

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 28, 2012, at 6:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from March 14, 2012.

PRESENT: Mr. Kenneth C. Boyd, Mr. Christopher J. Dumler, Ms. Ann Mallek, Mr. Dennis S. Rooker, Mr. Duane E. Snow and Mr. Rodney S. Thomas.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, and Clerk, Ella W. Jordan.

Agenda Item No. 1. The meeting was called to order at 6:03 p.m., by the Chair, Ms. Mallek.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Thomas asked if they should announce any budget suggestions in this portion of the agenda.

Ms. Mallek responded that Board members would organize their thoughts at the end of the public hearing but would not be voting on the tax rate.

Mr. Rooker noted that the Board would vote on the tax rate on April 4, 2012 and could make some adjustments to the budget at that time.

There being no changes, it was the consensus of the Board to adopt the final agenda.

Agenda Item No. 5. Brief Announcements by Board Members.

There were none.

Agenda Item No. 6. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Ms. Nancy Carpenter addressed the Board, stating that she wanted to remember several recent victims of gun violence including Trayvon Martin. She read from Paul Kruegman's recent op-ed article, *Lobbyists, Guns and Money*, noting that laws similar to Stand Your Ground had been pushed across the nation by big corporations. Ms. Carpenter said that language virtually identical to Florida's law was featured in a template supplied to legislators in other states by the American Legislative Exchange Council (ALEC), a corporate backed organization that exerts significant influence, and writes laws that it provides to state legislators. She stated that in Virginia, more than 50 ALEC drafted bills had been introduced over the years, many almost word for word, and some of them had become law. Ms. Carpenter said that ALEC had, a special interest in privatization, turning provision of public services over to for-profit corporations, such as the Prison Operator Corrections Corporation of America. She stated that the organization seeks not limited government, but privatized government in which corporations get their profits from taxpayer dollars that are steered their way by friendly politicians. Ms. Carpenter emphasized that ALEC wasn't really about promoting free markets it was about expanding crony capitalism. She added that ALEC fostered creating a political climate that would favor even more corporation friendly legislation in the future adding that ALEC had done a lot that deeply affects people across the nation and the previous style of democracy.

Agenda Item No. 7. **PUBLIC HEARING** to receive comments on Proposed Operating and Capital Budgets for FY 2012/2013 and the Proposed FY 2012 Tax Rates. (*Advertised in the Daily Progress on March 18, 2012.*)

Mr. Foley said that the budget the Board would be reviewing represented the proposed plan for the fiscal year beginning July 1, and was the result of review over the past four to five weeks through four work sessions with the School Board and other agency representatives. He said that he would point out the changes the Board had made to the originally proposed budget, adding that the County was clearly in a time of transition, moving from the downturn of the past three years to a more positive environment in terms of the economy slowly starting to recover. Mr. Foley said that as the County transitioned, two principles were used in developing and finalizing the proposal for FY13 a continued commitment to excellence, which meant continued scrutiny of expenditures and improving the way the County does business along with some modest investments to shore up the most basic or core services. He stated that after three years of cutbacks and delayed expenditures, there were some things they needed to make modest investments in just to maintain current levels of service. He said that the second principle was a new focus on the future, which meant making modest investments to keep up with the change and growth that positions the County for the future and to help avoid a crisis mode of operation, by getting too far behind on some essential or core services.

Mr. Foley stated that the budget before the Board made some investments in quality and core services, at just a slightly lower than equalized tax rate. He presented trend information from the past three years, when the downturn started, and how they had responded to that. Mr. Foley said that there had been a major focus during that period on reducing expenditures and fiscal restraint, and this budget had been reduced by \$40 million over the time period with the capital program reduced by \$118 million, school support reduced by \$4 million or 4% based on the revenue sharing formula, elimination of 66 local government positions reducing staff levels back to the 2002 per-capita level, and repositioning 22 other positions throughout the organization away from more enhanced services to more core services. He stated that this budget reflected the County's response to the downturn over the last three years, and even after the situation improved the budget would continue to rely on efforts to streamline operations and stay focused on excellence. Mr. Foley said this would include further streamlining of operations, generating alternative sources of revenue, exploring new business practices including privatizing some services, and increasing collaboration and partnerships. He commented that it has made the County a much more flexible and agile organization, and it continued to look forward to embracing high performance and some principles of zero based budgeting.

Mr. Foley said that the County felt it was critical to begin to look forward and start to focus on the future, taking positive, modest steps forward to address priorities such as the Crozet Library which would provide needed library service and help transform and revitalize downtown Crozet for the future. He stated that the budget also began to address public safety facilities that would improve response times and ensure reliable quality service as the community continued to grow. Mr. Foley said that there was also a focus on opportunity, which meant moving beyond normal ways of doing business and taking advantage of possibilities such as a partnership with the University of Virginia that was allowing the County to build the Ivy Fire Station on land that would cost \$1 per year, and a partnership with Martha Jefferson Hospital that would allow provision of EMS (Emergency Medical Service) service to Pantops without any capital cost.

