energy and emissions reduction.

Mr. Andrew Lowe, Environmental Compliance Manager, General Services Department, said that this has been a great exercise for him to research and see the history of how the program got underway. His goal tonight is to outline the County's background on adopting the climate protection program and the Cool Counties Climate Stabilization Declaration and how ICLEI membership has helped to advance this program. Mr. Lowe said that at the same time the Board was discussing sustainability in the Comp Plan they were also discussing a climate protection policy, and that discussion reached a major milestone during the October 2006 Board meeting with unanimous approval of a resolution supporting the U.S. Mayors Climate Protection Agreement. He said that the Agreement incorporates the following statement: "Inventory greenhouse gas emissions in the City operations and in the community, set reduction targets and create an action plan." Mr. Lowe noted that this did not set in motion an actual programmatic change, but set policy direction and priorities for staff. During their meeting of July 2007, the Board distributed the Cool Counties Climate Stabilization Declaration as information for future consideration. He said that this signaled to staff that research was needed on climate protection programs to address the desire of the Board. During that same meeting, the Board unanimously adopted the Comprehensive Plan Amendment, "Green Building and Sustainability," addressing sustainable design in buildings and planning. Mr. Lowe said that this action went beyond the County operations and started incorporating work with residents and the development community to promote green building and sustainability concepts.

Mr. Lowe said that three factors helped lead to the ICLEI membership. The County signed its application for ICLEI membership on October 3, 2007. Those factors were: 1) the Mayor Climate Protection Agreement; 2) the approval of the Comprehensive Plan Amendment; and by the Board indicating the importance of the Cool Counties Program. Not only was the Cool Counties introduced July 11, 2007, but the Board also requested a status report on the Cool Counties Program during its October 3rd meeting. Mr. Lowe said that the same day the Board requested that update, staff submitted the application to ICLEI for membership to "provide technical assistance with climate change protection program development and implementation." He stated that while the ICLEI membership may have been applied for and finalized before adoption of the Cool Counties resolution, the County's movement toward addressing greenhouse emissions inventory and energy appeared evident to staff. Mr. Lowe said that the membership in this organization was consistent with the ongoing actions of the Board; therefore, staff was looking for resources and tools to assist in implementing this direction.

In terms of how ICLEI membership helps staff move forward with the program, Mr. Lowe said that ICLEI membership provides access to clean air climate protection software and technical assistance when working with that software package. He said that the software was partially funded through the Environmental Protection Agency with the objective to provide the tools for localities to better harmonize reductions of greenhouse gas emissions on a voluntary basis. Mr. Lowe said that the software was made available through EPA sources free of charge to localities but with no technical support, which is one of the most valuable resources. He stated that ICLEI provides that support through membership and an associated fee, which proved valuable to staff when working with the software to create the inventory and updates. Mr. Lowe said that along with the software component, ICLEI provides the link to other localities in Virginia that have energy efficiency and climate protection programs. Through state networking meetings that ICLEI coordinates, staff from localities throughout Virginia discusses energy emissions program successes and failures. He added that ICLEI also provides members with resources from other states and localities in the form of toolkits and research; access to this information allows staff not to be forced to recreate the wheel but to look to other national programs for help. Mr. Lowe said that this helps mentor staff into developing a program for what is right for this County.

Mr. Lowe said that the Cool Counties resolution was formally adopted on December 5, 2007. The resolution outlined directives and set targets for the County. Like most emission reduction programs, he said, one of the main components had to do with creating an inventory. He stated that you cannot manage what you cannot measure. Using the clean air climate protection software, Albemarle completed the baseline inventory report for year 2000. Staff also used the software to track progress for the years 2006 and 2008 to monitor the progress. Mr. Lowe stated that Cool Counties set a reduction target of 80 percent of current level emissions by 2050. He said that the third point was to develop a regional plan to achieve reduction targets. Currently the County is working with Charlottesville and the University to report on a local climate action planning process that worked on this issue over the last 18 months.

Mr. Lowe said that this background explains what has guided the County's efforts. One question is whether Cool Counties is still relevant to the Comprehensive Plan and has utilizing ICLEI membership been an acceptable resource in implementing Board policies and the County's continued efforts in good environmental stewardship.

Mr. Foley stated that there are three issues that will be before the Board tonight: the consortium agreement and whether the County Executive would be authorized to sign that; whether to continue membership in ICLEI; and whether to take any action to rescind the Cool Counties resolution. He said that staff is prepared to answer any questions prior to public comment.

Referring to the presentation with the slide stating "December 5, 2007 resolution adopted, established goals, Mr. Snow asked "whose goals are they". Mr. Foley said that those are the goals that are included in the resolution adopted by the Board.

Mr. Boyd commented that these are the Cool Counties goals.

Mr. Boyd asked who defines what the data is when it is being collected for the ICLEI software, stating that they are defining "what we want to study and how we want to study it and how we want to evaluate it by nature of the fact that they provide the software which asks for the data." Mr. Lowe responded that some of the typical data collected is information from Dominion Virginia Power for how much electricity is being used in the Albemarle County footprint, which is data required to do the greenhouse gas emissions.

Mr. Boyd said that ICLEI is setting the agenda, because they are defining what things need to be collected and what needs to be evaluated. He asked if the County has its own input or if this is just a canned program. Mr. Lowe responded that the greenhouse gas emissions and criteria air pollutants are set at the national and scientific level, so the EPA through their funding is what set the structure as to what the software would be.

Ms. Mallek asked for other examples, such as monthly electricity in the County building.

Mr. Lowe responded that for specific municipal operations, the staff inputs data from its electric bills and from the vehicle fleet, so that data for municipal operations is easy to ascertain but once you move into the community it requires information from the DMV, Dominion Virginia, Charlottesville City Gas, etc. Those are greenhouse gas emissions through how the community uses energy.

Mr. Boyd said that he did not mean to imply that staff is going off in some direction they were not directed to do by the Board.

Mr. Foley clarified that the design of the software related to greenhouse gas emissions was through the EPA.

Mr. Thomas asked who implements the findings and who makes the decisions, and asked if it was just implemented within County government. Mr. Lowe responded that developing a regional plan will be specific to Albemarle County. The local climate action planning process included experts from the community – including U.Va. and Charlottesville – which would be brought forth in a report.

Mr. Foley added that currently the County is monitoring according to those criteria and that information will be funneled into the climate action plan that is put together regionally and brought to the Board for consideration. There is no implementation *per se* going on at this point.

Mr. Rooker commented that the local climate action plan was approved by this Board, supported by the Chamber of Commerce and the Thomas Jefferson Partnership for Economic Development as well as every major environmental group in the community.

Mr. Boyd stated that he was very specific in his comments when he voted on this that he felt the County ought to be environmentally sensitive in its own buildings, but he would not have supported this if he had known that they were going to become the stewards of the community and tell them what they should do, i.e., collect the energy uses of the community and that the County, as some sort of government agency, should dictate to them what they need to do, or regulate them as to what they can do.

Mr. Rooker said that there is a big leap from getting information and then telling somebody what to do. The resolution the Board passed does not say the County is going to put in place anything to impinge on anybody's right. He said that the things recommended are informational, purely making the public aware, giving the public opportunities for ways they can save money with their own energy uses, etc., – and they reduce the carbon output in the community.

Mr. Boyd stated that the business people he talked to said that they have been doing these measures for years.

Mr. Rooker asked if any of the information gathered is individual specific. Mr. Lowe responded that they gather information directly from Dominion. Dominion has its' own carbon disclosure as part of their business. The County does not work on an individual basis; they attach the baseline report by sector, i.e., all residential, all commercial all transportation, etc.

Mr. Rooker asked if there is any plan by the County to install meters on people's homes. Mr. Low responded, "no".

Mr. Boyd commented that he does not know where that came from. Mr. Rooker said that it was suggested in emails that were being circulated.

Mr. Boyd stated that there were areas of the Economic Vitality Plan, as well other areas, that were specifically designated by the Board for staff to look at. Mr. Graham said that he is referring to what staff saw as the desired outcomes from the update review. It also talked about the update of the Land Use Plan to match recent Board policy direction.

Mr. Boyd stated that the grant application is not mentioned which also incorporates by reference the 1999 Sustainability Accords. He said that if he understands the grant application requires that all of the Accords must be studied as stipulated by HUD – looking at population control, equalization of income, appropriate benefits, etc. He said that he did not see that come before this Board for approval.

Mr. Rooker suggested that if Mr. Boyd has questions about the grant application, he ask Mr. Steve Williams.

Mr. Steve Williams, Executive Director of the Thomas Jefferson Planning District Commission, said that there were two levels for the grant applications – a first level for development of sustainability plans and a second level for development of implementation plans. TJPDC was able to apply within the second level because it had developed the sustainability accords, but they were simply incorporated as reference to say "hey look, this is something we did in the past." There was no commitment to then try to take each of those specific items that was in the sustainability accords and study them as you are mentioning. They are just really there as a reference to the work that has been done in the past.

Mr. Boyd said that in the plan of action, the TJPDC references some things that he totally would not support, in particular the things that have to do with population control, etc.

Mr. Rooker stated that there was a plan of action included in the application, which defines what it is they intend to do. The things that Mr. Boyd mentioned are not in that plan of action.

Mr. Boyd responded that that they might have been rewritten or the verbiage changed a little bit, but they are in there.

Ms. Mallek commented that Mr. Boyd needs to work with the most recent draft.

Mr. Boyd asked Mr. Graham if these things would be accelerated because of the support from Cool Counties, ICLEI, and the HUD grant, but he does not see any of these things on their list of things they are going to study or do. Mr. Graham explained that the grant is going to fund additional staff resources at the Planning District Commission who will be available to help the County with the work that needs to take place as part of this Comprehensive Plan review. Those are resources County staff does not have otherwise; they will be available to help the County with these things. That is where the County gets some acceleration of its processes.

Mr. Boyd said that he doesn't have any problem with moving ahead with the process and expediting these items the Board specifically requested. He asked why the County spent millions of dollars doing master planning if it did not look at land use and transportation issues. Mr. Graham responded that the staff specifically said it would be doing the land use on the remaining parts that had not already been done under master plans.

Mr. Boyd asked what parts have not been addressed. Mr. Graham said that there is the entire southern area – Neighborhoods 5, 6, 7 and 8.

Mr. Boyd said he thought they had decided they were not going to address that area right now.

Ms. Mallek pointed out that it was lower down on the list because of reduced number of staff.

Mr. Boyd asked if the entire million dollar grant is to study the southern area of the County. Mr. Graham explained that the one outcome is looking at the land use plan, which is just one part of the Comprehensive Plan. There is also the Natural Resources section of the Comp Plan.

Mr. Rooker stated that part of the grant would be used by the City for their Comp Plan update, and part would be used for the County's Comp Plan, and part would be used for U.Va. and their master plan, with the idea that coordinated planning is a good idea.

Mr. Boyd commented that we have never coordinated our planning before.

Mr. Foley said the entire rural areas section of the Comp Plan would be reviewed, as is the Community Facilities section where standards are set for response times, etc. He explained that there is quite a bit more other than the master planned areas that are not going to be restudied.

Mr. Boyd stated that he thought all of those things were addressed in the master planning process, including adding to the development area, transportation planning, etc. They spent \$500,000 on a study with the City on the Eastern Connector Road. He said that he is trying to figure out what this additional \$1.0 million will do that previous funds have not done.

Mr. Rooker said that Mr. Williams enumerated a number of different things, which are not what Mr. Boyd listed. These funds will not study the Meadow Creek Parkway nor the Water Supply Plan. This is going to study things with respect to the County that it has to update in its Comprehensive Plan anyway. It will help provide common maps and things like that so when people look at a City's Comprehensive Plan, the County's Comprehensive Plan and the University's master plan there will be some common treatment of data so people can go from one plan to the other somewhat seamlessly. It does not tell the Board what to adopt in that plan – ultimately the Board makes those decisions. It does come back to the Board with information. He thinks that generally more information is better than less information when you're making decisions.

Mr. Dorrier asked if ICLEI is the only outside organization the County is consulting with. Mr. Rooker and Ms. Mallek explained that ICLEI is not involved at all in this grant.

Mr. Thomas asked how exactly the grant dollars will be used in the master plans for the County, City and U.Va., i.e., interconnectivity, cooperation in the Comprehensive Plans, etc. He asked if that is a goal.

Mr. Williams explained that "yes" that is part of the intent of the grant, but also to improve the opportunities for the City, County and University to interact – but also for the public to provide input in these plans and MPO transportation plans. The idea is definitely to increase that sort of interactive view of the entire area.

Ms. Mallek asked if the enhanced public participation is the part that would be different with versus without the funding. Mr. Williams responded that is correct, noting that when applying for the grant they realized there was not sufficient funding in either the City or County budgets or the long-term transportation planning budget for their updates to provide public input and participation.

Mr. Snow asked if this would provide the opportunity to look into the 1998 accords to see if they are in compliance with the way they are thinking as a Board. Mr. Williams responded that he does not think the grant effort will go back to revisit the 1998 accords but if the Board wanted to in its Comp Plan update, it could.

Mr. Rooker said that it would be hard to find much in the 15 accords in the County's Comp Plan that most people would not agree to. He explained that the lengthy accords were adopted by a group of citizens in 1998. "This Board never adopted that; it is an historic piece of information that was attached to the application. Mr. Rooker emphasized that it's important to the grant reader to know the kinds of things the community has done in terms of environmental planning and how the entire area is impacted.

Mr. Snow asked if the \$160,000 would cover the completion of the Plan update. Mr. Foley responded that that's the salaries of the staff who would be working on the Plan as a priority.

Mr. Snow asked how much would be saved by doing a larger and fuller Comp Plan. Mr. Graham explained that it is not really a savings, but it provides a much broader public participation process and it allows items to be accelerated by making additional resources available.

Ms. Mallek said that the additional resources come from the grant for personnel who would otherwise be on the County payroll.

Mr. Graham stated the County will reap some advantage by accelerating the process, but it cannot be quantified at this point.

Ms. Mallek asked if there were any more questions before public comment.

Mr. Boyd commented that there is probably no one in this room who would say they are not for being good environmental stewards and in favor of sustainability, but the discussion tonight is who do we take direction from and how do we go about planning this based on this Board's input or based on some international, national or state group that says 'these are the things you ought to be looking at.' That is what he is opposed to. He thinks that this Board ought to set clear definition of what it wants to look at as a community and the Board can take input from the public on that.

Mr. Rooker asked Ms. Susan Stimart, the County's Economic Development Facilitator, to come forward, and asked if companies that come to this area take an interest in whether or not this is considered a green community.

Ms. Stimart responded that the County has heard that from a few prospects, including a recent one that was committed to energy efficiencies in their manufacturing operations – and were impressed by the LEAP program and other commitments to sustainable development.

Mr. Rooker asked if she has found it to be a selling point to be able to point to measures toward sustainability in the community. Ms. Stimart said that this particular company was very enthusiastic about the County's efforts, including commitment to historic protection, outdoor amenities, etc.

Mr. Boyd said that Mr. Rooker is trying to turn this into a debate about sustainability or not sustainability. His position is that this is about who directs it in this County.

Mr. Rooker stated that Mr. Boyd's presumption about somebody outside directing anything is absolutely ridiculous. He said that Mr. Boyd got some input and didn't like the input.

Mr. Foley commented that if all clarifications are done, they are ready to go to public comment. Staff will then respond to any further questions from the Board.

Agenda Item No. 9. Public comment on presentations 8a and 8b.

Ms. Mallek announced that for the citizen comment period, all opinions are welcome and there is to be no intimidation, no approval and no disapproval. The public is welcome to stand or raise their hand to show approval with the speaker. She thanked everyone for their cooperation. She stated that every speaker will have two minutes to address the Board and will address the Board as a whole – not as individuals.

