

ACTIONS
Board of Supervisors Meeting of February 1, 2012

February 3, 2012

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 9:04 a.m. by the Chair, Ms. Mallek. All BOS members were present. Also present were Tom Foley, Larry Davis and Ella Jordan. 	
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Mr. Rooker said he would like to discuss the letter from VDOT regarding the Environmental Assessment of the Route 29 Bypass. Ms. Mallek said she would like to discuss the issue of trash along Earlysville Road. ADOPTED, by a vote of 6:0, the final agenda. 	
<p>5. Brief Announcements by Board Members. <u>Mr. Snow</u></p> <ul style="list-style-type: none"> Reported on his recent visit to van der Linde's recycling center at Zions Crossroads. Mr. Foley commented that staff is prepared to discuss at the Board's March 7th meeting, proposed scope of services for solid waste options. 	
<p>6. Recognitions:</p> <p>a. Kathryn Presson as Most Outstanding Fire Corps Volunteer.</p> <ul style="list-style-type: none"> Removed from agenda. <p>b. Raymond Gaines for service on the Fire Prevention Board of Appeals and the Local Board of Building Code Appeals.</p> <ul style="list-style-type: none"> Chair presented Certificate of Appreciation. 	
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <u>Chris Craytor</u> spoke in support of the Photo-safe Program and expanding it to other areas of the County. <u>Jeanne Chase</u> expressed support for expanding the photo red cameras to other intersections. <u>Frank Calhoun</u> expressed concerns about the size of the second floor for Restore N' Station. 	
<p>8.1 FY 2012 Budget Amendment and Appropriations.</p> <ul style="list-style-type: none"> APPROVED the budget amendment in the amount of \$11,610.00 and APPROVED Appropriations #2012052 and #2012053. 	<p><u>Clerk:</u> Forward copy of signed appropriations to OMB, Finance and other appropriate individuals.</p>
<p>8.2 Resolution accepting Nash/Violette offer to sell conservation easement.</p> <ul style="list-style-type: none"> ADOPTED Resolution accepting the Nash/Violette offer to sell a conservation easement to the County, for the price specified and subject to the terms and conditions contained in the proposed deed of easement, and AUTHORIZED the County Executive to sign the final deed of easement for this property. 	<p><u>Clerk:</u> Forward copy of resolution to Community Development and County Attorney's office. (Attachment 1)</p>
<p>8.3 Authorize County Executive to execute Inter-governmental Agreement with Virginia Department of Agriculture and Consumer Services - ACE;</p>	<p><u>County Attorney's office:</u> Provide Clerk with copy of fully executed agreement.</p>

	<p>Virginia Department of Agriculture and Consumer Services grant for easement acquisition.</p> <ul style="list-style-type: none"> • AUTHORIZED the County Executive to execute the Agreement on behalf of the County, provided that it is first approved as to form and content by the County Attorney. 	
8.4	<p>Resolution to accept roads in Foothill Crossing Subdivision into the State Secondary System of Highways.</p> <ul style="list-style-type: none"> • ADOPTED Resolution. 	<p><u>Clerk:</u> Forward signed resolution and signed AM-4.3 Form to County Engineer. (Attachment 2)</p>
8.5	<p>Resolution to Oppose Devolution of Costs for Core Government Services.</p> <ul style="list-style-type: none"> • ADOPTED Resolution. 	<p><u>Clerk:</u> Forward copy of resolution to legislative representatives and TJPDC Legislative Liaison. (Attachment 3)</p>
9.	<p>Request to set a public hearing to amend the jurisdictional areas of the Albemarle County Service Authority for water service to Keswick Lake.</p> <ul style="list-style-type: none"> • By vote of 6:0, SET public hearing for March 14, 2012. 	<p><u>Clerk:</u> Schedule on March 14th agenda.</p>
	<p>Recess. At 10:56 a.m., the Board recessed and then reconvened at 11:07 a.m.</p>	
10.	<p>Board of Supervisors' Strategic Plan Vision, Goals and Strategic Objectives.</p> <ul style="list-style-type: none"> • DISCUSSED. Staff to incorporate suggested changes and bring back remaining two goals for discussion in March. 	<p><u>Clerk:</u> Schedule on March 7th agenda.</p>
11.	<p>FY 2010-2011 Comprehensive Annual Financial Report (CAFR).</p> <ul style="list-style-type: none"> • ACCEPTED, by a vote of 6:0, the FY 2010-2011 Comprehensive Annual Financial Report. 	
12	<p>Wireless Policy/Regulations Update.</p> <ul style="list-style-type: none"> • RECEIVED. 	
13.	<p>Biscuit Run – Southwood Land Swap.</p> <ul style="list-style-type: none"> • RECEIVED. 	
14.	<p>VDoT Report, David Crim. <u>David Crim:</u></p> <ul style="list-style-type: none"> • Introduced Dean Gustafson, Traffic Engineering Director for the Northwest Region; Angelo Reo, Culpeper area Traffic Engineer; and Joel DeNunzio, Zion Crossroads Area Land Use Engineer. • Announced that Jamie Glass is the Charlottesville Residency Program Manager. • VDOT will be holding a public hearing on Thursday, February 2nd at PVCC, on the Route 53 (Thomas Jefferson Parkway) intersection improvements. • Provided update on the superstructure replacement project Route 743 – bridge over Jacobs Run. • Provided update on US Route 250 Shadwell bridge replacement over the Buckingham Branch railroad. • VDOT has received a request to initiate another speed study on US Route 29 between Northside Industrial Park and Airport Road. He has sent that request to Mr. Reo. • VDOT will be contacting County staff within the next couple of weeks to discuss the process for the Six Year Secondary Road Plan. 	<p><u>Clerk:</u> Forward comments to David Crim.</p>