Mr. Foley said that the budget demonstrated a commitment to excellence and a new focus on the future and relied on the principles of provision of core services and the pursuit of collaborative opportunities. Mr. Foley stated that the budget also relied on the following goals: funding obligations and commitments and supporting continued organizational transformation and sustainability, and investment in strategic priorities to position the County for the future. He reported that the total budget after Board adjustments was \$311,438,000, supported by property tax revenues at 45%, other local revenues at 20%, 23% from the state, and 5% from the federal government with bond proceeds and a few other miscellaneous sources. Mr. Foley stated that approximately 60% of the total budget went to support the school systems both operating expenditures and capital as well as debt service expenditures. He said that general government made up about 35.5% of total expenditures and included items such as public safety, human services, public works and general government as well as a 5.6% amount for revenue sharing with the City of Charlottesville, totaling about \$17.5 million.

Mr. Foley reported that the budget reflected direction provided by the Board during their work sessions and represented the fourth consecutive year of no tax increases for the average homeowner. He said that revenues were projected to increase in the year ahead by 2.3%, including the less than equalized tax rate that had been approved for public hearing and some modest economic recovery, along with significant enhanced delinquent tax collections. Mr. Foley stated that local government operations had increased 4.2%, primarily to support the goals described and to meet obligations, shoring up core services, and making some modest investments in the future. He said that school operations were up 4.1%, with the County's CIP (Capital Improvement Plan) up 16.6% reflecting the Ivy Fire Station, the Crozet Library, and the police firing range, which had been long delayed but were able to move forward in this proposed budget. Mr. Foley stated that the budget was based on a 76.2 cent tax rate, which offsets a 3% overall decline in property values, and the Board had also directed the County to move forward with emergency medical services fees on a countywide basis. He said that other major items were some operational improvements, and the Finance Department had made a significant impact on the budget with some enhanced delinquency collections as well as some collection of sales and business taxes that had been erroneously paid to the City of Charlottesville.

Mr. Foley stated that there had been continued tax relief over the four year period ending with FY13, with the average home value in 2009 of \$308,000 generating a tax bill of \$2,286.00; in the proposed budget, home values were down to about \$285,000, generating \$2,176.00. He said that in the current year, the tax rate of 76.2 cents would mean that 58% of single family properties would experience either a decrease in taxes or an increase of less than \$20 with the budget as proposed in the current rate. Mr. Foley explained that the budget was comprised of three major components the school fund, the general fund and the capital fund. He said that in looking at the general fund, about 50% of expenditures went to the school system to support operations, capital and debt service with the remainder divided as public safety, human services, revenue sharing payment, and general government administration, with public safety at 15%.

Mr. Foley said that in funding obligations and commitments the budget addressed a 25% increase in VRS (Virginia Retirement System) rates for retirement for County employees, and at this point it didn't reflect a new mandate that had just come down from the General Assembly over the last two weeks that the Board would have to consider but did reflect a significant increase in retirement expenses and rates. He stated that the budget continued the policy of transferring of 60% of all new revenues to the school system to support their operations, and included a \$17.5 million obligation to the City for revenue sharing while protecting the County's AAA bond rating, which saved money in the long run by ensuring adequate reserves. Mr. Foley stated that the second goal supporting continued organizational transformation and sustainability for the future was addressed through the budget's investments in core public safety improvements. He said that it supported financial administration through collection of delinquent taxes

and addressed transformation through continued restructuring and some different thoughts in how agency contributions should be approached.

Mr. Foley said that he would address the third goal, investment in strategic priorities to position the County for the future, by covering the Board's recently adopted strategic plan and their major areas of focus. He stated that the first priority of providing excellent educational opportunities was addressed in this budget through proposing an increase to the school fund by 3.5% or \$5.1 million, with the transfer to the schools being just over \$100 million this year or an increase of 2.9%. Mr. Foley said that the Board had made some changes in their work sessions, including adding about \$650,000 to the school system's funding to help with school bus replacement and to support educational opportunities. He stated that the CIP budget continued to support high quality school facilities throughout the County, and in terms of community facilities overall the budget made some steps forward with \$21.6 million included in the CIP for FY13 and another \$117,000 for other capital projects. Mr. Foley explained that last fall the Board dedicated ½ cent of the tax rate exclusively to the capital program to help fund it into the future, and this budget supported that as well.

