

An afternoon adjourned meeting and a regular night meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 13, 2015, in the Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. The afternoon meeting was held at 3:00 p.m., and was adjourned from May 6, 2015. The night meeting was held at 6:00 p.m.

PRESENT: Mr. Kenneth C. Boyd, Ms. Jane D. Dittmar, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, Clerk, Ella W. Jordan, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. The meeting was called to order at 3:02 p.m. by the Chair, Ms. Dittmar.

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Agenda Item No. 2. **Work Session:** Capital Improvements Program.

Mr. Bill Letteri, Deputy County Executive, addressed the Board, stating that he is before them – with other staff present – to talk about the capital program and answer any questions. Mr. Letteri stated the County has \$1.3 million reserved for dedication to the capital program as part of their adopted budget, and they will discuss the specific application of those funds. He referenced a list of topics before the Board, which he said staff has covered in the past, and stated that they will cover them briefly with a time to ask questions after each. Mr. Letteri said they will discuss the review and approval process for the CIP and the adopted FY16 capital budget, and the recommended CIP for the balance of the four years of the program. He noted that they will talk about the projects that are submitted as requests but not funded, and those that are active now and rolling forward into next year. Mr. Letteri said they will talk about financial policies and the various funding sources for capital, including borrowed proceeds and available financing options. He stated that the last topic covers the process for adopting the CIP and how the Board would like to proceed with its adoption.

Mr. Trevor Henry, Director of Facilities Development, addressed the Board, stating that his involvement in the budget is on the CIP side, chairing several committees and shepherding the plan through the construction phase. Mr. Henry said the capital improvement plan is a five-year balanced plan from FY16-20, and the capital needs assessment is a non-balanced plan for years 5-10. He noted the CIP budget for FY16 was adopted and appropriated for funding in July, with multi-year budgeting done for some capital projects. Mr. Henry said that he and Office of Management and Budget staff are already looking at FY17 projects, and said that capital projects go through a very extensive review process. He stated that departments and agencies make their requests over the summer, with cross-functional teams consisting of staff from schools, local government and public safety. Mr. Henry noted that this year, they added an additional joint meeting with the School Board and Board of Supervisors in the fall, and the Planning Commission, to look at what is coming out of the Technical Review Team. He stated they are looking at ways to simplify the process and streamline it, with that analysis underway now, including having Ms. Allshouse meet individually with Board members to get feedback on the budget process, and recommended changes to be formulated this summer.

Mr. Henry stated the ranking process consists of categories of requests, which is in the same format as the Technical Review Committee recommendations, which is really the list of projects. He said that mandates and obligations come in as top priorities for funding. The next tier is maintenance and replacement, based on the Board policy of maintaining buildings and with a criteria used for those requests; and enhancements or non-maintenance projects that add square footage and capacity, which are also ranked and reviewed. Mr. Henry noted that the goal of the TRC is to provide an objective cross-functional review of all funding requests, to try to prioritize them as best they can.

Ms. Palmer asked how a school with too much enrollment will fit into this process and get ranked. Mr. Henry responded that it will likely fall under a school addition request – adding square footage to an existing building – and it will be an “enhancement” project, just like any building they are looking to expand.

Ms. Mallek noted that fire stations also fall in this category.

Mr. Foley pointed out that “enhancement” makes it sound like it is just a nice thing to do, but this is about growth and keeping up with it, so perhaps they should look at those things related to growth in a different way.

Ms. Mallek suggested calling them “expansion” projects or something similar.

Mr. Henry said that in the CIP manual, the categories are “maintenance/replacement” or “non-maintenance replacement,” but they are basically referring to expansion of capacity.

Ms. Palmer said that she is mainly interested in how those projects are prioritized.

Mr. Foley stated that how this is communicated is important, and “enhancements” refer to those projects that are not absolutely necessary, but are good to do, however, there are non-maintenance and replacement items in this category that must be done, especially those that relate to growth, so perhaps a third category is needed to distinguish them from enhancements.

Ms. Palmer agreed, and said that the County needs to prioritize those things differently and make it clear to the public that these items are distinguished from non-essential projects.

Mr. Foley suggested there be more weight put on those growth-related items, and while some of the scoring criteria might bring those out, it may be helpful to view them differently.

Ms. McKeel said the term “enhancement” has a different meaning to the public, so it is important to be able to express what things are mandatory as the Board has public meetings on the budget each year.

Ms. Mallek commented that relates to “mandates”. She will be reporting later in the meeting on what she learned recently about the Hollymead Dam spillway, because at the VACo meeting Robert Bennett of State Dam Safety had indicated that a report will be issued in December dealing with rainfall formulas. It may be possible that the \$2.7 million earmarked for the dam improvements may not be needed, if the dam is not considered high risk based on the new formulas.

Mr. Henry presented the prioritized projects summary and noted they are grouped in the categories just discussed – mandates/obligations, maintenance/replacement projects, and non-maintenance/replacement projects. He stated that after the mandates and maintenance are covered, they moved down the list of priorities, funding them as possible. Mr. Henry said there is a list of the projects, their categories, their ranking, the TRC recommendation, the Oversight Committee recommendation, the County Executive’s recommendation, and what emerges from the Board’s evaluation process. He stated that what results is the full FY16-20 capital improvements program, and the only thing changed is a trailer relocation of \$25,000 for the Bright Stars program, added as an obligation due to the Board’s commitment and funding of that effort.

Ms. Palmer commented that from time to time, there will be significant investments in equipment repair, and then the equipment ends up failing and needing replacement within a year or so, and asked staff if there are any recent examples of that.

Mr. Henry explained that as part of department submissions on the maintenance side, those requests are usually driven by facilities condition assessments, either done internally or through a consultant, to look at buildings’ HVAC systems, roofs, etc. – looking at typical life expectancy and actual performance, and planning for replacements as necessary. He stated that the maintenance program is based around trying to extend the life of a facility as much as possible, adding that the whole point is to extend the life of buildings.

Ms. Palmer noted that the windows in the County Office Building are in need of replacement and have been for years, but the cost is \$3 million so it has been put off. She mentioned that maintenance staff is trying to bolster the windows, but water is getting in the walls and can damage the building, and she wonders how much longer they are going to be able to do that, and if the County is really doing what it needs to do in those situations.

Mr. Letteri stated that one of the cornerstones of their capital program has been to prioritize and keep up with maintenance obligations, so there is not deferred maintenance, which costs a lot more money in the long run. He said that a very methodical assessment of the buildings and funding them consistently has been a prudent way forward.

Ms. Palmer said that the funding for the windows is currently on the schedule for 2017, and asked if they have the \$3 million necessary to do the project in 2017. Mr. Henry responded that it is in the CIP recommendation, and is worked into the financial model.

Ms. Mallek added that it is in the five-year plan.

Mr. Foley stated it is important to note that the County will never put off replacement of windows if water is leaking into the walls, and energy efficiency of windows is a different matter – and there have been a lot of study and judgment done on that.

Ms. Mallek said the repointing of the brick on the wall in the courtyard has finally been done, which is a dangerous spot.

Mr. Letteri said that for the last several years, the windows have been discussed at length at both the Technical Review and Oversight Committee levels, and they looked carefully at whether the project is critical, a matter of energy savings, or a combination of both.

Ms. Mallek asked if the criteria of energy efficiency helps get a project a higher ranking. Mr. Henry confirmed it is part of the category, and the higher energy efficiency is, the higher the ranking.

Ms. McKeel said that in the last month while discussing the budget, she found that people are not upset with how things ended up – but they are concerned there are no references to any “efficiencies.” She noted that people have gone to the website but are unable to find those efficiencies, even though they are going on.

Ms. Mallek said that perhaps it is the way they are named, such as “key performance indicators,” that makes them hard to find.

Mr. Letteri stated that both the Office of Facilities Development – with Leed-certified buildings – and General Services divisions focus on energy efficiency.

Ms. McKeel said that there needs to be a way to simplify it and make it easier for the public to find.

Ms. Palmer stated it will be helpful to illustrate the efficiencies gained on balance with the project costs, such as the window replacements, even though the energy savings in dollars will not approach \$3 million.

Ms. Mallek pointed out that they will reach that in 20 years.

Mr. Henry stated that on the list of projects in the FY16 "final recommended" column, if there are monies it means the projects are in the recommendation; no money indicated that they are not, and are part of the unfunded amount. He said some of the new projects coming in this year includes design money for Red Hill modernization, Pantops fire station design, seed money for overall learning space modernization, Fire Rescue 8 renovation, ACE – at \$250,000, but possibly \$500,000 after the audit at the end of the year, and the Western Albemarle High School environmental studies academy.

Ms. Palmer said the Red Hill modernization project is an example of them not funding things completely, as that school's library does not meet state standards, and the renovation project does not expand the footprint at all. She stated the School Board has so many needs they do not want to ask for \$3 million for the expansion, because they only get so much money to work with.

Mr. Henry said that other projects include the ECC replacement, the Pantops Fire Station, and school security. He presented information showing that in terms of funding, maintenance versus non-maintenance projects are 70% / 30%, respectively.

Mr. Letteri said there are design funds in the budget for the Pantops station in FY16, but they can keep that in reserve until a final decision is made.

Mr. Henry reported that for unfunded CIP projects, there is approximately \$258 million in aggregate for non-maintenance projects that are in the request for this year or in the capital needs assessment from last year. He stated that a large portion of the school division request at \$133 million is school modernization at \$66 million, which is new this year, and what is in the recommendation is just \$1 million towards that. Mr. Henry said that all parks enhancement requests are unfunded, with only maintenance funding for that division and a small amount for greenways and blue ways.

Ms. Palmer said she tried to figure out from the parks list if it includes everything ever mentioned, but that is not the case – it is things they have already vetted well. She stated she is happy the County has received the Arrowhead land, but there is nothing on this list related to improvements there.

Ms. Dittmar stated the six-year secondary road plan does include everything ever mentioned, so there are two extremes in terms of approach. She asked if there is a global listing of all of the projects that might be necessary.

Mr. Henry explained there is a two-year process for the CIP, with year one including requests from departments and agencies – and theoretically those projects will tie to the Comp Plan and long-range planning committee, looking at growth and needs and turning them into project requests. He stated that \$258 million is a good representation of unmet need but does not cover everything, as some things like Red Hill did not come in at what long-range planning had requested. Mr. Henry said they use the capital needs assessment as a way to identify what is from the requestor's perspective, but there are other items out there on other people's radars that have not yet come in as requests.

Ms. Dittmar said if they are trying to figure out the total capital investment required to get sidewalks in the entire urban area, they do not have long runways in terms of identifying needs – such as what the school division has done – and it would be helpful to have more than two years.

Ms. Mallek pointed out that the two-year cycle is just for prioritization and funding, but the capital process covers two sets of five years. Mr. Henry agreed that it is a 10-year outlook, and some departments may govern what they request and put on the list, given what the state of the CIP has been.

Ms. Mallek said that she appreciates staff's clinical approach to the highest priorities, but a little dreaming would be good, because it will help them identify gaps so they do not come back later to bite them, even though they were not expected to fund them all.

Mr. Foley said there is a five-year CIP and five years beyond that in the "out years." He stated the school's long-range planning committee feeds into the process at the very beginning, but so do department and agency studies that are in the same kind of place. Mr. Foley said there is a long-term sidewalk plan, and Mr. Benish works closely with the City on connections and plans, but that does not get a lot of committee review.

Mr. David Benish, Chief of Planning, addressed the Board, and said there is an implementation plan in the back of the Comprehensive Plan and the master plans, and typically that covers 20 years as short, mid, and long-term projects. Mr. Benish explained that when they start to prioritize sidewalk projects for the 10-year needs assessment, they look at the short and mid-term projects that have been prioritized in the Comp Plan. He said that for a number of the projects they are considering, the Comp Plan provided a 20-year picture, but it does not prioritize in a way that is as detailed in the capital needs assessment for years 11-20 – it is more of an inventory, and does not itemize all of those costs.

Ms. Mallek stated it is also a valuable place for the advisory councils' feedback to establish which items are most needed by the community, which helps the County save time in its prioritization process. Mr. Benish agreed, and said that for sidewalks there is a 10-year list in the needs assessment in the CIP – a five-page list of sidewalks in priority order – and that is what staff works from, so theoretically that is available in the CIP process for the Board to look at. He noted that staff uses that to present revenue-sharing requests to the Board.

Ms. Palmer asked him to point to the location of that information, and found a total of \$11 million for sidewalks. Mr. Benish said that it is under the Community Development section, and the amount is \$1 million per year, with an average of two projects per year.

Mr. Boyd stated that throughout the flow chart, there is a place where the Board reviews projects – but not one where they initiated projects – and said that if staff identifies a place where the Board of Supervisors can initiate projects, as it all seems to come from staff. He stated he is interested in bicycle and pedestrian crossings for Route 250 and Route 29, but he does not know where he would get that on the list.

Ms. McKeel said that she was going to ask that same question, as she has a project she would like to present, stemming from their Comp Plan discussions.

Mr. Boyd and Ms. McKeel agreed there is no clear path for the Board to make suggestions.

Ms. McKeel asked if they will have an opportunity to weigh in again on some of the projects that are reviewed during their Comp Plan discussions. Mr. Benish said that typically when the Comp Plan is adopted, staff will initiate a conversation with each of the agencies that make CIP requests to remind them about that process. He noted that they have already talked with Parks and Rec about their projects to ensure they are looking at the Comp Plan to see what has been established through the public process.

Mr. Benish said that staff received and listened to all of the Board's requests as revealed in meetings, along with public input, but primarily focuses on adopted documents. He said staff then tries to put priorities generated from the CIP and the long-range transportation plan, then generates a list that includes those in priority order, which can be reviewed through the CIP process. Mr. Benish noted the list does include the pedestrian crossing projects, but the disconnect is that there are so many processes by which the Board decides to fund projects. He said they prioritize roads consciously, and have been trying to push the grade-separated crossings and come up with a strategy for implementing them.