- Provided update on rural rustic roads – Blufton Road bridge will be replaced this spring so the roadway can be constructed this summer; Construction on Rose Hill Church Lane will begin as soon as weather permits; and Fortune Lane and Happy Creek Road are scheduled for advertisement in late March.

- Provided update on John W. Warner Parkway.

Rodney Thomas:

- Asked for update on traffic signal at Belvedere. Mr. Crim responded that VDOT is studying the traffic situation.
- Asked for an update on speed study on Rio Mills Road. Mr. Crim said VDOT has received a preliminary study back. They plan to do some additional review and hope to have the study finalized within a couple of weeks. Added that VDOT received request for some centerline striping which should help slow the traffic.
- Asked about restriping Commonwealth Drive. Mr. Crim said VDOT is looking at ideas for that road.

Christopher Dumler:

- Asked about the STARS (Strategically Targeted Affordable Roadway Solutions) Program. Mr. Gustafson responded that VDOT began the program in 2009 where they proactively look at and make improvements to high crash locations. Without changing the character of the roadway, VDOT tries to make some spot safety improvements. Added that they do have some other top ten safety type improvements that VDOT is currently working on in the region and finalizing the list.

Ken Boyd:

- Asked what improvements VDOT is proposing for the intersection of Powell Creek and Ashwood Boulevard. Mr. Crim said VDOT have met with the Homeowners Association. Before a crosswalk can be installed there must be ADA accommodations. The HOA is in the process of building more trails and is working with Mr. DeNunzio to install the pads. After the landing pads are installed as part of their crosswalk system, VDOT will stripe the crosswalk.

Ann Mallek:

- Asked for an update on the process for littering signs. Mr. Crim said VDOT looks at every request they get. If there are specific locations, email him. Ms. Mallek asked if there is a central map to shop which roads are not a part of the Adopt-A-Highway Program. Mr. Crim responded that they have a listing, but no map.
- Asked the procedure for establishing a “no through truck” zone. Mr. Crim responded that the procedure has to be initiated by the Board, goes to VDOT, the CTB, and the trucking industry. There also has to be a good alternate