Mr. Foley explained, regarding the goal of a vibrant and diverse economy, that the County investment in economic development and future job creation was supported in the budget through memberships in the Chamber of Commerce and some of the regional economic development associations as well as marketing money to try to attract some businesses to the area. He stated that the budget put aside money for an economic opportunity fund, which had been in place for a few years. Mr. Foley said that there were some new state mandates pertaining to cleanup of the Chesapeake Bay through County water protection efforts, and this budget included funding for a major study that would be necessary to prepare for that process. He stated that a large area of investment was in the area of health and safety, and this budget included the Ivy Fire & Rescue Station, new EMS service at Pantops, and the police firing range as well as the Board's addition of unfreezing three police officer vacancies, \$60,000 to the Commonwealth's Attorney's office to help collect some delinquent fines and fees through the court system, and some additional or reinstated funding to community agencies. Mr. Foley said that another strategic goal established by the Board was to promote a valued and responsive workforce, and this budget included a 1% market adjustment for County staff, included no employer or employee increases in the County's healthcare program because it has a self insurance program, a performance pool of about \$150,000 to reward and incent high performance, and increased training funds that had been cut over the last three years.

Mr. Foley stated that the County's vision statement for the year 2040 depicted a thriving county anchored by a strong economy, an excellent educational system, that honors its rural heritage, scenic beauty, and natural and historic resources while fostering attractive and vibrant communities. He stated that the FY13 budget supported movement toward the future, and accomplished two major goals through a 76.2 cent tax rate, continuing the County's commitment to excellence by shoring up and investing in core basic government services to ensure their quality remained high moving into the future; and looking to the future by beginning to address the compelling needs resulting from the normal growth and development of the community. Mr. Foley mentioned that the budget was scheduled for adoption on April 4, which would include setting the tax rate and approving the budget itself. He noted that staff had assessed the impact of the new General Assembly mandates for VRS and would bring back more information about that the following week. Mr. Foley stated that the Commonwealth's Attorney's office funding was also scheduled to come back to the Board, along with the Seminole Trail Fire Department building addition; he also said that they would discuss resolution of some issues with library funding, as there was some misunderstanding as to budget cuts that were really just a different accounting of out of area fees. He added that the Board had adjusted the budget during their five weeks of review, returning about \$300,000 to taxpayers by dropping it slightly below the equalized rate.

Ms. Mallek reviewed the Board's rules for the public hearing, and then opened the public hearing for comments.

Ms. Constance Stevens addressed the Board, stating that she was here to ask them not to raise taxes and stating that the less than equalized rate was a tax hike. Ms. Stevens asked if throwing more money at the schools was an answer to achieving excellence in education, and asked the Board to remember that everyone had to live within their means. It's our money, and we spend it better than the government does.

Mr. James Fazio, a resident of Mountainside Senior Living, explained that he had lost his job and became very depressed, isolated, and ill losing a leg to diabetes. He said that his sister helped find Mountainside for him, and after six months there he felt much better thanks to their compassionate care. Mr. Fazio asked the Board to help support Mountainside through additional funding.

Ms. Josephine Marshall addressed the Board, stating that she had lived at Mountainside for six years. Ms. Marshall said that she was 94 years old and was a retired nurse from Martha Jefferson Hospital, adding that if there weren't friends and family to help you, you might go without dentures, hearing aids and eyeglasses. She stated that the residents at Mountainside volunteered and were connected to the community as active citizens.

Ms. Lori Marshall addressed the Board, stating that she was 66 years old and had terminal cancer. Ms. Marshall said that she was a resident of Mountainside, and moved there when her income dropped due to her illness and her rent increased. She stated that nothing in the area was in her price range, but the Department of Social Services referred her to Mountainside, and that this was her last hope, her only hope. Ms. Marshall said that on January 1, 2012 she moved to Mountainside and enabled her to experience a quality of life that she otherwise wouldn't have. She stated that Mountainside works

closely with hospice to ensure seamlessness of care and that she was as comfortable as possible for her remaining days. Mountainside is my saving grace. Mountainside is my peace of mind. Mountainside is my home. Ms. Marshall said that while this was her story, it could very easily be the story of a Board member's parent or themselves someday. She encouraged the Board, to provide the requested funds to Mountainside to ensure that more people like her received compassionate, affordable care.

Mr. David Oberg addressed the Board, stating that he was a parent at Crozet Elementary and thanked Mr. Foley and his staff for preparing the budget as well as Dr. Moran for preparing the school budget. Mr. Oberg stated that the per-student spending in the Commonwealth had dropped every year for the last five, and that would have consequences in the future. He said that teachers were doing an amazing job with decreasing funds, but there was a tipping point where that wouldn't work anymore. Mr. Oberg stated that he was a Republican and hated taxes, but also hated the thought that the County's great schools could be in peril because they were slowly allowed to lose funding.

Ms. Melissa Morrison addressed the Board, stating that she was a parent at Crozet Elementary and thanked the Board for agreeing to advertise a compromised real estate tax rate that supported funding for important civic projects in the County. Ms. Morrison said that several neighborhood schools still faced losing staff if special initiatives were cut from the budget, and asked the Board to support funding for counselor and library positions. She reported that last week the school had held its second annual culturally literacy night, in which her daughter participated.

Ms. Jessica Simmons addressed the Board, stating that she was advocating to preserve resources for schools that were dropping below an enrollment of 300 specifically for the initiative to preserve guidance and library staffing, and that she had bought her son to speak up for his school because she couldn't think of a better advocate.