Ms. Mallek stated there may be another pot of funding for safety-related, rather than trying to use revenue-sharing money for those.

Mr. Benish said that in the six-year road planning process, they tried to mirror the same process as the CIP, and from that work session the Board has given staff direction to look for untapped funding sources – and staff will come back to them with cost and feasibility information.

Mr. Foley asked if the capital needs assessment is something they need to discuss further with the Board, as it helps them set a longer-term vision. He said that "urban development" discussions from the Comp Plan may need to work their way into the capital needs assessment, but he does not want to bog them down in process.

Ms. Mallek suggested the capital needs assessment work should be done as homework prior to strategic planning, because they all need a refresher, and perhaps repeated mention of specific projects will help solidify them in staff's mind and build support for them among the Board members.

Mr. Foley said there may be a gap on the long-term vision for the CIP.

Ms. McKeel said that at the end of this discussion, she is going to bring her project up – and perhaps they can use it as a test case as to how it works through the process.

Ms. Palmer asked for clarification that the sidewalk situation is that VDOT wants them to finish the sidewalk projects already started, but they are not on track to do the \$11 million in projects.

Ms. Mallek said they have \$3 million this year because they got some extra money, which is more than originally expected.

Mr. Henry stated that Ms. Palmer's assertion is correct, and they do not have \$11 million for sidewalks as mentioned in the list of sidewalk projects.

Ms. Dittmar said they are also waiting to explore other strategies, which they plan to do over the summer, as service districts can be used to fund the sidewalks.

Ms. Mallek said the three projects that are now off the list have been bumped to production, which is why they are not on the list.

Mr. Foley stated that since day one of the budget process, there are three sidewalk projects in the out years of the CIP that are not funded because they are deemed to be enhancements, with public safety and other projects taking priority.

Ms. McKeel said the word “enhancements” in that context conveys that they are just nice to have, but they are more than just nice amenities. Mr. Foley responded that he wants the Board to define those terms and whether or not things are enhancements, because he used the term very intentionally for sidewalks. He stated that he views a school expansion because of increased enrollment as essential, but views things like sidewalks and ACE to be more optional.

Ms. Palmer asked if Mr. Boyd would consider sidewalks in Fontana as enhancements or necessary safety issues. Mr. Boyd responded that it is difficult to quantify that, and the people who live there would consider it a safety issue – but he is not sure how it will be worked through with that neighborhood, because those easements will require use of their land.

Ms. Palmer noted it is in the CIP listed as “needed for safety” under justification.

Ms. McKeel said they are able to get the right of way for sidewalks on Hydraulic Road because people recognize there is a danger.

Mr. Foley said that some sidewalks are public safety related, and Mr. Sheffield has mentioned there are some sidewalks being funded that are not needed for safety, so perhaps they need to define which are critical.

Ms. Mallek mentioned that the sidewalks going to schools will be an example. She said the sidewalks along Hydraulic never get shoveled, so those pedestrians end up walking in the road in the wintertime – and the County does not have the right to require they be maintained.

Mr. Boyd said that in Fontana, they have struggled as a community as to what to do with the paths, because they are going to get the developer to bring them up to scale. After that, the Homeowners Association would be responsible for funding their maintenance, and they could not get a majority opinion in the neighborhood to do it.

Ms. Dittmar stated that in their road plan, there are both operating and capital expenses, and they are going to be looking for enhanced bus service in the urban area – and that will be a big one.

Ms. Mallek said they will need to be on the lookout for right of way.

Mr. Boyd said that bus service is more of an operating cost.

Mr. Sheffield stated that typically the City has built costs into what they charge the County, but he anticipates the City to look to the County to fund things like bus stops, which cost about \$15,000 each.

Mr. Henry said the CIP current projects will be coming back to the Board in June for appropriation, and staff has provided them with a list of projects categorized by functional area, along with a spending plan for each.

Mr. Henry stated the adopted CIP anticipated that they will be getting into the court design process, and have allocated \$2.3 million for it, but they are only spending a few thousand dollars on a Moseley study to do an update on collocation potential with the City for the General District Court. Mr. Henry said he anticipates they will be doing some additional work in FY16, with the majority of the balance moving to post FY16. He stated they will need to do some design that gets the project to more of a schematic level, with FY17 moving into more detailed design work.

Mr. Foley suggested that he use Pantops Fire Station as an example of a project going through the process.

Mr. Henry said that Pantops currently has nothing funded, and in FY16 has \$250,000 earmarked for design, with that process intended to begin soon so the project can be bid. He stated they will not start work on that project until the Board approves moving forward with it.

Mr. Henry stated it is estimated that approximately \$40 million will carry over to the CIP, and as part of staff's review process they have made some reductions and changes as discussed in previous work sessions.

Mr. Letteri said the County is AAA bond-rated, and many of their practices and goals are aligned at maintaining that rating. He stated that one of those practices is to maintain a \$2 million balance at the end of the five-year plan of the program, and this allows for any immediate emergencies or product overruns so there is a source of funding available. Mr. Letteri explained that several years ago, staff introduced a multi-year project approach – with the goal of streamlining the process and acknowledging that most County projects were multi-year in nature. He added it also signaled to contractors that there is a level of commitment from the Board to proceed with the projects over numerous years. Mr. Letteri stated that an important component of the capital program is to maintain a sufficient equity position, and one strategy to ensure that is to have a portion of the planned program transferred to capital go to the cash equity component. He said the County has not been able to achieve that in recent years, and had to leverage the revenues and borrow as much as possible – in part because of the use of other revenue sources such as surplus from prior years and proffers, so they maintain a strong cash position. Mr. Letteri noted that it is a good practice to try to at least approach the 3% mark as part of the planned program transfer.

Mr. Foley said that this is a big issue and asked the Board for feedback on this approach, and mentioned that Mr. Sheffield had asked how they got from \$10 million in cash down to \$5,000.

Mr. Letteri stated that in 2009, the County came into a time where revenues were much more restricted, and they had to leverage to the extent possible the transfer to capital. He said that in FY09, the County transferred \$10 million net to capital; in FY10, it fell to \$1.8 million. Mr. Letteri explained that during that time, in order to achieve the critical projects necessary to do, they had to leverage additional borrowing against that transfer – which had remained the circumstance throughout the period up until now. He stated it was hoped that the amount of transfer to cash equity would be restored in the latter years of the CIP, and noted that it had been a difficult time through the recession – with lots of leveraging – to accomplish the projects needed.

Ms. Mallek stated that in the past, there had been a firm commitment to three cents on the tax rate to capital, but they ended up abandoning that in the recession because they needed it for operations.

Mr. Foley explained that the Board had allocated three cents specifically to capital, so at \$1.6 million per penny, there was about \$4.8 million available to pay for capital. He said that during the recession, the Board at the time decided to reallocate the three cents back to operating – so the capital transfer decreased, but the County still had to meet its debt obligation. Mr. Foley said that this was not really about County policies, it was a decision by the Board to reallocate the funding to operating rather than raise taxes, and it was 2004 when they voted to allocate three cents to capital.

Ms. Mallek recalled that she voted for it at the time, even though she knew it would present a challenge later to get it back, but they had few options at the time and wiping out \$100 million in capital was a way to shrink the operating budget by \$30 million.

Mr. Sheffield stated that in order to get back to a 3% goal, they will need four pennies on the tax rate, and asked staff for their thoughts on how to achieve that – other than raising taxes. He emphasized they will either need to accept that they are not going to get back to that point for capital projects and bring the goal down, or establish a long-term strategy, which he does not see that they have.

Mr. Foley said their initial strategy was forming a committee and holding a community discussion on how to dedicate more to capital and fill the gap, and out of that it was expected that they would move in that direction, perhaps in a way that did not involve raising real estate taxes – although that is on the table as well. He stated that in 2004, the Board made the difficult decision to dedicate 3% for capital, and perhaps the strategy would go to the voters and get them to support an increase that is dedicated to capital.

Mr. Letteri said that it is possible to address the gap incrementally and put certain limits on the amount of borrowing done each year.

Mr. Sheffield stated that he feels the Board needs to make it a priority for this year to define that strategy, and said that he intends to communicate with residents about the County's capital situation and how to solve the problem.

Ms. Dittmar said that in discussing the five-year plan in the fall, they talked about some strategies. She stated that the Board could just decide to raise taxes – or go to the voters and have them vote on it – but a bond referendum will also require a tax increase. Ms. Dittmar noted that service districts are also an option for more infrastructure, but that, too, will cost.

Mr. Sheffield stated that the other side of that is the strategy of waiting to make these capital improvements until there is a sales tax increase and economic growth, but they need to be clear about where they are going to put their resources.

Ms. Palmer noted that a referendum or service district will be done in the 2016 election and will not get implemented until after that. She expressed concern that if they call the projects “enhancements” but they are really addressing growth in schools and do not get passed, it will put them in a very difficult position.

Ms. Dittmar said the summer meetings are crucial, and she hopes they get the right people in the room to emerge with strategies in time for the Board's retreat for the five-year plan, so they can evaluate their options.

Ms. McKeel said that a referendum in 2016 will mean that nothing will get done until 2019, and there are schools that are already over capacity.

Mr. Sheffield commented that the funds left over at the end of the year are used for capital, and they should talk about that and how it impacts the funds used for the CIP – because that is not really expressed in their budget materials.

Mr. Foley said he would like to revisit the 3% rule and have that as a takeaway they come back to, looking at what they originally dedicated in cash – after paying debt – to CIP projects, and then show what is transferred at the end of the year that adds to that, to see how far away they are from the goal. He noted they have not modeled it that way before, and he would also like to look at the pay as you go capital, using so much cash that they are criticized for not using their borrowing capacity. Mr. Foley said that putting so much cash into capital, they cannot meet all of their operating needs, so perhaps the number can be 2% or another level. He stated that a strategic priority for the Board in their strategic plan can be clarity around that policy and how to achieve it, adding that he would like to model how much they transfer to capital from year-end funds in the past.

Mr. Henry stated that staff has come up with an informal number on that, and what had been transferred to the CIP since 2006 was \$22.4 million in aggregate.

Mr. Foley clarified that this amount was generated from year-end fund balance that was not obligated once the County met its other goals that added to whatever was planned at the beginning of the year after debt to go to capital in cash.

Ms. Mallek said that on top of that was three cents in new money.

Mr. Boyd said that he went back for a ten-year period in coming up with the figure he had shared, during which time there were some huge surpluses.

Ms. Mallek stated part of that was at a time when property assessments were increasing by 10-15% in value per year, so there were quantum leaps in revenue.

Mr. Letteri reported there are some other important elements to capital policy, including the payout ratio – which is the speed at which they pay down their debt; the useful life concept – which guides them as to how long they borrow; and the ratios in terms of percent of revenues, or the overall percentage of the assessed property values. He added that the County is well within their ratios.

Ms. Palmer asked if the taxable property includes land use. Ms. Letteri responded that it does, and said that at a total value of \$17 billion in assessed values, 2% will mean they can borrow up to about \$300 million.

Ms. Palmer said they are not collecting the full amount on the land use properties.

Ms. Mallek said it is the actual dollars in revenue, not market rate.

Mr. Foley stated he wants to make sure they are comparing it for the actual revenue they receive.

Mr. Letteri said that it is based on the market value of assessed properties, but he will clarify that and get back to the Board.

Ms. Mallek said that revenue is tax dollars collected, not market value, and that is what they are talking about in terms of paying off debt.

Mr. Boyd asked if the chart presented by staff includes surplus from the previous year, and how much it will change if those are included. Mr. Foley said this is the analysis staff still needs to do.

Mr. Letteri explained that the County has a strong equity cash position in their capital program, and it is made up of proffers, interest income, and surplus from prior years – but those are unplanned and not necessarily predictable, which is why they need the policy.

Mr. Sheffield said it goes back to the theory of how to fund the additional pennies and how they will deal with their CIP – either wait until they have sufficient funds, or generate them through other means. He stated that if they take the pennies out, currently it will require them to raise taxes to cover it, unless they cut services in operating and transfer that back to capital.

Mr. Foley emphasized that the CIP has been cut to the point of just essentials, and the only pieces that are not considered “necessary” will be ACE and sidewalks.

Mr. Sheffield stated it is important for the Board to articulate to staff whether their strategy is to generate additional revenue before they go into the five-year planning process, because if staff is only going to work with what they have now for capital, it makes their task more complex.

Ms. McKeel pointed out this does not reflect future needs for increased storm water mandates.

Mr. Sheffield asked what the next steps will be in defining their direction. Ms. Dittmar said that part of it is strategic planning, but also commissioning their community group and getting that work completed over the summer. She said after that, the Board will hold their strategic planning retreat, and all of that will fold into the fall five-year planning.

Mr. Foley said staff will structure work sessions around the questions emerging from the 3% discussion, and the strategies and policies they have discussed. He said the likelihood they will have anything from a committee by November is very slim, and suggested that staff provide some different modeling and evaluate which scenarios might move them in a different direction. Mr. Foley noted that putting some definition to their strategic objective as to what they are trying to accomplish will work into their five-year plan.

Mr. Boyd said he wants the committee to look at the expenditure side and efficiencies as well as the revenue side, and if they only look at revenues he will be disappointed.

Ms. Mallek asked if he wants a repeat of the resource utilization study done a few years ago. Mr. Boyd responded that he just wants a committee that will look at both sides of the equation.

Ms. Palmer said that general government and school capital projects are all looked at the same way, and it seems to her there are a lot of school needs in the capital budget that are not making it to the top – such as Woodbrook and Red Hill elementary schools.