	parallel route before it can be considered.	
15.	<p>PhotoSafe Annual Report, Steve Sellers.</p> <ul style="list-style-type: none"> • RECEIVED. Consensus that staff provide recommendations to expand program to an additional location. 	<u>Clerk:</u> Schedule on agenda when ready to come back.
16.	<p>Closed Session. Personnel and Legal Matters.</p> <ul style="list-style-type: none"> • At 12:34 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1) to consider appointments to boards, committees and commissions under subsection (3) to discuss the acquisition of real property for a public use because an open meeting discussion would adversely affect the bargaining position of the County; under subsection (7) to consult with legal counsel and staff regarding three matters of pending litigation regarding zoning decisions; under subsection (7) to consult with legal counsel and staff regarding specific legal matters requiring legal advice regarding the negotiation of an interjurisdictional agreement for public services and agreements to fund emergency services; under subsection (7) to consult with legal counsel regarding a specific legal matter requiring legal advice regarding an interjurisdictional agreement; and under subsection (7) to consult with legal counsel and staff a specific legal matter regarding public safety. 	
17.	<p>Certified Closed Meeting.</p> <ul style="list-style-type: none"> • At 2:41 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
18.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • REAPPOINTED Mr. Peter Hallock to the Agricultural and Forestal District Advisory Council, with said term to expire April 17, 2016. • APPOINTED Mr. John Quale to the Architectural Review Board, to fill the unexpired term of Mr. William Daggett, to expire on November 14, 2012. • REAPPOINTED Ms. Brenda Plantz and Ms. Meg West to the Crozet Community Advisory Council, with said terms to expire March 31, 2014. • APPOINTED Ms. Frances Hooper to the JAUNT Board, to fill the unexpired term of Mr. Robert Burke, Jr., to expire on September 30, 2013. • APPOINTED Ms. Susan Jacobson to the Jefferson Area Disability Services Board, to fill the unexpired term of Ms. Amber Capron, Jr., to expire on June 30, 2013. • REAPPOINTED Mr. John Springett, Mr. Lloyd Wood and Ms. Kimberly Higgins to the Police Department Citizens Advisory Committee, with said terms to expire March 5, 2014. • REAPPOINTED Mr. Steve Murray to the Thomas Jefferson Water Resource Protection Foundation Board, with said term to expire 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.

January 31, 2016.		
19.	<p>Board-to-Board, <i>Monthly Communications Report from School Board</i>, School Board Chairman.</p> <ul style="list-style-type: none"> • RECEIVED. a. Proclamation recognizing February 2012 as School Board Appreciation Month. • Chair read and presented proclamation to School Board Chair. 	
20.	<p>Department of Social Services Annual Report.</p> <ul style="list-style-type: none"> • RECEIVED. a. Recognitions of Wanda Kucera and Claude Foster. • Chair read and presented Certificates of Appreciation. 	
21.	<p>Bright Stars Annual Reports.</p> <ul style="list-style-type: none"> • RECEIVED. 	
22.	<p>Work Session: <u>ZTA-2010-00005. Sign Ordinance Zoning Text Amendments</u></p> <ul style="list-style-type: none"> • DIRECTED staff to advertise for public hearing the proposed Sign Ordinance at 25% window coverage. 	Clerk: Advertise for public hearing on March 14, 2012
23.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Discussed Items 8.2, 8.3 and 8.6 from the consent agenda. In terms of the status of the funding for these particular items and whether there is flexibility by the Board to change the priority and use the funds for other projects, Mr. Foley said some of these dollars have obligations against them. Mr. Foley said when the Board gets into the CIP process staff will bring forward all available balances, even if they have previous commitments. • Asked staff to prepare a list of the next 12 months of CIP spending. Mr. Foley said staff can provide information at the March meeting on the current year appropriations and plans for expenditure of proffer funds, and whether those funds are obligated for specific projects or the Board has some flexibility with the funds. • APPROVED, by a vote of 6:0, Items 8.2 and 8.3, and to accept Item 8.6 as information, on the consent agenda. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none"> • Environmental Assessment for Route 29 Bypass – Requested that staff provide a package in response including changes that have occurred in land use and transportation that might affect the project area since the last EIS. Also include the two recent resolutions the Board adopted from the two task forces. <p><u>Rodney Thomas:</u></p> <ul style="list-style-type: none"> • Briefed the Board on the Charlottesville-Albemarle MPO's position on the MAP-21 legislation that contains a provision that increases the minimum population for designation as a metropolitan planning organization from 50,000 to 200,000. • Mentioned a funding request received from 	

<p>The First Tee. He has forwarded the information to staff.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • The Piedmont Workforce Network has had a large number of Albemarle County residents (8,489) in the foot traffic for FY11. They are getting great use of the One Stop facility for training on Hydraulic Road. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Provided a brief update on the trees for the Ragged Mountain Dam. 	
<p>24. Adjourn.</p> <ul style="list-style-type: none"> • At 4:56 p.m., the Board adjourned until February 8, 2012, 3:00 p.m., Room 241. 	

