

ACTIONS
Board of Supervisors Meeting of March 7, 2012

March 15, 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 9:02 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"> • ADOPTED, by a vote of 6:0, the final agenda. 	
<p>5. Brief Announcements by Board Members.</p> <p><u>Mr. Thomas</u></p> <ul style="list-style-type: none"> • Announced that there would be a community meeting concerning Rockydale Quarry on March 15, 2012, 6:00 p.m., at the Hollymead Fire Station. <p><u>Mr. Rooker</u></p> <ul style="list-style-type: none"> • Board members have been invited by the Rivanna River Basin Commission to participate in a tour of stormwater facilities on May 10, 2012. <p><u>Ms. Mallek:</u></p> <ul style="list-style-type: none"> • Reported on attendance of her first meeting of NACo's Land Use and Energy Committee this past weekend. 	
<p>6. Recognitions:</p> <p>a. Introduction of TJPED Executive Director, Helen Cauthen.</p> <ul style="list-style-type: none"> • Mr. Foley made introduction. 	
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>The following individuals from the Colonnades spoke about the impact of the proposed Western Bypass on their facility and asked that the Board request a SEIS from the FHA:</u> <ul style="list-style-type: none"> • Jack Renard • Mark Kastan • George Goodrich • Don Gross • David Weiss • Sylvia Warner • Teresa Lindsey • <u>The following individuals spoke in support of a new SEIS for the proposed Western Bypass:</u> <ul style="list-style-type: none"> • Kirk Bowers • Linda Goodling • Morgan Butler (also commented on the proposed fast track process) • George Larie • Jeff Werner (also commented on the proposed fast track process) • Laney Kaminer • <u>The following individuals spoke in opposition to a new SEIS for the proposed Western Bypass:</u> <ul style="list-style-type: none"> • Jane Kopp • Carter Miles 	

<ul style="list-style-type: none"> • Neil Williamson • <u>Martha Levering</u> commented on the proposed fast track review process. • <u>Daniel Bowman</u> commented on the update of the County's Comprehensive Plan. • <u>Charles Battig</u> commented on ICLEI and climate control. • <u>Jack Marshall</u> commented on the proposed fast track review process. • <u>Tom Olivier</u> commented on the update of the County's Comprehensive Plan and urged the Board to provide funds in the budget for the ACE Program. • <u>Robert Humphris</u> spoke about comments made at a recent MPO meeting regarding traffic counts on Route 29. • <u>John Martin</u> commented on the agenda item related to solid waste options. 	
<p>8.2 ASCA-2012-01. Charlottesville Volvo.</p> <ul style="list-style-type: none"> • SCHEDULED public hearing for March 14, 2012. 	<p><u>Clerk</u>: Advertise and schedule on March 14, 2012 agenda.</p>
<p>8.3 Resolution for the abandonment and addition of roads as a result of the John W. Warner Parkway construction.</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	<p><u>Clerk</u>: Forward signed resolution and AM-4.3 Form to County Engineer. (Attachment 1)</p>
<p>8.4 Moores Creek Floodplain Changes – Authorize County Engineer to sign application for conditional letter of map revision to FEMA maps.</p> <ul style="list-style-type: none"> • AUTHORIZED County Engineer to sign the FEMA application. 	<p><u>Glenn Brooks</u>: Proceed as approved.</p>
<p>8.5 EMS Cost Recovery Program Update; Resolution to establish new schedule of fees; consideration of billing policy change.</p> <ul style="list-style-type: none"> • ADOPTED the proposed Resolution to Establish a New Schedule of Fees for Emergency Medical Services Vehicle Transport Services to increase EMS Cost Recovery billing rates, DIRECTED staff to take the steps necessary to implement a policy change that would provide that County residents would not be billed for fees not covered in insurance. 	<p><u>Clerk</u>: Forward copy of signed resolution to Fire and Rescue, and County Attorney's office. (Attachment 2)</p>
<p>8.6 FY 2012 Budget Amendment and Appropriations.</p> <ul style="list-style-type: none"> • APPROVED Appropriations #2012051, #2012054, #2012055, #2012056, #2010057, #2012058 and #2012059. 	<p><u>Clerk</u>: Forward copy of signed appropriations to OMB, Finance and other appropriate individuals.</p>
<p>8.7 Polo Grounds Road Floodplain Changes – Authorize County Engineer to sign application for letter of map revision to FEMA maps.</p> <ul style="list-style-type: none"> • AUTHORIZED the County Engineer to sign the FEMA application. 	<p><u>Glenn Brooks</u>: Proceed as approved.</p>
<p>8.8 Amendments to Permanent Part-Time Employee Pension Plan; Authorization to submit amended Plan to IRS; and Adoption of Resolution to amend Personnel Policy P-63, Retirement.</p> <ul style="list-style-type: none"> • APPROVED the amended Plan and its submission to the IRS for review in order to receive a determination that the Plan is tax qualified (the final amended Plan will be subject to the review and approval of the 	<p><u>Clerk</u>: Forward copy of signed resolution to Human Resources, Finance and County Attorney's office. (Attachment 3) <u>Lorna Gerome</u>: Proceed as approved.</p>