Mr. Christopher Winter, a resident of 3611 Stony Point Road and member of the Jefferson Area Tea Party, said he was present to speak for himself and his ten year old son. He said that the members of the Board who are defending ICLEI have a responsibility to inform the County residents of Albemarle about the "Soviet-like statements" contained in the 1998 sustainability accords used by the Board to obtain the HUD grant. He mentioned the terms "population control" and "distribution of wealth," and said that government control in these areas of their lives is denied and prohibited in the United States Constitution. He perceives Board members silence in this matter as a tacit rejection of fundamental protections they often taken for granted in the United States. Mr. Winter said that he enjoys his liberties and refuses to support any cause that would limit those liberties outside of their defense. He stated that the natural right to own property is at the heart of American individualism and a strong deterrent to man's natural desire to control his fellow man. Mr. Winter said that when this Board supports and implements environmental decrees imposed by ICLEI, it obviously allies itself with a potentially strong ideology foreign to the principles of the American constitutional republic through its attack on private property rights. He stated that the sustainability movement at its inception made many dire and ominous predictions about the depletion of natural resources and human degradation of the environment, but these "gloom and doom predictors" have proven themselves to be wrong. Fear is their tool to prior attention away from life in the U.S. with the rationale that human freedom and progress will destroy the environment. Mr. Winter thanked the Board for their service to the country.

Mr. Steve Peters, a member of the Tea Party, said that ICLEI and other groups have contradicted the Board's claim that there is no connection with ICLEI, the U.N. and Agenda 21. Reading from an Agenda 21 local planning document published by ICLEI, Mr. Peters said that "the task is to mobilize and technically support the local Agenda 21 planning in the communities." He stated that the Advisory Presidents Council says that "participating in a U.N.-advocated planning process would very likely bring out many of the conspiracy-fixated groups and individuals; so we will call our process something else such as Comprehensive Planning, growth management or smart growth." Mr. Peters said that he takes these groups very seriously and encouraged the Board to do the same, quoting a statement from the Vice-Chair of ICLEI that says, "private land use decisions are often driven by economics; the key is to overcome it through public policy." He stated that the outcome of any central planning process and the composition of the TJPDC with this grant are pre-determined before it even starts. He suggested that the Board not take the money and the grant as free money can be very expensive sometimes. He also suggested voting to remove ICLEI from all computer systems.

Ms. Grace Zisk, a resident of Forest Lakes South, commended the Board on its efforts with the Comprehensive Plan, obtaining the grant and toward sustainability. Ms. Zisk said that Charlottesville and Albemarle are one community, and it is necessary that they work together with the TJPDC – adding that sustainability is vital to our children and grandchildren. It is an international concern, but it is not an

international or national conspiracy of any kind – and that idea is, in the words of Mr. Rooker, “just plan ridiculous.”

Ms. Diane Weber, a resident of the County, referenced the Charlottesville Regional Sustainability Implementation Plan and said that “these recommendations will then be reorganized to approach sustainability from the point of view of households and businesses and evaluated based on the core principles of sustainability.” She added that Task #5 is to “plan for behavior change processes,” and read the text as “Changing behavior in favor of sustainability on the part of both individuals and organizations is a critical component in implementing sustainability, and again in the short term the most immediate gains of sustainability can be achieved by changing behaviors on the part of individuals and organizations.” Ms. Weber said that individuals and households are targeted in this and she is uncomfortable with the goals and laws for the community being set by an unelected planning elite that takes its marching orders from the U.N. and the federal government. She asked the Board to withdraw the County from ICLEI and to reject the HUD grant that will enable ICLEI-driven plans to be implemented. Ms. Weber said that ICLEI has already fractured our community and pitted neighbor against neighbor, stating that everyone wants sustainability but it cannot be imposed by an elite group insulated from the local democratic process” She stated that it can only happen piecemeal in an open public forum where the rights and liberties of all citizens are respected.

Ms. Clara Belle Wheeler said that Albemarle County is and has been “cool,” but socialism, the “Big Brother” mentality, and ICLEI are “not cool.” She said that the people of the County are capable of making environmentally correct choices, noting that Mr. Graham stated earlier “Albemarle has been making environmentally responsible decisions for years.” Ms. Wheeler said that if the ICLEI context is read, it dictates where individuals may live, where they may drive and build roads, where they may walk, what crops they can grow, how many of us there can be, what color, what race, what ethnicity and what gender we can be in the grand plan of organization – and even how much money we can have in our bank accounts. She stated that many counties in the U.S. have withdrawn from ICLEI and their reasons are sound and well-documented, as it is an internationally-driven organization. She asked why would someone gather data if they are not going to use that data. This County does not need anyone telling it what to do.

Mr. Jim Masloff was next on the list, but he was no longer present.

Ms. Audrey Welborn said she was present to express concern over the Thomas Jefferson Planning District Commission Sustainability Accords and the Charlottesville Regional Sustainability Implementation Plan. She has read both of the documents extensively and do not feel that either document reflects the values, ethics or ideals of a majority of the property owners and residents of Albemarle County. She said that as elected representatives, the Board must act on citizens’ behalf. She said that she has been a County resident for 41 years and has been a good steward of her land. Ms. Welborn stated that she is open to suggestions on how to preserve sustainability but resents the implications in these documents that the government can force people to change behavior. It is not a conspiracy; it is the reality of what is in these documents. She pointed out in the Charlottesville Implementation Plan, Task #4, “code and ordinance sustainability recommendations” and Task #5, “plans for behavior change processes.” Ms. Welborn asked the Board to stop participation in the sustainability accords, the implementation and ICLEI.

Ms. Helen Swiff-Dovel, a resident of Earlysville, asked Board members to put aside the inflammatory and slanderous rhetoric that has been echoing around the County the last few months and review the cogent, fact-based and verbatim quotes from the documents that have been pointed out “ad infinitum.” Board members will probably not hear anything tonight they have not previously heard. Ms. Swiff-Dovel said that this isn’t an argument of sustainability versus non-sustainability. She assumes that Board members have read the documents, and if so, she asked if continuing membership in ICLEI is relinquishing the right to social justice, and asked if taking the HUD grant locally is relegating that to the U.N. mandates.

Ms. Pat Napoleon said that she is a County taxpayer, landowner in Keswick and City resident. She said that there is a divided house tonight with a curious invasion by those from the neighboring municipality. She said that outside representatives are coming into Albemarle for the purpose of forcing their own agenda upon others. Ms. Napoleon said that citizens trust that the Supervisors will protect their rights in voting down ICLEI. She asked the Board to think beyond the binding attachments of money. She asked that the Board not prostitute themselves into a situation where Albemarle’s rural values are compromised by the tangled shackles of ICLEI. She asked Board members to consider all circumstances regarding groups the County aligns, noting that the “trappings” of ICLEI are restrictive, offensive and unwelcome” Ms. Napoleon asked the Board to trust and empower smart County staff to properly manage sustainability on their own terms.

Mr. Chris Kopp, a resident of Earlysville, said that this isn’t about whether sustainability is good or bad – but what people are objecting to is ICLEI membership. He said he hasn’t heard anyone say that ICLEI is essential to sustainable development; the County can do without it. This community has not gotten the way it has because of ICLEI. He said that he hasn’t heard an answer as to why the County is spending \$500,000 of this grant money, and not knowing what the value is when you are spending that amount is inexcusable. Mr. Kopp said the question is how long would it take for us to know how we can reduce greenhouse gasses by 80% by 2050.

Ms. Marlene Condon said that the reason for tonight’s discussion is because some people are worried about another government assault on individual liberties, but a plan to work towards a goal of true sustainability in the region should not be considered a devious government agenda to control people as it

is about taking care of the environment so it supports everyone in the long run. Ms. Condon said that a lot of people believe the health of the environment is not relevant to their lives and that their personal behavior is not relevant to the health of the environment or the lives of their neighbors, citing the example of the Chesapeake Bay – which has been deteriorating since the 1970s as it has served as a repository for chemicals, human and livestock waste and excessive soil erosion – all the result of man's activities. She stated that the blue crab and oyster fisheries have declined, putting numerous watermen, crab processors, grocers, wholesalers and many others out of business. These occupations didn't disappear due to government relations, the recession, loss of demand or because Bay-area residents didn't want to continue doing them. People lost their livelihoods thanks to their fellow citizens living in the Bay watershed, who have refused for over 40 years to change their behavior so they could do not only what is right by the environment but right for their fellow man. Ms. Condon said that some conservatives accuse environmentalists of worshipping the earth, but this isn't about taking care of the planet for its sake – it is about taking care of the earth for our sake because it does, after all, sustain us.

Mr. Greg Quinn, a County resident for 43 years, said that human rights are given by God. Government does not give us rights. The government's job is to protect those human rights given by God, and one of those human rights that we have is to own and enjoy private property, but when a government committee, Soviet-style rule by committee, takes over those rights and tells him what kind of insulation to use in my house, where to set his thermostat, it is nobody's business. Mr. Quinn said that the sustainability accords are social engineering to control people, and while he believes in protecting the environment, the U.N. should not be involved.

Mr. Robert Butler, a County resident, said that he is against the HUD grant because it sounds too much like government breeding more government. If the Board wants to go down this road of sustainability, it should be purely a local matter. Mr. Butler said that everybody is all twisted up here tonight because people won't turn off the lights, and now government needs to get involved. He mentioned how people have moved far into the country but then want to drive everywhere. There are all kinds of pesticides and fertilizers being used on products, and it is a mess. Mr. Butler said that when people start living reasonably and become conservationists, they can then get governments off their backs.

Ms. Mary Robinson said that she was present to read excerpts from the 15-page sustainability plan. The introduction states that "the Charlottesville Regional Sustainability Implementation will build on the region's 1998 Sustainability Accords and other planning documents to integrate strategies for land use, transportation, housing, economic development, air and water quality and energy use. The project will create six products that will move sustainability in the region from a regional goal to an actual implementation." She stated that the document further states that "once sustainability policies and strategies have been developed and incorporated into policy documents, it is still necessary to put structures in place that will allow the actual implementation. These include legal mechanisms through codes and ordinances, systems for educating individuals and instruction on sustainability and encouraging behavior change, and performance monitoring systems to determine if real change is taking place." Ms. Robinson said this is about human population. "Population growth – to be measured by the ways population growth and distribution are addressed in local comprehensive plans and by the individual citizens understanding of population dynamics and including human fertility." She encouraged everyone to read the document. "Development and proposals to incorporate sustainable land use practices and public education to encourage behavioral change." Ms. Robinson said this program is very comprehensive.

Mr. Charles Winkler said that he has a 30-year background in national security matters and has dealt with intelligence and counter-intelligence issues over that time. He said that he has also lived in several communist countries. He said that one of his concerns is about where the information Albemarle provides goes, but it does go to an international organization – ICLEI. Mr. Winkler stated that ICLEI's official representative to Albemarle County was a representative of the People's Republic of China, and also has a master's degree from the China Foreign Affairs University – which is subordinate to the Chinese Ministry of Foreign Affairs. Mr. Winkler said that this representative was an official member of a Chinese delegation dealing with foreigners, and anyone dealing with foreigners has to be very carefully vetted, is extremely reliable politically, and is in a very sensitive position. He stated that there are about 220 defense facilities within the ICLEI region, and that is his concern.

Ms. Jane Williamson said that she is astonished and dismayed at some of the things she has heard tonight. Unlike previous speakers she does not hate and fear the government, nor does she object to it cooperating with other governmental entities or other non-governmental entities. What she does fear is when her legislators, some of them, seem to have been hijacked by people who hate government as a matter of ideology, or who hate government because perhaps they represent powerful individuals or corporations who want to exploit the environment for personal gain and do not want to be inhibited by pesky regulations. Ms. Williamson said that a well-informed, watchful, honest government is the only effective countervailing force against anarchy, private and corporate greed, and the continued destruction of the environment. She stated that she supports the comprehensive planning process and believes that climate change is real, with time running out for dealing with its deleterious effects. Ms. Williamson said that she supports the concept of sustainability, the County's membership in ICLEI and use of its software, adding that her understanding is that the cost of this is \$1,200 a year. She added that she also supports participation in the Cool Counties initiative and in the TJPDC grant. She said she also appreciates the forward-looking Supervisors in past years who, against great pressure, have helped to preserve what remains of the extraordinary beauty, agricultural productivity and quality of life in the County. Ms. Williamson urged the present Board to continue this tradition.

(Note: At 7:50 p.m., the Board took a recess and then reconvened at 8:00 p.m.)

Ms. Mallek commented that she appreciates everyone's respectful listening thus far.

Mr. Richard Worch, a County resident, said that he is here to say that all planning should be on a local level and not be influenced by outside interests who have no knowledge for the local conditions. Mr. Worch said that if outside people are brought in, they need to be brought up to speed – which takes time and effort. He also stated that someone at the beginning of the meeting stated that these are only guidelines that don't have to be observed; which if that is the case, he asked why the County cannot just take the guidelines and accept the grant. Mr. Worch said that once you take money from the federal government you are indebted and will be required to follow procedures in implementing the grant. He asked the Board to reject the share of the HUD grant, which would bring U.N. and federal intrusion into their way of life in Virginia.

Ms. Betty Sevachko thanked Board members their service. She said that Task #5, from page 8 of the TJPDC planning document: "Plan for Behavioral Change Process: Changing behavior in favor of sustainability on the part of both individuals and organizations is a critical component of actually implementing sustainability. Long-term permanent sustainability requires changes to the processes that shape the built environment, but the built environment changes very slowly, so in the short term the most immediate gains in sustainability can be achieved by changing behaviors on the part of individuals and organizations. It is expected that as a part of this project, a few key behaviors will be identified that, if changed, would greatly benefit the overall sustainability of the Charlottesville-Albemarle metropolitan area. This task is designed to prepare a plan for the process that would need to be put into place to bring about those changes in behavior." She said that she is a "Christian" and believes in the environment, but this sounds a lot like mind control or brainwashing to push an agenda. Ms. Sevachko cautioned the Board in signing onto a mandated plan that threatens the property rights and the liberties of the Albemarle County resident.

Ms. Sherry Buttrick said that she has lived in the White Hall District since 1984 and before that lived in the Rivanna District. Ms. Buttrick said that she was a member of the Sustainability Council, which contained members from many different areas of interest in a six-locality region. The Council included developers, farmers, business people and environmentalists. It brought together widely disparate interests in a setting that became, over time, very congenial. It didn't always start out pretty, but it was definitely local. Ms. Buttrick said that the group members were respectful of each other's points of view and learned to look at the big picture. She stated that their hope was that their work would not just be a report on the shelf, but that the County and Planning District would follow up on their work. Ms. Buttrick said that this hasn't happened enough, but the two initiatives being discussed tonight are two examples – including promotion of conservation and efficient use of energy, and the Cool Counties initiative is right in line with that. She also stated that the outline of the consortium seems to follow the similar methodology to the Council in that it is looking for measurable indicators and it appears to focus on the long term and interrelatedness of community issues. She said that she is glad to see the prospect of some of the things that they started being continued.

Ms. Caren Hill encouraged staff and attendees to read the Charlottesville Regional Sustainability Implementation Plan, adding that everyone loves the environment. The question is whether they want to the United Nations coming in and telling localities how to do things. She has faith in the Supervisors in that they can do this themselves. The citizens do not need the United Nations telling them about their lifestyles.

Mr. Gray Hill asked the Board to withdrawal its membership in ICLEI and reject its share of the TJPDC grant.