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- Attachment 1 – Resolution accepting Nash/Violette offer to sell conservation easement
- Attachment 2 – Resolution to accept roads in Foothill Crossing Subdivision into the State Secondary System of Highways
- Attachment 3 – Resolution to Oppose Devolution of Costs for Core Government Services

**RESOLUTION ACCEPTING OFFER TO SELL
A CONSERVATION EASEMENT UNDER THE ACE PROGRAM**

WHEREAS, the County has received an offer to sell a conservation easement under the ACE Program from the owner of the following property:

Martin Violette/Margaret Nash TM 71, Parcel 43 40.160 acres \$58,800.00
(Greenwood)

and:

WHEREAS, the owner offered to sell a conservation easement on the specified property to the County for a fixed purchase price, subject to terms and conditions set forth in the proposed deed of easement enclosed with the County's invitation to offer to sell, subject to any further revisions deemed necessary by the County Attorney and agreed to by the owner.

NOW, THEREFORE BE IT RESOLVED that the Albemarle County Board of Supervisors hereby accepts the offer to sell a conservation easement for the property described above and authorizes the County Executive to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors hereby directs the County Attorney to send a copy of this resolution to the owner of the property identified herein, or her contact person.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 1st day of February 2012, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Foothill Crossing Subdivision**, as described on the attached Additions Form AM-4.3 dated **February 1, 2012**, 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 **Foothill Crossing**, as described on the attached Additions Form AM-4.3 dated **February 1, 2012**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

* * * * *

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

- 1) **Park Ridge Drive (State Route 1250)** from 0.02 miles south of Route 1326 to 0.064 miles south to the end of state maintenance, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3854, pages 716-724, with a 60-foot right-of-way width, for a length of 0.06 miles.
- 2) **Raven Stone Road (State Route 1329)** from the intersection of Park Ridge Drive east (Route 1250) to the end of the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3854, pages 716-724, with a 51-foot right-of-way width, for a length of 0.10 miles.
- 3) **Raven Stone Road (State Route 1328)** from the intersection of Park Ridge Drive west (Route 1250) to the end of the cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3854, pages 716-724, with a 60-foot right-of-way width, for a length of 0.10 miles.

Total Mileage – 0.26

Resolution to Oppose Devolution of Costs for Core Government Services

Whereas, the Albemarle County Board of Supervisors joins the efforts of the Commonwealth's counties in encouraging the 2012 General Assembly to continue the state and local partnership funding of core government services; and

Whereas, the Albemarle County Board of Supervisors understands that program devolution is the shifting of state responsibilities to local governments. Counties have experienced first-hand the shift in funding for local programs and are already saddled with additional responsibilities in providing services for foster care children, police, line of duty costs and maintenance of local libraries; and

Whereas, core local services that include public education, police, fire and social services are services that must be funded through the state and local partnership. "Passing the buck" to localities only perpetuates increases in real estate and business taxes; and

Whereas, for several years, localities have been mandated to give back to the Commonwealth funding that was designed to support these local programs. Last year, local governments had to write checks or receive reduced reimbursements from the state for \$60 million under a program known as "Aid to Localities." Governor McDonnell has chosen to "chip" away at this annual local contribution by reducing the yearly required payment by \$10 million in his introduced budget; and

Whereas, the state originally introduced this reduction to balance the state budget, but as the economy improves and state revenue increases, our state leaders must promptly eliminate this funding reduction and sustain local services;

NOW THEREFORE BE IT RESOLVED, that localities and the Commonwealth continue their partnership and provide core government functions without shifting or shirking responsibilities; and

BE IT FURTHER RESOLVED, in order to address the mandates and financial responsibilities which have been shifted to localities, that our state elected officials act to ensure localities have the tools to fund our core services, provide county governments with the equal taxing authority of cities and towns and immediately begin a process to initiate tax reform for state and local government.