

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 18, 1983, at 7:30 P.M., in Meeting Room 7, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

Present: Mr. James R. Butler, Mrs. Patricia H. Cooke, Messrs. Gerald E. Fisher, J. T. Henley, Jr., C. Timothy Lindstrom and Miss Ellen V. Nash.

Absent: None.

Officers Present: County Executive, Guy B. Agnor, Jr.; County Attorney, George R. St. John; and County Planner, Robert W. Tucker, Jr.

Agenda Item No. 1. The meeting was called to order at 7:36 P.M. by the Chairman, Mr. Fisher.

Agenda Item No. 2. SP-83-20. Rivanna Water and Sewer Authority. Request for approval of Part II of Crozet Interceptor, beginning near its connector with Morey Creek Interceptor, running westward generally following Ivy Creek through Ivy, continuing west along Little Ivy Creek and terminating near its crossing with the C & O Railroad. (Advertised in the Daily Progress on May 3 and May 10, 1983.).

Mr. Robert W. Tucker, Jr., Director of Planning, was present and presented the following staff report:

"Request: Locate Crozet Sewer Interceptor Line in flood plains of Little Ivy Creek and Ivy Creek (Section 30.3.5.2.1.2). Locate sewage pump station in flood plain of Little Ivy Creek.

History: In December, 1982, after legal notice and public hearing, the Planning Commission approved the general locations and alignment of the Crozet Interceptor and related sewage pump stations, as required by Section 15.1-456 of the Code of Virginia. The purpose of the current special use permit review is to address aspects of Part II of this project in relation to flood plain considerations.

Project Description: Part II of the Crozet Interceptor project is located between Route 708 west of Ivy and the Boar's Head Inn on Route 250 West. About one-half of this project would be located within the flood plains of Little Ivy Creek and Ivy Creek. Beginning at a point east of Route 708, the interceptor would become a gravity line in the Little Ivy Creek valley, located in the flood plain. The interceptor would parallel Little Ivy Creek, cross Route 250 West and travel into the West Leigh area where a sewage pump station (to be located in the flood plain) and force main would be necessary to convey out of the Ivy Creek valley. About 16,000 feet of the interceptor would be located in flood plain areas. Two intermittent stream crossings, two crossings of Ivy Creek and one crossing of Little Ivy Creek are proposed.

Zoning Ordinance Requirements: The Flood Hazard Overlay district requires that new sewer facilities be located and designed to 'minimize or eliminate infiltration of flood waters into such systems and in the case of sewer facilities, discharge of effluent into flood waters; minimize damage or impairment caused by flooding' (Section 30.3.3.1). The Flood Hazard district also requires construction to prevent flotation, collapse, or lateral movement as a result of flooding; maintenance of stream channel carrying capacity; protection from erosion by vegetative cover, rip-rap, gabions or other approved method; and use of construction materials that will not pollute surface water or ground water.

In regard to the sewage pump station, which is proposed to be located in an open area adjacent to West Leigh Drive, Section 5.1.12 of the Zoning Ordinance states that 'Public utility buildings and structures in any residential zone shall, wherever practical, have exterior appearance of residential buildings and shall have landscaping, screen planting, and/or fencing, whenever these are deemed necessary by the commission.'

Staff Comment: Construction plans for Part II of the Crozet Interceptor project have been approved by the Virginia State Department of Health, the State Water Control Board and the United States Army Corps of Engineers and are currently under review by the Environmental Protection Agency. Review and approval by the County Engineer is required by zoning regulations which reflect requirements of the Federal Emergency Management Agency.

In prior review of this project for consistency with the Comprehensive Plan, staff stated that:

As with any other construction in a reservoir watershed, review and participation by the Watershed Management Official would be appropriate. Because of the scale of the project and extensive flood plain location, careful construction practices, guided by watershed Best Management Practices, is of critical importance. Contractor bonding should provide for immediate correction of any problem areas as well as restoration measures.

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Staff recommends approval, subject to the following conditions:

1. County Engineer review and approval in accordance with the requirements of 30.3 Flood Hazard Overlay District of the Zoning Ordinance;
2. Staff approval of site plan for West Leigh pump station to include a landscape plan and facade treatment;
3. Watershed Management Official review of contractor specifications and grading permit to be guided by construction Best Management Practices as outlined by the Watershed Management Plan, Comprehensive Plan, and State Water Control Board;
4. Approval of appropriate local, state and federal agencies."

Mr. Tucker said the Planning Commission at its meeting on May 3, 1983, recommended approval of SP-83-20 with the above conditions and with the stipulation that particular attention be given to the construction bonding in this project, given the scope and location of the project in the flood plain to insure immediate correction should problems occur in the future. Mr. Tucker said the Board can add this stipulation as a condition or request that the County Engineer in approving grading plans make sure that any bonding can be liquidated immediately in the event an emergency occurs.

The public hearing was then opened. Mr. George Williams, Executive Director of the Rivanna Water and Sewer Authority, was present. He said this request is for Part II of the Crozet Interceptor. The project was divided into three parts in order to accommodate available funding alternatives. Mr. Williams said the entire project consists of 30,000 feet of sewer pipe line and extends from the lower end of Boar's Head Inn to Route 708. The project includes two pumping stations with approximately 12,000 feet of force main and 18,000 feet of gravity sewer line. Mr. Williams noted this is a committed project under the terms of the Four-Party Agreement. This project is necessary in order to complete the Regional Wastewater Management project and the Authority hopes this will help reverse the eutrophic trend of the South Fork Rivanna Reservoir. The effluent from the interceptor will be treated at the new Moore's Creek Advanced Wastewater Treatment Plant.

Mr. Lindstrom asked if the reason for this proposed route is so that the area can be served by gravity flow. Mr. Williams said basically that is correct. The alternative to the proposed route would be to place another pump station on Route 250 West near the entrance to West Leigh, but that alternative causes financial implications for the entire project. Mr. Fisher asked if a pumping station will be located at the Mechem River. Mr. Williams said yes, but that station is in Part III of this project. Mr. Fisher then asked Mr. Williams to indicate the locations of the pumping stations. Mr. Williams said there is a pumping station in West Leigh Subdivision just west of West Leigh Drive after crossing the railroad tracks, and the other pumping station will be on Route 250 west of Ivy Nursery. Mr. Williams also noted that the pumps will be underground. He said the disadvantage of an alternative route following along Route 250 is that the land along the line could never be served by gravity flow. The Moores Creek/Morey Creek Interceptor is only adequate to receive the flow for approximately twenty to twenty-five years. At the end of that time, an additional line will be necessary; part of the flow from Crozet would be pumped to the Rivanna interceptor, the other major system serving the area. This would occur after the year 2000. When that occurs, it is the plan that the pump station in West Leigh Subdivision will be abandoned and part of the flow will be fed by gravity to the Rivanna interceptor. Mr. Williams concluded by stating that use of the Route 250 West alternative would mean construction of a pumping station which is adequate for fifty years rather than for twenty years. Also, the cost of operating a pumping station for an additional thirty years is astronomical.

Mr. Lindstrom felt it would be beneficial for the Board to see the plans for the entire Crozet Interceptor project and suggested the information be presented to the Board at its meeting in June.

Next to speak was Mr. Gene German, property owner of Lot 2 in Section 2, West Leigh Subdivision. He expressed his concern about the proposed route through the West Leigh Subdivision and asked why this route was necessary at all. He felt a pumping station will be needed in West Leigh Subdivision and on Route 250 as well. The residents in West Leigh are concerned that crossing some vacant property in the subdivision could possibly render those properties unbuildable. This could reduce a great deal of income. Mr. German was also concerned that the line crossing properties with homes will devalue properties. The sewer line will not have any benefit to the West Leigh residents since they cannot hook onto the line. There is also concern about siltation into the lake in West Leigh. The lake is already filled with silt and the residents do not feel there is any reason to hasten that siltation and fear that the sewer construction will increase that problem. Mr. German said the lake is maintained by the surrounding residents and the residents are very concerned about any additional problems which may occur as a result of this project. Another concern is damage to the roads in West Leigh which are dedicated to public use but have not been accepted into the Highway System. Therefore, the roads are privately maintained totally by the residents. Other concerns of the residents are the odors from the vented manholes of this project and the amount of noise from the pumping station. Mr. German said even though the alternative route will cost more, he felt the disruption to this residential area should be considered. He concluded by stating that he felt there must be some way to assign monetary values when computing the overall cost of the project.