<p>County Executive and County Attorney to insure that the amended Plan materially conforms to the provisions set forth above);</p> <ul style="list-style-type: none"> • APPOINTED Betty Burrell and Lorna Gerome as the initial Plan Trustees; and • ADOPTED the Resolution to approve the proposed amendment to Personnel Policy §P-63. 	
<p>9. <u>Public Hearing: To consider granting water and sewer line easements to the Rivanna Water and Sewer Authority and the Albemarle County Service Authority</u> across property owned by Albemarle County adjacent to Hollymead Towne Center.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, the proposed water and sewer line easements and AUTHORIZED the County Executive to sign deeds of easement on behalf of the County once the deeds have been approved for content and form by the County Attorney. 	<p><u>County Attorney's office:</u> Provide Clerk's office with copy of fully executed deeds. (Attachment 4)</p>
<p>10. <u>Public Hearing: An ordinance to amend Chapter 5, Building Regulations</u>, of the Albemarle County Code.</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, the proposed ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 5)</p>
<p>11. Request to Consider SEIS for Proposed Route 29 North Western Bypass.</p> <ul style="list-style-type: none"> • MOTION failed by a vote of 3:3(Snow/Thomas/Boyd) to send letter requesting VDoT prepare a new SEIS for the proposed Route 29 Western Bypass. 	
<p>12. Solid Waste Options – Consultant Services.</p> <ul style="list-style-type: none"> • CONSENSUS that staff take into consideration the Board's comments, revise the scope of work, and bring back for further discussion. 	<p><u>Mark Graham:</u> Proceed as discussed.</p>
<p>Recess: Board recessed at 11:03 a.m., and reconvened at 11:15 a.m.</p>	
<p>13. County's FY12/13 - FY16/17 Strategic Plan - Review and approve Plan's Goals and Objectives.</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, all objective statements for the County's FY12/13-FY16/17 Strategic Plan goals. 	<p><u>County Executive:</u> Provide Board with copy of final plan for Board's adoption.</p>
<p>14. Update on Animal care issues/barking dogs/running-at-large County-wide.</p> <ul style="list-style-type: none"> • CONSENSUS to set for public hearing to amend the running at large ordinance to prohibit dogs running at large County wide. 	<p><u>Clerk:</u> Advertise for public hearing on April 11, 2012.</p>
<p>15. Closed Session. Personnel Matters.</p> <ul style="list-style-type: none"> • At 12:21 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. 	
<p>16. Certified Closed Meeting.</p> <ul style="list-style-type: none"> • At 1:47 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
<p>17. Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Mr. Jean Lorber to the ACE Appraisal Review Committee, with said term to expire December 31, 2012. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>

<ul style="list-style-type: none"> • APPOINTED Mr. Phillip Best to the Crozet Community Advisory Committee, with said term to expire March 31, 2014. • APPOINTED Mr. Rick Randolph, as the Planning Commission representative, on the Historic Preservation Committee, with said term to expire June 4, 2014. • APPOINTED Mr. Bruce Dotson, as the Planning Commission representative, to the MPO Technical Committee. • APPOINTED Ms. Bonnie Brewer to the Police Department Citizens Advisory Committee, with said term to expire March 5, 2014. • REAPPOINTED Mr. Steven James and Mr. Vincent Day to the Rivanna Solid Waste Authority Citizens Advisory Committee, with said terms to expire December 31, 2013. • APPOINTED Ms. Nancy Gill, as the Scottsville District representative, on the Social Services Board, with said term to expire December 31, 2015. • APPOINTED Mr. Rick Randolph, as the Planning Commission representative, on the CIP Oversight Committee. 	
<p>18. Presentation: Region Ten.</p> <ul style="list-style-type: none"> • RECEIVED. 	
<p>19. Discussion: Fast Track Review Process.</p> <ul style="list-style-type: none"> • CONSENSUS to proceed as recommended by staff and bring back final program outline based on Board's discussion. 	<p><u>Lee Catlin/Mark Graham</u>: Bring back to Board for further consideration at appropriate time.</p>
<p>20. Work Session: CPA-2013-01 Comprehensive Plan Update.</p> <ul style="list-style-type: none"> • HELD. • CONSENSUS to schedule additional work session. 	<p><u>Clerk</u>: Schedule work session on afternoon of April 11, 2012.</p>
<p>21. From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Duane Snow</u>:</p> <ul style="list-style-type: none"> • At the last MPO meeting, they received an update from Jim Utterback that the money would be put in the budget this summer for the widening of Route 29. Updates were also provided on the Hillsdale Drive extension, Belmont Bridge replacement and BestBuy ramp. <p><u>Ken Boyd</u>:</p> <ul style="list-style-type: none"> • Provided update on Rivanna's CIP. <p><u>Ann Mallek</u>:</p> <ul style="list-style-type: none"> • Discussed a current bill before Congress that has to do with allowing the Department of Defense to add money as a matching grant to a communities' application before the USDA for preservation easement money. 	
<p>22. Adjourn to March 12, 2012, 9:00 a.m., Room 241.</p> <ul style="list-style-type: none"> • At 3:55 p.m., the Board adjourned until March 12, 2012, 9:00 a.m., Room 241. 	