Mr. Henry replied that with those two schools' needs, they will essentially be competing against one another in terms of capital requests, and said the criteria as he presented before will be applied in that review. He stated the top four out of five capital projects are for schools, and the top priorities for funding are schools and public safety. Mr. Henry noted the Technical Review Committee is comprised of two school representatives, one from public safety, and four from local government – and they go through the review and ranking process.

Mr. Foley said staff does a lot of work on this for the Oversight Committee, and this really is a money issue.

Ms. Palmer agreed there is only so much money there, and she wants to make sure she understands how it is allocated between general government and schools.

Mr. Foley said that it is definitely allocated between local government and schools, based on what the Oversight Committee recommends for funding, that the Board ultimately approves.

Ms. Mallek stated one element that starts at the very beginning is School Board prioritization, and happens before the projects even go to the Oversight Committee. She mentioned the schools need to speak for their projects throughout the process, to make sure the details are known to ensure the committee makes the right decisions.

Ms. Palmer said the School Board and Long-Range Planning Committees are realistic, and are aware there is only so much money.

Ms. Mallek emphasized it is up to the School Board to establish their own priorities, and if they decide it is more important to spend \$60 million on modernization than it is to get hot water to Red Hill School, that is their choice.

Ms. McKeel noted the Board does the same thing with local government projects.

Ms. Mallek asked staff to bring back clarification in Attachment 2D as to the "CATEC Contingency," which she thought was the Meadow Creek Parkway money – and what happens to \$45,000 out of the \$200,000 that has been allocated for capital.

Mr. Foley agreed to bring that information back.

Mr. Henry said the final discussion point is the status of the CIP process, and reported the Board had taken action to approve the FY16 budget in April, which included a reserve of \$1.3 million, and the decision at the time was to move that to fund balance, so that staff could analyze it and make a recommendation. He presented a slide of the new fund balance, adding they are still relying on the 2.1 cents next year, and said staff recommends taking the \$1.3 million to apply to current-year projects planned as debt, to cash fund those instead. He stated the capital priorities are 800 MHz replacement, server infrastructure upgrade, and telephone replacement for the County – with the result reducing the debt need for FY17 by 1.1 cents.

Mr. Foley noted it allows them to put cash toward the 3%.

Mr. Henry said it reduces the transfer required for next year.

Mr. Letteri clarified that it had been 2.1 cents, and now it is 1 cent, and said the model represents all of the things they had discussed in terms of FY16 and the five-year plan, including the adjustments they had talked about at this meeting.

Mr. Boyd asked how much that will be reduced if the third quarter projected revenue surplus estimates hold, and if that comes to fruition. Mr. Letteri noted the amount is \$3.7 million.

Mr. Foley stated there is a set of things they need to do first, such as ensuring their 10% overall fund balance is sured up, and meeting all purchase order obligations, but Mr. Boyd's point is still valid.

Mr. Letteri mentioned that \$250,000 is allocated to ACE.

Ms. McKeel stated this is based in part on the tax increase they had passed this year, which has reduced the need for more pennies next year. Mr. Henry confirmed that is the case.

Ms. McKeel said she would like to have a copy of staff's presentation.

Mr. Boyd said he is trying to get back to Mr. Sheffield's point, and if they came in at their projected surplus, it can wipe out that additional penny also. Mr. Foley agreed.

Ms. Palmer said they could also do more of their CIP projects with it.

Ms. Lori Allshouse, Director of the Office of Management and Budget, emphasized that the penny is debt service, and using one-time money for that is not in keeping with AAA bond practice. She suggested they can use it for a cash project, which will reduce their borrowing amount.

Ms. Palmer asked if they can use the \$1.3 million to get the next project done on their CIP. Mr. Foley said the one penny in year two will need to go up in that scenario, and he is not sure staff sees a lot of opportunities with that, but perhaps they can do a sidewalk or put more to ACE.

Ms. Palmer said there are a whole lot of things on their CIP.

Mr. Sheffield said that a lot of his questions are dependent on those numbers.

Mr. Foley said they have a choice to make, and can lessen the impact on borrowing or pay for more things now, which will impact their spending CIP projects next year. Mr. Foley said they can look at their projection of year-end funds, but he will not want them to make decisions based on something that will only be known in November.

Ms. Palmer stated they can anticipate another storm water mandate next year.

Mr. Boyd emphasized it is a tax increase.

Ms. Palmer agreed.

Ms. McKeel said that what happens is the Board makes these decisions, and then down the road is hit with another obligation that takes more capital. She asked when they will know about the storm water costs.

Mr. Foley stated the report is scheduled to come to the Board in August, and most of it will move into their five-year planning process, but they will need to make a decision and adopt the CIP in June. He said there is also consideration of Pantops Fire Station funding and whether to proceed with that, and they will have a work session on the fire rescue fund in June, with Mr. Sheffield's other questions also addressed around that time.

Mr. Henry said there is an approved FY16 budget, so that will be appropriated in accordance with the plan, but what they are talking about is adopting years 17-20, and he is not sure what else is needed for staff to do in order for the Board to adopt it.

Mr. Foley clarified that how to use the \$1.3 million is a decision, as is the decision of whether to move forward the Pantops Fire Station – which sets them on a trajectory to need staffing in the coming years. He stated those are the only two things he is aware of that impacts the CIP in the short-term, and that will impact whether to put one or two cents in the second year.

Ms. Mallek said they will vote on it in June after those two questions are answered.

Mr. Foley confirmed this is the intended approach, but if two to three-year priorities are not adopted until July that will be acceptable.

Ms. Mallek asked if the Board can send their priorities to Louise Wyatt in the meantime. Mr. Foley said it will be helpful to have that feedback.

Ms. Louise Wyatt, Organizational Development Manager, addressed the Board, stating that she will be happy to communicate with the Board via email, and will offer a structure as to how they can provide that feedback.

Ms. Mallek said that Ms. Wyatt has organized her information by goals, which is very helpful.

Ms. McKeel stated there has been focus in the Comp Plan discussions on the development area, including aging infrastructure in the urban ring. She said that Commonwealth Drive behind Stonefield has duplexes that are at least 20 years old, the developer is gone, and these neighbors have no neighborhood association – with the units now a mix of privately owned units and rental properties. She stated the neighborhood has a parking lot off of Commonwealth Drive but has no money to put into its maintenance, and some of the potholes are big enough to break an axle in. Ms. McKeel said that Joel DeNunzio of VDOT has assured her that Commonwealth Drive will get some work as part of the long-range plan, and it will cost less money to take the parking lot in at the time that work is done to incorporate it with other improvements. She stated this will help as part of the County's effort to address aging urban infrastructure.

Ms. Palmer noted that Commonwealth Drive is like a parallel road in its size.

Ms. McKeel said because of the condition of that area and because it was never taken into the state system, it is deteriorating, and it makes it hard to rent those units.

Ms. Mallek asked if it is a private parking lot, because the County will not be allowed to invest in it unless they assume ownership.

Mr. Foley suggested they look into this more specifically and see if there might be unique circumstances that necessitate County involvement.

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Agenda Item No. 3. **Work Session:** Objectives for Years Two and Three of the FY 15-17 Strategic Plan.

The executive summary forwarded to the Board states that the Board of Supervisors has formally engaged in the County's strategic planning efforts since 2001. The Board provided direction and guidance for the development of the FY15-17 Strategic Plan during a retreat held on June 10, 2014. After additional discussion at subsequent Board meetings, the Board gave final approval of eight goals and associated

Year One Priorities at its October 1, 2014 meeting. At the February 4, 2015 meeting, staff provided a progress report on the strategic plan and indicated that draft objectives for Year Two and Year Three would be coming for Board review at an upcoming meeting.

The purpose of Wednesday's discussion is to get Board feedback on draft objectives for Years Two and Three of the Strategic Plan (see Attachment A). Ultimately, these objectives should reflect what the Board considers to be the most significant strategic issues to be addressed over the next two years. Based on feedback provided by the Board, staff will bring revised objectives back to the Board for final consideration in June.

Staff drafted these objectives based on:

- Board priorities identified at June 2014 retreat (see Attachment B)
- General Board discussion and action over the past several months
- Input from County department heads

As a reminder, the objectives and strategies of the FY15-17 Strategic Plan are being tracked and managed on a regular basis. Reports are provided to the Board on a monthly basis through the County Executive's Monthly Report, with comprehensive updates provided biannually. The Board will receive its next formal biannual Strategic Plan update at the annual strategic planning retreat scheduled on September 25, 2015.

As new strategic issues associated with the existing Strategic Plan are identified, staff will bring them to the Board's attention for consideration. For example, the Board may want to revisit strategic objectives once Citizen Survey data and recommendations from the Citizen Committee are available.

For reference, the most recent progress report on Year One objectives is provided in Attachment C.

The Strategic Plan provides direction for the County's Five-Year Financial Plan and annual budget processes.

Staff recommends that Board members provide feedback on the attached draft objectives for Years Two and Three (Attachment A). Based on that feedback, staff will bring revised objectives back to the Board for final consideration in June.

**(Due to time constraints, this item was deferred until June.)**

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Agenda Item No. 4. Closed Meeting.

At 4:50 p.m., Mr. Sheffield **moved** that the Board go into a closed meeting pursuant to Section 2.2-3.711(A) of the Code of Virginia under Subsection (7) to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice concerning an agreement related to the Rivanna Water and Sewer Authority; and under Subsection (19) to discuss a plan relating to the security of County facilities and the safety of persons using such facilities. Mr. Boyd **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.  
NAYS: None.

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Agenda Item No. 5. Reconvene and Call to Order.

The Chair called the meeting back to order at 6:03 p.m.

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Agenda Item No. 6. Certify Closed Meeting.

At 6:03 p.m., Mr. Sheffield **moved** that the Board certify by a recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. Ms. Mallek **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.  
NAYS: None.

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Agenda Item No. 7. Pledge of Allegiance.  
Agenda Item No. 8. Moment of Silence.

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Agenda Item No. 9. Adoption of Final Agenda.

Ms. Dittmar stated that the Board has been asked to pull Item 13.2, which will come back to them at a later date.

Ms. Mallek said that she would like to report on what she learned from the VACo Agriculture and Environment Committee meeting under "Matters from the Board." She stated that she would also like to discuss the double 33 trucks under that item.

Mr. Sheffield **moved** to adopt the agenda as modified. Ms. Palmer **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.  
NAYS: None.

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Agenda Item No. 10. Brief Announcements by Board Members.

Mr. Boyd announced that on June 13, 2015, from 10:00 a.m. to 4:00 p.m., the Sixth Annual Grace Church Farm Tours will take place, and encouraged residents to attend.

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Ms. Mallek reported that longtime Albemarle County staff member and friend to the rural areas Ms. Joan McDowell had recently passed away.

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Ms. Dittmar stated that there will be a broadband open house and discussion for the public at Monticello High School on May 19 at 6:30 p.m.

She said that at the end of the month the VFW will hold several celebrations around the County, and wished everyone a safe and happy Memorial Day.

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Ms. Mallek noted that VFW Post 2044 will hold a Memorial Day celebration in Earlysville on Monday, May 25.

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Ms. Palmer reported that there will be a long-range solid waste plan open house on June 4, at the County Office Building-5th Street from 6:30-8:30 p.m., and the public is invited to attend to comment on what they would like to see the County do in terms of trash.

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Agenda Item No. 11. Proclamations and Recognitions: Business Appreciation Month

Ms. Dittmar **moved** to adopt the following resolution recognizing May 2015 as Business Appreciation Month in the County of Albemarle, in tandem with the Governor's statewide recognition:

**BUSINESS APPRECIATION MONTH 2015**

**WHEREAS,** *Governor Terry McAuliffe has recognized **May 2015** as **BUSINESS APPRECIATION MONTH** in the **COMMONWEALTH OF VIRGINIA**, and called this observance to the attention of all citizens; and*

**WHEREAS,** *Albemarle County businesses play an essential role in supporting the needs and development of our local communities; and*

**WHEREAS,** *Albemarle County businesses are vital to the successful creation and maintenance of a diverse, strong, and sustainable economy; and*

**WHEREAS,** *Albemarle County applauds the successes of local businesses and their role in supporting the County's goals by reinforcing our commitment to bringing innovation and variety to the community through exceptional professional practices; and*

**WHEREAS,** *Albemarle County is pleased to distinguish the many accomplishments of our many business owners, and to appreciate the many small businesses that have chosen the County as their home;*

**NOW, THEREFORE, BE IT RESOLVED** that, we, the Albemarle County Board of Supervisors, do hereby recognize

**The month of May 2015  
as  
BUSINESS APPRECIATION MONTH**

*in the **County of Albemarle**, and express our appreciation to our local, regional and state business partners for their valuable contributions to our community.*

Ms. Mallek **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.  
NAYS: None.

Mr. Adrian Felts, Operations Manager of Battelle Industries, addressed the Board and provided a brief description about his company. He stated that it is wonderful for the Board to be recognizing businesses in this way.

Dr. Jeff Mangum of the National Radio Astronomy Observatory addressed the Board and thanked Mr. Phelps, expressing his appreciation for NRAO's participation in the regional school science fairs.

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Agenda Item No. 12. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Jonathan Heauchert and Mr. Shaedane Brown addressed the Board. Mr. Heauchert stated that he and Mr. Brown are seniors at Monticello High School and are working on a Citizen Activation Plan (CAP), doing research on community councils over the last semester.

Mr. Brown said the more they researched the community councils, the more valuable they found them to be. He stated that the councils provide an opportunity for people to provide input who might not usually have a platform for their ideas and opinions.

Mr. Heauchert stated that as they researched their issue, they found that some community members are as opposed to the councils as they are in favor of them – and he cited Neil Williamson of the Free Enterprise Forum as an example of an opponent. Mr. Heauchert said that Mr. Williamson wants community councils to be abolished and stated that, "Community councils, at least since 2009, exceed the authority and fail to add significant value to master plan reviews." He stated that in rebuttal, his school group offers suggestions for improvements, specifically in terms of speeding the process up.