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Next to speak was Mr. Rick Richmond, owner of Lot 38 which fronts on the lake in West Leigh. He noted that there is a distance of approximately eighty feet from his home to the lake and the sewer line is requiring sixty feet of that. Mr. Richmond said the lake, at one time, extended to a point opposite his lot, but approximately two to three feet towards his lot is now filled in as a result of construction of the Meriwether Hills Subdivision. Mr. Richmond said the lake does contain silt and the lake has been examined by experts for suggestions on correcting the problem. However, there is no public support available for the corrections since the lake is private and the estimated cost is about \$50,000. Therefore, the residents are extremely concerned about any further damage to the lake since the maintenance of the lake is the responsibility of the homeowners in this particular section of West Leigh. Mr. Richmond said the sewer line will be placed about twenty-four feet deep in his yard and he is not certain what amount of dirt will have to be removed in order to install the line that deep. Mr. Richmond asked that this problem be considered by the Board. Mr. Richmond then reviewed the history of the roads in West Leigh and noted that approximately one-half mile of the road leading across the railroad tracks out to Route 250 is owned by several different people and one family was not even given notice of this meeting tonight. Regardless of ownership, Mr. Richmond noted that due to a fluke in the West Leigh covenants and restrictions, it is the legal responsibility of the owners in West Leigh, with the exception of the lots around the lake, to maintain the road leading out to Route 250. Even though this is not a relevant point he felt that the Board should be aware of the fact that this responsibility is entirely the homeowners. Not only will the sewer line be crossing West Leigh Drive but he is concerned about all the construction vehicles using this road during construction of the pumping station. In general, Mr. Richmond asked what kind of protection the homeowners can be afforded with respect to the roads. The normal bond on projects such as this states that any damage done with respect to the construction of a sewer line will be repaired by the contractor. In his opinion, this language does not govern the damage done to a road which is not part of the sewer easement itself. Mr. Richmond said there are pot holes in the road now and he is concerned about how the property owners will know what damage has been done by the construction trucks. Mr. Richmond asked that a special bond or requirement on the contractor to maintain the roads be imposed and the status of the existing road conditions be determined at the beginning of the project. Mr. Richmond also questioned the process used for approval of this special permit. The sewer line is allegedly permitted under Section 30.3.5.1.1(6) and he then read what is allowed by right in the flood plain. According to this language, there is no provision in the Zoning Ordinance for a sewer interceptor line to cross a flood plain. Therefore, he felt a zoning text amendment is necessary before this sewer line can be considered. Mr. Richmond said he did not understand why the line suddenly leaves Route 250 goes through a residential section, and then goes back to Route 250 approximately two-tenths of a mile further eastward, just to avoid construction of a pumping station. He felt a pumping station could be built at Ivy that would be adequate to pump the effluent over the hill down past West Leigh and maybe up the next hill. Mr. Richmond then questioned the costs involved for the alternative. He said Mr. Williams did not give any estimates of costs, but rather just stated that there will be additional costs after the year 2000. Mr. Richmond agreed that the Crozet interceptor is very important but the routing through West Leigh is, in his opinion, one of the greatest abuses of eminent domain that he has ever seen in his law practice. In conclusion, Mr. Richmond felt costs should be given for the alternative route and some consideration given to the residents of West Leigh.

There was no one else to speak for or against the petition and the public hearing was closed.

Mr. Lindstrom asked for the cost for an alternative route versus the proposal presented tonight. Mr. Williams said approximately \$817,000 is the difference in costs of the two routes due to the need to operate a pumping station for an additional thirty years. Mr. Lindstrom then asked for an explanation of the fifty versus thirty year situation. Mr. Williams said in twenty years it is felt that a gravity line will be built along Ivy Creek going toward the South Fork Reservoir, eventually tying into the Rivanna interceptor. If that happens, the pumping station in West Leigh could be abandoned. If not, it would become a permanent pump station. Mr. Lindstrom asked what would trigger the need for the additional line mentioned by Mr. Williams. Mr. Williams said two things would trigger the need. One, if growth occurs in Crozet as indicated in the Comprehensive Plan and secondly, when the flow into the interceptor exceeds 2,500 gallons per minute.

Miss Nash asked if the \$817,000 additional cost includes condemnation of properties and payment for damages. Mr. Williams said the difference is basically that of construction and operation costs and he does not know condemnation costs at this time.

Mr. Lindstrom asked why an additional line could not lie parallel to this line. Mr. Agnor said the Morey Creek/Moores Creek interceptors do not contain capacity to take the excess flow that will come through the Crozet interceptor. Another line will have to be built because of this limitation. Mr. Lindstrom said one of the Board's biggest concerns while working on the Comprehensive Plan was that the Crozet Interceptor has the potential for stimulating growth in an area where growth is not desired. He felt that shooting the alternate route into the area mentioned will stimulate growth. He felt the Board should examine the alternative of a line lying parallel to an existing line in order to avoid stimulating growth. He felt it would be desirable to have a map presented at the next meeting showing the proposed line and the land along that line that could be gravity fed.

Mr. Fisher said he thought the Board had rejected ten years ago the idea of having a line go near the Reservoir. He was stunned to hear the justification for taking the line into West Leigh is based on having that line eventually go in that direction. Mr. Williams said that is correct when looking only at a twenty-year span of time, but this work is very expensive. Mr. Lindstrom then asked when the population in Crozet will trigger the need for this additional line. Mr. Paul Shoop from the Rivanna Water and Sewer Authority, was present and said with the present rate of growth, the 2,500 gallons per minute limitation on the Moores Creek/ Morey Creek interceptor will be met in about twenty-three years.

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Mr. Lindstrom agreed with Mr. Williams that it would be foolish to build something that is not adequate for a good length of time, but he did not clearly understand the imperative for having this other route in the future. He then asked if the line is built along Route 250, if the pumping station would still have to be there. Mr. Williams said yes, and also a new interceptor would have to be built all the way to the plant.

Mr. Fisher noted agreement with the concerns of Mr. Lindstrom. He said he is familiar with the terrain in West Leigh and the idea of putting this line between the houses and the lake would be a terrible thing to live through during the construction process. He felt that if there is any way to avoid that disruption and stay on the public right-of-way on Route 250 West, which is a shorter route, then he would like to have that explored. He would like to know in greater detail the comparative cost figures for the long range plans as well as the location of the line and the pumping stations. Mr. Williams asked if that information is requested for past the twenty year period of time. Mr. Fisher said yes. Mr. Fisher suggested deferring action of this petition until June 8 for the submittal of information on the comparative cost figures of the alternative route versus the proposed route. In particular, the costs of condemnation and problems caused by construction on those properties. Mr. Williams said that many times roads used by the Authority during construction projects have benefited and the roads in West Leigh would be in the same or even better condition than they were originally. Mr. Lindstrom then offered motion to defer action on SP-83-20 to June 8 in order that the information requested by Mr. Fisher could be submitted. He also noted his desire to see a schematic of the ultimate plans for the interceptor for serving needs fifty years hence.

Mr. Harry Marshall, counsel for the Rivanna Water and Sewer Authority, was present. He noted that the control of growth is controlled by the Board by not extending service areas of the Albemarle County Service Authority. Mr. Fisher said the Board is aware of that.

Miss Nash then seconded the motion. She asked to what extent damages could be assessed for this type of project; in particular, the concern about the smell from the manholes. Mr. St. John said the general rule of thumb is that whatever depreciates or diminishes the price that the lot could be sold for is the amount of damages.

Mr. Henley noted that he was glad to see the Board members so concerned about these property owners. When discussions were held on the Buck Mountain Reservoir project, he did not notice anyone concerned about smells and roads then.

Mr. Fisher said he would like for the issue about the project crossing the flood plain to be addressed. Mr. St. John said he understood the statements made by Mr. Richmond but felt it is clearly established in the Zoning Ordinance that this line can be built and he did not feel an amendment to the Zoning Ordinance is necessary. This is a transmission line and the Zoning Ordinance states that a pumping station can be allowed and he did not see how there could be a pumping station without lines leading to and from same.

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

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.

NAYS: None.

Agenda Item No. 3. Public Hearing: 1983-84 Secondary Highway Improvement Budget. (Advertised in the Daily Progress on May 3 and May 10, 1983.)

Mr. Dan Roosevelt, Resident Highway Engineer, was present and paraphrased Section 33.1-70.01 of the Virginia Code regarding the purpose of this public hearing. Mr. Roosevelt said at the April 14, 1983, Board meeting he presented the estimate of \$1,150,870 as the funds available for the 1983-84 Highway budget. Mr. Roosevelt said in addition to presenting the proposed budget for the 1983-84 Fiscal Year, he has also displayed a synopsis of the approved six-year plan from which the projects for the Secondary Budget come. Mr. Roosevelt said he is disappointed to report that official information has been received that the funds available for secondary improvements will only be \$1,125,896 instead of the \$1,150,870 estimated in April. Mr. Roosevelt then reviewed the following proposed 1983-84 Secondary Highway Improvement Budget:

PRIORITY	ROUTE	FROM	TO	DESCRIPTION	ALLOCATION
1	743	29	1.3 MW	Hydraulic Road	718,870
(Mr. Roosevelt said this project is underway and the allocation is for four-laning from Route 29 west past Albemarle High School on Route 743.)					
2	County Wide			Rural Additions	20,000
(Mr. Roosevelt said counties are allowed by State Code to set aside an allocation each year for upgrading and improving roads which are not in the State Secondary System.)					
3	County Wide			New Signs	8,000
(Mr. Roosevelt said this is a self-explanatory project.)					
4	County Wide			New Pipe	5,000
(Mr. Roosevelt said this is financing the installation of entrance pipes in accordance with the Departmental policy. If a property owner needs a new entrance and purchases the necessary pipe, the Highway Department will install the pipe and this allocation is for the labor involved.)					