Mr. Al Weed, a resident of Nelson County, said that every day what Albemarle does matters in the entire region. He said that he also served as Nelson County's representative on the Thomas Jefferson Sustainability Commission along with Sherry Buttrick and many others. Mr. Weed stated that the Commission was a model of how concerned citizens can come together across jurisdictional borders and even bridging political philosophies to develop a vision for the community. He said that the Sustainability Accords have been adopted by every local government in the region and the key to consensus was that each community would decide for itself how to meet the sustainability goals. The Commission never felt that it had to respond to directives from either the federal or the state and, now as it turns out, the U.N. This was a local organization.

Mr. Weed stated that today America's response to climate change has been stymied at the national level but what amounts to a tribalistic fear of science and a pandering to the well-funded, but approaching criminal campaign against climate science. Mr. Weed emphasized that what matters to their future is what they do at the local level, and adding it all up will mean that this local effort can do more than the political system is capable of accomplishing nationally. He said that demands for this County to withdraw from cooperative national and international efforts are the manipulation of the scientifically innocent with scare-mongering. Mr. Weed stated that this is part of a broader effort to defeat national efforts to respond to climate science. The challenge is global, but what they do on the local level is what really matters and the message that this Board will send if it rescinds membership in these organizations is very clear: they have given up and we can be stampeded by the criminally ignorant for short-term political gain.

Mr. Tom Olivier, speaking for the Piedmont Group of the Sierra Club, said the Piedmont Group defines sustainability as "meeting the needs of the present generation without compromising the ability of future generations to meet their own needs." He added that surely, that is a good thing. They know that globally and locally, they are not now living sustainably. Mr. Olivier said that ICLEI and Cool Counties together save Albemarle County money, reduce greenhouse gas emissions and help make the County

sustainable. Mr. Olivier said that the Piedmont Group believes the County will be foolish if it leaves these programs and withdrawal will be evidence that key Albemarle decision makers no longer possess the will to move the County toward sustainability, which existed in 1990 when the County participated in the Thomas Jefferson Sustainability Council.

Mr. Olivier said that recent budget cuts have led to a shortage of Planning staff, which has delayed a required update to the County's Comp Plan – and the Livable Communities Grant will provide additional Planning staff so that the required update can begin now, and will provide measures that help assess how well policies aimed at environmental protection are being implemented. The Piedmont Group supports Albemarle County's participation in the Livable Communities project. Mr. Olivier said that in their best moments, Americans rise to face new challenges. They do not deny hard truths or demonize their messengers with conspiracy theories. They hope the 21st Century will see them realizing a new American Dream, one with sustainability at its core. Albemarle County needs to do its part to make such a vision a reality."

Ms. Wren Olivier, a resident of the Scottsville District, said that climate change is a major threat to the world today and every available resource must be used – such as ICLEI and Cool Counties programs – in order to contain it. Ms. Olivier said that long-term comprehensive planning is also necessary, so participation in TJPDC's Livable Communities project is essential. She added that the Board's failure to use these resources would be an abdication of responsibilities as elected officials.

Mr. Kirk Bowers, a resident of Key West, said that he wants the County to continue its membership in ICLEI, as \$1,200 is not a big fee and it would be foolish not to pay it. Mr. Bowers said that his concern is that there is no conspiracy at all from the United Nations, and to imply that is totally foolish and ludicrous. Mr. Bowers said that he does not see any U.N. trucks, U.N. police, etc. In fact, he does not think the U.N. has any interest in Albemarle County at all. He thinks this whole issue is pretty much a waste of time and this should not even be an issue for discussion tonight. He said that he wants to assure everybody that they are in control of our County, and they will continue to be in control of our County as you will see in November, when he thinks some heads will roll if you do not vote for this.

Mr. Joe Draego said that there is such a divisiveness in this country and in this community it seems like the Civil War. It seems that the issue is whether Albemarle is going to govern itself locally or allow outside influences to govern it. He said that each day it feels that people are being pushed in a certain direction. He supports sustainability and he supports saving energy, but he is uncomfortable having folks from outside our neighborhood, or outside our community telling us what we can and cannot do. Mr. Draego stated that it is possible to achieve a middle ground here.

Mr. Draego said his real concern tonight is with the red light cameras located on the corner of Route 29 and Rio. He presented a petition with 177 signatures where he asked people "if they think the government should use revenue generating traffic surveillance cameras in our community" – 31 were for the cameras, six did not know, and the remainder against them. He asked the Board to remove the cameras.

Ms. Barbara Cruickshank, a County resident, said they live on a small planet and are all connected. She said they can learn from their neighbors and from other people in different areas around the world. Ms. Cruickshank stated that according to the World Watch Institute, humans now use one-third more of the earth's capacity than is available. They can no longer take for granted the earth's ability to sustain future generations. They need to encourage a shift away from consumption towards sustainability. They need to move away from old notions: more stuff will make us happier; perpetual growth is good; humans are separate from nature; and nature's resources are to be exploited for our purposes only. They need to encourage a continued shift toward sustainability, and they need leaders who are willing and able to help the community move forward on that.

Ms. Jerry McCormick-Ray, with the U.Va.'s Department of Environmental Sciences, said she is very disappointed in the discussions happening here today. She said that she is a marine ecologist working in the Caribbean and has seen incredible changes in the oceans. She is also seeing changes in Alaska and in the Chesapeake Bay. She has also worked here Albemarle County and she is seeing changes, and she is worried. Ms. Ray said that she would first like to draw attention to Dr. Singer's "Sustainable Development Hoax", apparently supported by members of this Board and the Jefferson Area Tea Party. She stated that Dr. Singer advocates fear and doubt in the public mind and expresses a personal belief, providing no solution to the strong evidence of development impacts changing our planet and our County. He only raises doubt obfuscating the dedicated effects of so many people working to better their community. Ms. Ray said that Dr. Singer has a history of raising doubt in the public mind, arguing against science on the dangers of cigarette smoking and climate warming, among others. She stated that the Board has adopted a resolution committing the County to emissions reduction of 80% by 2050, which is a 2% per year reduction on average. She said that she supports the effort with the County initiatives and associated funding. The community needs all the help it can get.

Dr. Carlton Ray, from the U.Va. Environmental Sciences Department, said that sustainability is just another way of saying efficiency, which is good for business, good for individuals, and will lead to sustainability for the County. He added that the community needs all the information it can get from whatever source. Dr. Ray said that he does not understand why people are afraid of outside information, and ICLEI is simply an information source – emphatically not threatening the County's sovereignty. The U.N. was created after WWII to bring nations together, not to tell them what to do. He said that he has worked with three U.N. organizations – on education, food and agriculture, and environment – and it is far and away the best worldwide source of information on climate, trade, fisheries, international boundaries, etc. If Albemarle rejects ICLEI, it is merely rejecting information and to think otherwise is simply naïve.

Dr. Ray stated that Cool Counties is only a problem if the County rejects it, adding that the effect of arctic climate on marine mammals has been his field of study for three decades – and even the naysayers acknowledge that CO2 is a greenhouse gas, that sea level is rising, storms and rainfall patterns are changing – and so rather than confront the facts, they create doubt. Their arguments are clever, but misleading. He asked the Board to not fall for them.

Mr. John Cruickshank said that he has lived in this community for 31 years and is here to urge the Board to continue participation in Cool Counties, ICLEI, and the TJPDC Livability Grant. He said that as a member of the Charlottesville Citizens Committee on Environmental Sustainability and the local Climate Action Planning Process Steering Committee, he has communicated with a regular basis with City and County staff and other local community members about local efforts to improve energy efficiency, reduce greenhouse gas emissions, and ensure a healthy environment for all citizens. Mr. Cruickshank said that the decision to join Cool Counties and commit to a reduction in carbon pollution was a responsible action by the County. The realities of climate change and the need to take action is more apparent now than they were in 2007. He stated that ICLEI membership provides access to a valuable tool for completing an inventory of greenhouse gas emissions, monitoring progress in making reductions, and assists in the development of plans for using energy more efficiently and saving money. Mr. Cruickshank said that the TJPDC Livable Communities planning project will enable the County, City and University to use best practices and do some collaborative planning. It is all good common sense.

Mr. George Hohner said that it is a good idea to stop and think about the U.N.'s Agenda 21 if the Board stays with ICLEI. He quoted from the U.N.'s Biodiversity Assessment Report that "some of the things that are unsustainable are ski runs, grazing of livestock, plowing of soil, building fences, industry, logging activities, dams and reservoirs, powerline construction, and economic systems that fail to set proper value on the environment". Mr. Hohner said he believes in being a good steward of the environment, and the County has done a great job of keeping the area beautiful. He urged the Board to reject ICLEI membership.

Mr. Lonnie Murray said he grew up in this community and his concern is "the way we grow matters." Mr. Murray said that there are 10 proposed additions to the growth area that just came up, and without a Comprehensive Plan review these things are going to be done on an ad-hoc basis – which may put growth just where one person wants it instead of where it makes sense. It is important that local governments save money by cooperating with one another. He emphasized that this grant is going to be very important for staff assistance, as a Comp Plan that includes adequate public review cannot be accomplished without the resources it would provide.

Mr. Jack Marshall, on behalf of Advocates for a Sustainable Albemarle Population, said that the Jefferson Area Tea Party would turn back the clock on a number of modest steps the County is taking and proposing to take toward rational planning for a genuinely sustainable community. He said that their demands would reduce opportunities for cooperation among the City, County and University through the TJPDC grant; curtail access to useful information and planning tools; and weaken ambitious goals for achieving a healthy environment. Mr. Marshall said that the local Tea Party would have you believe that sustainability is a radical political agenda, but the notion of real sustainability simply means leaving to future generations a community and a world in no worse shape than the place we inherited. That is not radical. That is common sense. What's radical is deliberately risking an unsustainable world for tomorrow. He said that when a reasonable person sees a truck coming towards him in his lane in the highway, he makes adjustments, and science reveals – to those not blinded by ideology – that ecological and climatic trucks are lumbering toward us, and sustainability means trying to dodge those by changing the ways we have operated over the past hundred years.

Mr. Marshall said that the reckless and unsubstantiated claims of the local Tea Party are insulting. They insist that scientists are deceitful, that information and ideas from outside our country are sinister; that County and City staff and citizen activists like me can be infiltrated; that we – and you – do not have the intelligence or backbone to weigh evidence and make independent conclusions. He asked the Board to not buy into this nonsense.

Mr. Jeff Adams, a resident of the Scottsville District, said that he is completely in support of the Board's past environmental efforts of planning for a sustainable future by reducing the County's greenhouse gas emissions. He said that he supports the County's ICLEI membership, which would assist the County staff in their ongoing efforts to reduce the County's environmental impacts related to global climate change. Mr. Adams stated that he also supports the County's efforts to become more energy efficient, which would allow energy savings and monetary savings. He added that he supports the County's effort to preserve the environment, which is an issue that is so obviously critical to everyone.

Mr. Brian Day, a property owner in Crozet, commended the Supervisors and the staff for their leadership in Cool Counties and the Sustainable Communities grant. He encouraged the Board to continue to support ICLEI membership. Mr. Day said that these programs provide the community with the ability to develop policy to protect local interests and it is really important to prepare to deal with issues related to the environmental, economic and energy fronts so that they can learn to make themselves stronger and more resilient. He added that good planning will help diversify employment, increase resilience and develop more good-paying jobs. Learning from others is not turning over control, but potentially an opportunity to learn from actions. Mr. Day said that he has spent 30 years in 35 countries, helping people to use behavior change instead of imposing regulations.

Mr. Brandon Collin, a resident of Meade Avenue in the City of Charlottesville, commented that regional planning is smart, it is necessary, and it is not expensive – it saves us money in the long run. Mr. Collins said that staff tonight has done an excellent job of explaining these programs and the grant and

how they work, and how the Board has control on them. He said that he gives the Board members more credit to believe that this is some crazy plot that its' sovereignty is being somehow compromised. He added that what this is, is political pandering that is giving a cover for not cooperating with the City of Charlottesville, the University and the rest of the world. Mr. Collins said that the conversation is about stability, but is also about whether the County is willing to work with its neighbors. It should not be couched under the guise of sovereignty or any ridiculous notions of Soviet structure and somehow your staff is being co-opted by the U.N. He added that the Board should give its' staff some credit.

Ms. Linda Goodling, speaking tonight for the Charlottesville-Albemarle League of Women Voters Natural Resources Committee, said that since 1946 the League has participated in the County's long range planning – including the visioning sessions in 1992, the homegrown sustainability council in 1994-98, and in dozens of public work sessions over the years to update the Comprehensive Plan. Ms. Goodling said that the League has adopted principles in urging the Board to take responsible action. At national, state and local forums, the League speaks up to facilitation citizen participation in decision making. The League supports resource conservation and long-range planning. The League promotes polices that manage land as a finite resource and incorporate principles of stewardship. Ms. Goodling urged the Board to join the City, County, U.Va. and MPO in utilizing available grants – such as the HUD grant being discussed tonight. In the late 2000s the National League lobbied vigorously for the comprehensive legislation to control local climate change by setting a gap on greenhouse gas pollution and by encouraging conservation and renewal energy. The League promotes an environment beneficial to life through the protection and wise management of natural resources in the public interest. The League supports environmentally sound policies that reduce energy growth and encourage energy conservation. The League finds that the ICLEI membership and Cool Counties resolution are tools that enable the Board to work towards this wise management and urges the Board to continue to use these valuable tools to measure and guidance the County's progress.

Ms. Dolores Rogers, a Scottsville resident, said she is here to support the County's participation in the consortium agreement, ICLEI membership and Cool Counties. She said that she has heard how staff has been "co-opted," and how "sinister outside forces are trying to take over our sovereignty." So far the most sinister outsiders have been from Nelson County and the City Charlottesville, and she rather enjoys them. Ms. Rogers said that sustainability is about her grandchildren learning how to swim in the James River and their grandchildren learning to swim in the James River. Sustainability is not about political careers; not about who can shout the loudest, but it is about taking care of our world. Ms. Rogers stated that while she is a resident of Scottsville, she is also a resident of Mother Earth and she is concerned about what people on the other side of the planet are doing with their communities as she is doing in hers because they are going to affect the ability of my grandchildren to learn to swim in the James River. She said that the County needs to support ICLEI membership, the consortium agreement, and membership in Cool Counties because you cannot have too many tools or too much information. In addition, during these uncertain economic times, you can never have too much money.

Mr. Tim Hulbert, a resident of Brandywine Drive in the City of Charlottesville and employed by the Charlottesville-Albemarle Regional Chamber of Commerce, said that for the last two years he has been working on the Local Climate Action Planning Process. Mr. Hulbert said that they have maintained that efficiency and conservation are values that are held dearly in all private enterprise, and agree that all changes should be driven by market measures or by voluntary measures – not by dictate. He said that he and the Chamber care if that is being driven by ICLEI or not, but the Chamber does care about consolidated planning. He thinks the County ought to sign that agreement. Mr. Hulbert said that ICLEI is probably too polarizing and the County could revisit the Cool Counties agreement at a later time. At the end of the day, the Board is in control and the Chamber urges the Board to move forward.

Ms. Emerald Young, a County resident, asked the Board to continue participation in ICLEI, Cool Counties, and accept the grant money. She said that she lives in a multi-unit building, which was built in 2004 and doesn't have proper insulation – which reduces its energy efficiency and allows her to hear her neighbors' activities of daily living. Ms. Young said that if the County doesn't accept the grant, there will be an enactment of a policy of restricting resources to government – which delays planning and in some cases, saddles government with debt.

Mr. John Dean addressed the Board and thanked staff for their presentation. Mr. Dean said that he is here with a blue "Common Sense" sign. He said that they are a silent majority. He stated admiration for the Tea Party which has been very strategic in its targeting of Board members. He then expressed support for the County's membership in its various commitments for sustainability. He encouraged the Board to increase its cooperation with the City and U.Va. in a dynamic process of planning. He stated that this is about what kind of community you want to live in, and he wants to live in one that is dynamic and growing, that is economically sound and prosperous, naturally beautiful and culturally diverse. This kind of cooperation and planning will help to find out what those things mean to all these people, which is a community process that needs to take place, and these memberships and processes can assist in doing that, and pay for itself.