Mr. Samuel Simmons addressed the Board, stating that he was a first grader at Crozet Elementary and asking them for support of the budget so that he could take art and music and gym. He said that his guidance counselor had taught him how to be a fair and good student, and taught him about bullying. Mr. Simmons also asked the Board to give teachers a raise, as they work hard.

Mr. Leonard Lohman said that he was a County resident and also worked for JABA (Jefferson Area Board for Aging). Mr. Lohman explained that ten years ago with support from the City and the County, JABA prevented the closing of Wyndham Assisted Living by transitioning it to Mountainside shifting the structure from an all auxiliary grant environment to a private auxiliary grant mix. He said that it still required County and City support along with a considerable amount of fundraising. Mr. Lohman explained that Mountainside provided 55 auxiliary grant bed slots to the County and City for their use and in that process the reimbursement rate from the state on a \$2,200 average monthly cost was only \$1,100. He said that individuals who are on AG are generally at or below the poverty level, and these residents depended on Mountainside.

Mr. Bill Schrader addressed the Board, stating that he wanted to put the tax revenue into the context of an employment and sales rate scenario. Mr. Schrader said that the bids were opened that day for the Crozet Library, and the number came in at \$5,771,000 which would mean that the contractor would bring people back to work that had been laid off, subcontractors would be put to work with plumbing, electricity, brick work. He stated that there would be additional work for the materials suppliers, the mechanics, the concrete and piping workers all new numbers for the area. Mr. Schrader said that there were other areas such as restaurants and hotels that would also benefit. Build the Crozet Library. Finish the 170 acre firing range. He stated that they would be putting a lot of people back to work, and asked them to approve the advertised rate.

Mr. Brian La Fontaine, a Trustee with the Jefferson Madison Regional Library system, thanked the Board for providing the additional funds that would enable the library to give small salary increases and absorb the increasing expense of medical and retirement benefits. Mr. La Fontaine said that JMRL had seen its budget increase only 1.5% over the past four years, while cost of providing services to the public had increased much more than that. He stated that they had cut operating expenses by almost 7% so that they could continue offering citizens the service expected and deserved, but there is nothing left there to trim. Mr. La Fontaine said that JMRL was comprised of five localities, each of which was bound by the regional agreement that spelled out responsibilities. He stated that one of those was that costs shall include all cost of providing facilities to house the collections at the Central Library, Gordon Avenue Library, and Northside Library branches. Mr. La Fontaine explained that in 2009, County staff renegotiated the rental agreement with the owners of Albemarle Square, where Northside Library was located. He said that the result was automatic, periodic increases in rent, and JMRL had absorbed the past increases and continued to pay the rent but the increase this year for Northside was over \$15,700, which the library could not sustain especially without the 4% they were requesting. Mr. La Fontaine appealed to the Board to do what is right and provide an increase to the budget to cover the rental expense.

Mr. Tim Tolson, President of JMRL, said that he was here to request full funding for the library system budget. Mr. Tolson said that the library was also focused on core services and excellence of services, and after years of level funding they were trimmed to the bone and needed increases to meet its needs. He stated that the Board had acknowledged in the press that JMRL was understaffed and underfunded, and asked that they translate that recognition into full funding of the budget. Mr. Tolson said that the library had not had a salary increase in over four years and was having trouble recruiting staff along with losing staff to better paying jobs. He stated that the 1% increase was insufficient and they would like to be able to fund the 2.5% proposed to them in December, adding that 60% of their staff was paid at a living wage or less.

Ms. Joyce Lawson addressed the Board, stating that she was a resident manager for Woods Edge apartments located off of Rio Road and had been there for 11 years. Ms. Lawson said that she knew all the residents, and most of them barely had enough money to meet their basic needs making less than \$1,400 in gross monthly income, paying \$765 monthly for rent. She stated that many of the residents relied on the subsidy they currently received from the County through JABA to make ends, and might be forced to leave Woods Edge without it. Ms. Lawson commented that they didn't qualify for Section 8 housing, but didn't make enough to afford fair market rents. She asked the Board to consider restoring the subsidy they had provided over the last 10 years to help elderly who had no other place to call their own.

Ms. Lisa Smith addressed the Board, stating that she was the regional manager for Woods Edge and was here to appeal to the Board to restore the subsidy funding. Ms. Smith said that the subsidy was incredibly important to the residents there, and the company had taken it is a loss up to now but wouldn't be able to do that for the very long term.

Mr. Jim Stern addressed the Board, stating that Rob Bell's budget amendment never made it out of committee costing local taxpayers \$2.5 million. Mr. Stern asked why local officials weren't demanding fair treatment in Richmond, as the City wanted the County to pay more and more with revenue sharing monies going in part to buy a \$500 per day lobbyist to defeat the Bell Amendment. Who will say, No more, Richmond. He suggested that the Board fund key priorities such as updating Yancey Elementary and funding more police officers, adding that for many years some County schools were not in the top 15%, but schools around the state had caught up due to committed teachers, staff and parents and not facilities or dollars.