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PRIORITY	ROUTE	FROM	TO	DESCRIPTION	ALLOCATION
5	County Wide			Erosion Control	13,000
(Mr. Roosevelt said the majority of this allocation will be used to match funds in the Federal Program which the County is required to follow in order to improve farm land and roadway crossings.)					
6	764	663	.15 MW	Widen & Hard Surface	20,000
(Mr. Roosevelt said this is a gravel road which leads into the Pines Subdivision.)					
7	769	20	1484	Widen & Hard Surface	100,000
(Mr. Roosevelt said this is the back entrance to Key West Subdivision which is currently a gravel road.)					
8	631	631	NCL	Meadow Creek Parkway	205,000
(Mr. Roosevelt said this is a supplemental allocation for this new road from the Vocational Education Center to the City limits at Melbourne Road.)					
9	671	609	668	Widen & Hard Surface	61,000
(Mr. Roosevelt said this road is north of Free Union.)					

Mr. Roosevelt noted that the Planning Commission, at its meeting on March 29, 1983, adopted the foregoing budget.

Mr. Butler then referred to alternatives which were reviewed by the Planning Commission and are as follows: One mile of hard-surfacing on Route 645; 400 feet of guardrail on Route 715; and a bridge on Route 743. Mr. Butler said his question is particularly in reference to Route 645. Mr. Roosevelt said the alternatives can be added to the Six-Year Highway Plan when same is revised or the projects could be done using funds in the county-wide undesignated item allocation in the Six-Year Plan. This item carries a total of \$140,000. Any project up to that amount could be added to this budget and still be in compliance with the Plan. The four county-wide projects listed in the proposed 1983-84 budget (Items #2, 3, 4, 5) total only \$46,000 of the \$140,000.

Mr. Fisher said the revised figure from the State reduces the grand total for the 1983-84 budget by about \$25,000. He asked Mr. Roosevelt his recommendation on which project to reduce this amount. Mr. Roosevelt recommended that the \$25,000 be taken from the allocation for the Hydraulic Road project (Route 743-project #1) because another allocation will be required in the next year's budget.

Mr. Butler asked what is necessary to get some of the undesignated funds to finish a project. Mr. Roosevelt then explained the procedures involved and summarized by stating that the Board is to tell the Highway Department what projects are desired for the allocation of funds.

Mrs. Cooke noted confusion about Mr. Roosevelt's recommendation that \$25,000 could be deducted from the Hydraulic Road project since that project is presently underway. Mr. Roosevelt said the Highway Department's policy is that any project under construction should be paid for no later than the fiscal year following the completion of the project. The Hydraulic Road project should be finished by October or at the latest in the spring of 1984. This would mean that the County has until 1984-85 to allocate the necessary funds to pay for the project. In other words, Mr. Roosevelt said all the money does not have to be in hand when the project is finished.

The public hearing was then opened. First to speak was Mrs. Lucille Huffman, resident of Route 645. She said Route 645 has been waiting completion for eleven years. She asked if the road could not be completed this year and not placed in the Six-Year Plan again.

Speaking next was Mr. Champ Greene also a resident on Route 645. He requested the Board's attention and consideration to upgrade Route 645 to hard-surface. Currently there are ten residents on the unpaved section which is approximately 1.4 miles long and the section is in bad condition. Mr. Greene said the road is analogous to the roads which were used by covered wagons.

Mr. Lester Smith, also a resident on Route 645, spoke next in repetition of the previous speakers. He concluded by stating appreciation for consideration of funds being provided to pave Route 645.

Mr. Fisher asked if all of the necessary right-of-way for this road project has been dedicated. Mr. Roosevelt said the gravelled section is 1 1/2 miles long. The first one mile was widened in the early 1960's so the right-of-way is available. He has an estimate of \$43,000 to hard-surface only the first mile of the road which has a traffic count of fifty-three so is eligible for hard-surfacing. The section from one mile south of Route 608 to one and one-half miles south has not been improved. The right-of-way has not been dedicated and there are only twenty-six vehicle trips per day. This section is not included in the estimate. Mr. Fisher noted that even if the right-of-way were dedicated there is not enough traffic since fifty vehicle trips day is the minimum count for hard-surfacing.

Mr. Greene asked when the traffic count was taken. Mr. Roosevelt said between June and August 1982.

Next to speak was Mr. Robert Estes, property owner on the last one-half mile of Route 645. He noted willingness to dedicate right-of-way along his property if same is necessary. Since the traffic count was taken, two families have moved into the area. Mr. Fisher urged that the necessary right-of-way be dedicated as soon as possible in order to speed up the approval process when the traffic count warrants hard-surfacing.

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Mrs. Lester Smith then asked the procedure for dedicating the right-of-way. Mr. Roosevelt explained the procedure and noted that usually one property owner handles the necessary paperwork for this.

Next to speak was Mr. Hank Hopper, resident on Route 645 for eleven years. He noted that the road is in bad shape and asked if it were possible to pave at least the one mile.

With no one else to speak for or against the budget, the public hearing was closed.

Mr. Butler offered motion to designate \$43,000 from the undesignated funds to hard-surface one mile of Route 645. Mr. Fisher asked if the \$43,000 needed for this project can be transferred from the Hydraulic Road project in order to get Route 645 done in Fiscal Year 1983-84. Mr. Roosevelt said that would be no problem. As previously stated, an allocation will have to be made next year on Hydraulic Road and deleting \$43,000 this year just means having to add \$43,000 next year to the Hydraulic Road project. (Mr. Henley left the room at 8:59 P.M.) Miss Nash seconded the motion on the basis that the \$43,000 will be taken from some other project. Mr. Fisher restated the motion. (Mr. Henley returned at 9:00 P.M.)

Mrs. Cooke asked for clarification on the status of the Hydraulic Road project if this motion passes. Mr. Roosevelt repeated his previous statements and noted that this action will not affect the Hydraulic Road project.

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

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

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Mr. Roosevelt said other actions necessary tonight are to balance the 1983-84 budget and to set a priority for Route 645. He suggested reducing the allocation for Hydraulic Road (Route 743) to \$650,896; changing Route 671 from priority 9 to priority 10; and making Route 645 priority 9. The reason for his suggesting changing Route 671 is because Route 671 is not scheduled to be done in 1983 anyway and if there is a shortfall in funds there would be no problem with this project. Motion was then offered by Mr. Lindstrom to follow the recommendation of Mr. Roosevelt as follows: Hydraulic Road to be allocated \$650,896; change Route 671 from priority 9 to priority 10; Route 645 be added as priority 9 with an allocation of \$43,000; the remainder of the aforementioned projects remain as presented; the grand total of the 1983-84 Secondary Improvements Budget being \$1,125,896. Mr. Butler seconded the motion and same carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

Agenda Item No. 4. Public Hearing: Five Year Capital Improvement Program for Fiscal Year 1983-84 through Fiscal Year 1987-88. (Advertised in the Daily Progress on May 3 and May 10, 1983.)

Mr. Fisher said this was scheduled as a public hearing but it would really be only a work session. Mr. Agnor then introduced Mr. Keith Mabe, Principal Planner, to summarize the Planning Commission's recommendation of May 3, 1983 for the Capital Improvements Program. Mr. Mabe summarized the proposed project categories of the Five-Year capital improvements program along with the total project costs, county share, prior allocations, and the year of funding recommended by the Planning Commission. He noted that the work on the Educational department requests has not been concluded by the School Board and will be submitted at a later date. Mr. Mabe also noted that the Planning Commission recommended \$3,060,235 out of the \$6,645,064 total request and the Planning Commission also prepared a ranking of the requests by priorities.

Mr. Lindstrom asked when the Educational requests will be submitted. Mr. David Papenfuse was present and said the School Board hopes to complete its work on May 31, 1983.

Mr. Fisher noted appreciation for the action of the Planning Commission but did not feel there was any need to spend time on this matter until the Education requests and revenue projections are received. He then asked Mr. Agnor his recommendation for a work session on the program. Mr. Agnor recommended the afternoon of June 1, 1983. A brief discussion followed on the date for the work session to be scheduled. Mr. Fisher suggested June 1, 1983 at 2:00 P.M. and no objections were offered.