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Ms. Lydia Brunk and Mr. Devon Garcia addressed the Board, stating they are also working on a CAP project: pre-K education in Southwood Mobile Home Park. Ms. Brunk said her group is of the opinion that there should be a separate pre-K facility in Southwood.

Mr. Garcia stated that based on conversations with the schools and the School Board, they have concluded that Southwood's children need help that they are not getting – with the majority of them living in poverty. He said more than 100 children in Southwood are eligible for the Bright Stars program, and this education will help them succeed in the following years. He noted that for every \$1 invested in pre-K education, there is a \$9 return.

Ms. Brunk stated that Southwood is not the only area in the County with a population of preschool-age children who can benefit from Bright Stars or a similar program, and she believes the County needs to dramatically expand or move beyond Bright Stars in order to serve all of these children. She said that while there are risks in operating a classroom off school premises, Southwood can be a model for such a program – and Habitat for Humanity has offered a trailer for the program.

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Mr. Alan Dickie of the White Hall District addressed the Board, stating that it will be a mistake to try to close Earlysville Road for trucks. He stated his business is trucking and he has been using that road for 30 years, and due to the growth in the County and the locations where he delivers, it saves him time to utilize that route.

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Mr. Tom Wharton addressed the Board, stating that he lives in the White Hall District and works in the Rio District. Mr. Wharton said he grew up in Earlysville and moved away in 1991, returning in 2004, and the first thing he noticed was the traffic and addition of lights on Route 29. He said he currently lives in Crozet and works in Earlysville, and the proposed closure of Earlysville Road will directly and adversely affect his livelihood. Mr. Wharton said that Earlysville is now one of the biggest industrial areas of the County, and there are numerous businesses that rely on trucks to move their products. He stated that he moves his product throughout the County, and for him to get down 29 South or to the western part of the County, it is a much greater time constraint and safety issue for his trucks to run Route 29. Mr. Wharton said it delays his product to get to market and backs up Route 29 to have dump trucks hitting all the lights there – whereas running backroads allows them to safely and steadily run. He emphasized that Earlysville Road is the quickest, safest and most efficient way for him to move his product, and if that road is closed to truck traffic, his company and many others will suffer greatly.

Ms. Mallek said the only portion for consideration for closure is the stretch between the airport and the Rock Store, and everything north and west will remain open.

Mr. Wharton stated that his business is located on Rio Mills Road and they travel to Earlysville Road and either go to Earlysville or Free Union, or head down to the reservoir and cut off on Woodlands heading west – which is their main access.

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Mr. Lyman Knight addressed the Board, stating he has been driving for 50 years and every community he has driven through has a bypass except Charlottesville. Mr. Knight said if they block off Earlysville Road, it will take away the only way to get products to the people. He asked why they would want to hinder deliveries and cut off the easiest ways to get their products to people, given that they will not build a bypass.

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Mr. David Willis addressed the Board, stating that the previous week it had come to his attention there was an initiative to close Earlysville Road to truck traffic. He stated he is a principal and a vice-president of Rockydale Quarries, located on Rio Mills Road in the Rio District. Mr. Willis said his research revealed that this effort went back to 2014, and a staff report from that time indicated that Ms. Mallek was the main driver in the initiative. He stated the closure of this portion of Earlysville Road forces truck traffic to the south, which is a dangerous and curvy road that is unimproved. Mr. Willis said this decision will impact his business and make it a non-viable operation. He stated that in his research he found that VDOT had done a traffic study in 2003 that indicated that Rio Mills Road to Dickerson Road had 9,100 vehicles per day; in 2009, it had 8,600 vehicles; and in 2014, it had 8,700 vehicles per day – still not up to the 2003 numbers. Mr. Willis said that VDOT has designed the road to 1,700 vehicles per hour per lane of traffic bringing it up to 3,400 vehicles per hour, and the peak is established by using 10% of the traffic, which was 940-950 – just 25% of the capacity of the road, with only 1% being truck traffic. He stated the Board should invest tax dollars in looking at other areas.

Mr. Sheffield asked where the 25% capacity figure had come from. Mr. Willis responded that if the road can hold 3,400 vehicles at capacity, at peak hours that will be 940 vehicles per hour, or 27% of road capacity. He said in considering the average vehicles per day, the average per hour is 391. Mr. Willis said that only 1% of that traffic is trucks with 3+ axles, and there were 0% with 5+ axles at the time the study was done. He noted that the only other place with 2 axles is near the airport.

Ms. Mallek stated there is a study underway currently.

There being no further public comment, the Chair closed Matters from the Public.

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Agenda Item No. 13. Consent Agenda.

**(Discussion:** Mr. Sheffield stated that he wanted to pull Item 13.1 for a separate vote.

Ms. Dittmar said that it is just a notice to set a public hearing on that matter, and in June he will have the opportunity to address it.

Mr. Sheffield agreed to leave the item on the Consent Agenda.)

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Ms. Mallek **moved** to approve the Consent Agenda as presented. Mr. Boyd **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek, and Ms. McKeel.  
NAYS: None.

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Item No. 13.1. Set public hearing for June 3, 2015, on an ordinance to amend Chapter 2, Administration, of the Albemarle County Code, to amend Section 2-202, Compensation of board of supervisors, to increase the compensation of the members of the Board of Supervisors by an inflation factor of 2.3% effective July 1, 2015.

**By the above-recorded vote, the Board set the public hearing for June 3, 2015.**

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Item No. 13.2. Resolution to accept road(s) in Dunlora Forest Subdivision into the State Secondary System of Highways. **(This item was removed from the agenda.)**

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Item No. 13.3. Resolution to accept road(s) in Haden Place Subdivision into the State Secondary System of Highways.

**By the above-recorded vote, the Board adopted the following resolution to accept roads in Haden Place Subdivision into the State Secondary System of Highways:**

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6th day of May 2015, adopted the following resolution:

#### **R E S O L U T I O N**

WHEREAS, the street(s) in **Haden Place Subdivision**, as described on the attached Additions Form AM-4.3 dated **May 13, 2015**, 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 **Haden Place**, as described on the attached Additions Form AM-4.3 dated **May 13, 2015**, to the secondary system of state highways, pursuant to §33.2-705, 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) **Haden Place (State Route 1029)** from Route 1028 (Haden Way) to 0.16 miles south, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4171, page 554, for a length of 0.02 miles.
- 2) **Haden Way (State Route 1028)** from Route 1029 (Haden Place) to .06 miles west to Route 1215 (Killdeer Lane), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4171, page 554, for a length of 0.06 miles.
- 3) **Haden Way (State Route 1028)** from Route 1029 (Haden Place) to .06 miles west, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4171, page 554, for a length of 0.06 miles.

Total Mileage – 0.14

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Item No. 13.4. SDP-2014-075 Cascadia, Block 1-3- Final Site Plan- Special exception to authorize variations from the Code of Development for ZMA 2002-004.

The executive summary states that Cascadia was rezoned to Neighborhood Model District, with an associated Application Plan and Code of Development (COD), in August 2006 (ZMA2002-004). The owner has requested a special exception to allow six variations from the approved Code of Development (COD). These requested variations are necessary before the final site plan can be approved by staff.

There have been six previously approved variations. The applicant is requesting the following variations (numbered 7 through 12) from the requirements of the approved COD:

7. To vary the street layout
8. To allow public maintenance of various streets
9. To vary the street sections for Delphi Drive, Marietta Lane, and Terrace Lane, and provide new street sections for townhouse lots 68-75 and 106-111 (Knoll Lane)
10. Garage setbacks
11. To vary the build-to line
12. Location of Knoll Park and Pocket Parks 1 and 2

County Code § 18-8.5.5.3 allows a variation to approved Application Plans and Codes of Development upon determination that the proposed variation: (1) is consistent with the goals and objectives of the comprehensive plan; (2) does not increase the approved development density or intensity of development; (3) does not adversely affect the timing and phasing of development of any other development in the zoning district; (4) does not require a special use permit; and (5) is in general accord with the purpose and intent of the approved application. County Code § 18-33.5(a)(1) requires that any request for a variation be considered and acted upon by the Board of Supervisors as a special exception. Generally, staff opinion is that the requested variations meet the five criteria listed. A detailed analysis is provided in the Staff Report (Attachment A).

There are no budget implications related to this request.

Staff recommends the Board adopt the attached Resolution (Attachment D) approving a special exception for variations #7-12 with conditions.

**By the above-recorded vote, the Board adopted the following resolution approving a special exception for SDP 2014-075 for variations #7-12 with conditions:**

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR ZMA 2002-004, CASCADIA**

**WHEREAS**, Cascadia Development LLC is the owner of Tax Map and Parcel Number 06200-00-00-02500 (the "Property"); and

**WHEREAS**, in addition to six variations previously approved for the Application Plan and Code of Development associated with ZMA 2002-004 Cascadia, approved in August 2006, Cascadia Development LLC filed a request for a special exception in conjunction with SDP 2014-075 Cascadia, Block 1-3 Final Site Plan, to vary the Code of Development approved in conjunction with ZMA 2002-004 Cascadia, to vary the street layout; allow public maintenance of various streets; vary the street sections for Delphi Drive, Marietta Lane and Terrace Lane, and provide new street sections for townhouse lots 68-75 and 106-111 on Knoll Lane; allow the builder to use a front porch to qualify as the building wall to determine the distance that the garage is recessed; 11) to vary the build-to-line; and to shift the location

of Knoll Park and Pocket Parks 1 and 2 located near the southeast corner of Block 3 and to increase the area of Knoll Park and Pocket Parks 1 and 2, as shown on the Owner's variation request dated April 14, 2015 with attachments, attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the executive summary prepared in conjunction with the special exception request, staff's supporting analysis included in the executive summary and the attachments thereto, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-8.5.5.3(c) and 18-33.8, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development approved in conjunction with ZMA 2002-004 Cascadia, as described hereinabove, subject to the conditions attached hereto.

\* \* \*

#### **SDP 2014-75 Cascadia, Block 1-3 – Final Site Plan Special Exception Conditions**

1. The street layout shall be varied as shown on the drawing entitled "Variation # 1 Vary the Street Layout," dated March 18, 2015, attached to the Owner's Variation Request dated April 14, 2015, provided that a turn around shall be designed and constructed for Marietta Drive that complies with the Albemarle County Design Standards Manual (Variation No. 7).
2. The streets depicted on the drawing entitled "Variation # 2 Maintenance of Streets," dated April 14, 2015, attached to the Owner's Variation Request dated April 14, 2015, shall be designed and constructed to Virginia Department of Transportation standards so that they may be accepted into the secondary state highway system (Variation No. 8).
3. The street sections for Delphi Drive, Marietta Lane, and Terrace Lane shall be varied, and the street sections for Knoll Lane abutting lots 68-75 and 106-111 shall be established, such that they are designed and constructed as provided on the drawing entitled "Variation # 3 Vary Road Sections," dated March 15, 2015, attached to the Owner's Variation Request dated April 14, 2015. (Variation No. 9).
4. The method of measuring the minimum garage setback shall be varied from that stated in Item 6 in the Architectural Ornamentation and Facade Treatments section on page 17 of the Code of Development to allow the front porch of the dwelling to be the "building wall" for the purpose of measuring the garage setback, and the minimum garage setback shall be varied so that it is increased from a minimum of three (3) feet to a minimum of five (5) feet (Variation No. 10).
5. The build-to lines shall be varied as shown on the sheet entitled "Building Block Plan/Phasing Plan," dated December 1, 2014, attached to the Owner's Variation Request dated April 14, 2015 (Variation No. 11).
6. The locations of Knoll Park and Pocket Parks 1 and 2 shall be varied as shown on the drawing entitled "Variation # 6 Vary Location of Parks," dated March 18, 2015, attached to the Owner's Variation Request dated April 14, 2015 (Variation No. 12).

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Item 13.5. Resolution Providing Board Comments on Proposed Policy Change to the Comprehensive Services Act.

**By the above-recorded vote, the Board adopted the following resolution:**

#### **RESOLUTION COMPREHENSIVE SERVICES ACT FOR AT-RISK YOUTH AND FAMILIES (CSA)**

**WHEREAS**, a proposed State policy now open for public comment would impose new administrative requirements, arbitrary deadlines, and costs on local governments under the Comprehensive Services Act for At-Risk Youth and Families (CSA); and

**WHEREAS**, the proposed policy imposes a new responsibility on each local Family Assessment and Planning Team (FAPT) to assess cases, sometimes after the fact, involving children whose parent or guardian admits them to a residential treatment facility without going through the local FAPT process; and

**WHEREAS**, additional concerns include the understanding that the proposed policy:

- inserts FAPT into the process after the child placement - not necessarily before it occurs - and requires FAPT, only then, to perform an assessment and determine if community-based services would be more cost-effective;
- creates the opportunity for additional trauma for a child who is placed in a facility prior to FAPT review and then must be moved again if the FAPT subsequently determines that community-based treatment is more appropriate;
- creates local government financial responsibility for placements not initially authorized by the FAPT;
- sets an arbitrary deadline for FAPT action which includes assessment, development of a service plan, and identification/scheduling of providers;
- assesses a de facto financial penalty by shifting the residential treatment costs to the locality if the locality cannot safely move the child back to the community before the arbitrary deadline;
- assesses that financial penalty on localities for missing a deadline when there is no guarantee that the FAPT will receive the referral in a timely manner after a placement is made;
- fails to account for localities with large FAPT caseloads, localities with part-time coordinators, and those with regional FAPTs; and

- allocates no additional state administrative funds to help localities with new responsibilities.