Mr. Kevin Palmer, a resident of Ivy, said that in 2000 he began working with the U.S. Army doing sustainability planning, and has done planning at 40 installations worldwide. Mr. Palmer said that the model that he used to help develop the Army's program was the TJPDC planning process started back in the 1990s, which has been terrific in helping build consensus. Mr. Palmer stated that the Army Chief of Staff for Installation Management is promoting net zero energy, net zero waste and net zero water in the next 15 years at Army installations. The Army is pushing for sustainability, not because of foreign interests but because they view it as a matter of national defense. He said that the program was started under Bush administration, continued under Obama administration, and will continue well into the future as they continue to plan to protect the U.S.'s interests through better resource management, better

community planning, better cooperation with the citizens, and in the long term sustainable cities and installations.

Ms. Liz Palmer, a resident of the Samuel Miller District, said that she is kind of disappointed that they are all here tonight wasting and spending valuable time reviewing policies to decrease government energy consumption and questioning if they should use grant funds for long-term planning. Ms. Palmer said that a common complaint about government is that it's inefficient and wasteful and yet here is a clear effort to become more efficient, and it is being attacked on the grounds that the goals and our computer model chosen to help quantify our progress will somehow prevent the Board of Supervisors from making their own decisions. She stated that whether you believe in climate change or not, reducing energy consumption helps clean our air and water, and if these savings are approached in a comprehensive manner doing cost benefit analysis and tracking progress, they will save money in the long run. Ms. Palmer said that at present the ICLEI software is the best tool to quantify baseline emissions and track future gains – with VACo and VML both listing the ICLEI software as resources for members. It is an insult to Board members intelligence to suggest that somehow those who produce and maintain this software will prevent you from making well-reasoned decisions. She stated that everyone is in financial straits right now and asked why the Board would give up grant money.

Ms. Palmer then presented some examples of behavioral changes that County government has already tried to do and has done successfully – the \$100 rebate for low-flow toilets and sending out educational information to conserve water. She said that two examples of the federal government sending the County money are Chris Greene Lake, and the Moore's Creek Wastewater Treatment Plant. She does not think the County would give that money back.

Mr. Peter Hanchak addressed the Board, but said he would give his time to the next speaker.

Mr. Jim Bryan said that he is a property owner from south Batesville for almost 40 years. He first thanked the County for their planning work. Mr. Bryan said that he is here to talk about cooperation and intelligence, but instead is going to talk about outside influence. The worries about outside influences can be seen with some people in this audience. He said this is the same sort of thing that was going on with denying the dangers of smoking. It is creation of doubt. It is an outside influence that was not here when he came to Batesville and when he came to Albemarle County – and he resents it. He said that he hopes that County staff, the Board of Supervisors and fellow citizens can stand up against it. He said that he hopes the Board can use the sensible approach with the consortium agreement, with the ICLEI membership and with the Cool Counties resolution – and that they can move forward as leaders instead of moving backwards in outside-induced fear.

Mr. Peter Wurzer, a resident of Free Union, said that he has heard several comments tonight about "free money," but he is concerned with grants as they are a way of spending money you do not have. Mr. Wurzer said that staff mentioned doing the right things for the environment, but the big issue he sees is the ICLEI influence. One of ICLEI's strategy for 2010-2015 "Responding to Change – Leading on Change: The pace of global environmental change, the trends of degradation of global ecosystem services and they overshoot of the human footprint of the earth require an acceleration of local efforts. Even if ICLEI membership performed in state of the art manner and if we were to extrapolate those efforts into the future, we would not reach a sustainable level of resource consumption and pollution in communities, i.e., a sustainable ecological footprint. Therefore, experts confirm that what we all feel, we must act more rapidly, pursue more radical solutions." Mr. Wurzer said his concern with these statements is that they get infiltrated into the whole process. There are some agenda items shown here and he thinks they will come out in some form or fashion.

Mr. Dana Tarrant, a resident of Keswick, said she has raised three children in Albemarle County. Ms. Tarrant read some text from the 1998 Sustainability Accords, under "Values and Ethics," with the goal being "The diversity and the inherent dignity and worth of all living things are appreciated and societal benefits and costs are equitably shared by all citizens." Ms. Tarrant asked "whose values and whose ethics," and whether they are coming from elected or non-elected officials. She is conservative and before anyone laughs or asks the Board to vote for this, they should read these Accords.

The next speaker, Mr. Chad Freckmann was no longer present.

Mr. George McCallum said that he and his wife have lived in the White Hall District since 1978. He said that he participated in the first Comprehensive Plan and the first County Zoning Ordinance. He watched the evolution of the Comp Plan from being simply a land use comp plan to one that is much broader. He does not always agree with everything but he appreciations the opportunity to participate. Mr. McCallum said that he would like to see the citizen participation continue and would like to see the City and the University cooperate and plan together with the County. He added that the Board has been sensitized to some of the fears and concerns, and some of the alarming language – but he has every confidence in the Board's ability to retain local control. Mr. McCallum said he supports what the Board has done in the past and asked them to continue.

Ms. Connie Stevens, a resident of the County, said that a lot of the words being used tonight sound so nice, but "sustainability" and "livability" are obviously wanted by all people. She asked who is going to run us – ourselves or the U.N.? She said that she does not want the U.N. in our business. She wants the County to drop ICLEI membership because it will kill property rights.

Ms. Marcia Joseph, a resident of the Rivanna District, said that she was curious to see what the U.N. had to do with local governments and sustainability, so she went to their website and discovered the "Millennium Development Goals." Ms. Joseph said that they looked familiar, and she realized that her

church had adopted these goals. They use them to guide them when they determine their outreach committee's requests, as the goals include such things as eradicating extreme poverty and hunger and ensuring environmental sustainability. These goals are OK with the Episcopal Church and they're OK with me. She said that she feels that they have been given a gift of this beautiful planet along with clean water, clean air and fertile soil to ensure their existence. Along with these gifts they assume the responsibility to keep the air and water clean and the soil fertile. To her, that is sustainability. Ms. Joseph said that sustainability means understanding that they are all responsible for maintaining the health of our planet and looking beyond our borders when they institute planning initiatives, and that they are aware that the land use decisions they make will affect our neighbors. She stated that it is the synergy of the City, County and University that make this area a special place, and the Cool Counties and ICLEI make us more aware of our energy uses and help us hold down emissions, and stave off ozone alerts in the community. Ms. Joseph said that retaining the sustainability grant with a plan to include lots of public input also makes great strides to help us understand the needs and concerns of our City and University neighbors, and our membership in these organizations and acceptance of the sustainability grant declares to the community that they are making a commitment to future generations and fulfilling our obligation to help keep our portion of this planet habitable and beautiful for all of God's creations.

Ms. Heather Rowland, a resident of the Samuel Miller District, said that she would not dignify the theory of U.N. domination of the Board of Supervisors by ICLEI with any discussion, other than to say that Facebook or Twitter have to be far better ways to achieve world domination than through a program that calculates the environmental benefits of double glazing your attic insulation. Ms. Rowland said that the Board, including Mr. Boyd, signed onto the Cool Counties declaration in 2007, which committed Albemarle to measuring and subsequently reducing greenhouse gasses. She stated that County staff needed a way to make these measurements, and chose the ICLEI software.

Ms. Rowland said all that this program does is to calculate the greenhouse gasses emitted by daily economic activity in Albemarle County. It does not involve an agenda. It just translates energy use into greenhouse emissions and totals them up. There is absolutely no transfer of decision making away from the Board. She stated that if the Board does not think they chose the most cost effective analytical tool to do the job, then they should have the staff investigate, rank alternatives, and then switch if their first choice was wrong. The Board should not just abandon their only measuring tool and start driving blind.

Ms. Rowland said that the Board has stated an aim of high-paying, cutting edge jobs, in the County – but if bias and ignorance, instead of informed analysis, are seen as the basis of the County's decision making, such jobs will never come. The risk of being the next target of outlandish and farfetched fantasies would be just too great.

Ms. Mary Ann Doucette, a resident of the White Hall District, said that she is an environmentalist and a supporter of comprehensive planning. She said that the definition of sustainability in the TJPDC 1998 Accords is not planning, "it is mind control and it is socialistic." Ms. Doucette stated that there is too much interpretation open in these, and they will have to be used in the future. She said that rescinding these accords are the major thing that needs to be done here. She said it is in the application grant and it is assumed that all of these things will be done if this grant money is received. Ms. Doucette said this is just a subtle way to draw us into this clandestine and socialistic philosophy and have every aspect of our life and individual decision-making and our freedoms eroded. Ms. Doucette noted that the accords contain language that "every member of the community has access to adequate and affordable transportation" and that "every member of the community is able to obtain employment that offers just compensation, fulfillment and opportunities of advancement." She asked, "Who's going to pay for doing all of this?" Ms. Doucette said that she is very concerned about the document and the County should get out of ICLEI and forget the grant.

The next speaker, Ms. Heather Higgins, was no longer present.

Mr. Vernon Lechti, a resident of the County, said that staff made the recommendations that we should follow the three plans. They have researched it thoroughly. They say it is the best thing to do. It is the best thing to do.

Mr. Morgan Butler, with the Southern Environmental Law Center, said that he has served on at least one County stakeholder group that involved some of the same citizens who have expressed concerns about the initiatives discussed tonight, but he found their contributions to that group to be very helpful. For that reason, he said, he has tried to learn more about their concerns with the sustainability initiatives – starting with Tom DeWeiss's presentation back in March. Mr. Butler said that he hasn't seen any evidence that participating in these programs will hand the County's decision-making authority over to outsiders or push us down a path towards socialism. He stated that he views these efforts as the County looking seriously at ways to reduce air pollution, cut wasteful energy use, improve regional collaboration, and plan for the future of this community.

Mr. Butler said that at their core, the programs being debated are about generating new ideas and recommendations for tackling some of the biggest challenges facing us, recognizing that we do not have all the answers ourselves. He emphasized that ideas and recommendations – no matter who comes up with them – do not become law or policy unless the Board of Supervisors enacts them, and present no risk of losing local decision-making authority; it remains firmly with the members of this Board, and by extension, County residents.

Mr. Butler stated that coming up with ways to reduce greenhouse gas emissions and promote sustainability can translate to other important gains for County residents and taxpayers, such as lower electric bills, more transportation options, job creation and local economic growth. He said that these

multiple benefits help explain the diverse interests represented on the Livability Advisory Committee and the Local Climate Action Steering Committee. Mr. Butler thanked the Board for carefully considering this issue and urged them to recognize that the benefits to the County far outweigh any theoretical risks that have been raised, and it is time to focus on the real challenges and opportunities confronting this community.

Ms. Ruth Stornetta said that she lives in the City and owns property in the County also. Ms. Stornetta said that her family goes back to 1740 in this County and her grandmother was born here at the turn of the 20th Century, living in the Greenwood area and moving to a farm in Virginia Beach before WWI. She said that she grew up and spent a lot of time on that farm, and there is a really stark contrast between that farm that she left in 1989 and the place she left in Greenwood. Ms. Stornetta stated that the 500 acres of her farm in Virginia Beach were whittled down bit by bit, first criss-crossed by North Hampton Boulevard, surrounded by strip malls, gas stations, shopping centers and apartment complexes. When she passed away, Ms. Stornetta said, no one in the family wanted to live there. That characterizes a community without a good, sustainable and comprehensive plan. She urged the Board to take this lesson, and the lessons and good ideas that come from outside the community and support the consortium agreement, the ICLEI membership and the Cool Counties resolution. Ms. Stornetta concluded with the Joni Mitchell lyric, "Don't you know, it seems to go, that you don't know what you've got till it's gone."

Mr. David Bowerman addressed the Board, stating that his understanding is that the proposal to withdraw from the two memberships is being considered because some members of our community feel that participation is a danger to Albemarle County and its citizens". Mr. Bowerman quoted Mr. Boyd as saying, "We are being infiltrated in local government by an agenda that is set by this international organization. I think it is time that we as a government took back that control." Mr. Bowerman said that this cat was let out of the bag with the 1998 Sustainability Accords. The TJPDC created the Sustainability Council – an appointed group made up of 30 leaders recommended by the City, County and U.Va. and comprised of people like Tim Rose, the late Frank Kessler, the late Emily Couric and Suzanne Brooks, to name a few. He said that he was honored to be asked to Chair the group and they spent four years involving over 1,000 people to create the 1998 Sustainability Accords, which spoke to how to use current resources to maintain our healthy and vibrant community in a way that would empower the next generation to have the full range of opportunities that we have enjoyed. In other word, we needed to be good stewards of all our assets including our people and our values, so that we would not foreclose future generations of their ability to do the same. Mr. Bowerman said that these accords were adopted by all the groups in the District. He added that he has faith in elected leaders to always make decisions that are in the best interest of the community. The Board members are all intelligent and thoughtful, and although occasionally disagrees with one another about the details, but never the purpose of their decisions. The Board would never allow any group, individual or outside influence or institution to interfere with your best judgment on what you believe is right. He concluded that he is not concerned about outside influences, but he will accept funding.

Ms. Lorrie Lyon Delehanty said that she was one of those people who worked shoulder to shoulder with members of the Sierra Club to garner signatures for the petition for the Mayors Climate Agreement Plan and presented it to City Council. Ms. Delehanty said that she stands very firmly in support of ICLEI, Cool Counties and the consortium agreement. It would be totally, totally irresponsible to refute the County's commitment to reducing greenhouse gas emissions and it would be losing money on energy-wasting programs. Ms. Delehanty stated that these sustainability accords are not part of some kind of conspiracy. There are a lot easier ways to provide a conduit for some foreign power to take us over, and it is just not ICLEI. She said that this is a homegrown result of hundreds of hours of public input by a diverse group of farmers, business people, foresters, environmentalists, developers, builders – who all want this livability project. Ms. Delehanty said that coordinated planning with the City, County and University is just common sense. She supports it 100 percent.

Ms. Linda McRaven, a resident of the White Hall District since 1978, that she has been hearing about loss of things, controlling this and that, but meanwhile Route 29 North has gotten uglier and uglier and uglier. She said that the County has remained beautiful and even the developments are done with good taste. She asked the Board to reject the sustainability plans because they are about control and not what is right. She does not want the electric company to tell somebody on staff how much electricity she is using and then having someone knock on my door and say "you shouldn't be using that much electricity." Ms. McRaven asked why the Board would consider subjecting residents of rural communities to the control of somebody other than themselves. She said that this is about behavior modification and this is a radical document. She asked the Board to be responsible to the people who elected them.

Mr. Dave Redding said that he agrees with his Tea Party friends that control should be kept local – and he is confident that the Board will keep control local. He said that the community needs knowledgeable input from elsewhere. Mr. Redding mentioned the history of electricity, noting that communities put in different hertz systems so over time they were not compatible – so they had to be torn out at great expense. He said that there are companies that "try to social engineer him all the time", try to get him to change the way he lives. He said that he thinks it is a good idea to encourage people. Mr. Redding cited the water rebate for shower heads is an excellent thing to be doing.

Mr. Chris Sonne said he was present as Chairman on behalf of the James River Green Building Council, which is a nonprofit charitable organization working to promote green building practices and sustainable development throughout central Virginia, including Albemarle County and the City of Charlottesville. He said that his organization provides advocacy, education and training – promoting and supporting buildings that conserve energy, conserve natural resources, and provide communities that are sustainable and livable. Mr. Sonne said that Albemarle County, through its involvement with Cool Counties and the livable grant, has shown itself to be a leader in intelligent, thoughtful and sustainable

municipal planning, and this informed approach will greatly benefit the citizens and businesses within the County for many years to come. He stated that the James River Green Building Council strongly supports the County's continued involvement with these programs.