Mr. Lindstrom said inevitably the Board is going to have to deal with some aspects of the School's redistricting proposal. He then referred to a letter addressed to the Chairman of the School Board from Mr. Fisher in October, 1982 which contained four questions. He hoped that the School Redistricting Committee would review the letter when presenting its request in order that the Board would have a better perspective on the ramifications of the redistricting plan on the Capital Improvements Program. Mr. Papenfuse said the work of the Committee so far has been only to request funds for planning to implement the redistricting plan rather than committing funds to a specific project. Mr. Lindstrom said he felt the committee should at least look at the additional school buses that may be needed as a result of the redistricting plan even though the expense of that may not be placed in the Capital Improvements Program. Mr. Lindstrom then offered motion to schedule a work session on the Five-Year Capital Improvements Program for June 1, 1983, at 2:00 P.M. Mrs. Cooke seconded the motion and same carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

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Mr. Agnor said calls have been received from the public about this agenda item and he felt the Board should ask if anyone was present to speak on the program. Mr. Morris, representing the Jefferson County Firemen's Association, was present and asked how the Capital projects for the Albemarle County Service Authority will fit into this program. Mr. Mabe said the waterline extension program was shifted to the Service Authority when the Authority developed its own capital program. The actual projects will be reviewed later this summer.

The Board recessed at 9:26 P.M. and reconvened at 9:35 P.M.

Agenda Item No. 5. Adoption of Annual Appropriation Ordinance.

Mr. Fisher said he had requested some additional information from Mr. Agnor and asked that same be presented at this time. Mr. Agnor said a memo has been distributed this evening dated May 13, 1983, from Mrs. Jessie Haden, Chairman of the School Board, regarding the adoption of the budget this evening. This memorandum is in answer to a question as to whether the School Board would prefer that this meeting be deferred until a later date. Mrs. Haden offers thanks for the consideration but felt the budget process should be completed in order to consummate contracts with the teachers. Her memo also indicated some reservations about budget matters next year in terms of changes in estimates of expenditure needs.

Mr. Agnor said there have been some concerns expressed about the Route 29 North Corridor Bus Service and a memorandum has been distributed to the Board regarding that. Mrs. Helen Poore, Transit Manager, is present and will answer any questions.

Mr. Agnor then summarized his memorandum dated May 13, 1983, regarding the 1983-84 Appropriation Ordinance. Mr. Agnor said the significant difference this year in the Ordinance is that the School Board only submitted a grand total and requested that the Board allow them to make the necessary adjustments in line items.

"REVENUES:

General Fund -- an increase of \$126,022 from:

- 1) Sales tax reflecting an improving economy +\$129,300
- 2) State fund reductions from Compensation Board -\$3,278

School Fund -- a decrease of \$218,021 from:

- 1) Transfers from general government departments for vehicle maintenance +\$76,700. Of this amount \$30,000 represents an adjustment of the original staff estimate and \$46,700 represents an increase in the hourly labor change.
- 2) Recovered costs for retirement, life insurance and social security -\$329,138. Of this amount, approximately \$48,000 represents a reduced average teacher salary and reduced average daily membership, and approximately \$280,000 represents a computational error in the original estimate.
- 3) State Aid +\$34,417 with sales tax increasing \$84,088 from an improving economy, basic aid decreasing \$76,855 from a reduced average daily membership (9150 to 9071), and other sources increasing \$27,184 primarily from adjustments in original estimates.

Self-Sustaining Fund -- an increase of \$527,784 from:

- 1) Shifting Federal programs totalling \$593,213 to the operating budget.
- 2) Listing the McIntire Trust Fund totalling \$5,000
- 3) Listing the Regional Jail Fund totalling \$1,115,997

Appropriations (From General Fund):

- 1) Vehicle maintenance distributed among eleven departments +\$ 46,700
- 2) Personnel department - reserve to pay 1984 increase in FICA recently approved by Congress, to be distributed to all departments. \$ 30,000

(Mr. Agnor said the Social Security Tax (FICA) is currently 13.4% with one-half paid by the employer and one-half paid by the employee. Congress enacted legislation this year to change this amount to 14% as of January 1984. Therefore, the employer will pay 7% which is a change from the 6.7% stated at the beginning of the budget work sessions. However, the employees share will not increase this year.)

- 3) Education Department - Additional local funds required to balance revised budget. + 20,579
- 4) Commonwealth's Attorney - funding for Victim Witness program. + 8,000
- 5) Parks and Recreation Department - deletion of Hatton Ferry funds (included in Secondary Highway Budget). - 7,500

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6)	VPI and SU Extension Service - reduction in funding caused by agreement signed in May, 1983.	- 4,917
7)	Board of Supervisors - a reserve for:	+ 33,160
1)	State approvals of Social Services and Constitutional offices budgets	
2)	Adoption of revised street light funding policy.	
3)	Approval of revisions to General Government Pay/Classification Plan	
	Total	<u>+\$126,022</u>

Also attached is a copy of a memorandum from Mr. Papenfuse to the School Board dated May 3, 1983, which details the revisions to the School budget. The following summarizes those revisions:

	<u>School Board Request</u>	<u>Recommended for Hearing</u>	<u>Revised by Staff</u>	<u>Difference vs. Revised</u>
Salary and Fringes	\$20,621,325	-	\$20,350,617	-\$270,708
Other Operating Costs	4,342,852	-	4,185,254	- 157,598
Capital Outlay	607,441	-	464,840	- 142,601
Total Budget	\$25,571,618	\$25,198,153	\$25,000,711	-\$570,907
School Fund Revenues	11,178,853	11,178,853	10,960,832	- 218,021
General Fund Revenues	\$14,392,765	\$14,019,300	\$14,039,879	-\$352,886

To balance the revised School operating budget, \$20,579 will be required in General Fund revenues above the amount recommended. Those funds are included in the Appropriation Ordinance. If approved, the total appropriation to the school system will be:

	<u>82-83</u>
Operating	\$25,000,711
Debt Service	2,037,242
Federal Programs	593,213
Sub total	<u>\$27,631,166</u>

Cafeteria Operations	1,284,552
Textbook Rentals	205,000
McIntire Trust	5,000
	<u>\$29,125,718</u>

Revenue Sources:

Local Funds	\$15,915,721
State Funds	10,262,647
Federal Funds	909,398
Revenue Sharing Funds	161,400
Miscellaneous Revenues	382,000
Sub total	<u>\$27,631,166</u>

State/Federal Lunch	\$ 400,000
Lunch Receipts	884,552
Textbook Rentals	120,000
Textbook Fund Balance	85,000
McIntire Fund	5,000
Total	<u>\$29,125,718</u>

SUMMARY:

The School budget has been revised in accordance with the instruction to provide all employees with a five percent salary increase and to retain any remaining funds for the approved programs and the installation of a merit plan for classified employees. The shortfall in funds to meet the requested budget was originally \$373,000, of which it was estimated that \$100,000 could be gained by recalculating fuel costs, health insurance costs, and increasing revenues from vehicle maintenance services, leaving a net shortfall of approximately \$270,000. It was estimated that salary adjustments could provide a reduction of approximately \$400,000. (Mr. Agnor noted that \$300,000 would be in the instructional category and \$100,000 in the classified category. The \$100,000 in the classified category was retained by the school staff for the merit plan and \$60,000 for the revisions to their Pay/Classification Plan. Therefore, the \$100,000 of salary, \$400,000 adjustment was not available for decreasing their need in the salaries of the classified employees.)

As reported to the School Board in an April 20 memo from Mr. Papenfuse, the recalculations of salaries amounted to a \$257,000 net savings, but the budget was still short \$247,000, primarily from a \$280,000 computational error in the original calculations of State revenues. From the discovery of that problem, Mr. Papenfuse has worked diligently to recommend additional cuts which are listed on page 20 of the attachments to his May 5 memo. The bulk of the cuts (\$142,000) have been made in capital outlay, of which approximately \$70,000 is listed for transfer to the Capital Improvement Program budget. All of the reductions have been selected so as not to impair any instruction programs.

It is recommended that the Appropriation Ordinance be approved."

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Mr. Agnor then referred to the information which Mr. Fisher had requested regarding the Fiscal Year 1983-84 Salary Comparison of the County School System to that of the City. (Copy of this information is on file in the Clerk's Office.) He noted that there are currently eleven steps in the teachers pay scale and the School Board has proposed to add one additional step for the coming year. Mr. Agnor then summarized the information which contained the salaries for steps 0 through 11+(12), the County's FICA salary, taxable salary and equivalent salary which includes retirement and life insurance, and the comparison of those with the City's gross salary for each step. Mr. Agnor then noted the following assumptions for the salary comparison:

1. County School Board will adopt a FY 83-84 salary scale with no increase in base (starting) salary.
2. A five percent step increase will be provided for all current employees.
3. Step 11+ will be added to allow those employees at the top of the present scale (step 11) to get a five percent increase.
4. Comparison is made on present FICA plan for the first part of FY 83-84 (through December 31, 1983).
5. Pay scales used in comparisons are for teachers working ten-month contracts with a Bachelor's degree and no activity stipends. Advanced education or other stipends would increase amounts shown.