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- Attachment 1 – Resolution for the abandonment and addition of roads as a result of the John W. Warner Parkway construction
- Attachment 2 – Resolution - EMS Cost Recovery
- Attachment 3 – Resolution to amend Personnel Policy P-63, Retirement
- Attachment 4 – RWSA Deed of Easement and ACSA Deed of Easement
- Attachment 5 – Ordinance – Building Regulations

The Board of County Supervisors of Albemarle County, Virginia, in a regular meeting on the 7th day of March, 2012, adopted the following:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided the Board of County Supervisors of Albemarle County, Virginia, with a sketch dated October 28, 2011, depicting the additions, discontinuances and abandonments required in the secondary system of state highways; and

WHEREAS, the portions of Route 631 (Rio Road) identified to be discontinued is deemed to no longer serve public convenience warranting maintenance at public expense; and

WHEREAS, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors abandons as part of the secondary system of state highways those portions of Route 631 (Rio Road), identified as from 0.44 miles southeast of Route 650 (Seg G) to 0.58 miles south of Route 650 (Seg L), for a distance of 0.14 miles; those portions of Route 631 (Rio Road) from 0.17 miles southeast to Route 650 (Seg E) to 0.44 miles southeast of Route 650 (Seg G), for a distance of 0.27 miles; and those portions of Route 631 (Rio Road), identified as from 0.44 miles southeast of Route 650 (Seg G) to 0.05 miles east, for a distance of 0.05 miles, pursuant to Section 33.1-155, of the Code of Virginia; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of Route 631 (Rio Road) identified as from 0.17 miles southeast of Route 650 (Seg E) to 0.32 miles southeast of Route 650 (Seg D) for a distance of 0.15 miles, with a right-of-way width of 80.5 feet; those portions of Route 885 (Dunlora Drive) identified as from 0.32 miles southeast of Route 650 (Seg D) to 0.36 miles southeast of Route 650 (Seg J) for a distance of 0.04 miles, with no right-of-way width; those portions of Route 631 (Rio Road) identified as from 0.39 miles southeast of Route 650 (Seg C) to 0.32 miles southeast of Route 650 (Seg D) for a distance of 0.07 miles, with a right-of-way width of 80.5 feet; those portions of Route 631 (Rio Road) identified as from 0.05 miles southeast of Route 2500 (Seg K) to 0.08 miles southeast of Route 2500 (Seg L) for a distance of 0.03 miles, with a variable right-of-way width of 67 feet; those portions of Route 1177 (Dunlora Drive) identified as from 0.05 miles southeast of Route 2500 (Seg K) to 0.11 miles east of Seg (J) for a distance of 0.11 miles, with no right-of-way width; those portions of Route 1177 (Dunlora Drive) identified as from 0.07 miles west of Route 1239 (Seg J) to 0.03 miles west of Route 1239 (Seg H) for a distance of 0.04 miles, with no right-of-way width; those portions of Route 631 (Rio Road) identified as from Route 2500, a distance of 1.01 miles north of Route 3412 (Seg C) to 0.05 miles southeast of Route 2500 (Seg K) for a distance of 0.05 miles, with a variable right-of-way width of 67 feet; and those portions of Route 2500 (John W. Warner Parkway) from A-Melbourne Road (City street) to 0.70 miles north of Melbourne Route (B-Bridge Structure 6402), a distance of 0.70 miles, with a variable right-of-way width of 41 feet, pursuant to Section 33.1-229, of the Code of Virginia; and

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

**RESOLUTION TO ESTABLISH A NEW SCHEDULE OF FEES FOR
EMERGENCY MEDICAL SERVICES VEHICLE TRANSPORT SERVICES**

WHEREAS, on September 9, 2009, the Board enacted Chapter 6, Article V of the Albemarle County Code, which authorizes the Albemarle County Department of Fire and Rescue and any volunteer rescue squad that obtains a permit from the County to charge fees for emergency medical services (EMS) vehicle transports; and

WHEREAS, on December 2, 2009, the Board established a schedule of fees for EMS vehicle transport services; and

WHEREAS, based on a market review of the current fees for EMS vehicle transport services, the Board has determined that an increase in fees is reasonable.