Mr. Jon Bruneau said the community needs to decide what direction to take, not outside entities. The community needs to make government for it, not against it in a cumbersome fashion. The community needs to grow its economy and create jobs. After listening to the presentation, it seems that the community already has a grant that will allow it to implement policies that the Board has adopted. He said that the community already has a grant that will allow us to gain more community input that many feel is insufficient given current funding. They have a grant that will make the cumbersome document of this action plan more straightforward and easy to follow. They have a grant that will bring money to the community and create jobs. Based on these items, he does not see how anyone is in disagreement over this. Mr. Bruneau expressed his support for maintaining the grant and retaining membership in ICLEI.

Ms. Carol Thorpe, a resident of the Jack Jouett District, said that over the last five months the Jefferson Area Tea Party has responsibly and respectfully made a solid case against the County's participation in the Livable Communities Planning Project, the HUD grant, and membership in ICLEI. Ms. Thorpe said that they have done so with reliable science provided by Dr. Battig and other evidence as documented from Board archives, TJPDC's website, and ICLEI's own website. Ms. Thorpe said that they have proven that ICLEI's objective is to promote and facilitate the implementation of UN Agenda 21 throughout America. She then read from the forward of the local Agenda 21 Planning Guide, stating that "The task of mobilizing and technically supporting local Agenda 21 planning and communities has been led by ICLEI."

Mr. Thorpe said that ICLEI is not the harmless supplier of software and technical support as Mr. Rooker contends, and its methodology is applied directly in County environmental policy. She stated that the full text of the 1998 Sustainability Accords is replete with a political agenda, social justice, population control and management and massive overreach of government into the private property rights and individual liberties of our citizens. Ms. Thorpe stated that the TJPDC grant submitted the accords in full, stating to HUD "It is the current plan of sustainability in our County." She mentioned comments by Mr. Marshall at a Charlottesville City Council meeting that there must be changes made in our personal and social lives to create a socially adjust world. In response to Mr. Marshall, she stated that the Tea Party neighbors are threatened and so should anyone else who treasures God given rights guaranteed by the Constitution. She addressed her comments specifically to Mr. Snow, Mr. Thomas and Mr. Dorrier and said, this is not about politics; this is about the issue of whether sustainability is an environmental initiative or merely a beard for a greater plan. She asked the Board to remove the County from these programs.

Mr. Jason Espie, a resident of Canterbury Hills, said that he is here to speak in favor of the words "sustainability" and "livability." He said that he supports common sense planning, where communities have more housing and transportation choices, live closer to jobs and shops and schools, become more energy independent, and protect clean air and water. Mr. Espie said that he supports environmental respect and responsibility, efficient use of limited resources, investment in livability in a healthy environment, in a strong economy, and in a vibrant community. He stated that he applauds Albemarle's long record of sustainability planning dating back to the 1970 Comp Plan, and he supports efforts to keep this area an attractive place to live, as they are more desirable to employers and jobs, and are where talented and creative people choose to live. Mr. Espie said that livable communities have higher property values, and this community needs more coordinated planning – not less. He stated that he supports allocation of resources to participate in this initiative and he believes that identifying \$16 to leverage \$100 is a no-brainer. Mr. Espie encouraged the Board to continue participating in these initiatives. He also supports the County Executive executing the Consortium Agreement on behalf of the County. He asked the Board to say "yes" please in my backyard to livability and sustainability.

Mr. Peter Whitehead stated that he is a citizen of Planet Earth. He said that the Tea Party does not speak for everyone. They are very, very much in favor of sustainability. They are in favor of ICLEI. They are in favor of Cool Counties. He said that 75% of the people in this state believe in anthropomorphic climate change, and the rest do not.

Ms. Mary Rice, a resident of the White Hall District, said that she believes the Board should support the measures presented. She thanked staff for an excellent presentation. Ms. Rice said that she believes in education, planning and creating a sustainable world that allows us to grow as we need to and leave a beautiful planet for our grandchildren. Ms. Rice said that everyone has used environmental education that has been written outside of our County to learn how to become better citizens of this planet. She added she strongly supports using these tools. That is what is used with the ICLEI membership. She said that she strongly supports these measures.

Ms. Michelle Pike, a County resident, commended the Board for participating in the Cool Counties program, the ICLEI grant, and the consortium agreement. Ms. Pike stated that these programs are all visionary and speak to the community's commitment to protecting natural resources and environment, and participation in these programs demonstrates the Board's commitment to serving the needs and desires of its constituency. She said that this foresight distinguishes Albemarle County as a premier community now and secures it as such into the future. Ms. Pike said that she is proud that the City, County and University can work together on this important enterprise, and teaming up with larger groups, such as ICLEI and Cool Counties, brings even more great minds to our table here in Albemarle County. She stated that these valuable resources are not threatening local rights in any way. The community remains free to act on its own findings as they see fit. There is no need to reinvent the wheel. A lot of smart people have already put a process in place to allow the community to measure where it is. Baseline standards are useful and necessary tools in this process and we are smart to make use of available tools. The

community can use this information as it sees fit, as it always has. Ms. Pike said she supports participation in ICLEI and Cool Counties programs.

Mr. David Brown, speaking as Chair of the Local Climate Action Planning Process Steering Committee and as a member of City Council, said that the intent of the joint committee was endorsed by unanimous votes from City Council and the Board of Supervisors over two years ago to collaborate on best practices and provide recommendations for community actions to reduce greenhouse gas emissions.

Mr. Brown stated that the University and many business and community leaders are represented on this committee, and it is finalizing its recommendations. He said that he is not here to debate the existence of manmade climate change, as the committee's creation and charge implies acceptance of this fact – and that immediate action is necessary. Integral to this work are the tools that enable collaboration and deeper understanding of our emissions. Mr. Brown stated that the City and County both joined ICLEI several years ago to take advantage of state of the art software and to calculate and track emissions at the municipal and community level. The software provided from ICLEI allows us to create emission inventories, to quantify the effect of existing proposed emission reduction measures, to predict future emission levels and to set reduction targets. He said that without the software and updates, this information will be costly and difficult to obtain. In addition, planning without good information is extremely difficult. Mr. Brown stated that constituents applaud the City and County when they work together to find solutions to problems facing the region, and the LCAPP Steering Committee was created to do just that in regards to pollution, greenhouse gas emissions and energy use. He said that in response to recent efforts, the Committee voted unanimously to provide this statement, emphasizing the importance of the County's membership in ICLEI and the tools it provides.

Mr. Brown said that without these tools they cannot adequately plan or collaborate on issues of critical importance to the future of the region, but these are only tools and they, the committee, the community and ultimately the Board of Supervisors and City Council decide how to use these tools and meet the goals within the constraints of the Dylan Rule. The Committee urges the Board to remain consistent with past votes and continue to be part of ICLEI.

Ms. Cynthia Neff, a resident of the Rivanna District, said that she supports these three initiatives. She said they are critical. The Board, the staff and County staff have shown tremendous leadership in getting to this point. She said that she thinks they need to be really careful as this is a defining moment in the County's future. Ms. Neff said that Webster's defines sustainability as "capable of being". She said that the question is what our ability is to continue to thrive in this special community. She stated that she is a trifle bit offended that people think there is some gigantic U.N. conspiracy. She thinks everyone cares about Albemarle's future and she encouraged the Board to continue support of the TJPDC grant, and to continuation participation in Cool Counties and ICLEI.

Mr. Jason Halbert, a property owner in the Samuel Miller District and City resident, urged the Board to support three decades of local efforts to improve planning, increased cooperation and making the region more sustainable. The fears related to grant money that it is somehow "tainted money" (they're t'aint enough of it). Mr. Halbert said that the recent attacks on ICLEI, the Cool Counties and the TJPDC Livable Communities Grant are unsubstantiated delusions of a tiny minority. By the standard being proposed, Albemarle should basically succeed from the Commonwealth of Virginia and withdraw from numerous cooperative agreements that have been signed in the past. He stated that he is not worried about the U.N. as the Dylan Rule will take care of them if they ever come here, adding that all of the efforts under discussion are recommendations. No one is telling anyone what to do; those arguing otherwise are misinformed. Mr. Halbert said the core issue here is that some believe there is no such thing as manmade climate change. He added that these individuals also have a healthy mistrust of government at all levels. Mr. Halbert said that local government is the most important part of a healthy democracy and has a critical role to play in improving our quality of life. He commended past leadership on this issue, Mr. Bob Tucker, Ms. Sally Thomas, Ms. Sarah Temple and current staff, Mr. Tom Foley, Mr. Mark Graham and Mr. Andrew Lowe.

Mr. Halbert said he urges the Board members whose minds are not already made up to think rationally about this and reject the radical agenda being proposed by a vocal minority. He urged them to support ICLEI, Cool Counties and the TJPDC, adding that these are very modest steps and the County actually should be doing a lot more.

Ms. Sally Bastran, a County resident, said that she is concerned about the environmental and economic future of the County. She said that she has tried to become more self-sufficient, and she hopes that the County can become more self-sufficient and plan for eventualities. She expressed more concerns about the economic situation – increased gas prices, cost of food, etc. Ms. Bastran said that if locally they can supply themselves with food, they would be in good shape. She added that water, energy supply and jobs will make the County stronger and more self-sufficient.

Mr. Daniel Bowman addressed the Board, stating that he has lived in the County for five years and serves on the Board of ASAP. Mr. Bowman said that the Charlottesville Albemarle Area Growth Attitude Study is the "unwieldy title" of a recently completed research report commissioned by ASAP and prepared under the leadership of Thomas Gutterbach, the Director of the Center for Survey Research at U. Va.'s Weldon Cooper Center for Public Service. The report has a wealth of information and will soon be available to the Board and public. He said that the study is an analysis of surveys completed previously by the Center for Survey Research, the Free Enterprise Forum and by Charlottesville Tomorrow.

Mr. Bowman stated that in the 2008 Albemarle County Planning Needs Survey, 70.8% of the respondents consider it "very important" to spend County tax revenues on protecting natural resources; 59.2% consider it "very important" to spend tax revenues to preserve the County's rural character; 58.1%

consider it “very important” to spend tax revenues on managing growth; and 68.7% consider it “very important” to spend tax revenues on maintaining quality of life while dealing with growth. He said that these are only a few highlights, but enough to indicate a strong preference of a majority of citizens for careful management of growth and protection of natural resources. Mr. Bowman urged the Board not to overlook those views.

Mr. Jay Willer said he is present representing his own views, and he is an active participant in the Local Climate Action Planning Process Steering Committee. Mr. Willer said that over the years it has been apparent that all Board members are committed to this County and are dedicated to its future. He stated that the Board members are also hard working people and do not do things just because someone asked them to. Mr. Willer also said that the Board is very detailed in its review of numbers. He said that the three things before the Board members tonight help provide them with the data, the same information needed in other places. He stated that nothing goes into the Comp Plan that the Board members do not personally and collectively support, and tonight is a wonderful example of the process that goes into their decision making. He urged the Board to support the three programs.

Mr. Frank Calhoun said that he lives in the Crozet/Greenwood area off of scenic Route 250. Mr. Calhoun stated that he was a legislative attorney in Washington D.C., for five years worked for the U.S. Congress, and worked for 33 years for the U.S. Department of Transportation. Mr. Calhoun said that the Board has two choices – accept the money or raise taxes, of which he is willing to pay his share. He said there is no free lunch. He stated that the Board made a decision on Re’Store N Station without adequate staff and he would like for them to take this grant and use it to make the right decision on that project.

Ms. Karen Firehock, a resident of Howardsville, said that she supports the consortium agreement to get the grant. This grant is allowing the county to get better information. The County has reduced staffing for rural planning. She said that it is fine to want to keep taxes low, but then there must be other ways to meet the needs to get good information and data. Nothing in this grant makes you do anything. There is no infiltration of the United Nations.

Ms. Firehock said that she also teaches comprehensive planning at U.Va., so she teaches people about the importance of getting good data and good information – and ICLEI is simply a software package that provides data, just as GIS is used for geographical information planning which was not invented in Albemarle. The Board decides what to do with the software and data. She said that she is not worried that Albemarle is not in charge of its own County or that the staff has been infiltrated. She encouraged the Board to let the community have this expanded public process.

(Note: At 9:51 p.m., the Board took a recess, and reconvened at 10:01 p.m.)

The next speaker signed up to speak, Mr. Larry deNeven, was not present.

Ms. Kathleen Galvin, a resident of Charlottesville, applauded the Board for this process. Ms. Galvin said that this County has been in the forefront of environmental stewardship for decades, and now is no time to stop doing that. She stated that she is proud and gratified to say she has been part of the County’s prudent efforts to manage growth, as Co-Chair of the Development Areas Initiatives Steering Committee (DISC) along with Mr. Eric Strucko. Ms. Galvin said that DISC provided the region with a neighborhood model for sustainable growth without compromising quality of life, and also provided the region with a model of collaboration and problem solving. She stated that the very diverse group all came together to create a vision and approach, and an inclusive process to manage growth, and the TJPDC livability program funded by a federal grant builds on these efforts. Common sense tells us especially during a time of fiscal austerity the three entities – County, City and UVA, need to be involved in this kind of planning and forward thinking. She urged the Board to accept the grant and sign the consortium agreement. She said that in the past 30 years this County has made great progress in the protection of the environment and has received national recognition for it. This is no time to cease. As a citizen of this region who believes in the welfare of our rivers, natural areas, agricultural lands and that they are inextricably linked with the welfare of our historic towns and cities, she asked the Board to work with partners in the region to safeguard shared resources and distinctive community character. The regional economic vitality depends on it.

The next person on the signup sheet, Ms. Jennifer Stewart, was not present.

Mr. Bill Edgerton said that he has lived in the Jack Jouett District for 32 years and served on the Planning Commission for eight years. As a citizen of the County who desperately cares about the future of this community, Mr. Edgerton said that he hopes the Board will not succumb to the recent rhetoric of the Jefferson Area Tea party. He said that he believes that global warming is real – and we can and must do something about it on a local level. He stated that the County’s consistent commitment to a sustainable future, dating back to the 1970s, has not been – and will never be – driven by any outside international force. He is proud of the efforts Albemarle has made and hope they will continue into the future. Mr. Edgerton said that he hopes the County has the wisdom to use the important tools – like ICLEI – to collaborate with others to maximize the effectiveness of our efforts. Our respect for children and grandchildren deserve nothing less. He said that many citizens in Albemarle do believe in and desire a sustainable future. Mr. Edgerton stated that he hopes the Supervisors will not allow themselves to be caught up in the political partisanship that has resulted in splinter groups such as the Jefferson Area Tea Party. Their agenda has little to do with Albemarle County’s future, and more to do with national politics. Mr. Edgerton added that JATP does not represent the majority view of Albemarle County.

Mr. David Morris addressed the Board and applauded them for their stamina, noting that he is an “infiltrator from the United Kingdom” but owns property in Albemarle County. He pays taxes, but cannot

vote. Mr. Morris said that there seem to be a few statements in the accords that are troubling to other people, i.e., population growth, distribution dynamics, human fertility, but perhaps one way of resolving those fears would be tighter definitions – or drop them while continuing to work with other parts of the project. He said that individuals are incapable of acting without information available, and proposed that the middle ground was to proceed with the consortium agreement, the ICLEI membership and the Cool Counties resolution so in the future individuals will be able to act as they deem most appropriate. Mr. Morris urged the Board to take the grant and continue its past good work, “for you, for us and for future generations.”