CONCLUSION:

1. If such a scale is adopted for County teachers, their net salary before Federal and State income tax withholdings will exceed that of City teachers at all steps except Step 0 and Step 1. When income tax withholdings are included in the comparison, the net salary for County teachers will exceed that of City teachers in all steps except Step 0.
2. If the five percent increase were applied to giving a five percent base increase with no further step increase, County teachers would be compensated at a level exceeding that of City teachers at all steps."

Mr. Agnor then referred to memorandum entitled "Albemarle County Schools--Comparison of School Budget by Current Categories" which contained the categories with actual amounts spent in 1981-82, category amounts for the 1982-83 budget, and the initial and final 1983-84 budget requests.

Mr. Lindstrom noted concern about the amount proposed for the Route 29 North Bus Service (\$18,243) for the 1983-84 budget. According to the memorandum dated April 12, 1983, from Mr. Agnor, (Copy of the memorandum is on file in the Clerk's Office.) in order for the bus system to pay for itself out of sales tax revenues generated at Fashion Square, etc., all those persons riding the bus would have to spend \$24.00 on each trip. He said he would be surprised if that was averaged on every trip. His concern is that this is really a subsidy for a few shopping areas on Route 29 North, and he did not feel there is any meaningful service for the County citizens being provided by this system. He was disturbed that the general County citizenry has to pay for this service. Mr. Agnor said periodic surveys are done and one is being conducted now to obtain ridership figures. Mrs. Helen Poore said the survey will not be complete until the end of the month to show how many of the riders are commuters and how many are shoppers. She does not know how the Board addresses the value of public transportation but personally feels the routes are very productive and the actual subsidy is being gradually reduced on the routes. Mr. Lindstrom then asked the location of the bus stops. Mrs. Poore said they are at Midas Muffler, Dart Drug, Albemarle Square, and Fashion Square. Mrs. Poore said the bus runs from the Downtown Mall, through the University, Barracks Road Shopping Center, and then out to Albemarle Square. Mr. Lindstrom asked if the study being conducted will show point of origin as well as purpose. Mrs. Poore said yes. Mr. Lindstrom said he would be surprised if the study shows a big difference from what is already known. He then asked if this item is included in the 1983-84 budget and then the study shows that there is no justification for the system if the County can terminate its participation. Mr. Fisher said the Route 29 Bus System is operated according to a contract. Mrs. Poore noted that the contract is according to the County's fiscal year.

Miss Nash asked if someone could explain to her the difference in the final request from the School Board for \$25,000,711 and that of \$27,631,166 in the Appropriation Ordinance for the School Fund. Mr. Agnor said the amount in the Appropriation Ordinance is the combination of the request from the School Board, the addition of Federal School Programs, and the Debt Service for the Schools.

Mr. Fisher then acknowledged appreciation to Mr. Agnor, Mr. Papenfuse, Mr. Jones, Mr. Breeden, and Mrs. Gough who have spent a great deal of time in preparing this information for the Board.

Miss Nash then offered motion to adopt the Annual Appropriation Ordinance for the Fiscal Year ending June 30, 1984. Mr. Butler seconded the motion.

Mr. Lindstrom said people are more concerned about education than anything else. Mr. Lindstrom said he feels that next to the parents of the children and the School Board, this Board has the greatest responsibility for education. His biggest concern during this year's budget process has been that this Board should go along with the School Board's request. Even though that is his feelings this year, he knows that there will be some years when he will have to swallow those words. Mr. Lindstrom felt this Board has to come to grips with the local situation and responsibility. Even though there is validity in comparing City and County salaries, he feels the ultimate decision has to be whether the County is providing adequate education for its children. Mr. Lindstrom felt this community has a bigger responsibility than most because Albemarle County is unique. People in the County are able to provide better education than in 99 percent of the local communities in the country. He felt that sooner or later the County will have to be aggressive and initiate an approach to education that will be respectful of its needs. Mr. Lindstrom felt

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the citizens in the County are frustrated about what the Board is doing this year, but do not know how to handle the situation. Citizens have indicated that they do not feel the quality of education in the County is what it should be. Mr. Lindstrom said he personally could not live on the salary at the top of the teacher's scale, and noted that the top of the scale is less than the median income in the County. Mr. Lindstrom said it was ironic that during the presentation for a public housing project last week, one of the bankers said that County teachers could qualify for public supported housing. There are a lot of employees in the County, other than teachers, who are perhaps in that same category. Mr. Lindstrom felt that there are many good teachers in the County and this community has the ability to create an educational system, not only through salary incentives but through curriculum, in order to attract other qualified people to the community. However, Mr. Lindstrom did not feel that is possible as long as this Board is battling with the School Board over "bits and pieces". Mr. Lindstrom felt that if the situation has gotten to the point that this Board is telling the School Board that it lacks faith in the School Board's actions, and the motion just made is an indication of lack of faith, then it is the Board's responsibility to initiate changes to create circumstances that will be acceptable to the Board. In conclusion, Mr. Lindstrom said he felt this Board has to meet with the School Board and develop an atmosphere that can be worked in and not against each other. He personally shared the frustrations of many County citizens and teachers and other people involved in the educational system and felt the Board needs to meet more frequently with the School Board to resolve differences.

Miss Nash said a lot of Mr. Lindstrom's statements were true, but a lot is just talking. She did not feel that a lot of the people she has seen are naturally interested in education. Miss Nash said she also is interested in education, but feels there is a need to view this from a practical point of view. The Board of Supervisors has the fiduciary responsibility for the funds of the County. She did not feel the Board could just hand over funds without some controls. If that were done, then the Board would be derelict in its duties to the County taxpayers. She felt Mr. Agnor and Mr. Papenfuse have worked very hard to resolve matters and that is the reason she offered the above motion because she did feel this is a step forward. Miss Nash said in spite of what Mr. Lindstrom has said that there are a lot of people who believe in education, there are also a lot of people who feel there are other things that should be handled as well.

Mrs. Cooke said many of Mr. Lindstrom's statements reflect her feelings. She personally feels quality education in the County affects every citizen. If quality education is not provided for the children of this County who will be taxpayers in future years, then the Board has cheated not only the children but the community as well. She then noted that when she was running for office, the League of Women Voters asked her what methods or values she would use for Board appointments. She felt the Board must make appointments with persons capable of doing the best job. Mrs. Cooke said she has some rapport with her appointee to the School Board and unless every Board member has that same rapport, there is no way to have quality education in the County. As has been stated before, the Board of Supervisors cannot do everything and has to learn how to delegate authority and have confidence in appointees to boards and commissions. Mrs. Cooke then noted her vote of confidence to Mr. Papenfuse for the work he has done in his short period of employment with the County Schools. Mrs. Cooke said she will support the motion because this is to be the final vote of the Board on the budget and she does not feel there is any need not to have an unanimous vote. However, she is very upset with the fact that the teachers get the short end of the stick and did not feel there is any way to have quality education without quality teachers and quality teachers will not be attracted without decent salaries.

Mr. Butler said he too supports quality education. However, his decision on the budget has been made while trying to think about all the people he represents. He personally does not feel taxes can be raised at too fast a pace. Mr. Butler agreed that there is a need to work together with teachers, the School Board and the County citizens to discuss items of concern and reach a consensus to benefit all the citizens of the County. The past year has been very hard for many County citizens and particularly farmers who have not made any profit for ten years. Therefore, as a representative of all types of constituents, he had seconded the motion. He felt the increase was a fair amount for teachers and others. In conclusion, Mr. Butler said he would pledge himself to work hard to improve teacher salaries and all other employees as the economy grows and resources develop.

Mr. Fisher said he heard loud and clear when the School Board presented its budget that there could be no further cuts in programs. When the Board made the decision to not increase the tax rates (a decision which he supported) the only other solution was to reduce salaries. He personally feels what has been offered is a reasonable amount. The salary comparisons of the County teachers to the City teachers is definitely not what he expected to see because so many times parents and teachers have told the Board that the City's salaries are better. He concluded by stating that he hoped the media present tonight would make every effort to reproduce this information for the public.

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

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: Mr. Lindstrom.

(The Appropriation Ordinance as adopted is set out on the following pages.)