Mr. Bill Smith, Vice-Chair of the Albemarle Truth in Taxation Alliance, said that the Board had expressed a desire to reinstate the three frozen police department positions, and urged them to do that as it would cost only about half of what it would to create three new positions. He stated that the department had been struggling with understaffing for many years, and reinstating the three positions would still only put them up to the 2006 staffing level. Mr. Smith said that they were understaffed then, and staffing levels fell ever further behind safe levels placing the public and the officers at greater risk. He urged the Board to use some of the previous year's surplus tax collections to fund these positions and to make funding additional officers a priority next year.

Ms. Theresa Tyler addressed the Board stating that she was a parent and a department chair at Albemarle High School and saying that she had seen the devastating results of the budget cuts over the past few years. She said that seven years ago the English department at AHS had 23 English teachers, and now they had 16. Ms. Tyler stated that during that time, the school's enrollment had increased by 100 students. She said that when her sons went to school there, they had reasonable class sizes and individual help from teachers who had the energy and time to help them. Ms. Tyler also said that her sons held positions in the Key Club, the National Honor Society, and other groups, and they were able to participate in sports without missing a detrimental amount of class time. She stated that their first rate experiences in Albemarle have paid off in college, as they have served as resident advisors, project leaders, coaches, and other leadership positions. Ms. Tyler said that the school system now for her younger daughter was already so diminished that it is nearly unrecognizable as the same one that my sons attended.

Ms. Wendy Saz addressed the Board, stating that she was branch manager of the Crozet Library. Ms. Saz said that last year over 75,000 people visited the library, with 5,000 internet sessions, job applications, resume writing, online exam and the library held 177 programs, with weekly story times promoting literacy being full to capacity with a waiting list. She stated that their teen programs were being used as models for outstanding young adult programs in libraries across the country, and adult activities ranged from a multi-generational craft group to community forums on various topics of interest with an average participation of 92. Ms. Saz said that summer reading doubled over the last five years, with 819 kids and teens participating last year. She stated that they were the year round library for homeschoolers, public schoolers, and private schoolers. Ms. Saz said that for those ringing the death knell of the public library itself, the circulation had increased 33% over the last five years and showed no signs of diminishing. She added that since 2005, numerous committees had met with a multiple of officials, agencies and businesses, and now the library had the right building on the right site, this is the right time, and we found out today the price is right. Ms. Saz said that the County would provide the building funds, and fundraisers would provide all the furnishings with Friends of the Library providing funds for the programs and a regional agreement sharing resources throughout the County. She stated that all jurisdictions would benefit from this library, and it would serve as a testament of this Board's dedication to lifelong learning and the enrichment of the lives of all citizens of the County.

Mr. Corky Shackelford addressed the Board, stating that he lived in the Rivanna District and expressed his gratitude to the Board for supporting the extension services. Mr. Shackelford said that he was here tonight to ask for funding for the ACE Program (Acquisition of Conservation Easements), adding that he was on the committee when the program first started and saw firsthand how difficult it was to get something started when it had no momentum. He stated that he saw the benefits of the program and wanted the County to keep it alive if possible, providing matching funds if not the whole amount.

Mr. Frank Podrebarac addressed the Board stating that he was an IT person for County schools and was president of the Albemarle County Education Association. He said that he was here to ask the Board to fully fund the school budget as put forward, adding that he contributed to the County by working for them and by spending his wages locally and statewide. Mr. Podrebarac said that the school budget presented was a needs based budget, adding that they had been using one-time money to fund critical positions within the schools. He stated that his IT Department currently supported over 12,000 devices in

the schools with a staff of 19 people, with SOL testing being a huge burden on our staff. Mr. Podrebarac said that teachers, custodians, bus drivers, support staff, and all other employees did a great job.

Mr. Stephen Rea, of the Thomas Jefferson EMS Council, said that he understood their hard work and thanked them for reevaluating the County's contribution to TJEMS at level funding. He said that it would not only allow the Council to help EMS providers, but would also allow citizens of the County to receive the best pre-hospital care.

Mr. Rex Linville addressed the Board, stating that he was on the Piedmont Environmental Council staff and lived in Albemarle County. Mr. Linville said that the Comp Plan stipulated that the rural areas of the community were places where agriculture and forestry should dominate, and for over 10 years one keystone program had been used to help foster that and that was the ACE Program. He stated that the County had been a leader in land conservation because of the program and was one of the first three localities in the state to establish a purchase of development rights program, adding that the program had put an average of \$1 million per year into purchasing landowner easements. Mr. Linville said that ACE had protected nearly 75,000 acres in Albemarle County, which was 90% of the acres countywide that were now protected representing farms, forests, habitat areas, scenic views, etc. that would not have been protected without the investment the Board had made over the years. He stated that the program was targeted to landowners who would otherwise not be financially able to donate a conservation easement, and the process was means tested to go to those who would most benefit from the funds. Mr. Linville said that by funding the ACE Program, they had made the County well positioned to receive state and federal matching dollars as well as in-kind donations from the landowners themselves equaling over \$3 million or 23% of the total value of easements purchased over the last 11 years. He implored the Board to keep land protection alive in Albemarle County so that farms and forests would continue to dominate in the rural area for future generations, and implored them to continue funding the ACE Program.