Mr. Jeff Werner, of the Piedmont Environmental Council, said that the County proclaims a commitment to environment and to good planning, but residents have growing doubts about that commitment. Mr. Werner pointed out that ACE was defunded, the work of the Mountain Protection Committee was all but ignored, Places 29 was purged of the recommendations that would have had the greatest impact on congestion on Route 29, and there is a laundry list of rural area and natural resource recommendations that have not been implemented. He said that the County wants more development, but gutted the Capital Improvement Plan, leaving little to provide the infrastructure and services necessary for more development. Mr. Werner said that in the big picture, Cool Counties is minor and with limited cost but some want to end it because they believe climate change is a myth and that it will lead to a U.N. takeover. To be fiscally responsible and accommodating to development that the County is encouraging, the State Code requires a periodic review of the Comp Plan and the Transportation Plan, and there is a federal grant to assist in that process but some want to reject it because sustainability is a dirty word and that it will lead to a U.N. takeover. Mr. Werner said that if Albemarle is not going to do the planning necessary to accommodate future growth, then “what exactly is the plan?” There are two issues before the Board tonight – County’s commitment to cleaner air and taking action on climate change, and proceeding with a long term planning program. He stated that it is time for the Board to lead, not go backward. Residents of Albemarle want Board members to do more to keep Albemarle special, not less.

Ms. Kristina Parker, a resident of the Samuel Miller District, said that she supports accepting the sustainability grant because it allows more public input in the comprehensive plan process. Ms. Parker said that there are many developers in this County who have tried to make changes to the Comp Plan and growth areas in a one-off kind of way, but this is self-serving and does not allow the public to participate and help guide the direction of the growth areas. She asked why make the process take longer because the County is understaffed and scared of being indebted to the government. She stated that the federal government is trying to help communities work cooperatively together to meet growth needs and it is foolish not to take the money. Ms. Parker said that the wording of documents can be interpreted in many different ways, and you already have those preconceived ideas when you read the document, adding that perhaps it needs to be redefined. She asked the Board to not allow people’s fear move us away from using tools that we need to help us make sound sustainability decisions.

Ms. Denise Zito, a resident of Free Union, said that everybody’s for sustainability, but it seems that the sticking point is the term “individual behavior change.” Ms. Zito said that she works with the American Diabetes Association, and the number one way you can cure Type II Diabetes is through “individual behavior change”; it is not a communist plot. She stated that her son works for the United Nations and “they have bigger fish to fry than goofing around with our sustainability plan. Ms. Zito said that he has been to Indonesia to aid tsunami victims, in armored cars taking refugees out of gunfire, and she wants to stand up for the U.N. She asked the Board to accept these three initiatives.

Mr. J. L. Snyder, a resident of the City, said that from Pantops the Blue Ridge is just eight or ten miles away, and that view comprises 85-90% of our atmosphere – with all weather happening within 25,000-40,000 feet on the whole planet. Mr. Snyder said that is all we have to live in. Half of the mass of the atmosphere is 18,000 feet and below; there is not much to work with here. Mr. Snyder said that whatever tools are available to give people choices as to energy choice or societal system should be given to them. He said that he thinks we are in a tight situation, with close margins, environmentally and as a species. He said that arranging things locally to take care of that should be done soon and with vigor.

Mr. Michael Eareckson, a teacher of science at Tandem School and previously at St. Anne’s Belfield, said that the people in this County care about their children, their grandchildren, health and safety, the economy, making a living, and providing a place for them to make a living. He stated that the decisions the Board will make tonight will have a huge impact on their ability to do that. Clean energy will provide safe and health energy and help the economy to grow. Mr. Eareckson urged the Board to approve the consortium agreement and continue the ICLEI membership as well as continuing with Cool Counties.

Mr. Tom Jones, a resident of the Rio District, said that the County’s planning and clear thinking has enhanced the quality of life here and the attractiveness for businesses, and for people to move their families here. Mr. Jones said that in the 1990s he relocated his home and business here largely because of the attractive opportunities and the enlightened policies the Board has put in place. He has since started and invested in additional businesses which are possible because of the smart people who come here for the University and to build their careers here. He stated that he supports continuing with Cool Counties and ICLEI. He has a lot of confidence in our County’s ability to do its planning under local control. Mr. Jones said that he does not think there is any conspiracy from outside parties, and rejecting the grant would be a reckless financial decision. He urged the Board to support the agreements.

Ms. Karen Gavrilovic, a resident of the Rivanna District, said that she finds it interesting that people tonight have expressed a fear about outside influences infiltrating Albemarle County when this whole issue has come here because of outside influences – one of whom was the main speaker at the Jefferson Area Tea Party forum on March 17, Tom DeWeiss. Ms. Gavrilovic said that Mr. DeWeiss’s

website says that he has been fighting Agenda 21, which was adopted by the U.N. in 1992, for the last 15 years. She stated that over the last six months, he and Donna Holt of Campaign for Liberty have been visiting State legislators in Virginia to present the case against sustainable development. Ms. Gavrilovic said that Mr. DeWeiss details on his website how to stop sustainable development in your community: Step 1, attend meetings and make the case that sustainable development is part of a national and international agenda; Step 2, write letters to the editor – several of them, from many different people; Step 3, publicize the issue – write press releases, invite the news media, and make politicians answer questions, and then run candidates against those who didn't agree with your viewpoint; Step 4, fight ICLEI, pressure your locality to withdraw membership; and Step 5, stop consensus meetings, bust up the process, never participate, plant people, fan out, question the meeting facilitator and leader and build suspicion and shut down the meeting if you have enough people.

Ms. Gavrilovic said they have done well so far on steps one through four. She said that she hopes that step five is not what they have to look forward to. She urged the Board to sign the consortium agreement, maintain the ICLEI membership and also the Cool Counties resolution. Ms. Gavrilovic said that she has confidence that if the County continues to do comprehensive planning and holds public hearings, it will be the Albemarle County Board of Supervisors who make the decisions and will not be led by outside community organizers.

There being no further public comment, the public hearing was closed and the matter was placed before the Board.

Ms. Mallek thanked everyone for attending the meeting. Board members complimented the speakers on their statements and information presented.

Agenda Item No. 10. Board Discussion and Action on 8a and 8b.

Mr. Rooker said that it seems to make sense to take the three separate actions one by one.

Mr. Dorrier asked if payments have already been made. Mr. Rooker responded that he doesn't think so. He added that the first item is whether the Board will approve the consortium agreement and the grant.

Mr. Boyd said that the actions will be interrelated.

Mr. Rooker said that ultimately the Board will have to vote on them one by one. He said that the first action is authorizing the County Executive to sign an agreement with the City and University to help oversee the grant that was applied for and obtained. Mr. Rooker stated that the County staff report sets out terrific reasons why the Board should go forward with this approval. He said that the report states that the grant funds additional staff support for the update of the County's Comprehensive Plan without additional County resources; the grant provides for expanded public outreach during the County's Comprehensive Plan review process; the project heightens the areas ongoing collaborative and cooperative planning efforts that date back to the three-party agreement between the County, City and University, signed in 1986; the grant provides a unique opportunity to closely link the comprehensive plans of the City, County with the MPO regional transportation plan; and the work product generated through the consortium agreement is merely advisory in nature and will require an extensive review of the public hearing process by the County Planning Commission and the Board of Supervisors prior to any aspect of the work becoming incorporated in the County's Comprehensive Plan. Mr. Rooker added that as Board members know, if they were ever to adopt an ordinance it would require further action by the Planning staff, the Planning Commission, and this Board.

Mr. Rooker said that staff reviewed the process by which this grant moved forward, which included updating this Board three or four times on the grant application, on how the proceeds were going to be used, and how it was going to integrate with our planning for the upcoming year. It is not a surprise that this grant was applied for, and in fact this Board specifically authorized the County Executive to sign grant applications of this kind. Mr. Rooker stated that if the County were to abandon this effort, the practical effect would be to slap our partners in the face, to have led them through a process for a year and a half to participate in applying for this grant, a grant for which at least four members of this Board were on committees that the grant was brought before, and no one ever raised any kind of objection to it.

Mr. Rooker said that withdrawing from the grant would essentially pull the rug out from under a cooperative planning effort that the Board joined in all through the process, even up to the point where it applied for and got the grant. He said that the Board would be saying "gee, we're sorry we did that. We made a mistake. Somehow this may be linked to some kind of U.N. conspiracy." Mr. Rooker stated that this would set the Board back tremendously in the public eye in terms of what citizens expect and substantially with the University and the City in terms of any kind of mutual planning efforts going forward. He said that Mr. Snow was at the PACC meeting when this agreement came up, and some specific changes were made in that agreement out of deference to citizen concerns to make it clear that anything that came out of the grant and anything that came out of the advisory committee was purely advisory.

Mr. Snow added that localities were not obligated to sign onto anything that was planned for as a part of that study. Mr. Snow said that the County is required by the state to review the Comprehensive Plan, and so this process will have to be undertaken with or without a grant. He stated that it also provides an opportunity to examine the wording of the plan and make any changes, and the grant does not obligate the County in any way.

Mr. Rooker then **moved** to authorize the County Executive to execute the Consortium Agreement on behalf of the County. Ms. Mallek **seconded** the motion.

Mr. Thomas asked what the negatives of not joining ICLEI would be.

Ms. Mallek said it would be helpful to talk about the grant first and other items later.

Mr. Thomas asked if the County, City and U.Va. can afford to revise their comprehensive plans without the grant from TJPDC. Mr. Foley responded that the County has the resources to update the Plan, but the public process would not be as extensive. The County does have the staff resources; it would just take a longer period of time to get it completed.

Mr. Thomas asked if the three entities can work cooperatively without the TJPDC grant. Mr. Graham responded that the answer is "yes," and there is a history of that cooperation such as the Area B studies.

Ms. Mallek said that her question would be why not with the grant since it is resources that would be provided to all three entities. She then asked if it would jeopardize the grant for the other two parties.

Mr. Williams responded that HUD has indicated that if the County doesn't participate they would at least want to go back and review this and reconsider their decision about giving the money to the area.

Mr. Foley added that the County would need to reevaluate the resources it would take to do a cooperative effort to achieve the same ends.

Mr. Dorrier asked if it means that if the County did not belong to ICLEI it would not get the benefits.

Mr. Rooker responded that this is just the consortium agreement and it doesn't have anything to do with ICLEI.

Mr. Dorrier said that he knows it is the consortium agreement but still ICLEI influences the consortium agreement. Mr. Rooker replied that ICLEI has nothing to do with the consortium agreement.

Mr. Thomas also added that they are separate items.

Mr. Boyd said that one of the problems he has with the consortium agreement is he never really saw a detailed description of what was intended to be studied with this grant. He stated that the staff did not explain the specifics of what would be studied under the sustainability grant.

Mr. Boyd said that in the future, he wants to see the details of grants. He said that he can support the motion only if the Board goes through the itemized items on this and pick and choose what is important to our County. There are a lot of things on there that are not important to Albemarle.

Mr. Boyd also said that he wants to be clear that \$160,000 of staff time is not free, and he wants to be sure that it's on items that the Board has set as priorities, not the agenda being set by the grant application. He stated that he doesn't agree with a lot of what is in this grant, so he will agree to the motion if there is a very defined group of things that they want to study.

Ms. Mallek said that she would like to know more about what that means, as she has not heard any discussion in the work program other than comprehensive planning topics. She said she will need some more information.

Mr. Boyd stated that the Board could clearly define to staff that these are the items the Board wants them working on as the County's part of the sustainability grant, because these are what the Board has identified to be important issues for the community.

Mr. Rooker said that through Mr. Foley, the Board can express its opinion on things it would like to focus on with respect to the grant, but pointed out that sentences pulled out can be taken out of context – such as "identifying behavior changes," which cites examples such as the University's Transportation and Management Program, the RideShare program, the LEAP program, the Alliance for Community Choice in Transportation, etc.

Mr. Boyd commented that the County has done all of those things already.

Mr. Rooker said that he agrees that the County should be able to focus on priorities, but it is probably not possible to agree on 100% of every sentence in a document.

Mr. Boyd stated that he also doesn't want to duplicate work already done. County staff has done a lot of transportation and land use studies with the master planning process; it would be just a waste of county and community energy.

Mr. Foley said that staff agrees and would take an objective look, with decisions made about participation based on that.

Mr. Boyd commented that all of the things mentioned by the public tonight have already been addressed by this Board. It seems to him that it will be an impossible task to bring all of these segmented

things together – three comprehensive plans. It concerns him that the top priority items that the Board has identified, which mostly have to do with the Economic Vitality Action Plan and what he wants to see County staff concentrating on, and has already been defined. The Board has already been through that process.

Mr. Boyd said that he would like the staff to come back with a detailed list of what County staff would be working on during this process and to vote on at a later date.

Mr. Foley said that the grant agreement cannot be rewritten, but staff can develop a work program from the County's perspective that will coordinate with the whole process.

Mr. Rooker agreed that efforts should not be duplicated.

Mr. Boyd said that a detailed plan of action is needed from staff to itemize what they will be doing.

Mr. Foley said staff could bring back a detailed work plan for Board discussion.

Mr. Rooker said that one of the aspects of this grant that appealed to the partners and the grantor was to work in closer coordination during the planning process and to get a work product that hopefully will be better than what could be obtained for more money doing it alone.

Mr. Boyd said they have done this before and it does not always work out. It leads to more struggles. Look at the water plan, as a perfect example, of how the community has tried collaboratively to come up with an effort and it is now pushing six years trying to make a decision on that.

Mr. Rooker stated that the difference here is this is information producing and ultimately the recommendations that will come out of this will come to the Board again, and if the Board wants to consider Comprehensive Plan or ordinance changes, there is a separate process for doing that.

Mr. Boyd said that rather than create a voluminous report, he would rather set the agenda up front that is based on the Board's objectives. For example, he does not know what collaborative transportation means. What are they going to look at and what are they going to study – that is what he wants to know.

Mr. Foley said that staff will come back with that, but the Board will need to give staff time to work on it. He added that it is important to realize that this is a regional effort, so it is going to be hard for the County to just say "well, it's just this way and we don't need to talk about any of these other issues," but there are some things that the County has clearly already done that it is not going to go back and start all over with.

Mr. Boyd asked Mr. Rooker to amend his motion to include inclusion of a detailed action plan for approval by the Board.

Mr. Rooker suggested that Mr. Boyd make a separate motion that says staff is to come back to the Board with a proposed work plan that will integrate with this grant and the work being done. He said that he will support it.

Mr. Boyd asked if there is a timeframe that needs to be met.

Mr. Williams explained that the consortium agreement was due June 1st and he had to ask HUD for an extension to allow this discussion. TJPDC would like action on the agreement as soon as possible. He added that TJPDC has been working closely with County, City and University staff through this process and it has been their intent all along that this project to provide products to each of the partners, that are going to be important for them. They would be happy to work with County staff and the County Executive to make sure that that is indeed going to take place in the course of this grant. He has no problem coming back to the Board at a later date, with County staff on a work program outlining specifically what the Board wants to see them working on.

Mr. Rooker said that he views it as two separate issues. He doesn't think the process should be held up tonight, as staff and Mr. Williams have indicated they would move forward with a work plan.

Ms. Mallek clarified that the follow-up details are separate from the motion to sign the agreement.

Mr. Williams agreed, stating that the performance measurement system and common map are not impacted by the decisions the Board makes with regard to what specifically the County will work on for its Comp Plan.

Mr. Boyd said that he has a real problem with the make-up of the people who are going to be involved with this process, adding that he had suggested some people with diverse views be put on the committee and his request was denied. He said that the Tea Party is a group that is here, and they deserve a place at the table.

Mr. Rooker said he didn't know what committee Mr. Boyd was referring to.