**NOW, THEREFORE, BE IT RESOLVED** by the Albemarle County Board of Supervisors that the Office of Comprehensive Services and the State Executive Council refrain from adopting this policy, as proposed, that shifts from the state to the county direct and indirect costs associated with expanding the mandated population under CSA and, instead, support the expansion of state funding for community-based behavioral health services for children and adolescents which would address the basic issue that is driving the interest in this proposed policy; and

**BE IT RESOLVED FURTHER** that any movement on this proposed policy be postponed until it can be determined that there is truly a need for such a policy and, if so, that any new commitments affecting the County not add unrealistic administrative burdens or impose unfunded mandates; and

**FURTHER RESOLVED** that this resolution be sent to the Office of Comprehensive Services for At-Risk Youth & Families with copy to Albemarle County's delegation to the Virginia General Assembly.

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Agenda Item No. 14. **PUBLIC HEARING: CLE-2015-00041. Ms. Lala's Child Care** (Delois Grady).

MAGISTERIAL DISTRICT: Rio.

PROPOSED: Special exception to allow for an existing family day home to continue operation to care for up to 12 children in a residence and may include one employee on a part-time basis.

ZONING CATEGORY/GENERAL USAGE: PUD Planned Unit Development – residential (3 – 34 units per acre), mixed with commercial, service and industrial uses.

SECTION: 20.3.1 13. Family day homes (reference 5.1.56).

COMPREHENSIVE PLAN LAND. USE/DENSITY: Urban Density Residential - residential (6.01-34 units/acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in the Places 29 Development Area (Neighborhood 1).

ENTRANCE CORRIDOR: No. LOCATION: 64 Woodlake Drive.

TAX MAP/PARCEL: 061X2000W00800.

*(Advertised in the Daily Progress on April 27 and May 4, 2015.)*

The executive summary as presented by staff states that a “family day home” is a “child day program offered in the dwelling unit of the provider or the dwelling unit that is the home of any of the children in care for one through twelve children under the age of thirteen . . . when at least one child receives care for compensation.” (Virginia Code § 15.2-2292; County Code § 18-3.1 (definition of family day home)). Family day homes for five or fewer children are treated as a residential occupancy and, therefore, no zoning-related approvals are required. The provider's own children and any children who reside in the home are not counted in these numbers.

Virginia Code § 15.2-2292 enables localities to administratively approve family day homes for six to twelve children, provided that notice is given to abutting owners and none of them object. If a timely objection is received, a public hearing is required before the governing body. On September 11, 2013, the Board adopted an ordinance to amend the County's family day home regulations to no longer require a special use permit for family day homes for six to twelve children and to allow them to be administratively approved, and to require a special exception if an abutting owner objects (See Attachment A for the current regulations).

Ms. Lala's Child Care (CLE 2014-041) applied for a family day home for six to twelve children in March, 2014, which received abutting owner objections. Because of the abutting owner objections, a special exception was required. On May 14, 2014, a public hearing was held, and the Board approved the special exception, which included conditions of approval to address abutting owner concerns, including a condition that the approval would expire on May 14, 2015 and would be subject to reapplication and approval for continued use after that date (Attachment B). Ms. Lala's Child Care reapplied for a family day home on March 4, 2015 (CLE 2015-41). Because abutting owner objections were received again, the request for Ms. Lala's Child Care is before the Board as a request for a special exception.

Ms. Lala's Child Care is located at 64 Woodlake Drive (TMP 061X2-00-0W-00800) in the Four Seasons neighborhood. The parcel is zoned PUD, Planned Unit Development. This portion of the neighborhood consists of 165 townhomes served by Woodlake Drive, a public loop road, located off of Four Seasons Drive (See Attachments F and G). Delois Grady has operated Ms. Lala's Child Care for 15 years and is currently licensed by the Virginia Department of Social Services for up to 12 children. The parents of the children attending Ms. Lala's Child Care are often involved in shift work that does not fit commercial day care center hours. The family day home hours are typically from 6:00 a.m. to 10:00 p.m., but most children arrive and depart between 10:00 a.m. and 5:00 p.m., and Ms. Grady intends to phase out evening hours. Currently, Ms. Lala's Child Care is the only family day home licensed for up to 12 children in this neighborhood; the family day home previously approved at 54 Woodlake Drive is no longer in operation. A letter from Delois Grady, the applicant, is provided as Attachment E.

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Ms. Rebecca Ragsdale, Senior Planner, addressed the Board, stating this item is for a family day home special exception. She stated there are family day homes that care for 5 or fewer children, and those that care for 6 to 12 children – which requires a zoning clearance application. Ms. Ragsdale noted that day care providers caring for 12 or more are considered commercial day care centers, and said that in-home day care is quite common. She said family day homes caring for 6 to 12 children are licensed heavily regulated by the Department of Social Services and have annual fire marshal inspections, as well as building official review – with the Zoning Department checking for adequate parking, entrance and access to the site, and compliance with traffic limits set by the ordinance. Ms. Ragsdale said the County

ordinance and state code provides that abutting owners must be given notice when there is a family day home under review, with 30 days given for them to ask questions and, if desired, make written objection to the County stating their reasons. She stated the application before the Board has received two letters of objection, and the Board's task is to determine whether the family day home use is a substantial detriment to abutting property owners, or a significant impact to adjoining parcels.

Ms. Ragsdale said this child care center had received a special exception the previous year, but one of the conditions added by the Board is that the approval will expire in one year. She noted that the applicant has reapplied for the exception, and in the time since the previous approval, the County has received the letters of objection. Ms. Ragsdale stated the property is located in the townhouse development of Four Seasons off of Rio Road, served by the public road of Woodlake Drive, with the rear of the townhomes having a shared driveway that provides parking and access to the units. She noted the child care center is in a corner unit, and presented photos of the location.

Ms. Ragsdale stated this family day home has been in operation for 14 years and is licensed by Social Services, but there are a number of providers that are not aware that they also need to get a zoning permit. She said that it is the only family day home in the County licensed for 6 to 12 children; the other facility with that number of children has since closed. Ms. Ragsdale stated that neighbors have expressed concern about traffic, but the facility met the ordinance requirements, and staff evaluation indicated that Woodlake Drive is adequate for the amount of traffic allowed by the ordinance. She said the same is true for parking, with on-street parking and parking behind the units available. Ms. Ragsdale stated there were conditions previously recommended that are still recommended – that there be no outside activities before 10:00 a.m. or after 7:00 p.m., and the parking for pickup and drop-off be on-street. She said that neighbors have also expressed concern about the use of the common areas, and staff has included a condition of HOA approval if the facility were to use the common areas. She stated the County has received no comments or questions from the Four Seasons Homeowners Association for this notification period.

Ms. Ragsdale stated that staff recommends approval of the application through adoption of the resolution before them and the included conditions. She said staff does not recommend having an expiration date for the family day home, as there were no complaints after its approval last year, or any of the other prior years it was in operation.

Mr. Boyd asked for clarification that the Homeowners Association has not provided any comments – either positive or negative. Mr. Sheffield and staff confirmed that is the case, and that is why they had put the one-year timeframe on the original approval, and noted that the HOA had approved use of the common area for the center.

Ms. Ragsdale clarified that approval for use of the common area is a condition placed by staff, but the HOA has not yet acted on it.

The Chair opened the public hearing and asked the applicant to come forward.

Ms. Delois Grady of Miss LaLa's Daycare addressed the Board, stating she has not used the common area but she would ask and follow the rules if she wanted to use it. Ms. Grady said she has heard of a neighbor complaining about noise, but kids make noise – and most of the time the children are only outside for an hour or so in the late morning before lunch, and at about 3:00 or 3:30 pm. until they are picked up. She stated that by law they are only required to be outside one hour per day, but it is nice to be outside, so she often takes the children for a long walk around the neighborhood. Ms. Grady said she gets along with her neighbor, and the only problems arose with the "business" designation of her center – and people do not seem to understand what the zoning requirement is, and assumes that it will affect their taxes. She stated she serves 12 families who need her, and she has been caring for children for 30 years – with only one complaint.

Ms. Palmer asked where she takes the children to play when they go outside. Ms. Grady responded that she has a patio and a carport where the children play, which is essentially two yards. She stated the small babies are not outside, but when the children go on walks they are put in strollers – with about six children outside at any given time. Ms. Grady said when she first moved into the neighborhood, there was a playground, but it was taken away because of teenagers. She stated the area is now a common area, but it is now really just a big open unused field.

Ms. Palmer asked about the complaint related to early arrival times. Ms. Grady responded that anyone coming in before 7:00 a.m. has to enter in the back of her house, and she made that change after the complaint letter was generated.

Ms. McKeel asked if the complaint is related to outside noise, inside noise, or both. Ms. Ragsdale clarified that it is related mostly to outside noise, particularly standing at the front door and talking, instead of coming around back to drop children off. She stated when they reviewed this last year, the outdoor activities were also mentioned in the neighbor's complaint letter – but that neighbor has not called her with objections this year.

Ms. Taquila Carr addressed the Board, stating that she works for Albemarle County Public Schools and Miss La La is her childcare provider. Ms. Carr said that Miss La La has been in business for a long time, and has taken care of her four children as they have grown. She stated that without the business being open, it would be detrimental to a lot of families. She stated she does understand the impact to neighbors and the community, but Ms. Grady has taken care to address any problems.

Ms. Palmer noted that the neighbor's letter was dated March 12, 2015, but Ms. Ragsdale had said that she had not received anything this year. Ms. Ragsdale responded that the neighbor had not called her this year but had sent a letter, and Ms. Ragsdale sent back a few emails back regarding posting the public notice sign and the process.

The Chair closed the public hearing and the matter was before the Board.

Mr. Sheffield **moved** to adopt the resolution to approve the family day home subject to the recommended conditions. Ms. Mallek **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.

NAYS: None.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR CLE 2015-41 MS. LALA'S CHILD CARE (DELOIS GRADY)**

**WHEREAS**, Delois L. Grady and Thomas N. Morton, Jr. are the owners of Tax Map and Parcel Number 061X2-00-0W-00800 (the "Property"); and

**WHEREAS**, Delois Grady filed a request for a special exception in conjunction with CLE 2014-41 Ms. Lala's Child Care (Delois Grady) in March, 2014 to allow Ms. Lala's Child Care to care for six to twelve children; and

**WHEREAS**, the Board of Supervisors approved the special exception with conditions, including a condition that the approval would expire on May 14, 2015 and would be subject to reapplication and approval for continued use; and

**WHEREAS**, Delois Grady filed a request for a special exception in conjunction with CLE 2015-41 Ms. Lala's Child Care (Delois Grady), to allow Ms. Lala's Child Care to continue to care for six to twelve children.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the executive summary prepared in conjunction with the special exception request, staff's supporting analysis included in the executive summary, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.56(b)(7)(b) and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to allow Ms. Lala's Child Care to continue to care for six to twelve children in conjunction with CLE 2015-41, as described hereinabove, subject to the performance standards for this use in Albemarle County Code § 18-5.1.56(b) and the conditions attached hereto.

\* \* \*

**CLE 2015-41 Ms. Lala's Child Care (Delois Grady) Special Exception Conditions**

1. No outside activities before 10:00 a.m. or after 7:30 p.m. associated with this use;
2. Parking for child pick-up and drop-off and any employee not residing in the home shall be on-street only; and
3. Before the family day home for six to twelve children uses HOA common area for activities, the applicant shall provide evidence to the Zoning Administrator that it has obtained the consent of the HOA to use the HOA common area for that purpose.

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Agenda Item No. 15. **PUBLIC HEARING: SP-2015-00004. Gordonsville-Somerset Rebuild Project**

MAGISTERIAL DISTRICT: Rivanna.

TAX MAP/PARCEL: 03700-00-00-01100, 03700-00-00-011A0, 03700-00-00-011B0. LOCATION: 8258 Gordonsville Road.

PROPOSAL: Replace existing electrical-transmission-line, and replace existing wooden poles with steel structures approximately 16 feet taller

PETITION: Energy and communications transmission facilities under section 10.2.2.6 of the Zoning Ordinance (reference 5.1.12). No dwelling units proposed.

ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).

ENTRANCE CORRIDOR: Yes.

COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/density (0.5 unit/ acre in development lots).

*(Advertised in the Daily Progress on April 27 and May 4, 2015.)*

The executive summary as presented by staff states that the Albemarle County Planning Commission, at its meeting on April 21, 2015, by a vote of 6:0, recommended approval of the above-noted Special Use Permit as recommended by staff.

The County attorney has prepared the attached Resolution reflecting the recommendation of the Planning Commission. Please note that a non-substantive modification has been made to the language of the condition of approval contained in the Resolution. The original condition referred to "the property," while the revised condition specifically identifies the tax-map parcels (03700-00-00-01100 and 03700-00-00-011B0) where the replacement work will take place.

Action on this special use permit request does not have a budget impact.

Staff recommends that the Board adopt the attached Resolution (Attachment A) approving the Special Use Permit to replace existing power transmission lines and their supporting towers with higher-capacity lines and steel poles subject to the following condition:

Transmission lines and supporting structures on Tax Map and Parcel Numbers 03700-00-00-01100 and 03700-00-00-011B0 shall remain within the right-of-way easement recorded at the Albemarle County Circuit Court in Deed Book 738, Page 758.

Mr. Scott Clark, Senior Planner, addressed the Board. He stated this is a special use permit request for replacement of an electrical transmission line – an existing line and the replacement of existing wooden poles with steel structures about 16 feet taller. Mr. Clark stated the project is located in the northeast corner of Albemarle County. He said that on Lover's Lane next to Gordonsville Road there is an existing substation, and across the fields of the Lawson Farm there are six existing wooden structures holding up the current power line, and those will be replaced with six metal structures. He stated that as more residences have come into the area there have been higher demand, and the older lines are not up to the demand. Mr. Clark noted that the newer lines to support it will need to be higher off the ground for safety reasons. He said that the Lawson Farm is under an ACE program conservation easement, but the right of way easement for the power lines predates it by several decades and hence trumps it to allow the right of way to continue to be used. Mr. Clark said that there is no new construction, and no tree clearing or other activity that will impact the ground cover, so there is not a huge impact from the project.