NOW, THEREFORE, BE IT RESOLVED that the following EMS vehicle transport service fees are hereby increased and a new schedule of fees is established, effective April 1, 2012, for all EMS vehicle transport services provided in accordance with Chapter 6, Article V of the County Code:

1. For Basic Life Support (BLS) transport services: \$450. BLS is defined as the emergency response and transport of a patient that requires assessment and treatment by a BLS Technician and no Advanced Life Support procedures.
2. For Advanced Life Support Level 1 (ALS1): \$550. ALS1 is defined as the emergency response and transport of a patient that requires assessment and treatment by an ALS Technician and one or more Advanced Life Support procedures.
3. For Advanced Life Support Level 2 (ALS2): \$750. ALS2 is defined as the transport of a patient that requires defibrillation, pacing, intubation, or the administration of 3 or more Schedule IV medications.
4. For Ground Transport Miles (GTM): \$13.00/mile. GTM is defined as the charge per patient transport mile.

BE IT FURTHER RESOLVED THAT no person shall be denied transport services due to his or her inability to pay.

RESOLUTION

WHEREAS, the County of Albemarle Personnel Policy has been adopted by the Board of Supervisors; and

WHEREAS, the Board desires to amend the requirements for eligible, permanent, part-time employees' receipt of annuity benefits.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends Section P-63, Retirement, of the County of Albemarle Personnel Policy, as follows:

Section P-63 RETIREMENT

I. REGULAR RETIREMENT

A. General

Retirement shall be at the discretion of the employee. Full-time regular employees of Albemarle County who qualify are eligible for the benefits of the Virginia Retirement System ("VRS"). Additional information describing VRS benefits is available on-line at varetire.org.

B. Continuing Participation in the County's Medical and Dental Insurance Plans

1. All employees retiring under VRS and/or the County's VERIP policy are eligible for continuous participation in the group medical and dental insurance plans until they are eligible for Medicare coverage if they participated in the County's group medical and dental insurance plans on the day prior to separation from the County. The age and service criteria for VRS are as follows: 50 years of age with 10 or more years of continuous regular employment by a VRS-participating employer; or 55 years of age with 5 or more years of continuous regular employment by a VRS-participating employer.
2. Individuals eligible to participate in the County's group medical and dental insurance plan shall pay the full cost of health insurance coverage, including any applicable administrative expenses.
3. Any retirees or Board members who participated in the County's group medical and/or dental insurance plans as of December 1, 2009 shall continue to be eligible to participate, at their own cost, until they are eligible for Medicare coverage.

II. LONGEVITY INCENTIVE PROGRAM

The County values the service of all of its employees, both full-time and part-time. Since part-time employees are not covered by VRS, the County has elected to establish a Longevity Incentive Program (the "Program") and thereby provide eligible part-time employees with certain benefits as more fully explained in this section.

A. Scope of Program

All regular, part-time employees of the County will be covered by the Program provided that they work the minimum number of hours necessary to establish eligibility for County benefits. Salaried Board Members are not eligible for participation in this program.

B. Benefits

The following benefits will be provided to eligible part-time employees under the Program:

1. Life Insurance: A term life insurance policy will be provided equal to twice the employee's annual salary with double indemnity for accidental death and dismemberment payments for the accidental loss of one or more limbs or of eyesight.
2. Annuity Program: Based on length of service in the County, part-time employees will be provided with an annuity program. The Board will contribute an annual amount according to the following formula:
 - a. 5 - 9 continuous years of County service - five percent of annual salary.
 - b. 10 - 14 continuous years of County service - seven percent of annual salary
 - c. 15 - 19 continuous years of County service - nine percent of annual salary.
 - d. 20+ continuous years of County service - eleven percent of annual salary.

Any participating employee who terminates employment for any reason but is reemployed must complete an additional five (5) years of continuous employment in order to again become qualified for participation under this subsection.

III. RETIREMENT PAY/PAYMENT UPON DEATH

In recognition of employee service to Albemarle County, regular full-time and part-time employees who meet the age and service criteria for retirement under VRS and have been employed a minimum of five (5) years with Albemarle County shall be paid upon their retirement or death in service \$200 per year for each year of service to the County as a regular employee up to a maximum payment for 25 years of service, less any years previously paid for under this policy. Years of service do not have to be continuous.