Mr. Boyd responded that he is referring to the advisory group, and the only person from the business community is a TJPED representative. He asked why other business people or interested community members are not part of the group so as to provide a diversity of opinion.

Mr. Foley asked if he was referring to the consortium members. Mr. Boyd responded, "yes".

Mr. Rooker stated that there is an appointment process by which people are put on committees, and the Board considers them.

Mr. Boyd said that the process was circumvented last time, as it was a staff generated committee that was controlled by staff.

Ms. Mallek said that the committee conversation needs to take place on another day.

Mr. Williams explained that the original application only called for two groups; the small technical group ultimately called the advisory group, and then the public. Based on input they received from a number of different people, they added a third group which is represented in the consortium agreement, which they call the partnership and they are asking any group in the community. They are not making any prejudgments about their positions or their thoughts. They are asking any group in the community that wants to participate to appoint a person and sign up to be part of the process. He said that the mailers announcing the group would be sent out tomorrow morning to get that process started. It is their intent to make this process as broad and inclusive of as many different points of view as they possibly can get because they wanted to make sure that every point of view in the community had an opportunity to be represented in this process.

Mr. Boyd responded that he did not read it that way.

Mr. Williams stated that there is a flow chart on the back of the consortium agreement that shows the partnership group.

Mr. Foley said that the staff could bring it back with some expansion of information on the group composition.

At this time, roll was called and the **motion** carried by the following recorded vote:

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd, Mr. Dorrier, Ms. Mallek and Mr. Rooker.

NAYS: None.

Ms. Mallek stated that the ICLEI membership would be the next item discussed, noting that there were 85 speakers tonight – not counting emails and letters sent to the Board.

Mr. Boyd apologized for not responding to all of the constituents who contacted him, stating that he had 132 unanswered emails at last count.

Mr. Boyd said that he does not see that ICLEI has contributed to any of the ideas and concepts mentioned tonight by the public. It does concern him that using this software sets the agenda for what the County measures. He added that it is not really a decision of this Board or a decision of the community or a decision of anything else because it says "we measure these certain things". Mr. Boyd said that he doesn't like the fact it measures non-municipal usage and emissions because he believes it is not government's place to dictate to citizens how they should live or how much water they should use or how much electricity they should use in their home. This is all based on quantitatively getting that information and feeding it into our system. He stated that he would not support continuing membership in ICLEI, which is driven stricken by the Cool Counties resolution.

Mr. Boyd said this does not mean that he is against sustainability. He just does not think this is the right approach. He stated that there has been some logical connecting of the dots to the U.N. and he wants the Board to set the agenda. The Board has been doing its job for years without input or guidance from ICLEI. Mr. Boyd said that Cool Counties is just a marketing tool for the rest of the country, adding that people look at this community and want to know what they are doing here.

Ms. Mallek stated that Cool Counties was a contest of sorts to see how municipalities might change their own operations to save resources and tax money, and to be a good example to private industry and to individuals to change some of the things that they could within the realm of their lives. There is absolutely nothing that she has seen anywhere, anyhow that has anything mandatory. During the LCAPP discussion they had lots of wonderful agreement about things as long as it was voluntary. That has always been the baseline for the LCAPP Committee. For the steering committee they knew that there would be support for many different things that would disappear if it became a mandatory issue. She said they need to deal with the facts that are local, and there is no way to evaluate from a CIP basis whether the County is being successful in the improvements that it is making to its buildings and to County facilities unless they can measure whether the improvements have happened or not.

Mr. Boyd said that he disagreed because companies do this all the time in their plans.

Ms. Mallek responded that a lot of them are using the same software.

Mr. Boyd said that his company and others he has worked for do this all the time and never had to get ICLEI to prove to them that they saved money by being energy efficient.

Ms. Mallek noted that this is the same type of thing that Dominion Power does to decide whether they need to invest sooner or later in increased facilities, and the same type of process that the Water and

Sewer Authority would go through to decide whether they need to expand or improve their facilities. She thinks that it is a tool; it is recommended by the same people that the County was going to get during its budget discussions - from VACo - and it seems to be proven to be effective. She thinks the Board should keep it.

Mr. Rooker said that there are 600 counties and cities that are members of ICLEI. The Board went through this same conversation at the budget meeting, where staff indicated that the \$1,200 was a good value for the investment as this software is inexpensive when comparing this to other software tools costing upwards of \$5,000. Regarding the discussion of ICLEI and foreign influence and so forth, Mr. Rooker pointed out that the current chair of ICLEI U.S.A. is the Mayor of North Little Rock, Arkansas. He said that the Board of Directors is comprised of current and former elected officials for Des Moines, Iowa; Philadelphia, Pennsylvania; and Gainesville, Florida.

Mr. Boyd asked where their headquarters are located.

Mr. Rooker responded that ICLEI is spread out throughout the U.S.; it is not a large organization; it is small. It is not a part of the U.N., is not supported by the U.N., is not governed by the U.N., and the first meeting they had just happened to be in the U.N. building. He said that the Tea Party uses the County building and was sitting up here in these chairs, which is fine with him, it was simply using this facility. It is not an implication that the Board is somehow in a conspiracy with the Tea Party because they met in the County facilities.

Mr. Rooker said that the decision needs to be taken down to what level is practical. This is a tool that staff says is helpful, is inexpensive, and cannot be replaced by anything else that's out there. The VACo website refers you to ICLEI to get good software to monitor greenhouse gas emissions. He also stated that LCAPP, which has a number of people from the business community, unanimously voted to ask the Board to stay in ICLEI because they think it is an important tracking tool for the work they are doing. He does not think it should be an ideological thing; it should be a practical decision. Mr. Rooker then asked if the County is getting something of value for its \$1,200. It appears to him that the County is and he would suggest that the Board continue to do that.

Mr. Dorrier asked if the County gets \$1,200 value out of the software. Mr. Rooker responded that staff came to the Board at budget time and said "yes."

Mr. Boyd said that staff said that the reason the ICLEI software is important is because the organization is subject matter experts. He contended that they are "guiding the agenda." He asked how those two can be separated. Mr. Boyd asked how Mr. Rooker could not see that they are pushing any kind of agenda.

Mr. Rooker stated that the County has tried to find ways to enhance sustainability in the community, and the fact is not all of the ideas can be hatched here. To bury our heads in the sand and act like there isn't a rest of the world out there is not a good idea.

Mr. Boyd said that he doesn't think it is burying heads in the sand to drive the agenda locally. One of the things that he will never support is this Board trying to tell our citizenry how they are supposed to live, and this ICLEI software wants to know what they are doing, how much energy they are using, how much water they are using. There is a lot of stuff it is studying about the community, not just about our own government.

Mr. Rooker said that it gives no individual information, but provides information in gross on the community's energy and water usage.

Mr. Boyd responded that the idea is that we as government are supposed to do something about that?

Mr. Rooker said the Board has participated in many programs, i.e., low flush toilets, etc. Mr. Boyd responded that the County did not need ICELI to initiate that program; the County did it on its own.

Mr. Rooker stated that staff has indicated that this is the best tool for tracking the kinds of things the Board asks them to track and it is inexpensive. As far as an agenda, he said that ICLEI has never called a single supervisor.

Mr. Boyd said that he gets emails almost every month from them.

Ms. Mallek noted that there are trainings offered and they are offering information.

Mr. Boyd asked if Mr. Rooker had been to their website and looked at some of the things they stand for.

Ms. Mallek responded that they offer information about what's going on in the world, if you are interested, but she hasn't had time to really look any further.

Mr. Rooker said no one from ICLEI has attended one of their Board meetings and they have not asked the County for anything.

Mr. Boyd said that in the Sustainability Accords, two people from ICLEI are credited as being big contributors.

Mr. Rooker noted that there was also an attempt to attack the Accords tonight and mentioned that that committee included Tim Rose, Frank Kessler, David Bowerman, etc. He does not think these people were tools of the U.N.

Mr. Boyd said that he is not saying that he is buying into a U.N. connection, but these people are driving the agenda.

Mr. Rooker asked what agenda they are driving.

Mr. Boyd said that no one ever came to the Board and said "we are going to buy this software program to track these things in our community" and got it approved. He acknowledged that it was a small expenditure and thus might not require Board approval.

Mr. Rooker pointed out that it was approved at budget time and the issue was discussed, brought to the table, and agreed upon.

Mr. Snow agreed, but said that the Board didn't discuss the details of it or the international nature of it. He stated that the most difficult thing for him on his 18 months on the Board is determining what the truth is. Mr. Snow stated that having read a lot of the available information and the fact that it's an international organization, he doesn't feel that the County needs to have an outside group dictating or feeding the County information based on things they feel are important. He said that the County has a great staff and the Board is very capable of making sure the County stays green, that we have great water, that we have great air, and that we are doing all that we can to maintain the services that we have. Mr. Snow said that everyone has an agenda, and in his heart he feels that ICLEI does have an agenda and he personally does not want to be a part of it. Mr. Snow stated that he would vote to discontinue ICLEI membership and withdraw from the Cool Counties accord.

Ms. Mallek said that the EPA funded this software to be designed, and it is very complicated and expensive to get software designed to suit your needs. The Board has asked staff to go out and find tools that will help them accomplish the tasks assigned to them, and this seems to have worked very well. She said that that is really the limit of engagement with this organization. The County is not in a financial position to design something on its own and hire someone to build it. She thinks that the Board is making a mistake if it thinks this is easily replaceable, when they are talking about being able to measure its success or lack of. Ms. Mallek said that she would like to know how energy savings have occurred before more money is spent in the future CIP to do more.

Mr. Thomas asked what the negatives are for not paying the ICLEI dues. Mr. Lowe responded that the membership benefits would go away, but the software would still be retained – and it is not linked to ICLEI. He said that the baseline report is what Mr. Boyd was referring to, where two ICLEI staff members helped the County and were acknowledged in the table of contents their assistance. That was during the process in which the County was creating an inventory using the clean air protection software. Mr. Lowe stated that the County uses paid interns from U.Va. who are very bright, but need assistance with the software program – as does he. He said that the \$1,200 would lose membership benefits, which helps the County work with other localities on energy efficiency programs.

Mr. Foley pointed out that the County would still network with others but would lose the technical assistance on the software package itself.

Mr. Thomas asked if the County is capable of monitoring its own programs. Mr. Lowe responded not on a community-wide basis. The software could still be utilized but if there are technical problems, they would not assist the County

Mr. Dorrier asked who recommended that the County join ICLEI. Mr. Lowe said that he did the research himself and the first tool on the EPA website for local governments is the ICLEI Clean Air Climate Protection software because of the measurement tool, but VACo, VML, NACo, and the Department of Defense all use it.

Mr. Boyd stated that the decision to go with the Cool Counties resolution drove the need for the ICLEI software.

Ms. Mallek said she thinks that it was driven by the leadership's desire to find out what the County's baseline was.

Mr. Foley pointed out that the Board's two previous resolutions before Cool Counties really drove the County to the membership. Ultimately Cool Counties set some targets that had to have some software to track.

Mr. Rooker mentioned that a speaker tonight from the U.S. Army had indicated that they were using the ICLEI tools. He said that VACo recommends it, VML recommends it, and the Department of Defense uses it. He asked if the Board has looked at every other piece of software in the County to determine whether or not the vendor has somehow got some agenda that's embedded in their software, and the fact that this software has already been vetted by people like the Department of Defense, the Army, etc., tells him something.

Mr. Boyd asked why the software would be needed if the County withdrew from Cool Counties. He also said that military installations are different because they have tighter reins on the residents there.

Ms. Mallek responded that they are making the same kinds of decisions on budgets and maximizing effectiveness.

Mr. Boyd said military installations can force people on their bases to do what they want them to do; he does not want to do that.

Mr. Rooker said that people expressed concern about the influence in this software, but that seems to be completely belied by who uses it and who recommends it for use – adding that people have come in and said they are using it, along with staff saying they won't have the technical support without the membership. "From a practical standpoint, it doesn't make sense to him that the Board would refuse to pay the \$1,200 a year for the software maintenance to continue.

Ms. Mallek added that the software also allows the County to use part-time help who can engage with the technical assistance when they need it, and the General Services Department that uses this is not a policy-making entity in the County – but is an implementer of policy established by the Board and developed by other advisory departments.

Mr. Boyd said that he understood staff to say that ICLEI was an integral part of their software that partially drove the emissions baseline report. They defined what the agenda was, they defined what we should study, and they defined what they put in there.

Ms. Mallek responded that the EPA defined what questions should be asked.

Mr. Boyd said he does not want to get into a discussion about the EPA because they have got their own problems.

Mr. Rooker asked Mr. Boyd if he could explain how to measure greenhouse gasses, adding that this is the software tool that enables staff to provide the reports the Board asks them to provide.

Mr. Boyd responded that there are scientists on both sides of the issue as to whether greenhouse gasses are important to be measured, but what he can say is how to evaluate whether this building could be improved to be more energy efficient. He does not need ICLEI or a software program to tell him that, and if the County does not have people working for it that can make those kinds of decisions, then it needs to find other people to do it. He should not be telling his neighbor how much carbon footprint should be put out or how much gasoline he should use.

Mr. Rooker explained that this tool does not do that; it tracks the overall community's use, but not an individual's use.

Mr. Boyd asked for what purpose this would be used.

Mr. Rooker said Mr. Boyd probably does not believe in climate change, from what he is saying, and that is certainly a viewpoint. He stated that there was a recent article in the Washington Post about the reality of climate change and the impact of human activities, which stated that it "possesses significant risk for a broad range of human and natural systems." Mr. Rooker said that this is in response to request from Congress, the Natural Research Council, the National Academy of Science, the country's preeminent institution chartered to provide scientific service to lawmakers. He stated that 98% of climatologists believe in these problems.

Mr. Boyd doubted that it was 98%, stating that it is not the place of government to dictate to citizens how they should live or not live. He asked why the County should keep up with what people are doing if it is not to keep up with that goal.

Ms. Mallek responded that it is useful for community information as a whole.

Mr. Rooker said that what Mr. Boyd is effectively talking about doing by dropping out of Cool Counties and not using the ICLEI tools is a major policy change for the Board. It is not a minor issue. He stated that forward-looking companies are interested in counties that are considered more on the forefront of environmentalism than on the backside of it. Call Steve Jobs, or the people that run Google, or any of these companies that are growing technology companies in the country and ask them what they think about this.

Mr. Boyd said he is not disagreeing with that but he does not think the County needs ICLEI and Cool Counties to demonstrate that to them.

Mr. Boyd then **moved** to withdraw support from the Cool Counties initiative and withdraw membership from ICLEI.

Mr. Davis suggested that the actions be taken separately, as the decision on ICLEI is a directive to the County Executive to end membership. The second action on Cool Counties is to rescind a resolution that was previously adopted by the Board.

Mr. Boyd **revised** his motion to direct the County Executive to withdraw membership from ICLEI. Mr. Snow **seconded** the motion.

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd and Mr. Dorrier.

NAYS: Ms. Mallek and Mr. Rooker.

Ms. Mallek said that the Board would next consider the Cool Counties resolution.

Mr. Rooker said that rescinding the Cool Counties resolution, which Fairfax began in 2007 and the Board adopted subsequent to the Mayors Conference action – which Mr. Boyd approved – is a major policy change and sends the message that the Board doesn't have a concern about those things.

Mr. Boyd responded that he doesn't see it that way, as it just states that the County is not following this particular directive.

Ms. Mallek said it isn't a directive; it is just a statement that the County is going to try to do the best it can to reduce its energy consumption.