Mr. Clark presented a view of the existing poles from Route 231 (Gordonsville Road) and a panoramic view showing the substation, and noted the location of the property in relation to the Orange County Line. He pointed out the existing wooden poles, which are approximately 70 feet tall, and stated the metal replacement structures will be 86 feet tall and made of steel. Mr. Clark said the right of way is approximately 750 feet back from Gordonsville Road, and staff does not feel there are significant increases in physical or visual impacts from this change. He stated that staff found favorable factors to be that the proposed upgrade stayed within the existing utility corridor; there are no major new impacts, and staff found no unfavorable factors. Mr. Clark said that at their April 21 meeting, the Planning Commission had recommended approval of the special use permit with one condition specifying that improvements on the Lawson property will have to remain within the existing right of way, which is recorded with the courts.

Ms. Mallek asked if the poles will start out brown, as shown in staff's photograph, or start out silver and eventually become that color through corrosion. Mr. Clark responded that they are designed to weather down to the brown color.

The Chair opened the public hearing and invited the applicant to speak.

Ms. Courtney Fisher addressed the Board and stated that she is with her colleague Susan King, and stated they had held an open house in accordance with County policy. Ms. Fisher said they had gotten the sign-off from the property owner, and have not heard any concerns.

Ms. Mallek asked if the poles will start out galvanized and turn brown within five years or so. Ms. Fisher replied they will actually start out rust color, so they will blend into the rural environment.

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

Mr. Boyd **moved** to adopt the resolution to approve SP-2015-0004 subject to the recommended condition. Ms. Mallek **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Palmer, Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek and Ms. McKeel.

NAYS: None.

#### **RESOLUTION TO APPROVE SP 2015-04 GORDONSVILLE-SOMERSET**

**WHEREAS**, Merle Underwood Lawson and Robert J. Lawson, Trustees, under the Will of Albert J. Lawson, are the owners of Tax Map and Parcel Numbers 03700-00-00-01100 and 03700-00-00-011B0 (the "Lawson Parcels"), and Virginia Electric & Power Company is the owner of Tax Map and Parcel Number 03700-00-00-011A0; all of the owners of such parcels are referred to herein collectively as the "Owner" and the parcels are referred to herein collectively as the "Property" and

**WHEREAS**, Virginia Electric & Power Company holds a right-of-way easement on the Lawson Parcels to establish and maintain transmission facilities; and

**WHEREAS**, Virginia Electric & Power Company d/b/a Dominion Virginia Power (the "Applicant") filed an application for a special use permit to allow the replacement of existing power transmission lines and their supporting towers, and the application is identified as Special Use Permit 2015-00004 Gordonsville-Somerset ("SP 2015-04"); and

**WHEREAS**, the proposed use is allowed on the Property by special use permit under Albemarle County Code § 18-10.2.2(6); and

**WHEREAS**, on April 21, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-04 with the condition recommended by staff; and

**WHEREAS**, on May 13, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-04.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for SP 2015-04 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-04, subject to the performance standards for this use in Albemarle County Code § 18-5.1.12 and the condition attached hereto.

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**SP-2015-00004 Gordonsville-Somerset Condition:**

1. Transmission lines and supporting structures on Tax Map and Parcel Numbers 03700-00-00-01100 and 03700-00-00-011B0 shall remain within the right-of-way easement recorded at the Albemarle County Circuit Court in Deed Book 738, Page 758.

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Agenda Item. No. 16. **Presentation:** Shenandoah National Park Annual Presentation, Jim Northup, Superintendent.

Mr. Jim Northup addressed the Board, stating that he began his role as Superintendent of the Park about two years ago, and is before them as part of his visit to the boards of all eight counties that border the Park. Mr. Northup reported that Park visitation in 2014 was up 10% over the previous year, but that was due in large part to the Park being closed for the first 16 days of October 2013, due to the federal shutdown at that time. He stated they had a great summer in 2014 and a busy fall season – and by the end of last year, Park visitation had exceeded more than 1.2 million visitors. He noted those figures have been consistent for about a decade. Mr. Northup reported the Park continues to be a huge economic engine for the region, and their latest study indicates those visitors spent more than \$80 million a year in the local communities surrounding the Park – defined as those within 60 miles of the Park boundary. He said the presence of the Park supports more than 1,000 jobs above and beyond Park service jobs, and they also provide a lot of contract opportunities for businesses to work on a wide variety of work taking place within the park.

Mr. Northup stated the Park is actively making improvements in the Park that should be highly visible to visitors, including new orientation information shelters near the Park entrances, new trail head information signs at every major trailhead in the Park, new wayside exhibits, and major improvements to concession facilities. He said the Park is entering the third year of a ten-year contract with Delaware North Parks & Resort to operate the lodges and restaurants in the Park, and last year the company completed a \$1.4 million upgrade of 48 rooms at Skyland and Big Meadows lodges. Mr. Northup stated that this winter, they completed major renovations of all public restroom and showers at the lodges and waysides, and next year will undertake a major renovation of the Big Meadows wayside. He said the concessioner is also painting and upgrading some of the historic structures as part of their responsibilities for improvements.

Mr. Northup reported that the Park had several special major events last year – the release of the Shenandoah National Park quarter by the U.S. Mint as part of the “America the Beautiful” quarters program; and a yearlong celebration of the 50th anniversary of the Wilderness Act, the federal program that permanently protected certain portions of federal land from any future development, and provided the public with outstanding opportunities for non-motorized recreation, physical challenge, quiet and solitude. Mr. Northup noted that 40% of the land in the Park is Congressionally-designated wilderness, which – given the land use in the Park – is quite an achievement. He stated that in June they will offer “Good Neighbors Day,” which invites residents from surrounding counties to come in the Park for free, and includes a community tent at Big Meadows to help showcase all of the things to do in the surrounding areas.

Mr. Northup stated that Shenandoah National Park also faces several challenges, including the recent discovery of the emerald ash bore in the Park – the invasive insect that kills ash trees, which comprise about 4% of the park’s trees. He said they are also very concerned about increasing reports of feral hogs in counties not far from the Park, and are participating in an inter-agency task force on the hogs, which actively breed and move in packs like “little bulldozers,” doing tremendous damage to native vegetation. Mr. Northup reported that the Park had released a proposal last fall on management of the imminent arrival of chronic wasting disease in the Park, a non-native disease that is fatal to members of the white-tailed deer family and is now just 10 miles from the Park’s northern entrance at Front Royal. He said their program calls for the limited lethal removal of deer in some of the Park’s developed areas, to help slow the spread of the disease – which can have a devastating impact on deer in the Park. Mr. Northup said they had held a series of public meetings last fall, and are close to wrapping up their planning process.

Mr. Northup reported that the Director of the National Park Service has asked every national park to review their current fee structure and bring fees into compliance with those parks in their peer group – those of similar size and complexity – by 2017. He stated that as part of that process, Shenandoah released a proposal calling for revised fees and held a series of public meetings in communities

surrounding the Park to discuss the proposal solicit input. Mr. Northup said that while there is generally strong support for paying slightly more, the public feels the level of the increase proposed is too great all at once – so the Park modified its proposal to have two smaller increases over two years. He noted that the first increase took effect in May, and the next small increase will be implemented in 2017, which will bring the Park in compliance with other Parks around the nation. Mr. Northup said that 2016 is the centennial of the establishment of the National Park System, which now contains 407 individual units – including Shenandoah. He stated that the centennial offers an opportunity to highlight Shenandoah National Park and to connect with the next generation of Park stewards and supporters.

Mr. Northup said the Park appreciates the County's participation in the "Celebrate Shenandoah" group, which grew out of planning for the Park's 75th anniversary several years ago, and the Blue Ridge Committee. He expressed appreciation for Ms. Mallek's leadership and the RWSA's role in helping to address visitor use management issues at Sugar Hollow.

Ms. Palmer said there have been several reports of disease in the native rhododendron on the Parkway and in some areas around the County, and Virginia Tech's Plant Pathology Department is trying to determine whether it is widespread – but has not determined anything at this point. Mr. Northup responded that he has not heard of this at all, but the Parkway does not have a lot of rhododendron – it has lots of mountain laurel.

Ms. Palmer said that a lot of people call the rhododendron "mountain laurel," but they are the same genus and species and are very large.

Ms. McKeel noted that she is still intrigued by the feral hogs.

Ms. Mallek said that Campbell County and places further south had an epidemic of feral hogs, and she is not sure who the Park will have to work with to address the problem.

Mr. Northup said the Park is working closely with the state on this, as there are more than 600 feral hogs in Culpeper County alone. He explained that the hogs are a combination of domesticated pigs that have been released to the wild and a European breed of wild boar that are raised for hunting purposes on private estates, which can also be released.

Ms. McKeel asked how large they are. Mr. Northup responded that they are several hundred pounds.

Ms. Palmer said that this is a huge problem in Alabama and Georgia.

Mr. Northup stated that in his work at the Great Smoky Mountains National Park, it is virtually impossible to try to completely eradicate them, so he hopes they will be kept out of Shenandoah.

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Agenda Item. No. 17. **Presentation:** Albemarle County Service Authority Quarterly Report, Gary O'Connell, Executive Director.

The following memorandum dated April 24, 2015, was received from Mr. Gary O'Connell, Executive Director:

"We at the ACSA appreciate the opportunity to update the Board of Supervisors on our projects and issues. We look forward to presenting our quarterly report and being available for questions at your May 13th meeting:

1. **Budget and Rates** - The proposed budget and rates for next year were presented to the ACSA Board at their April 16th meeting. The overall Proposed FY 2016 Budget totals \$29.05 million. The increase in the budget is mostly due to the water and wastewater treatment charges from our wholesaler RWSA. Some of this increase in treatment costs is due to capital projects such as the GAC project (granular activated carbon advanced water filtering) at all five water treatment plants. The projected purchased treatment costs from RWSA are increasing by \$666,912, with the largest part being a 7% increase for purchased water. The average residential customer, at 3,300 gallons usage, will see a \$1.41 increase monthly. About 75% of our customer base are single-family residential customers. The ACSA Board will be holding a public hearing on the budget and rates on June 18<sup>th</sup>. We will send a budget and rate summary to all our customers as an insert with their May bills. The proposed budget is available on our website: [www.serviceauthority.org](http://www.serviceauthority.org). Even with a rate increase next year, 1¢ buys 2.63 gallons of ACSA water; a great value for safe, clean and reliable water. The ACSA average residential bill continues to be nearly 15% less than a comparable City of Charlottesville customer bill.
2. **ACSA Capital Projects Update:**
  - **FY 2016 Capital Improvements Program** - Proposed to the ACSA Board to be considered with the FY 2016 Budget. New projects being proposed are noted below with the summaries. I have also attached a copy of the capital projects by Board District to help identify the project locations.
  - **Western Ridge - Foxchase (Crozet) Water Connection** – This project has been completed which created a looped system that used to dead-end. This improves water quality and emergency backup, and is functioning very effectively now that it is completed and in service.

- **Key West Water Main Replacement** - A waterline project to replace an existing line that is old and deteriorating. In addition to a new waterline, additional fire hydrants will be added to increase the level of fire protection in Key West. This contractor started the installation of a new 12 inch water main in early April; about 5% of the project is complete.
- **Westmoreland Water Main Replacement** - This project is to replace a 50 year old waterline that has recently experienced multiple leaks. The Westmoreland subdivision is located between the Carrsbrook and Northfields subdivisions that are also scheduled for future waterline upgrades. Project surveying has been completed. We are at work on the 50% design documents.
- **Ashcroft Water Improvements** - A new tank has been installed and pressure reducing stations have been upgraded. A replacement pump station has been completed and is now in operation. Final site restoration work remains.
- **Michie Tavern Water Main Replacement** - A new waterline is being designed that would connect near PVCC on Route 20. The current line is over 70 years old and badly deteriorating. The project is under final design, with necessary easements being obtained.
- **Crozet Water Main Replacement Phase 2** - A phased waterline replacement program has been underway in Crozet. Work recently has been completed on High and Myrtle Streets, and we have completed the work on Hilltop Street. Some additional road and drainage work needs to be completed.
- **Berkeley Water Main Replacement** - This is another one of our waterline replacement projects for an older line, nearly 60 years old. A recent community meeting was held to review the project with our customers in the Berkeley subdivision. We have completed 50% of the design. We are also coordinating with Charlottesville Gas, as the neighborhood is very interested in new gas service.
- **Glenmore Water Tank Project** - This project is designed to add an emergency backup to the Village of Rivanna area, as there is a single 4% mile waterline to the east to serve this area. The easements needed for the project have been completed. The final site plan has been approved, and the County as co-owner has executed the Deed of Easement. We are at work on the 100% design documents. The timing of the bid is dependent on the rough grading schedule for the Rivanna Village development, so as to coordinate the two projects and not have conflicts.
- **Ivy Road-Flordon Water Connection** - This project, located near Ivy Nursery at Route 250, is an interconnect project to connect to the West Leigh area for water system and fire protection improvements and emergency redundancy. A contractor has been selected for the project to begin work. VDOT has awarded their bridge relocation project, which will construct a portion of this new water main connection.
- **Ednam Water Pump Station Upgrade** - This project will provide an alternate source of water to West Leigh by upgrading the existing pump station and increasing pumping capacity. We are in the final design phase with final site plan and approvals underway.
- **Orchard Acres Waterline Extension** - One of our Crozet area waterline replacement projects to upgrade and replace aging waterlines. This project is at the 50% stage in the design documents.
- **Sewer System Rehabilitations** - Work is near completion in the Ednam Sewer System. We are working with Farmington on sewer upgrades to their private system that connects into the Ednam System. The study phase of the PVCC Sewer Drainage Basin has been completed and the rehabilitation work will then be scheduled.
- **Oak Hill Sewer (Phase 2)** - The ACSA staff continues to appreciate the work of the Albemarle Housing Office to assist in seeking CDBG grant funding for this new sewer line project to serve 20 additional properties that have failing septic systems. We are finalizing easements.
- **West Leigh Waterline Replacement** - Work has been completed to replace an existing waterline on Devonshire Road and work is underway on Wendover Drive, with about 70% of the new water main being constructed.
- **Sanitary Sewer Rehabilitation** - We continue our ongoing program to rehab the sewer system, lines and manholes. Relining projects include the Wood brook area, and the Woolen Mills area.
- **Route 29 Solutions (VDOT Project) - Utilities** - As the Board is well aware, road work for this project is under a design-build contract for construction. The project consists of the three parts: (1) Rio Road/Route 29 Grade Change Intersection, (2) 29 North Widening, and (3) Berkmar Drive Extended. All these projects have major impacts on both ACSA and RWSA utilities. This includes line relocations in a number of areas, which we are reviewing the final design for the ACSA utility relocations.
- **Crozet Water Main Replacement Phase 3 (New Proposed FY2016 CIP Project)** - This project continues our work to replace aging, undersized, and deteriorating water mains in the Crozet Water System. The proposed work will be on Jamestown Road, and a section of Park Road to Dunvegan Lane. The work proposed for next year is the design of the new water mains to provide a more reliable water distribution system.
- **Key West - Dunlora Water Connection (New Proposed FY 2016 CIP Project)** - To continue the ACSA goal of building redundancy into the water system, this

project provides another major water main connection across the Rivanna River. By creating a loop with the Dunlora subdivision and the Key West subdivision, this new waterline will help fortify the water system on the east side of the Urban Ring. It also improves water quality in Key West. The design is essentially done, and the work will be coordinated with the ongoing Key West Water Main Replacement Project.