IV. VOLUNTARY EARLY RETIREMENT INCENTIVE PLAN (VERIP)

A. Eligibility

1. Participants in the Albemarle County VERIP must be regular full-time or regular part-time employees eligible for benefits as defined in P-02, Definition of Employee Status and meet the following additional requirements:
 - a. Full-time employees must be eligible for early or full retirement under the provisions of VRS. Part-time employees must meet the same age and service criteria as if they were full-time employees covered under VRS.
 - b. Have been employed by the County government and/or school division for 10 of the last 13 years prior to retirement.
2. Employees retiring under the disability provisions of VRS and/or Social Security shall not be eligible for the VERIP.
3. VERIP benefits will cease if the retiree returns to work in a regular full-time or regular part-time position with the County government and/or school division.
4. VERIP benefits will continue if the retiree returns to work in a temporary part-time or temporary full-time position with the County government and/or school division.

B. Benefits

1. VERIP benefits shall be paid monthly for a period of five years after retirement or until age 65, whichever comes first. The VERIP benefits consist of a stipend calculated in accordance with Section B.2 (“stipend”) and an annual monetary contribution in the amount of the Board’s current contribution to Board employees for health insurance (“medical contribution”).
2. Stipends under VERIP will be calculated as follows:
 - a. Compute the annual VRS benefit. This computation shall include any reductions for early VRS retirement if appropriate.
 - b. Recompute the annual VRS benefit with the addition of five more years of service or the number of additional years needed to reach age 65, whichever is lesser.
 - c. The difference between these two calculations is the annual VERIP stipend (“Stipend Value”) to be paid on a monthly basis.
 - d. Stipends for part-time employees who are eligible to participate in VERIP shall be determined as if the part-time employees are eligible for an annual VRS benefit and the amount shall be calculated in the same manner as benefits for VRS-eligible employees under subsections (a) – (c) above.
3. The County Executive will recommend to the Board an annual adjustment to the VERIP stipend after having been apprised of the VRS adjustment for retirees.
4. The Board will pay to the employee an amount equal to the Board’s annual contribution toward an employee’s health insurance as long as the employee remains eligible to receive VERIP benefits.
5. Effective December 2, 2009, the VERIP stipend shall continue to be calculated in the manner provided in Section B.2, but the stipend amount shall be modified in accordance with the following schedule:
 - a. Retirements effective on or after July 1, 2012 but before July 1, 2013: 80% of the Stipend Value.
 - b. Retirements effective on or after July 1, 2013 but before July 1, 2014: 60% of the Stipend Value.
 - c. Retirements effective on or after July 1, 2014 but before July 1, 2015: 40% of the Stipend Value.
 - d. Retirements effective on or after July 1, 2015 but before July 1, 2016: 20% of the Stipend Value.
 - e. Retirements effective on or after July 1, 2016: No VERIP Stipend.

C. Application

Applications for VERIP must be made to the Human Resources Department prior to December 1st of the year preceding the fiscal year the employee’s participation in VERIP takes effect. Applications after December 1 may be approved based on the needs of the County.

D. Approval

All VERIP applications are subject to approval by the County Executive or designee.

E. Duration

The Board of Supervisors reserves the right to modify this policy in its discretion, and all benefits described in this policy shall be subject to future modifications and annual appropriations by the Board of Supervisors.

F. Additional Benefits

1. Current employees who apply for VERIP by February 27, 2009 and who meet the eligibility standards identified below shall be entitled to receive, at their election, **one** of the following:
 - a. Two additional years of Board contributions toward health insurance beyond the duration established by Section IV.B, paid on a monthly basis. Employees who retire at 65 years of age or older shall receive two years of contributions toward health insurance.
 - b. The cash equivalent of two additional years of Board contributions toward health insurance, calculated at the FY 2009-10 annual rate and paid in one or more installments.
2. To be eligible for the additional benefits in this section, employees must:
 - a. Submit VERIP applications by February 27, 2009;
 - b. Submit a letter by April 1, 2009 establishing a retirement date no later than June 30, 2009; **and**
 - c. Retire after the effective adoption date of this subsection (F) but no later than June 30, 2009.

G. Targeted Retirement Incentives

1. Current employees holding positions in paygrades 16 and higher whose retirement is determined by the County to not impair the essential functions of the department, who apply for VERIP by March 15, 2010, and who meet the eligibility standards identified below shall be entitled to receive, at their election, **one** of the following:
 - a. A lump sum payment equivalent to 20% of the employee's current salary. "Salary," for non-exempt employees receiving benefits pursuant to this section, shall mean the employee's current annualized pay based on his regular hourly rate and regularly scheduled work hours.
 - b. Monthly payments, the total of which is equivalent to one week of pay for every full year of service with the County for up to 20% of the employee's salary. The number of monthly payments will be determined by the County, however, it shall not exceed sixty (60) monthly payments.
 - c. Continued full Board contributions toward the employee's health insurance for an additional 3 years beyond the contributions specified in Section B of this policy, or until the age of 65, whichever comes first.
2. To be eligible for the additional benefits in this section, employees must:
 - a. Submit VERIP applications by March 15, 2010;
 - b. Submit a letter by April 1, 2010 establishing a retirement date no later than June 30, 2010; **and**
 - c. Retire after the effective date of this subsection G but no later than June 30, 2010.
3. The County Executive or his designee may extend for up to 6 months the June 30, 2010 retirement date required by G.2.b and G.2.c for an employee who is

otherwise eligible for the benefits in this subsection G upon a finding that such employee's retirement serves the interest of the County.