Note: The Board took a recess at 7:14 p.m., and reconvened at 7:22 p.m.

Ms. Mallek continued the public hearing.

Ms. Sherry Buttrick said that she chaired the ACE Program and the public recreational facilities authority that held the ACE easements. Ms. Buttrick said that she was here to encourage the Board not to zero out the ACE Program, as it had become an established option in its 12 years of operation for farmers of modest means who were trying to stay on the farm. She stated that giving a conservation easement was a big decision, and usually a multi-year decision, with confidence in the program as a stable option. Ms. Buttrick said that if the program became unstable, farmers would lose their confidence in it taking years to restore it beyond its refunding. She stated that there was a Virginia Department of Agriculture match for purchase of development right programs in counties, and that would extend up to about \$150,000 for next year. This is money that it would be way too bad to let get away from Albemarle County, that we could use to protect our farms here in the County.

Ms. Tarin Hansen addressed the Board, stating that she was the parent of a student at Agnor Hurt Elementary and urging them to support funding to the schools. Ms. Hansen said that she recently moved here from California and was constantly impressed with the curriculum and availability of resources here. She stated that in addition to classroom teachers, there were instructional coaches, support teachers, and gifted and talented resources. Ms. Hansen said that she was proud to be a part of a community that prides itself on academics and cultural diversity, and she wanted to continue to invest in her children's education and establish a community of learners.

Ms. Helen Swift-Dovel said that she was the newly elected president of the Jefferson Area Tea Party. Ms. Swift-Dovel said that she applauded the Board for their hard work in producing the budget, adding that the TEA party supported being taxed for the core functions of government but raising taxes would stifle economic activity.

Ms. Heather Rowland addressed the Board, stating that she strongly supported the proposed tax rate and the restarting of funding for the capital program. Ms. Rowland said that she believed in community, and the County's population was highly diverse with the fewer civic projects funded, the more likelihood for residents to splinter into groups. She stated that civic pride may be intangible, but it had real value and was much easier to destroy than to build. It's time to invest in Albemarle County. Ms. Rowland said that the government couldn't pick winners, but was doing so by offering tax breaks to particular companies to encourage their relocation. This is short-termism. She said that a more cost effective, robust, long-term policy would be to make the County as a whole more attractive to business, ensuring that the infrastructure was fit for purpose and making the County attractive to their employees. Ms. Rowland stated that an astute businessman would invest in projects when costs were low, and staff dependent on County, funding had been budget balancing scapegoats.

Ms. Charlotte Hogue addressed the Board, stating that there were still a lot of residents in bad shape but the Board appeared only to listen and cater to those who want more and more funds for their projects. Ms. Hogue said that the citizens should not be expected to fund every request made, whether it was from the School Board, the libraries, nonprofit organizations, festivals, etc. She asked why staff didn't use the surplus from last year for this year's budget rather than raising the tax rate. Please think about all the taxpayers, and not just those who want more and more.

Ms. Traci Kelsey addressed the Board, stating that she was a teacher and mother of two children who graduated from Albemarle High School. Ms. Kelsey said that she loved living here and the quality of

life was very special, but in order to maintain that they needed a tax rate of 76.2. She stated that the schools, police and fire department needed the support of the taxpayers in the County to deliver the quality education, care and safety that citizens desired and deserved.

Mr. Robert Hogue addressed the Board, urging them to be cautious in helping the homeless because other homeless from other areas would come here, and for some welfare had become a way of life. Mr. Hogue also said that the County was too lenient in its false alarm fine policies, as it was with its policy for signs in the right of way. He emphasized that art, music, driver's Ed, and sports should be paid for by the parents, and they needed to take responsibility for their children. If you look harder, you can cut County spending and lower the tax rate.

Ms. Carol Thorpe addressed the Board, stating that she was opposed to the equalized tax rate. Ms. Thorpe said that the few homeowners would fall under the average tax bill, with the Daily Progress reporting that County staff showed that 60% of property owners would see an increase in their tax bills. She stated that the level of \$100 or less did not provide her much relief, as there was a ringing, arrogant tone and implication that taxpayers could afford \$100 more without any stress to their families. Ms. Thorpe said that nothing was stopping people who said raise my taxes from writing a check to the County, adding that she called on the Board especially Mr. Snow, Mr. Thomas and Mr. Boyd to vote in a manner representative of fiscal conservatism that kept taxes low and only funded items that fell into the core functions of local government.