Mr. Foley said this has implications beyond just County action. He clarified that the resolution talks about the County monitoring its own greenhouse gas emissions and keeping track of its own buildings. Cool Counties was also the initiative that directed the County to be involved in a community-wide effort, which is what LCAPP is all about. If you decide to withdraw from this resolution, he thinks it would withdraw us from LCAPP, which the whole objective is to work on reducing greenhouse gas emissions – not just for County buildings but across the community.

Mr. Boyd said that he does not think the two are not connected. The County can withdraw from Cool Counties without dissolving the LCAPP organization.

Mr. Foley explained that the LCAPP objectives are tied to the goals established in the Cool Counties resolution.

Mr. Boyd asked if it only has to do with tracking carbon emissions or if has to do with efficiency and good environmental stewardship because everyone wants that.

Mr. Rooker said Mr. Boyd says that, but there are certain things that are symbolic. He explained that LCAPP is a community group that used ICLEI software and other tools. Their work is environmentally related on a community-wide basis, including business people. Representatives from that group came in tonight and said basically if you cut the ICLEI's reports out from under them, and certainly if the Board withdraws from its resolution with respect to Cool Counties, which is just a statement of this Board's intent, it is advisory; there is nothing mandatory in the Cool Counties resolution.

Mr. Boyd responded that it was sold to him in that fashion, but it has turned out to be mandatory.

Mr. Rooker asked how it is mandatory. Mr. Boyd responded that it has created the need for ICLEI, it has created this emissions baseline report, and created a whole process that the County is going through.

Mr. Rooker said that Mr. Boyd was on the Board when reports were presented as to how this would be done and there were no objections then. His problem is that all of the sudden, it is an issue.

Ms. Mallek emphasized that this is a broad spectrum of people around the table with very diverse points of view, from the Department of Forestry, to homebuilders, to major construction companies, to the Chamber of Commerce. This is a group that has all been working in the same direction, knows that this is important, and is just about to present the report on what has been agreed upon. She proposed that the Cool Counties discussion wait until after the LCAPP report is delivered, which is coming within the next month or so.

Mr. Foley said that it should be July or August at the latest.

Ms. Mallek said if the Board turns its backs on that, she thinks it would be an incredible turnaround in our policy.

Mr. Boyd said that would not mean turning their back on it.

Mr. Rooker said that the LCAPP came in tonight and told the Board that it would be.

Mr. Boyd said he is not doing anything to hinder LCAPP's work, and he would like to see their report. He does not think Cool Counties has anything to do with it. He has a problem with someone always trying to put words into his mouth.

Ms. Mallek emphasized that a huge majority of the people who wrote to the Board and who spoke tonight are in favor of continuing with this environmental stewardship, with getting the information the County needs to get. If this Board is representing its citizens and listening to what they say, then it really needs to stay in the Cool Counties and to keep working on this.

Mr. Boyd disagreed. He is in favor of all the things just said except continuing support for the Cool Counties resolution.

Mr. Rooker asked what he disagrees with.

Mr. Boyd said we should be setting our own agenda.

Mr. Rooker explained that the Board adopted a resolution that contains specific things in it that the Board said were their policies.

Mr. Boyd said that there was a tremendous amount of staff time to try to match the Cool Counties report.

Ms. Mallek mentioned that it resulted in savings in buildings and lowering the County's energy expense.

Mr. Boyd said those are things that should have been done long before Cool Counties.

Mr. Foley pointed out that the two issues that the Cool Counties resolution drives are in the executive summary. One is for the County to monitor its own emissions and the other is to work regionally to monitor emissions – which led to the LCAPP Committee, working to develop a plan on how to achieve the goals of 80% reduction. Those are the only two initiatives that the Cool Counties drives. He thinks that the County will continue to monitor its own emissions. The real question then is working regionally to achieve that 80% reduction. If the Board wants to rescind the resolution it essentially withdraws the County from participation in a regional effort. It does not prescribe how the County would do any of it; it just says that the community would set that target for 80% reduction by 2050 and that County would work regionally to try to achieve that.

Motion was then offered by Ms. Mallek to postpone a vote on the Cool Counties resolution until the Board receives the LCAPP presentation. Mr. Snow **seconded** the motion. Roll was then called and the motion carried by the following recorded vote:

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd, Mr. Dorrier, Ms. Mallek and Mr. Rooker.

NAYS:

Ms. Mallek thanked everyone for coming, their patience and participation in the meeting.

Agenda Item No. 11. From the Board: Matters Not Listed on the Agenda.

Ms. Mallek asked Board members if there were any other matters.

Mr. Dorrier said that he wants to bring up the Bypass issue and he wants to move to change his vote.

Ms. Mallek said the rule from the Chair is that they are not going to change a vote tonight on something that the Board needs to have public notice about.

Mr. Boyd said he does not think the Chair can rule against a motion if Mr. Dorrier wants to make one.

Mr. Rooker said this Board agreed on Rules of Procedures.

Ms. Mallek said that the Board doesn't allow people to change their votes when it is not part of the agenda.

Mr. Boyd said that Mr. Dorrier was on the prevailing side so he can make a motion.

Ms. Mallek asked if he can do it after the meeting is closed.

Mr. Boyd said the Board's meeting is not closed; this is 'Other Matters.'

Mr. Rooker stated that the issue can be brought back, but it has to be on the agenda. The Board voted at the beginning of this meeting on what the agenda was where you voted on rules of order several weeks ago.

Mr. Boyd said that he asked as a rule of order when the Board was going to deal with matters by Board members not before the Board, and Mr. Rooker told him to wait until after this meeting was set. Mr. Dorrier was not here then and did not hear that because the Board was past that point. Mr. Boyd said Mr. Dorrier has a motion that he wants to make, and he is in favor of letting him make that motion.

Mr. Rooker asked Mr. Boyd if he wanted to violate the rules of order the Board just adopted, which basically say if you have an item for vote that is requiring action of the Board, not reports. They all agreed that they could give reports at the end of the meeting.

Mr. Boyd said that those were guidelines and he does not think it is any rules of order. In addition, Mr. Dorrier was not here to make his comment at the beginning of the meeting.

Ms. Mallek pointed out that at the Board's last meeting it adopted policies to not bring up items at the end of the meeting for a vote unless they had been introduced at the beginning of the meeting and adopted as part of the final agenda. That was the Board's last official meeting when it adopted that new policy.

Mr. Davis said that he knows it is late and everyone's tired, but the Board's rules of procedures do address how and when these things can be done. From his reading of this, it would require three motions: a motion to suspend the rules, that would require a majority vote, a motion to rescind the action that was taken at the last meeting regarding Mr. Thomas' motion, and, if those two motions passed, a third vote to take up the matter again anew. If the Board wants to follow its rules of procedures it would require those three votes.

Mr. Rooker said that at 11:35 p.m. at night, the Board is willing to take a huge public interest item and vote to suspend its own rules, so that it can deal with that item without the public knowing about it, without putting it on an agenda for discussion, and without any public input.

Mr. Boyd commented that there was public input at the last meeting.

Mr. Rooker asked why it cannot be put on the agenda for the next meeting to allow the public to actually know that this is going to be discussed. It can be discussed and if the Board wants to take public input, it can do it.

Mr. Boyd then **moved** to suspend the Board's Rules of Procedure adopted at the last Board meeting. Mr. Thomas **seconded** the motion.

Mr. Rooker said that he cannot believe that he is sitting on a Board that will simply change the rules at the drop of a hat to satisfy something that he does not know what is being satisfied. He asked why they could not bring this back on the agenda at the next meeting and actually make it an agenda item so the public knows you are dealing with it, like the rules require.

Mr. Boyd commented that there has been a motion and a second, but this is an important enough issue that it needs to be dealt with.

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd and Mr. Dorrier.

NAYS: Ms. Mallek and Mr. Rooker.

Mr. Davis said that the second motion, he believes Mr. Dorrier wants to do, is to rescind the action that was taken by the Board at the last meeting, which decided that the note on the MPO long-range plan would not be removed; so the motion would be to rescind that action.

Ms. Mallek stated that that is an MPO document that has representatives of the City, the County and the University, and this is not something this Board can do all by themselves. It is also referring to money being applied to the design and construction of a particular route and a particular project number. It has nothing to do with discussion or raising an issue for the community or finding a different route. If this note is removed, it will give people at the CTB and Richmond the power to change where locally-assigned money is to be spent. The formula for distribution of transportation funds is now solely in the hands of the CTB member. The CTB can move funds around to suite themselves. She predicts that they will see money removed from the areas' other highest projects, i.e., Hillsdale Drive.

Mr. Thomas said that is not true.

Mr. Boyd said he also disagreed. He then asked how Ms. Mallek could make that statement.

Ms. Mallek responded that she was told that by the CTB member, in person, that this is exactly the case. The CTB has the power to move the funds around at its discretion within the District and the community needs to make sure that it is being very careful about how it chooses to proceed with its transportation long-range plan to make sure that the community vision is represented. She said that she thinks it is a terrible mistake, especially at this hour and in this procedural way, to proceed in this fashion. She said that she is horrified that people think this is an acceptable way to behave.

Mr. Rooker said not only that, but apparently the resolution that Mr. Dorrier introduced was typed up by Mr. Thomas, or he had it in his hand; he gave it to Mr. Dorrier before the meeting. Mr. Thomas did not let anybody else on the Board know that you intended to raise it.

Mr. Thomas responded that he has eight more copies of the resolution in his packet.

Ms. Mallek said that Mr. Thomas could have introduced this at the beginning of the meeting and say he wanted to add this to the agenda.

Mr. Rooker asked why Mr. Thomas did not hand them out to everybody else.

Mr. Thomas asked why/how was he supposed to hand them out?

Ms. Mallek explained that those are the rules that were adopted last time. Mr. Thomas had every opportunity to say under "Adoption of Final Agenda" that he wanted to add something at the end of the meeting.'

Mr. Boyd asked Mr. Dorrier if he had a motion he wanted to make.

Mr. Dorrier said he would like to **move** that his vote be in favor of the Western Bypass; the vote that occurred last week be changed to "yes" in favor of the Western Bypass.

Mr. Boyd asked Mr. Davis to help Mr. Dorrier with the motion.

Mr. Davis said that he thinks the intent of what Mr. Dorrier is asking to do is to move to rescind the action that was taken at the last meeting, which was a motion that was defeated, which resulted in an action to continue the County's current position on the Western Bypass.

Mr. Snow **seconded** the motion.

Mr. Dorrier stated that the Board has a policy that it will "do the doable" in our projects and with highways. He said that he had a discussion with Secretary of Transportation Sean Connaughton. They talked about the pending Western Bypass, and he stated to him (Mr. Dorrier) that the County could receive the full cost. Secretary Connaughton did not have an exact figure, but said it was in the nature of \$260-\$270 million; that the communities of Danville and Lynchburg were in favor of transferring money from their localities to Albemarle to put in the improvements to the road that would also give the County Berkmar Drive Bridge and would approve the widening of Route 29 North. They (VDoT) would also put the road in and the work would begin this fall. Mr. Dorrier said that the Secretary assured him that the full funding would come through and this would help to provide a parallel road to Route 29, the Berkmar Drive Bridge and it would use existing projects for its funding, and for its implementation. Secretary Connaughton also told him the Governor was behind the project. Mr. Dorrier said he is being as upfront with Board members as he can be to tell them what he knows about the project. When Secretary Connaughton mentioned all of that, he (Mr. Dorrier) said that he would switch his vote and go forward immediately.

Ms. Mallek questioned that even though 50% of the right of way has not even been purchased, VDoT would be building by September?

Mr. Rooker said that about 50% of the value has not been purchased including the northern terminus right across from the Forest Lakes community.

Mr. Boyd said the value, not the distance.

Mr. Rooker said he has heard everyone on this Board. None of the 15 different reasons that were set out in the previous letter opposing the road have changed. He does not understand how, even if it were true what Secretary Connaughton said, allocating all of the area's transportation dollars, which is more than what the County is supposed to get over the next 20 years, to that project is going to actually help the County build the projects that it was unanimous on when the money is going there rather than to the projects everyone agreed on.

Mr. Snow said that one of the projects that everyone agreed on was the widening of Route 29 is part of this.

Ms. Mallek said the widening of Route 29 has nothing to do with the Western Bypass.

Mr. Snow said Secretary Connaughton said it would include widening Route 29 as part of it.

Mr. Dorrier responded "yes" including the Berkmar Bridge over the Rivanna River.

Mr. Snow said the doables on the County's list - the Berkmar Bridge and widening of Route 29. As a bonus, the County also gets a bypass.

Mr. Rooker asked if Hillsdale was mentioned.

Mr. Boyd commented that Hillsdale is a City project.

Mr. Thomas said that Hillsdale will be done in 2016.

Mr. Snow said the Board talks about lack of money for all these different projects, and to have them all taken care of, would eliminate traffic congestion on Route 29 completely.

Mr. Boyd **called** the motion.

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd and Mr. Dorrier.

NAYS: Ms. Mallek and Mr. Rooker.

Mr. Rooker said that for whatever reason, none of this information was ever provided to the Board generally. He had asked Mr. Thomas and Mr. Snow when they went to meet with Secretary Connaughton what happened at that meeting.

Mr. Snow said Secretary Connaughton asked him specifically if he would support a bypass. Mr. Snow said he told him the County's top priorities are the widening of Route 29 and the Berkmar Bridge. When they left that meeting, Secretary Connaughton did not say to him "o.k. you've got it."

Mr. Rooker said well that came later, but obviously you had heard about it later, before Mr. Dorrier came forward tonight. He asked when they heard about it, and if there was some reason why it wasn't shared with the entire Board?

Mr. Snow responded that it was not shared with the Board because it was not a done deal; it was not for sure.

Ms. Mallek asked if he had seen this in writing from Secretary Connaughton. Mr. Snow responded that he had not. Ms. Mallek responded that it is not a done deal then. Mr. Snow said if it doesn't happen it doesn't happen. Ms. Mallek said it means the County has lost its possible control.

Mr. Rooker said it would have been nice if all this information were actually provided to the Board to talk about and discuss.

Mr. Dorrier stated that he just found about it today at 2:00 p.m., this afternoon.

Ms. Mallek said she thought he said he met with Secretary Connaughton. Mr. Dorrier responded that he talked to Secretary Connaughton by telephone for about half an hour, and this is what they discussed; this is what he assured him.

Mr. Rooker commented that VDOT has agreed to provide money for a road that Mr. Dorrier opposed. Mr. Dorrier responded that they would provide money for the Western Bypass.

Ms. Mallek added that it is a road that has been completely swamped by all the development north of it, so it is going to be completely ineffective.

Mr. Dorrier commented that it will help the traffic situation.

Ms. Mallek said that it just moves the traffic situation to another place and certainly disables the people in Hollymead South which now is going to be under pavement.

Mr. Rooker stated that the vote has been taken, and it is what it is.

Mr. Boyd said that there is one more vote the Board needs to take.

Mr. Thomas **moved** to remove the word "opposition" from the wording which is to change the County's position of being in opposition to the construction of the Western Bypass to the position that "The Board of Supervisors does not oppose a bypass."

Mr. Rooker said he is fine with "a bypass".

Mr. Snow **seconded** the motion.

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd and Mr. Dorrier.

NAYS: Ms. Mallek and Mr. Rooker.

Agenda Item No. 12. Adjourn to June 30, 2011, 9:00 a.m., Woodland Pavilion at Monticello.

At 11:51 p.m., Ms. Mallek **moved** to adjourn to June 30 at 9:00 a.m. at the Woodlawn Pavilion at Monticello. She added that she thinks the people listening live tonight got more than they were anticipating.

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

AYES: Mr. Snow, Mr. Thomas, Mr. Boyd, Mr. Dorrier, Ms. Mallek and Mr. Rooker.

NAYS: None.

Chairman

Approved by Board
Date: 08/03/2011
Initials: EWJ