Amended: August 4, 1993; April 19, 1995; June 2, 2004; January 7, 2009; December 2, 2009; March 3, 2010; March 6, 2012.

This document was prepared by:
Rivanna Water and Sewer Authority
695 Moores Creek Lane
Charlottesville, Virginia 22902

Tax Map and Parcel Number 46-5A

This **DEED OF EASEMENT**, made this ___ day of _____, 2012 by and between the **COUNTY OF ALBEMARLE, VIRGINIA** Grantor (“Property Owner”) and **RIVANNA WATER AND SEWER AUTHORITY**, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act, whose address is 695 Moores Creek Lane, Charlottesville, Virginia 22902, Grantee (the “Authority”).

WITNESSETH:

WHEREAS, the Authority has requested and Property Owner has agreed to grant the Authority various easements shown on the plat attached hereto and recorded herewith entitled “Plat Showing Two Variable Width RWSA Permanent Easements, 10’ Temporary RWSA Easement, Variable Width Temporary RWSA Easement, and Two 20’ Permanent ACSA Easements Across Property of County of Albemarle,” prepared by Draper Aden Associates, dated October 27, 2011; and

WHEREAS, as shown on the Plat, the proposed easements cross a portion of the property conveyed to Property Owner by deed recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle in Deed Book 3704, page 460, corrected at Deed Book 3997, page 637; and Property Owner is the fee simple owner of the said property as of the date hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Property Owner does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Authority a perpetual right of way and easement to construct, install, operate, maintain, repair, replace, relocate and extend water lines consisting of pipes, equipment, and appurtenances to such pipes and equipment, over, under and across the real property of Property Owner located in the County of Albemarle, Virginia, and to access any other adjacent easement held by the Authority or the Albemarle County Service Authority, the location and width of the easement hereby granted and the boundaries of the property being more particularly described and shown on the Plat as “Proposed Variable Width Permanent RWSA Easement” (the “Waterline Easement”). The perpetual right of way and easement shall also allow RWSA to install, operate, maintain, repair and remove a temporary portable pumping system, including temporary aboveground pipeline and appurtenances, as necessary to adequately maintain water supply to the Authority and Albemarle County Service Authority service areas. Reference is made to the Plat for the exact location and dimensions of the Waterline Easement hereby granted and the property over which the same crosses.

Further, Property Owner does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Authority two temporary construction easements each for a term so long as necessary to construct and install those certain water lines comprising the Rte. 29 Watermain Abandonment Project, of which the water lines to be constructed in the Waterline Easement are a part, and to do all things reasonably necessary and incident to such construction, the location and size of the temporary construction easements hereby granted and the boundaries of the property being more particularly described and shown on the Plat as “Proposed Variable Width Temporary RWSA Easement” and “Proposed 10’ Temporary RWSA Easement” (the “Temporary RWSA Easements”). Reference is made to the Plat for the exact location and dimensions of the Temporary RWSA Easements hereby granted and the property over which the same crosses. The Temporary RWSA Easements shall automatically terminate upon the expiration of the above described term.

Easement Obstructions

Property Owner, its successors or assigns, agree that trees, shrubs, fences, buildings, overhangs or other improvements or obstructions, except for any Greenway trail improvements, shall not be located within the Waterline Easement. The Waterline Easement and the Temporary RWSA Easements shall include the right of the Authority to cut any trees, brush and shrubbery, remove obstructions, including any Greenway trail improvements, and take other similar action reasonably necessary to provide economical and safe water line installation, operation and maintenance. Following the removal of any Greenway trail improvements, the Property Owner may restore said improvements at its expense, and the Authority shall have no responsibility to Property Owner, its successors or assigns, to replace or reimburse the cost of trees, brush, shrubbery, or other obstructions, including any Greenway trail improvements, located in the Waterline Easement or the Temporary RWSA Easements if cut or removed or otherwise damaged.