- **Camelot Drainage Basin Sewer Study (New Proposed FY 2016 CIP Project)** - This project continues the ACSA work to identify sewer system areas in need of rehabilitation to reduce infiltration and inflow (1/1). The study areas include the older portions of Camelot and Briarwood, as well as the Rivanna Station area. The study will be completed in FY 2016 and rehabilitation work will carry over into FY 2017.
- **Oak Forest Pump Station Abandonment (New Proposed FY 2016 CIP Project)** - This wastewater pump station was constructed 35 years ago and is deteriorating, and the original pumps are in need of replacement. With the development of the Stonefield area (and the associated sewer lines), we have identified a sewer main extension project that could eliminate this aging pump station and avoid an expensive upgrade.
- **Peter Jefferson Place Pump Station Improvements (New Proposed FY 2016 CIP Project)** - This pump station constructed 17 years ago was designed to serve a large drainage basin with the potential for dense development. To date the potential development within the drainage basin has been slow, and as a result the pumps are over-sized for the amount of flow received at the station. Due to the lower flows the pumps are not operating efficiently and this is increasing the wear and tear on the equipment. A study to evaluate options to improve the efficiency of the pumps without replacing them will be undertaken to determine the best approach.
- **Airport Sewer Collector Upgrade Evaluation (New Proposed FY 2016 CIP Project)** - The original sewer collector serving the airport and the area west of Route 29, which now includes the Hollymead Town Center and Willow Glen, was originally sized to serve the light industrial zoning designated for that area at the time of construction. As a result, the increased density specified in the County Comprehensive Plan for the same drainage basin, at buildout, will exceed the capacity of the existing sewer main. This project will review the current zoning, the County's Places 29 Master Plan and the existing conditions of the sewer system to develop a plan for upgrading the capacity of the Airport Sewer Collector.

3. **Annual Drinking Water Quality Report (Copy Attached)** – We yearly provide our customers with a detailed report on water quality in our system. ACSA drinking water continues to be safe, dependable, and of a high quality, and each day a number of water quality tests are conducted to assure this high quality water. We meet or exceed all state or federal water quality standards. The installation of granular activated carbon (GAC) advanced water filtering at the water treatment plants will improve our water quality.

Thank you for allowing us to again share what is going on at the ACSA in our goal to provide high quality water to our 18,000 Albemarle County customers.”

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Mr. Gary O’Connell addressed the Board, stating that the Albemarle County Service Authority is in the middle of its budget process and has a public hearing in June, with adoption to be considered at the ACSA Board meeting that month. Mr. O’Connell referenced a rate comparison study, and noted that one penny will buy 2.63 gallons of high-quality Albemarle County water. He said the rate proposal for the average residential bill increased \$1.41, and said they are at least 15% lower than a comparable City bill. Mr. O’Connell reported the ACSA has 41 active capital projects, and in his report he highlighted some of the projects he feels the Board might be interested in. He stated the ACSA converted 18,000 customers to electronic bills, and they have received a record number of calls requesting information. Mr. O’Connell noted the water in the system is tested thousands of times per year, just to assure water quality, and is also tested at the treatment plants. He stated that this time of year, water usage increases, and the authority advocates for people to limit their outdoor use of water. Mr. O’Connell said they have a water conservation packet available to consumers, and encourages the Board to have them available at their public meetings. He stated there are several devices to help people save water, including a dye for toilets that indicates when a toilet is running too much – as that can lead to thousands of gallons of water loss. Mr. O’Connell stated the ACSA continues its low-flow toilet rebate and rain barrel rebate programs, and will be sponsoring a water conservation workshop in June.

Ms. Palmer stated that the ACSA also has good shower heads available for conservation.

Ms. Palmer asked if the ACSA has begun planning for the cost of running the pipeline from the South Fork to Ragged Mountain. Mr. O’Connell responded that part of the planning is the five to ten-year plan that the Rivanna Water and Sewer Authority has, and when they did the rate study a few years ago, they asked consultants to look at what they should be doing today in anticipation of a project that major. He said their recommendations were to continue to hold the reserves that they had, and as the project gets closer the ACSA will build the cost into their rates and phase it into their five-year plan. Mr. O’Connell noted there is a two-phased approach with the reserves as buffer, and then incorporating the cost into their long-term plan.

Ms. Palmer asked if they will start planning five or ten years out. Mr. O'Connell stated they are two or three years away from the actual corridor study, and those results will lead to the project design and cost estimates. He said the original proposal is a \$60 million project, and while it can be smaller it is still big when compared to other projects. He stated that Rivanna overall has about \$200 million in projects planned over a ten-year timeframe, and the rates have been structured to avoid a large jump in costs for customers – which is their strategy for the pipeline also.

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Agenda Item. No. 18. **Presentation:** Rivanna Water and Sewer Authority Quarterly Report, Tom Frederick, Executive Director.

Mr. Tom Frederick addressed the Board, stating there have not been significant changes from his report two months earlier. He reported that both the RWSA and RSWA operating budgets for FY16 are on the Rivanna website, and have been introduced to the respective boards, with public hearings scheduled for May 26 on both budgets. Mr. Frederick stated the urban water wholesale rate for ACSA is increasing by 2.9%, and the urban wastewater rate is increasing by 3.6%. He stated they are holding operating costs as best they can, but capital projects are also impacting their rates. Mr. Frederick noted there will be no change in solid waste tipping fees.

Mr. Frederick reported the RWSA has awarded a contract to replace the next section of the Schenks Branch interceptor, which is adjacent to McIntire Road in the City's greenway, and will go from the Harris Street intersection and stop at the entrance to the recycling center. He noted the final 1,000 feet south of that point is currently in abeyance due to issues related to easement. Mr. Frederick reported that the contract for granular-activated carbon at their five water treatment plants was awarded in March and executed in April, and next week they will hold a preconstruction meeting with Ulliman Schutte of Ohio, shortly after which they expect construction to begin – with completion slated for late 2017. He said they are currently feeding powder-activated carbon at many of their water treatment plants and are meeting stage two rules at urban plants. Mr. Frederick said that with the carbon option chosen, there is not enough time in the schedule to complete the project within the two-year limit that the EPA allows on the rules – so they are having to comply with the rules without the facilities.

Mr. Frederick said the Board has likely been receiving many emails about blasting at the Moore's Creek treatment facility, and he had recently attended a safety meeting that the contractor offered. He explained they have to use dynamite to get the first 80 feet of the tunnel in place, because the diamond-grinding tunnel boring machine that cuts the rock has rigors that had to have something to grab ahold of. Mr. Frederick said they are doing the blasting carefully and slowly, but hopefully it will be finished within the next few weeks and then they can begin boring the 2,000 foot-long tunnel. He stated they are also aggressively pursuing the odor-control project, which is in design, with a completion date of mid-2017, and he has provided the Board with information as to how they reached that approach two months ago and the technology used. Regarding solid waste services, the RSWA Board had approved local government support agreements for the Ivy and McIntire facilities, which were essentially one-year extensions of the deadline. Mr. Frederick said that Ivy has one additional provision for a narrative plan due to DEQ on December 1, and if that is not done then DEQ can force the closure for March 31, 2016.

Ms. Mallek stated the opening of the extra valve at the Moorman's River is a wonderful event, and Mr. Frederick had provided a history lesson of the project at that time. She said that it has made a noticeable difference in the river already, and those downstream are celebrating.

Mr. Frederick said he hopes there will be a larger event in the future as the flow continues to increase.

Ms. Palmer noted that Mr. Frederick had climbed down to the bottom of the dam for a television interview.

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**Recess.** The Board recessed their meeting at 7:44 p.m., and reconvened at 7:53 p.m.

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Agenda Item. No. 19. CPA-2013-01. Comprehensive Plan Update/Amendment.

Ms. Elaine Echols, Principal Planner, addressed the Board, stating that at their meeting last week, Ms. Mallek had brought up information from the Historic Preservation Committee and the kinds of changes they wanted to make; there were also questions about the Planning Commission's review of land for employment uses. She stated that if there are other items to bring up, the Board can do that now. Ms. Echols said that when staff sends the staff report on the Comp Plan, they will attach anything that has come in from other sources. She noted that staff will make the Comp Plan available online well in advance of the public hearing, and will make hard copies for those who need them. Ms. Echols said that staff will have a redline version as well as a draft of the final plan for public hearing.

Ms. Echols said that the Historic Preservation Committee's recommendations includes additional wording to make it more difficult to demolish historic structures prior to making a record of them. She stated their other priority is the Woolen Mills district and the importance of the historic aspects of it. Ms. Echols said these items add strength to what is already in the plan, but does not change the substance of it, and she wants the Board to decide whether or not to include it.

Ms. Dittmar said she wants to make sure that the Woolen Mills preservation does not include the old light industrial buildings, and mentioned that on Main Street there has been difficulty in trying to tear things down.

Ms. Echols stated the Woolen Mills Historic Preservation District is a National Register Historic District, so the County and state have no oversight over it. She said those districts are honorary, but also enable people to get tax breaks for rehabilitation. Ms. Echols stated if someone wants to make a change to anything in the historic district, the County has no purview over it. If they are asking for a rezoning on a property in the district, the County will ask the experts what is going to happen to the resources in the district and reports back to the Board and Planning Commission. She said that if someone is asking for a rezoning or a special use permit, the Historic Preservation Committee will likely provide input, and staff will report that to the Board as part of their deliberations. Ms. Echols stated that most people do not like to destroy the historic resources or aspects, but from a regulatory standpoint there is no regulation because the County does not have historic districts.

Mr. Davis stated this will provide guidance if there is a rezoning or special use permit, and will be part of the consideration as to whether it is consistent with the Comprehensive Plan.

Ms. Mallek said the reason for this came out of discussions for the Comp Plan for this particular property in Woolen Mills and how important it is to Board members, and the only reason the applicant was allowed additional residential was because it was the only way to make the project feasible, while better preserving the historic elements.

Ms. Palmer asked if this addition to the Comp Plan language interferes in any way with the applicant in that case. Ms. Echols responded that she does not think so, because he wants historic tax credits and therefore must work with the state and anyone providing those tax credits to be doing the historic preservation correctly.

Board members agreed that it is acceptable to include the language into the Comp Plan draft being advertised.

Ms. Echols said the Board had questions about the Planning Commission's review pertaining to employment areas, and stated they looked at a lot of the areas near interchanges – and everything that the Commission made a recommendation on, the Board had seen in the Comp Plan and discussed. She stated there is one area the Board has not seen, because the Commission had not made a recommendation to include it – the area in the southwest quadrant on 29 South at the I-64 interchange. Ms. Echols said the property is currently designated as regional service in the Comp Plan, and that designation allows for industrial uses. She noted it is recommended in the southern neighborhoods master plan for regional mixed use, and there is text in the plan that talks about this property also being available for industrial uses. Ms. Echols said staff has taken this to the Commission to suggest that they consider expanding the development area at this location, because it is located at an interchange and will allow use of land designated for industrial-type uses. She stated there is an existing road out of the development area, and an existing roadbed that might provide better access to the site, to help support economic development. Ms. Echols said there are 82 acres adjacent to the development area that staff has recommended be added, and part of the property has steep slopes, including some in the floodplain. She noted that the parcel has approximately 33 developable acres, and staff has suggested industrial or mixed use, providing greater flexibility for the quadrant. Ms. Echols reported that the Planning Commission recommended against inclusion in the revised Comp Plan for several reasons, including opposition from property owners in the area.

Ms. Echols stated that in talking about the parks and recreation chapter of the Comp Plan and the Hedgerow Park, they had discussed inclusion of a potential trail extending from one currently on the County's greenway plan that would come up through this property – leading to the Hedgerow Park, adjacent to the Ragged Mountain area north of I-64. She said if the Board is interested in including this property in the land use maps being prepared for the Comp Plan, they will need to let staff know so that changes can be made to the master plan, to ensure proper advertising and land use designation. Ms. Echols said the land use designation will be employment, mixed use, or industrial – but the environmental features have a green systems designation, as shown on other land use maps for the development areas. She asked the Board if they want to include it for public hearing.