Mr. Charles Battig addressed the Board, stating that a year ago, everyone was astounded by the Taj Mahal of a fire station, the Hollymead Fire Station, and the new Ivy Fire station was a model of restraint. Mr. Battig stated that the picture of the library showed architectural exuberance with columns, bricks, multiple roof lines certainly not a bare bones design. Is the building the important thing, or the activities within, he said that he would like to know if the ACE program decreased the taxes for those participating and increased the taxes for those who didn't. Mr. Battig defined anybody to prove that spending per student had a linear relationship to quality of education and the result of that student. He also said that staff in the planning department, who were suffering could be replaced by others who understood that their job was not to force square pegs into their predesigned round holes of where people should live.

Mr. Gary Grant addressed the Board, stating that he was on the Library Board but was here to speak as an individual. Mr. Grant said that he had asked Board members last fall on whether they felt the library was a core service of local government, and he got three saying it was and three saying it really wasn't. He stated that while he was glad to see support for core facilities, but it also took appropriate operational funding for successfully maintaining core services within those facilities. He said that public library funding in the County needed their attention, and while Albemarle's per capita spending on libraries was slightly above the state average it was far below the national average for funding of public libraries. Mr. Grant stated that average wasn't good enough for the Board members respective professions, and the library also wanted to be above average.

Mr. L.F. Wood addressed the Board, stating that core values seemed to be the theme for the meeting, and said that he was here to encourage the Board's support of the Police Advisory Board and the Seminole Trail Volunteer Fire Company. Mr. Wood thanked the Board for their funding of the firing range, and thanked them for consideration of the addition to the Seminole station building. He also asked the Board to support the budget as presented to provide the services that the citizens need.

Ms. Jane Kulow, President of Albemarle County Schools Parent Council and an organizer for Build Crozet Library, said that she supported passing the advertised tax rate, adding that they had supported tax cuts for three consecutive years that included cutting County services and schools to the bone. She stated that the CIP program had been essentially gutted, and urged them to pass the advertised tax rate so the County had the resources it needed to fund vital services.

Ms. Georgeann Wilcoxson addressed the Board, stating that she worried about getting an increase in her tax bill, but any services that might be cut, might hurt the County in the long run, and there wouldn't be healthy, educated and trained people to generate more resources and improve the quality of life or make the investments needed to turn the economy around.

Ms. Elisa de Leon Farias addressed the Board and thanked them for their hard work on behalf of the County. She said that as a parent and member of the Baker-Butler PTO, she wanted to express her support for the FY13 school year budget proposal. Ms. Farias stated that the equalized tax rate was necessary and critical to provide adequate funding to maintain staffing and services desperately needed by all the schools in the County. She said that Baker-Butler would grow by nearly 30% next year because of Hollymead redistricting, it was even more critical to fully meet operational needs.

Mr. Gregory Quinn addressed the Board, asking them what the core functions of government were and what the scope of local government should be. He said that he didn't think it should involve welfare, mental health, housing, etc., where does this stop? Mr. Quinn stated that local government should only include schools, roads, police, and fire not social justice and social welfare, as that was handled enough at the federal level. He stated that he didn't think the County owed him anything, nothing, and that should be the same for all.

Ms. Clara Belle Wheeler addressed the Board, stating that a budget was making hard decisions to use money that was available, and should not be balanced by adding more money. Ms. Wheeler said that in the education system funding, there were places where money could be saved without reducing services or the number of teachers, that, that would be in the realm of administrators. She said that the

administrators don't teach students, they don't come into the classroom, and they don't help on a hand to hand basis. They can do more work if they have to, and they can do more work with fewer people. She stated that taxpayers were trying to make do with less money, and the County should do likewise. Ms. Wheeler said that the economy is shaky at best and since the Board had discussed a 68 cent rate some years ago, many people had lost jobs or were working fewer hours. She stated that homes had lost value, and taxpayers were struggling, strapped and shaky; she suggested that they ask the private sector how to balance a budget.

Mr. Harold Pillar addressed the Board, stating that he had worked in the private industry for almost 40 years and drawing an analogy to County government with taxpayers being stockholders, the Board of Directors being the Board, and the County Executive being the CEO. Mr. Pillar thanked the Board for their hard work, but having the budget presented without any numbers is an absolute travesty. He said that citizens didn't know where the money was going, and the tax rate was a tax of penalization, not equalization. We cannot have a tax increase, we're at stress.

Ms. Heather Swindler addressed the Board, stating that she wanted the Board to know that she had watched the County, underfund the schools for the past three years and one of the reasons she moved to the County with her family was because of the schools. She said that the schools did an amazing job and she wanted to stay here, even if it meant raising her taxes to maintain the school system.