Easement Access and Maintenance

As part of the Waterline Easement and the Temporary RWSA Easements, the Authority shall have the right to enter upon the above-described property within the Waterline Easement and the Temporary RWSA Easements for the purpose of installing, constructing, operating, maintaining, repairing, replacing, relocating and extending the above-described water lines and appurtenances thereto, including installing, operating, maintaining, repairing and removing a temporary portable pumping system with aboveground pipeline and appurtenances, within the Waterline Easement; and in addition, the Authority shall have the right of ingress and egress thereto as reasonably necessary to construct, install, operate, maintain, repair, replace, relocate and extend such water lines and temporary portable pumping systems. If the Authority is unable to reasonably exercise the right of ingress and egress over the right-of-way, the Authority shall have the right of ingress and egress over the property of Property Owner adjacent to the right-of-way, and shall restore surface conditions of such property adjacent to the right-of-way as nearly as practical to the same condition as prior to the Authority’s exercise of such right, notwithstanding the provisions of the section entitled “Easement Obstructions” above.

Excavation

Whenever it is necessary to excavate earth within the Waterline Easement or the Temporary RWSA Easements, the Authority agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions as nearly as practical to the same condition as prior to excavation, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation, notwithstanding the provisions of the section entitled “Easement Obstructions” above.

Ownership of Facilities

The facilities constructed within the Waterline Easement shall be the property of the Authority, its successors and assigns, which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations and connections to or extensions of its facilities within the boundaries of the Waterline Easement as are consistent with the purposes expressed herein.

WITNESS the following signature and seal:

PROPERTY OWNER:
COUNTY OF ALBEMARLE
By: _____,(SEAL)
Thomas C. Foley, County Executive

This document was prepared by:
Albemarle County Service Authority
168 Spotnap Road
Charlottesville, Virginia 22911

Tax Map and Parcel Number 46-5A

This **DEED OF EASEMENT**, made this ____ day of _____, 2012 by and between the **COUNTY OF ALBEMARLE, VIRGINIA** Grantor (“Property Owner”) and **ALBEMARLE COUNTY**

SERVICE AUTHORITY, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act, whose address is 168 Spotnap Road, Charlottesville, Virginia 22911, Grantee (the "Authority").

WITNESSETH:

WHEREAS, the Authority has requested and Property Owner has agreed to grant the Authority various easements shown on the plat attached hereto and recorded herewith entitled "Plat Showing Two Variable Width RWSA Permanent Easements, 10' Temporary RWSA Easement, Variable Width Temporary RWSA Easement, and Two 20' Permanent ACSA Easements Across Property of County of Albemarle," prepared by Draper Aden Associates, dated October 27, 2011; and

WHEREAS, as shown on the Plat, the proposed easements cross a portion of the property conveyed to Property Owner by deed recorded in the Clerk's Office of the Circuit Court of the County of Albemarle in Deed Book 3704, page 460, corrected at Deed Book 3997, page 637; and Property Owner is the fee simple owner of the said property as of the date hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Property Owner does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Authority a perpetual right of way and easement to construct, install, operate, maintain, repair, replace, relocate and extend sewer and water line consisting of pipes, equipment, and appurtenances to such pipes and equipment, over, under and across the real property of Property Owner located in the County of Albemarle, Virginia, and to access any other adjacent easement held by the Authority or the Rivanna Water and Sewer Authority, the location and width of the easement hereby granted and the boundaries of the property being more particularly described and shown on the Plat as "Proposed 20' Permanent ACSA Utility Easement, 5,319 Sq. Ft." and "Proposed Permanent 20' ACSA Utility Easement, 2,281 Sq. Ft." (collectively, the "Utility Easement"). The perpetual right of way and easement shall also allow ACSA to install, operate, maintain, repair and remove a temporary portable pumping system, including temporary aboveground pipeline and appurtenances, as necessary to adequately maintain water supply to the Authority and Rivanna Water and Sewer Authority service areas. Reference is made to the Plat for the exact location and dimensions of the Utility easement hereby granted and the property over which the same crosses.

Easement Obstructions

Property Owner, its successors or assigns, agree that trees, shrubs, fences, buildings, overhangs or other improvements or obstructions, except for any Greenway trail improvements, shall not be located within the Utility Easement. The Utility Easement shall include the right of the Authority to cut any trees, brush and shrubbery, remove obstructions, including any Greenway trail improvements, and take other similar action reasonably necessary to provide economical and safe water and sewer line installation, operation and maintenance. Following the removal of any Greenway trail improvements, the Property Owner may restore said improvements at its expense, and the Authority shall have no responsibility to Property Owner, its successors or assigns, to replace or reimburse the cost of trees, brush, shrubbery, or other obstructions, including any Greenway trail improvements, located in the Utility Easement if cut or removed or otherwise damaged.