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ANNUAL APPROPRIATION ORDINANCE
OF THE COUNTY OF ALBEMARLE, VIRGINIA
FOR THE FISCAL YEAR ENDING JUNE 30, 1984

An ordinance making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 1984; to prescribe the provisos, terms, conditions and provisions with respect to the items of appropriation and their payment; and to repeal all ordinances wholly in conflict with this ordinance and all ordinances inconsistent with this ordinance to the extent of such inconsistency.

BE IT ORDAINED by the Board of County Supervisors of the COUNTY OF ALBEMARLE, VIRGINIA:

SECTION I

That the following sums of money be and the same hereby are appropriated for the purposes herein specified for the fiscal year ending June 30, 1984:

Paragraph One

For the current expenses of COLLECTION AND DISBURSEMENT OF TAXES AND OTHER REFUNDS the sum of two million one hundred ninety-nine thousand three hundred dollars and no cents (\$2,199,300) is appropriated from the General Fund to be apportioned as follows:

- | | |
|------------|--------------|
| 1. Refunds | \$ 2,199,300 |
|------------|--------------|

Paragraph Two

For the current expenses of the function of GENERAL MANAGEMENT AND SUPPORT the sum of three million three hundred eighty-nine thousand two hundred seventy dollars and no cents (\$3,389,270) is appropriated from the General Fund to be apportioned as follows:

- | | |
|---|------------|
| 1. Board of Supervisors | \$ 227,770 |
| 2. County Executive | 103,940 |
| 3. Personnel | 108,835 |
| 4. Legal Services | 125,625 |
| 5. Data Processing | 326,865 |
| 6. Finance | 1,006,318 |
| 7. Engineering | 212,524 |
| 8. Planning | 269,445 |
| 9. Landfills | 418,335 |
| 10. Elections | 62,160 |
| 11. Staff Services | 440,107 |
| 12. Thomas Jefferson Planning District Commission | 18,142 |
| 13. Soil and Water Conservation | 9,230 |
| 14. Watershed Management | 26,605 |
| 15. Visitor's Bureau | 33,369 |

Paragraph Three

For the current expenses of the function of HUMAN DEVELOPMENT the sum of three million two hundred eighty-one thousand nine hundred eighty dollars and no cents (\$3,281,980) is appropriated from the General Fund to be apportioned as follows:

- | | |
|---|------------|
| 1. Parks and Recreation | \$ 450,890 |
| 2. Redevelopment and Housing | 61,695 |
| 3. Virginia Public Assistance | 816,252 |
| 4. Public Assistance-Payments | 566,880 |
| 5. Food Stamp Program | 149,267 |
| 6. Fuel Assistance Program | 53,685 |
| 7. Health Department | 321,700 |
| 8. Mental Health | 90,660 |
| 9. Regional Library | 455,040 |
| 10. Piedmont Virginia Community College | 4,615 |
| 11. Extension Service | 64,493 |
| 12. District Home | 13,500 |
| 13. Offender Aid and Restoration | 15,970 |
| 14. Madison House | 4,050 |
| 15. Community Action Agency | 16,310 |
| 16. Jefferson Area Board on Aging | 5,057 |
| 17. Albemarle Housing Improvement Program | 132,500 |
| 18. Jefferson Area United Transportation | 12,391 |
| 19. Youth Services Center | 6,242 |
| 20. Shelter for Help In Emergency | 19,140 |
| 21. Charlottesville/Albemarle Legal Aid Society | 3,400 |
| 22. Route 29 North Bus Service | 18,243 |

Paragraph Four

For the current expenses of the function of PUBLIC SAFETY AND JUSTICE the sum of three million one hundred thirty-one thousand seven hundred twenty-two dollars and no cents (\$3,131,722) is appropriated from the General Fund to be apportioned as follows:

1.	Clerk, Circuit Court	\$ 205,775
2.	Circuit Court	19,900
3.	General District Court	8,880
4.	Commonwealth's Attorney	178,115
5.	Juvenile Court	25,083
6.	Sheriff	1,338,965
7.	Fire Department	313,929
8.	Forest Fire Extinction Service-State	3,020
9.	Volunteer Fire Departments	205,500
10.	Code Enforcement	379,675
11.	Animal Control	57,203
12.	Rescue Squads	36,450
13.	Zoning	138,930
14.	Emergency Services	6,280
15.	Regional Jail	66,800
16.	Juvenile Detention Home	11,274
17.	Magistrate's Office	2,160
18.	Emergency Medical Services Council	6,626
19.	Community Attention Home	10,000
20.	SPCA Shelter Contract	3,600
21.	911 System	45,000
22.	Law Enforcement Reserve	68,557

Paragraph Five

For the current expenses of the function of CAPITAL OUTLAYS the sum of six hundred sixty-one thousand four hundred dollars and no cents (\$661,400) is appropriated from the General Fund and transferred to:

1.	Capital Improvements Fund	\$ 661,400
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Paragraph Six

For the current expense of the Annual Payment to the City of Charlottesville, pursuant to the Revenue Sharing agreement between the City and the County dated February 17, 1982, payable in January, 1984, in the amount of one million five hundred thirty thousand nine hundred ninety-one dollars and no cents (\$1,530,991) is appropriated from the General Fund as follows:

1.	Revenue Sharing Payment to City of Charlottesville	\$1,530,991
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S U M M A R Y

TOTAL GENERAL FUND appropriations for Fiscal Year Ending June 30, 1984	<u>\$14,194,663</u>
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To be provided as follows:	
Revenue from Local Sources	\$11,462,594
Revenue from the Commonwealth	2,721,069
Revenue from the Federal Government	11,000
Total GENERAL FUND resources available For Fiscal Year Ending June 30, 1984	<u>\$14,194,663</u>

SECTION II

That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified for the fiscal year ending June 30, 1984:

Paragraph One

For the current expenses of the SCHOOL fund the sum of twenty-seven million thirty-seven thousand nine hundred fifty-three dollars and no cents (\$27,037,953) is appropriated from the School Fund to be apportioned as follows:

1.	Administration	\$ 476,314
2.	Instruction-Regular Day School	13,892,415
3.	Attendance and Health Services	562,641
4.	Pupil Transportation	1,829,832
5.	Operation-School Plant	2,346,698
6.	Fixed Charges	4,555,807
7.	Adult Education	11,800
8.	Other Education Programs	410,283
9.	Capital Outlay	375,101
10.	Charlottesville/Albemarle Technical Educational Center	539,820
11.	Debt Service	2,037,242

Paragraph Two

For the current expenses of FEDERAL SCHOOL PROGRAMS the sum of five hundred ninety-three thousand two hundred thirteen dollars and no cents (\$593,213) is appropriated from the School Fund to be apportioned as follows:

1. Chapter I	\$ 480,027
2. Migrant Education	48,802
3. ESEA Title IV-C (ELII)	7,600
4. Title IV-C (ELS)	3,000
5. Chapter II	53,784

S U M M A R Y

Total SCHOOL FUND appropriations for
Fiscal Year Ending June 30, 1984 \$27,631,166

To be provided as follows:

Revenue From Local Sources (Trans from Gen. Fd.)	\$15,915,721
Revenue from the Commonwealth	10,262,647
Revenue from the Federal Government	909,398
*Federal Revenue Sharing (Transferred from Federal Revenue Sharing Fund)	161,400
Miscellaneous Revenue	382,000
Total SCHOOL FUND resources available For Fiscal Year Ending June 30, 1984	<u>\$27,631,166</u>

*Federal Revenue Sharing monies are earmarked for payment of energy usages of electricity and fuel in Education as set forth in Item 5, Paragraph One of this Section (Operation-School Plants).

SECTION III

That the following sums of money be and the same hereby are appropriated for the purposes herein specified for the fiscal year ending June 30, 1984:

Paragraph One

For the function of CAFETERIA OPERATIONS the sum of one million two hundred eighty-four thousand five hundred fifty-two dollars and no cents (\$1,284,552) is appropriated from the Cafeteria Fund to be apportioned as follows:

1. Maintenance and Operation of School Cafeterias	\$ 1,284,552
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S U M M A R Y

Total CAFETERIA FUND appropriations for
Fiscal Year Ending June 30, 1984 \$ 1,284,552

To be provided as follows:

Revenues from the Commonwealth	400,000
Lunch Receipts	884,552
Total CAFETERIA FUND resources available For Fiscal Year Ending June 30, 1984	<u>\$ 1,284,552</u>

Paragraph Two

For the function of TEXTBOOK RENTALS the sum of two hundred five thousand dollars and no cents (\$205,000) is appropriated from the Textbook Rental Fund to be apportioned as follows:

1. Textbooks	\$ 205,000
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S U M M A R Y

Total TEXTBOOK RENTAL FUND appropriations for
Fiscal Year Ending June 30, 1984 \$ 205,000

To be provided as follows:

Receipts from Rental Fees	120,000
Carryover balance	85,000
Total TEXTBOOK RENTAL FUND resources available For Fiscal Year Ending June 30, 1984	<u>\$ 205,000</u>