Ms. Mary Frank addressed the Board stating that she taught tax policy at the Darden Graduate School of Business and indicating that she had met with the school administration over the last two years about their budget. Ms. Frank said that she had asked the schools tough questions about their budget and encouraged the Board to talk to her before believing people who were throwing stones at the schools in the budget. She stated that local government was about core functions, and education was a core function of local government and shouldn't be left to state and federal government. Ms. Frank said that the County had a problem by promising best in class education, small community based schools, and low tax rates. Those three things are not possible. She stated that they had to raise the tax rate to equalize taxes if they wanted to continue promising best in class schools and maintenance of community based school sizes.

Mr. Jim Bryan addressed the Board, thanking them for their work and noting that he hadn't heard them mention anything on the moratorium on uranium mining. He said that the National Academy of Sciences report stated that there wasn't the intellectual structure to make any decisions about uranium mining, but the Governor of Virginia was investing in ignorance. Mr. Bryan emphasized that the Board needed to pay attention to the lifting of the 20 year ban on uranium exploration and mining, and needed to address it in the budget.

Mr. Pillar tried to address the Board again, but Ms. Mallek indicated that the policy was to have speakers speak only once per issue.

Mr. Snow explained that the Board had regular monthly meetings and Mr. Pillar was welcome to come back at the next meetings. He also said that the entire budget was available online.

Mr. Foley said that he could also make it available through the County Executive's Office.

Mr. Rooker pointed out that Mr. Foley did provide numbers in his presentation.

Mr. Foley said that there were four items that would be brought back to the Board in preparation for their April 4 meeting, and if they needed more information they should let staff know prior to taking final action next week. He emphasized that the challenge of embracing any new initiatives would be finding the funding for it, adding that the Seminole Fire Department addition could possibly be addressed through some capital monies available beyond what was projected. Mr. Foley said that the Board was asked to consider it, and it was at the top of the list of the capital projects with full support from the Oversight Committee and staff.

Ms. Mallek stated that she would like to further discuss the other categories in the library request, per the letter the Board had received earlier that day. She also said that she would like to discuss the ACE Program.

Mr. Thomas agreed that he would also like to revisit the ACE item.

Mr. Rooker said that he would like more information from JABA on Mountainside and Woods Edge, and how they relate.

Mr. Snow stated that he would like to discuss the \$150,000 merit pay item, as he still felt there was a better way of accomplishing that. He also said that he wanted to clarify that the County had not funded a pool cover, but had funded the remodeling of a community center that was without heat and the money had been in the CIP for that purpose for a long time.

Mr. Rooker said it would be helpful to have information on the net impact of the VRS change.

Mr. Boyd said that he thought the \$350,000 was the net.

Mr. Foley said that, that was the cost for local government employees, but the schools was a different number and they may not know what the number is over and above the budget when they pass

their budget. He clarified that they needed the \$350,000 to meet the mandate in one year, as the cost of doing that had an impact on FICA taxes and the schools had the option of spreading out their \$1.2 million cost over five years, with a smaller cost every year.

Mr. Rooker explained that once they would make a pay change, it would go up forever and while the first year of costs might be amortized, that cost would be put on again so they would have to pay the 20% they're amortizing plus 100% of the increased cost.

Mr. Dumler asked if it was structured as a raise and was phased in, would it effectively destroy the commonality held now between schools and general government.

Mr. Foley responded that it would significantly impact commonality if the schools didn't implement it in one year, and the Governor had been asked to act on this issue but it wouldn't be resolved until April 18 when he makes final decisions.

Mr. Boyd asked when they had to adopt the budget.

Ms. Mallek said that the issue was the tax rate, not the budget.

Mr. Foley stated that the Board must adopt the tax rate before the 15th in order to get tax bills out, but they wouldn't hear what the Governor would do by then.

Mr. Boyd asked if the 15th was a procedural date or if it was stipulated by law.

Mr. Davis responded that it was required by law if there was a tax billing prior to June 30.

Mr. Foley said that staff would bring more information back to the Board on that.

Mr. Rooker noted that it would add \$1.2 million to the school's deficit if they did it all in one year.

Mr. Foley said that the amortization would mean raising the pay by 1% a year until it reached 5%.

Ms. Mallek stated that it would be \$1.2 million on top of the \$1.6 million.

Mr. Boyd asked if they would have other estimated numbers on the impacts to the school system.

Mr. Davis said it would depend on when the General Assembly adopted the budget, with the House and Senate conferees currently meeting and hammering it out but until it was actually adopted, there would not be information available.

Mr. Foley noted that even if they had to adopt a tax rate, they could delay the budget if necessary.

Agenda Item No. 8. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said that on March 29, 2012, at 7:00 p.m., there would be a presentation at the Board's Head on the National Academy of Sciences Uranium Study NAS uranium study that was the basis of the Governor's effort.

Mr. Boyd asked if there was uranium in Albemarle County. Ms. Mallek responded that there was some in Culpeper and Madison counties.

Agenda Item No. 9. Adjourn.

There being no further business to come before the Board, the meeting was adjourned at 8:13 p.m.

Chairman

Approved by Board

Date: 06/06/2012

Initials: EWJ