Easement Access and Maintenance

As part of the Utility Easement, the Authority shall have the right to enter upon the above-described property within the Utility Easement for the purpose of installing, constructing, operating, maintaining, repairing, replacing, relocating and extending the above-described water and sewer lines and appurtenances thereto, including installing, operating, maintaining, repairing and removing a temporary portable pumping system with aboveground pipeline and appurtenances, within the Utility Easement; and in addition, the Authority shall have the right of ingress and egress thereto as reasonably necessary to construct, install, operate, maintain, repair, replace, relocate and extend such water and sewer lines and temporary portable pumping systems. If the Authority is unable to reasonably exercise the right of ingress and egress over the right-of-way, the Authority shall have the right of ingress and egress over the property of Property Owner adjacent to the right-of-way, and shall restore surface conditions of such property adjacent to the right-of-way as nearly as practical to the same condition as prior to the Authority's exercise of such right, notwithstanding the provisions of the section entitled "Easement Obstructions" above.

Excavation

Whenever it is necessary to excavate earth within the Utility Easement, the Authority agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions as nearly as practical to the same condition as prior to excavation, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation, notwithstanding the provisions of the section entitled "Easement Obstruction" above.

Ownership of Facilities

The facilities constructed within the Utility Easement shall be the property of the Authority, its successors and assigns, which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations and connections to or extensions of its facilities within the boundaries of the Utility Easement as are consistent with the purposes expressed herein.

WITNESS the following signature and seal:

PROPERTY OWNER:
COUNTY OF ALBEMARLE

By: _____ (SEAL)
Thomas C. Foley, County Executive

ORDINANCE NO. 12-5(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5, BUILDING REGULATIONS, ARTICLE I, ADMINISTRATION, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 5, Building Regulations, Article I, Administration, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 5-100	Purpose and intent
Sec. 5-101	Building inspection office established; powers and duties
Sec. 5-102	Board of appeals established; powers and duties
Sec. 5-103	Appeals of decisions of the building official

Chapter 5. Building Regulations**Article I. Administration****Sec. 5-100 Purpose and intent.**

A. The purpose and intent of this chapter is to promote and to protect the public health, safety and welfare by making the Virginia Uniform Statewide Building Code applicable to all matters affecting or relating to structures, including the construction, alteration, repair, addition, demolition and removal of all structures, and to the equipment in such structures. The purpose and intent of this chapter is also to establish a procedure by which unsafe buildings and structures are repaired, removed, or demolished.

B. The Virginia Uniform Statewide Building Code shall be referred to in this chapter as the "building code" and shall include the building code in its current form and as amended in the future.

C. A copy of the building code shall be kept on file in the department of community development.

(§ 5-1; 10-18-73, § 6-1; 4-20-88; § 5-2; 10-18-73, § 6-2; Code 1988, § 5-1; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code §§ 36-97 et seq.; 36-105.

Sec. 5-101 Building inspection office established; powers and duties.

A building inspection office is hereby established in the department of community development, as provided herein:

A. The building inspection office shall be charged with the administration and enforcement of the building code and this chapter, the review and approval of plans, the inspection of buildings and structures and the issuance of permits or certificates pertaining thereto. For purposes of this chapter, the term "building inspection office" means the "local building department" as that term is used in the building code.

B. The building inspection office shall be directed by a building official appointed by the county executive. The building official shall be charged with the administration and enforcement of this chapter and the building code and, as such, shall have the duties and powers of a building official set forth in the building code. The building official also shall be responsible for the supervision of the other employees of the building inspection office.

(§ 5-1; 10-18-73, § 6-1; 4-20-88; § 5-2; 10-18-73, § 6-2; Code 1988, § 5-2; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

State law reference--Va. Code §§ 36-97 et seq.; 36-105.

Sec. 5-102 Board of appeals established; powers and duties.

A board of appeals is hereby established as provided herein:

A. The board shall consist of five (5) members and two (2) alternates appointed by the board of supervisors.

B. Each member of the board shall serve a five (5) year term, which shall extend beyond such term until a successor is appointed.

C. To the extent that such persons may be available, the board shall consist of individuals who meet the qualifications for board membership set forth in the building code.

D. The members of the board shall be compensated as provided in section 2-1105 of the Code.

E. The organization and duties of the board shall be as set forth in the building code and such duties shall include considering appeals as provided in section 5-103.

(§ 5-4; 10-18-73, § 6-5; Code 1988, § 5-4; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 36-105.

Sec. 5-103 Appeals of decisions of the building official.

The board of appeals shall consider and act upon appeals from decisions of the building official as provided herein:

A. The board shall consider appeals concerning the application of the building code or the refusal to grant a modification of the provisions of the building code.

B. The right of appeal, the parties to an appeal, the scope of an appeal, the procedure for an appeal, and the conduct of the appeal, shall be as set forth in the building code.

(§ 5-4; 10-18-73, § 6-5; Code 1988, § 5-4; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 36-105.