Paragraph Three

For the function of the McINTIRE TRUST FUND the sum of five thousand dollars and no cents (\$5,000) is appropriated from the McIntire Trust Fund to be apportioned as follows:

1. Payment to County Schools	\$ 5,000
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S U M M A R Y

Total McINTIRE TRUST FUND appropriations for Fiscal Year Ending June 30, 1984	\$ 5,000
To be provided as follows:	
Revenue from investments per trust	5,000
Total McINTIRE TRUST FUND resources available For Fiscal Year Ending June 30, 1984	\$ 5,000

Paragraph Four

For the function of REGIONAL JAIL OPERATIONS the sum of one million one hundred fifteen thousand nine hundred ninety-seven dollars and no cents (\$1,115,997) is appropriated from the Regional Jail Fund to be apportioned as follows:

1. Operation of Regional Jail	\$ 1,115,997
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S U M M A R Y

Total REGIONAL JAIL FUND appropriations for Fiscal Year Ending June 30, 1984	\$ 1,115,997
To be provided as follows:	
Revenue from Local Sources	246,282
Revenue from the Commonwealth	855,615
Revenue from Other Sources	14,100
Total REGIONAL JAIL FUND resources available For Fiscal Year Ending June 30, 1984	\$ 1,115,997

Total appropriations mentioned in Sections I through III in this Ordinance for the Fiscal Year Ending June 30, 1984:

RECAPITULATION

Section I	General Fund	\$14,194,663
Section II	School Fund	27,631,166
Section III	Self-Sustaining Funds	2,610,549
GRAND TOTAL		\$44,436,378

BE IT FURTHER ORDAINED that the director of finance is hereby authorized to transfer to other funds from the General Fund, from time to time as monies become available, sums equal to, but not in excess of, the appropriations made to these funds from the General Fund for the period covered by this appropriation ordinance.

SECTION IV

All of the monies appropriated as shown by the contained items in Sections I through III are appropriated upon the provisos, terms, conditions, and provisions hereinbefore set forth in connection with said terms and those set forth in this section.

Paragraph One

Subject to the qualifications in this ordinance contained, all appropriations made out of the General Fund, the School Fund, the Cafeteria Fund, the McIntire Trust Fund, the Regional Jail Fund, the Textbook Rental Fund, and the Grant Project Fund are declared to be maximum, conditional and proportionate appropriations--the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full. Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said fiscal year by the Board of Supervisors.

Paragraph Two

All revenue received by any agency under the control of the Board of Supervisors or by the School Board or by the Board of Public Welfare not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by the said agency under the control of the Board of Supervisors or by the School Board or by the Board of Public Welfare without the consent of the Board of Supervisors being first obtained. Nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation or make transfers between specific items of appropriation without the consent of the director of finance being first obtained.

Paragraph Three

All balances of appropriations payable out of the General Fund of the county treasury at the close of business on the thirtieth (30th) day of June, 1984, except as otherwise provided for, are hereby declared to be lapsed into the county treasury and shall be used for the payment of the appropriations which may be made in the appropriation ordinance for the next fiscal year, beginning July 1, 1984. However, nothing in this paragraph shall be construed to be applicable to the School Fund, Capital Improvements Fund, Cafeteria Fund, Textbook Rental Fund, McIntire Trust Fund, or Grant Project Fund, but any balance available in these funds shall be used in financing the proposed expenditures of these funds for the fiscal year beginning July 1, 1984.

Paragraph Four

No obligations for goods, materials, supplies, equipment or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for contractual services--such as communications, travel, freight, express--and membership fees and subscriptions shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual and the purchasing agent, who shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency or individual.

In the event of the failure for any reason of approval herein required for such contracts, said contract shall be awarded through appropriate action of the Board of Supervisors.

Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County Purchasing Manual shall not be considered obligations of the county, and the director of finance shall not issue any warrants in payment of such obligations.

Paragraph Five

Allowances out of any of the appropriations made in this ordinance by any or all county departments, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the same rate as that established by the State of Virginia for its employees and shall be subject to change from time to time to maintain like rates.

Paragraph Six

All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the director of finance.

Paragraph Seven

All ordinances and parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Paragraph Eight

This ordinance shall become effective on July first, nineteen hundred and eighty-three.

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Agenda Item No. 6. Set Tax Rates for 1983.

(Note: Notice of proposed tax increase caused by reassessment of real property--such notice published in accordance with Virginia Code Section 58-785.1--was published in the Daily Progress on March 29, 1983, heard at the public hearing on the budget on April 6, 1983, and no action having been taken by the Board to this date, the Board proceeded to set the tax rates for 1983 when motion was then offered by Mr. Henley, seconded by Miss Nash, to adopt the following resolution. Mr. Lindstrom said he will support the motion because the budget has been approved and funds have to be provided somehow. Roll was then called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, does hereby lay the County levy for the taxable year 1983 for General County Purposes at Seventy-Seven Cents (\$0.77) on every One Hundred Dollars worth of assessed value of real estate; at Five Dollars (\$5.00) on every One Hundred Dollars worth of assessed value of personal property; at Five Dollars (\$5.00) on every One Hundred Dollars worth of assessed value of machinery and tools; at Seventy-Seven Cents (\$0.77) on every One Hundred Dollars worth of assessed value on mobile home; at Four Dollars and Eighty Cents (\$4.80) on every One Hundred Dollars worth of assessed value of public service on unequalized assessments; and at Seventy-Seven Cents (\$0.77) on every One Hundred Dollars worth of assessed value of public service on equalized assessments; and

FURTHER orders that the Director of Finance of the County of Albemarle assess and collect on all taxable real estate and all taxable personal property, including machinery and tools not assessed as real estate, used or employed in a manufacturing business, not taxable by the State on Capital; including Public Service Corporation property except the rolling stock of railroads based upon the assessment fixed by the State Corporation Commission and certified by it to the Board of Supervisors both as to location and valuation; and including all boats and watercraft under five tons as set forth in the Code of Virginia; and all vehicles used as mobile homes or offices as set forth in the Virginia Code; except merchant's capital, farm machinery, farm tools, farm livestock, and household goods as set forth in the Code of Virginia, Section 58-829 and Section 58-829.1.

Agenda Item No. 7. Discussion: Ashcroft Water System Bond. (Deferred from May 11, 1983.)

Mr. Agnor said this will have to be deferred because the efforts to resolve the details for a procedure to bond the proposed Ashcroft Water System have not been successful. Therefore, rather than deferring this item to a specific date, he recommended that the staff present the matter when everything has been resolved. The Board agreed to the recommendation.

Agenda Item No. 8. Discussion: Agricultural/Forestral District Ordinances. (Deferred from May 11, 1983.)

The Board at its meeting on May 11, 1983, requested that the parent ordinance creating Agricultural/Forestral Districts be redrafted to exclude the phrase "any facility permitted pursuant to Section 10.2.1-6 of the Zoning Ordinance". Mr. St. John said this has been done and a copy has been distributed to the Board. However, he did question if the Board wanted to exclude this category referring to utilities. Mr. Lindstrom said his main concern had been with transmission lines and if that provision is not included then he would agree with Mr. St. John. Mr. St. John said the phrase referred to ordinary electric lines. From talking to a representative of the Agricultural and Consumer Services office, it appears to be next to impossible for anyone to build a transmission line through one of these districts.

Mr. Lindstrom then offered motion to advertise for public hearing on June 8, 1983, the Agricultural/Forestral District Ordinances with the deletion of the section regarding any facility permitted pursuant to Section 10.2.1-6 of the Zoning Ordinance. Miss Nash seconded the motion.

Mr. Henley then questioned wording in the ordinance regarding rental of more than one dwelling unit on one parcel. His question is in regards to four tenant houses which he has on his property. Mr. St. John said his houses would not be effected since they are existing at the time the ordinance is to be adopted. Mr. St. John said the whole idea of the language is that a use cannot change to a more intensive use than at the current time. Roll was then called on the motion and same carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

Agenda Item No. 9. Appointment of 1982-83 Auditors.

Mr. Fisher said he plans to request an executive session at the end of the meeting to discuss this item. He did not feel any action will be taken tonight.

May 18, 1983 (Regular Night Meeting)

Agenda Item No. 10. Clarification of Resolution Adopting CATS Study.