Ms. Palmer asked Ms. Echols to point out the water/sewer jurisdictional area. Ms. Echols responded that the jurisdictional area boundary extends as far as the zoning – which is an unusual circumstance because it falls outside of the development area boundary, but probably resulted from the old R-1 zoning on the property.

Mr. Boyd stated that he supports it, and is in favor of supporting opening up all areas along I-64 for development.

Ms. Mallek said that she also supports it.

Ms. Palmer stated that she supports it, as there is a goal to align water and sewer jurisdictional boundaries with development areas.

Ms. McKeel and Ms. Dittmar agreed.

Ms. Echols asked if the Board wants any special notification for that area, or just wants to rely on the press disseminating information to the public.

Mr. Davis said there is no legal requirement for any notification of adjacent property owners since this is a comprehensive Comp Plan amendment.

Ms. Echols said they have not done special notification to all property owners during the Comp Plan process, because there have been 13 separate expansion area requests. She said that staff let the property owners know that the Commission will be hearing this, and in the southern and western neighborhoods, staff took the information to the public meetings so people know they are being considered. Ms. Echols noted that at the southern and western neighborhood master plan meetings, people came and asked that the existing boundaries be retained. She said staff can send out a notice to adjoining property owners to let them know this is going to be part of the Comp Plan.

Ms. Palmer stated that she feels notification is important, since this is not part of the Planning Commission's public hearing process.

Ms. Echols said that staff is working hard on the Comprehensive Plan, and they will let the Board know when the draft is available.

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

Ms. Mallek said the City, County, Parks, Police Department, Fire/Rescue, and Shenandoah National Park have all been involved in discussions about the end of the dirt road at Sugar Hollow, which is beyond the end of the paved road and the parking lot there. She stated that Shenandoah has already put large boulders along their boundary to keep vehicles from entering the park there. Ms. Mallek said this situation had begun in 1995 when flooding caused damage to the banks of the Moorman's River, undercutting the road there, and it continues to get worse. Ms. Mallek said that over the last few months there has been a serious undercut of the road where it makes a 90-degree turn, and VDOT has indicated that they cannot fix it, because there is nothing underneath to attach improvements to. She stated they have suggested that the County consider discontinuance of maintenance, which means it will stay a County road to be used by hikers and horseback riders, etc., but should no longer be open to vehicles. Ms. Mallek said there are often hundreds of vehicles using the very steep and sharp terrain, creating a dangerous situation. She stated that Joel DeNunzio is sharing more detailed language for the Board to consider at their next meeting, and VDOT has already made plans to put up a temporary barricade. Ms. Mallek said that one outcome of their meetings over the past nine months has been a possible plan by the City and Rivanna – who own the property around the County road – to make a better parking lot at the dam, next to the dam keeper's house at the end of the paved section. She noted that this will be a safer and more environmentally sound option so that visitors can enjoy the reservoir as a true walking place, adding that she just does not want anyone to fall in the water.

Mr. Boyd asked if this will be on the Board's agenda formally in June.

Ms. Mallek responded that it will be.

Ms. Palmer asked if Mr. Northrup will support this, as it is a primary entrance to the park in Albemarle County, and an important entrance to the park overall.

Mr. Northrup stated he is surprised to learn that it is a VDOT road, and they have already assessed the situation and are planning to put up a barricade. He said he was unaware of this plan, and Shenandoah will need to get the message to Park visitors that the situation has changed dramatically. Mr. Northrup said at the last meeting they had attended at the RWSA headquarters, he indicated that Shenandoah would be supportive of closing that road down at the bottom of the hill near the dam keeper's house. It is imperative that appropriate parking be built there, to accommodate the crowds that will continue to come. He added that if the road is closed right now and there is no place for people to park, there will be a real problem on the County road in terms of where people will park.

Ms. Mallek explained that the temporary gate will be at the north end where there is already parking for 50 cars now, and that will tide them over until the permanent lot can be built. She said that for this season, it will be the big lot at the foot of the vertical slope.

Ms. Palmer said that VDOT's email has emphasized the importance of a letter from Mr. Northrup as Park Superintendent endorsing this plan.

Ms. Dittmar stated it is required that the Board prioritize its broadband rollout to be able to apply for a broadband grant, with a public meeting also requested as part of that. She said that the Board is being asked to prioritize constituents or pockets such as agribusiness or communities closest to schools or the most impoverished areas, or the final mile of access.

Ms. Mallek reported that the truck email came in too late to be an action item this week, but she has received correspondence from a legislative connection in D.C. who monitors trucking across the country. She said that in the past, the Board had agreed to send letters to their delegation to oppose bills that loosen trucking regulations, adding that they were "sold a bill of goods" when the tandem truck legislation was proposed – as they were only supposed to be on interstates. She noted that local authorities have no way to stop them from using country roads. Ms. Mallek stated that she hopes there is support from the Board to send a letter in opposition to the "Triple 33s," which will add 20 feet of length to tandem trucks. She stated this has come up in the state legislature every year, and the previous chair of the Transportation Committee – who has buried these bills for years – has now retired. Ms. Mallek emphasized the weight of these trucks increases by 30,000 pounds, causing damage to roads like Earlysville Road, which is crumbling at the edges because it is not designed for heavy truck weights. She said that drivers also have concerns about operating these vehicles, because of difficulty stopping with the extra weight and the potential jackknife problems with the extra length.

Ms. Palmer asked for clarification that the drivers who had spoken tonight about Earlysville Road are not using these types of trucks. Ms. Mallek responded that she assumes those people are dump truck drivers coming out of Rockydale Quarries, and said that she is on her phone several times a week about the problems these trucks create on the roads.

Ms. Palmer asked how they will get to the west side of the County if they do not use Earlysville Road. Ms. Mallek responded that it is only a portion of the road. She stated there is a study planned for the summer to determine how many trucks are on the road at what times, and other measures, to be followed by a public hearing after the study is complete.

Ms. Palmer asked if there will be an alternative provided for these trucks. Ms. Mallek said that was the first question that had to be answered years ago, and traveling Airport Road and Route 29 is the perfect alternative to going south on Earlysville Road at Rio Mills. She noted that many trucks are coming off of 29, going south on Earlysville Road, then getting back on 29 and Hydraulic.

Ms. Palmer stated that some of them are not, and the drivers are talking about using Woodlands Roads out west of the County. Ms. Mallek commented that there are all kinds of ways to do it.

Mr. Boyd said she is talking about more than just banning the tandem trucks – she wants to ban all trucks. Ms. Mallek responded there are two different issues: the Triple 33 issue, and the trucks on Earlysville Road. She explained that the truck prohibition is only for through trucks – not those who have business in that segment – and those of a certain number of axles. Ms. Mallek said that Jack Kelsey will provide more details on this, with the reason for the action being road safety and upkeep.

Ms. Mallek reported that Robert Bennett from the State Department of Conservation and Recreation had spoken at the VACO meeting about the dam safety program, and said that there is a study underway to analyze rainfall data to be used for determination as to whether the dams need to be rebuilt or not. She emphasized the importance of waiting for this information prior to deciding what to do locally.

Ms. Mallek reported that the storm water implementation plan, phase three, will include stakeholder working groups – and the legislature put in an additional \$10 million in agriculture and \$5 million for storm water management.

She stated the Hemp Bill that Albemarle had supported passed the legislature, and VDACS will be licensing the industrial hemp growers going forward. Ms. Mallek said there has been a JLARC study for Virginia's Water Resources, particularly groundwater – which has not had the same focus as storm water for many years, and perhaps a groundwater program can be re-implemented in Albemarle.

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Ms. Dittmar reported that she and Mr. Foley had attended the recent Mayors and Chairs meeting, and learned that the Commonwealth will be taking a larger proportion of local traffic fines, as reported by David Blount. She stated that she and Mr. Foley have also talked recently about showing appreciation for the County Police Department, and asked Ms. McKeel – as representative on the Police Advisory Committee – if she has suggestions.

Ms. McKeel responded that May 22 is the Police Foundation Banquet, and perhaps they can make a recognition that night.

Ms. Dittmar asked if they can do a resolution by email. Mr. Davis stated that it will need to be adopted in a public meeting.

Ms. Mallek suggested that Ms. Dittmar just write down what she had expressed.

Mr. Foley said that he assumes it is the sentiment of the Board that they want to acknowledge the police in this way, and perhaps the Chair can write a letter on behalf of the Board.

Ms. Mallek said that the banquet is a great event.

Mr. Foley stated this is the first one he will miss in many years.

Ms. Palmer said that it is Memorial Day weekend this year, which presents a conflict for her. Mr. Foley responded they had difficulty securing the Boar's Head Inn for an event date.

Ms. McKeel noted that Memorial Day falls early this year.

Ms. Dittmar agreed to write a letter in recognition of the Police Department.

Ms. Dittmar reported that she had met with the Scottsville Town Council, and told them that the town's ordinance on stagnant water superseded that of the County's, so they will not need to implement the County's approach.

Ms. Palmer stated that in reading the strategic plan, one of their goals is to ensure that compensation of staff is good enough for retention and recruitment, and she recalled discussions they held regarding the challenge of recruiting Board members. Ms. Palmer said about a dozen counties pay Supervisors more than Albemarle, in recognition of the difficulty of the job, and she wished she could talk people into considering more than a 2.3% increase – as stipend has long-term effects on the Board.

Mr. Davis stated the salary scale under the statute the Board has used for the last 30 years or more is based on population, and Albemarle has exceeded that range – but can do so based on an inflation factor. He said the maximum raise under that statute would be 5% if they can establish an inflation criteria, and the policy of the Board since the 1990s has been to use the percentage of County staff raises as the inflation factor. Mr. Davis stated the alternative to that is a provision allowing for the Board to establish a salary prior to July 1 that does not go into effect until January 1, after at least 40% of the Board members have stood for election. He said the Board elections stagger every odd year, and if they want to use that it will need to be done at a June meeting, prior to July 1, becoming effective in January in the even years.

Mr. Foley said it will need to happen tonight in order to have a public hearing, and the Board has already approved a 2.4% increase

Mr. Davis clarified it does not require adoption of an ordinance.

Ms. Palmer stated that localities which pay higher than Albemarle include Fairfax, Arlington, Henrico, Prince William, Loudoun, Chesterfield, Hanover, Spotsylvania, Stafford, Caroline, Fauquier, and Roanoke counties are all above Albemarle – so people are starting to recognize that in order to attract and retain Supervisors, they at least need to cover costs.

Ms. McKeel asked if they are way above Albemarle, or just slightly.

Ms. Mallek said that the Northern Virginia counties are a whole different economy.

Mr. Foley stated that Stafford and Hanover are benchmark localities for Albemarle.

Ms. Palmer said that her information is a bit outdated, but Hanover pays \$26,000 and Spotsylvania pays \$25,000, and Chesterfield pays \$40,000.

Mr. Sheffield and Ms. Mallek stated they are not interested in increasing Albemarle's Supervisor pay.

Ms. Dittmar noted that it would be a public hearing item.

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Agenda Item. No. 21. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Foley reported that following the pre-K summit community meeting held a few weeks earlier, the United Way initiated a meeting with School Superintendents, the County Executive and the City Manager. He said that he and Mr. Doug Walker had attended the meeting, and the result was that the United Way will be putting together a proposal to form a community-wide public/private group to look at potential solutions to meet a shortage of approximately 250 slots for at-risk 2-4 year olds in the County and City, with a collaborative approach rather than individual City/County efforts. He said there is a clear understanding that the public sector is carrying the load on this now, but the private sector needs to be at the table to help arrive at solutions to serving those children. Mr. Foley stated this is a good step forward and some critical issues emerged from the summit, which will be reflected in the group's charge, and staff expects having something for the Board's agenda within the next few months.

Ms. McKeel said it is time for the community to move forward with this issue, which has been discussed for quite some time, and asked if UVA has been involved in the summit. Mr. Foley responded that it has been discussed as part of major employers, but they are not specifically invited, as the United Way had just called a quick group together. He said that as they are moving forward, they are considering how UVA and major private employers will be involved.

Ms. McKeel emphasized the importance of UVA's involvement, and it would be great to get them to the table as part of this effort.

Ms. Dittmar said there had been a discussion at the Board level about having CATEC present, and perhaps that can happen on their July agenda.

Mr. Foley stated they are scheduled to be put on an upcoming agenda, and he will push for July.

Ms. Mallek asked what "public/private" means in talking about pre-K, and if that term refers to private preschools like those that are springing up all over – which she has concerns about.

Mr. Foley responded it does not mean that specifically, but the business community and Chamber of Commerce have talked about the preschool issue. He stated that everything is on the table for discussion, and that will be the right time to voice those concerns.

Ms. McKeel asked if anything has moved forward after the IMPACT meeting, and whether there has been any contact.

Mr. Foley said that City and County representatives have already set up a meeting to follow up, and stated that the way staff gets put on the spot with IMPAT – rather than working together to come up with solutions to community problems – is a concern. He stated it is an important group that talks about important issues, but he feels they need to interact in a way that is productive and not intimidating, so

perhaps that needs to be communicated to them. Mr. Foley said the Board has declined participation, and his sense is that staff may need to do the same.

Ms. Mallek said that the "attack" method of the first few years of IMPACT seems to have resurfaced, and Doug Walker had a difficult time making his comments without being backed into a corner. She noted that IMPACT's management changed, and it is hard to have consistency.

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Agenda Item. No. 22. Adjourn.

There being no further business, the Board adjourned their meeting at 8:47 p.m.

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Chairman

Approved by Board
Date: 11/04/2015
Initials: EWJ