Mr. Fisher said the following resolution has been prepared for the Board's action and the purpose of the resolution is to clarify the Board's resolution adopted on April 14, 1983. The resolution of that date omitted the request to the Metropolitan Planning Organization to do the study of alleviating congestion in the Route 29 North Corridor, etc., which had been included in the resolution of February 9, 1983. Motion was then offered by Miss Nash, seconded by Mrs. Cooke, to adopt the following resolution. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia, that the document entitled "Charlottesville Area Transportation Study - Year 2000 Transportation Plan" (the Study), dated 1981 and prepared by the Transportation Planning Division of the Virginia Department of Highways and Transportation (VDH&T), with the assistance of Policy and Technical Committees appointed by the City and County, is hereby accepted and approved as an amendment to the Albemarle County Comprehensive Plan to be the "Transportation Element" with the following exceptions:

1. The Route 20 North Connector passing through Key West shall not be included as part of the amendment to the Comprehensive Plan and shall not be part of any transportation plan accepted or recommended by this Board.
2. The "Western By-Pass" consisting of a four-lane, divided highway extending 6.07 miles from Route 29 North at the South Fork of the Rivanna River to the Route 29/250 By-Pass shall not be included as a part of the amendment to the Comprehensive Plan and shall not be a part of any transportation plan accepted or recommended by this Board.
3. The McIntire Road Extension between Rio Road and Route 29 North (Hollymead) should be shifted from Phase IV to Phase II. This improvement along with improvements proposed to Route 29 North should provide viable transportation alternatives for the Urban and Hollymead growth areas for the foreseeable future.

BE IT FURTHER RESOLVED that the Metropolitan Planning Organization made up of representatives of Albemarle County, Charlottesville, the University of Virginia and the Virginia Department of Highways and Transportation be, and it hereby is, requested to study methods of alleviating congestion in the Route 29 North Corridor including but not limited to, the addition of extra lanes, express lanes, etc., and grade separation interchanges at critical intersections within the Route 29 North Corridor, and the possibility of a by-pass to the said corridor connecting the Route 29 North Corridor with the Pantops area, provided, however, that it is the expressed desire of the Albemarle County Board of Supervisors, consistent with its concern for the protection of public drinking water supplies, and the protection of existing neighborhoods that no alternative shall be studied which would impact or intrude upon any public drinking water impoundment located in Albemarle County, or impact or intrude upon any existing neighborhoods.

The Clerk of the Board of Supervisors is further directed to send copies of this resolution to the Virginia Department Of Highways and Transportation, the Metropolitan Planning Organization and the Charlottesville City Council.

Agenda Item No. 11. Appointment: MPO Technical Committee.

Mr. Agnor said at the May 11, 1983, meeting he was requested to check minutes of Board meetings regarding an additional appointee to the MPO Technical Committee. He felt the additional appointee was to be a staff person but Miss Nash felt the appointee was to be a citizen oriented to the technical aspects of transportation. Miss Nash said she felt a citizen should be appointed to study the alternatives to the western by-pass but not be a member of the technical committee. Mr. Agnor said he would recommend that the third member of the Technical Committee be a staff person and a Citizen Advisory Committee be appointed for the task of studying an alternative for the Route 29 North Corridor. Mr. Agnor said the expansion of the Technical Committee was done on a request from the City, and he would recommend suggesting to the City that the appointments be reduced to only two, thereby alleviating this problem. Miss Nash and Mrs. Cooke agreed with this that suggestion. Mr. Lindstrom then offered motion to defer the appointment to the MPO Technical Committee to the June 8, 1983, meeting. Miss Nash seconded the motion and same carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

May 18, 1983 (Regular Night Meeting)

Agenda Item No. 12. Transfer of Funds: Engineering Department for Stormwater Drainage Study.

The Board at its meeting on May 11, 1983, authorized the County Engineer to proceed with a Stormwater Drainage Study. This request is to transfer from the Personnel Department to the Engineering Department an amount of \$4,200 to cover the cost of the study. Motion was then offered by Mr. Lindstrom, seconded by Mrs. Cooke, to transfer \$4,200 from Code 1203-1007--Personnel Salary Adjustments to Code 4100-3002--Engineering, Consulting for the Stormwater Drainage Study. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

Agenda Item No. 13. Approval of Minutes: September 2, December 1 (Afternoon), 1982, and March 9, March 14, April 6 (Afternoon) and April 14, 1983.

Mr. Lindstrom said he had read the minutes of September 2, 1982 and discussed the following amendment with Mr. Fisher since the statement was made by Mr. Fisher. Mr. Fisher has approved same and the following additional sentences are to be placed at the end of the last paragraph on page 360: "Mr. Fisher asked Dr. Gutierrez if there was not a condition in their staff contracts that the contracts were good only as long as there was money available to fund them. Dr. Gutierrez responded that there was no such provision he was aware of, however it might be possible under state law. Mr. Fisher responded that that was a question for the school staff to look at, but in any event it is clear that the schools need to monitor their revenues and trim their expenditures to match them if the revenues start to decline to avoid overruns."

Mrs. Cooke had read the minutes of December 1 (Afternoon), 1982 and found no errors.

Mr. Henley had read the minutes of March 9, 1983, and noted no corrections.

Mr. Lindstrom said he read the minutes for March 14, 1983, and noted the following grammatical errors on the second page, second paragraph under agenda item no. 2g: Change the word "to fill" to "filling" in the eighth line; change "to restore" to "restoring" in the ninth line; change "extend" to "extending" and "to allow" to "allowing" in the tenth line, and change "its" to "it is" on the eleventh line.

Miss Nash had read the minutes of April 6 (Afternoon), 1983, and found no errors.

Mr. Fisher had read the minutes of April 14, 1983, and noted two typographical errors on the seventh page.

Motion was then offered by Mr. Lindstrom, seconded by Mr. Butler, to approve the minutes of September 2, December 1 (Afternoon), 1982, and March 9, March 14, April 6 (Afternoon), and April 14, 1983, with the above noted corrections. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

Agenda Item No. 14. Other Matters Not on the Agenda.

Mr. Agnor noted that he had received copies of the staff's study of the consolidation of the County and the City Social Services Departments. This is the third report he has received on this matter. Therefore, he asks that the Consolidation Committee be reactivated in order that the reports can be examined. Mr. Fisher said he will schedule a meeting with the City representatives of the Consolidation Committee to review these reports.

* * * * *

Mr. Fisher then requested an executive session to discuss personnel and property acquisition matters.

Mr. Lindstrom said he did not object to an executive session on personnel matters but was uncertain if he desired to discuss the property acquisition matter in executive session. To his understanding, the property acquisition matter is not about property to be acquired by the County, but rather another entity. Therefore, he felt that should be discussed in public. He has heard about the siting of a University project and felt discussions of the project should be treated the same as any other project and discussed in public, not private. Mr. St. John said the discussion of the item is legally correct for an executive session. Mr. Lindstrom said that was not the reason he did not desire an executive session but rather that the matter should not be treated any differently than any other property acquisition matter by someone outside of the County government structure.

Based on the above statements, Mr. Fisher requested the executive session be only for personnel matters. At 11:12 P.M., motion was offered by Mr. Lindstrom, seconded by Miss Nash, to adjourn into executive session to discuss personnel matters. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

The Board reconvened into open session at 12:03 P.M.

May 18, 1983 (Regular Night Meeting)

Mr. Lindstrom said he personally felt the Board should indicate to the University of Virginia that it would be pleased to talk about the siting of a University project in public session.

Mr. Fisher said Mr. Agnor received the request late today. Mr. Fisher then asked that Mr. Agnor elaborate on the request. Mr. Agnor said several options are available for the siting of an electron accelerator project by the University of Virginia. A very tight timetable is involved and due to previous concerns from City and County officials about the University not informing the localities of projects, the University is requesting a meeting with both the Board and Council to explain the project further. However, options for a site have not been completed and the University prefers that this be done in private. Mr. Lindstrom said he did not have any problem with receiving the report in private but did not care to have Board reactions in private. He felt the reactions to the project should either be done in public or with the supervisors individually. Mr. Fisher said since he is an employee of the University of Virginia, he is trying to stay out of this matter but did feel that the University is attempting to inform the Board of their projects. Miss Nash asked what difference it would make for the University to discuss this project with the Board. Mr. Agnor said the University has informed him that if there are adverse reactions, the project will not proceed. Mr. Lindstrom suggested informing the University that the Board would be pleased to talk with them but the preference is to discuss the matter in public. However, if that is not satisfactory, then the Board will be glad to listen to their proposal in private. The consensus of the Board was to listen in private session as requested by the University.

Mr. Fisher requested that the minutes show that this item was not discussed in executive session this evening.

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Mr. Fisher then noted that agenda item no. 9 (Auditors) was discussed in executive session and action is anticipated on June 1, 1983.

Agenda Item No. 15. At 12:12 P.M., motion was offered by Miss Nash, seconded by Mr. Lindstrom, to adjourn to June 1, 1983, at 2:00 P.M. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Butler, Mrs. Cooke, Messrs. Fisher, Henley, Lindstrom and Miss Nash.
NAYS: None.

Arnell E. Fisher
CHAIRMAN

Approved by
BCS
7-13-83
lwf