

CITIZEN STUDY PACKET NO. 1
PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Name Committee Report with Synopsis
2. Committee Report on Transitional and Future Structure of Council for the Consolidated City
3. Police and Law Enforcement Committee Report with Synopsis and Background Material

These are three of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

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Subject: Preliminary SYNOPSIS: NAME COMMITTEE REPORT Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Name of Consolidated City

April 15, 1969

This Committee respectfully recommends to the Council
as follows:

If merger is approved by the voters, the Name Committee recommends that a special referendum to select a name for the new consolidated city be held within 60 days of the effective merger date.

As a starting point, the committee recommended that the name ballot list "Charlottesville" and "Albemarle" as two possible choices. Additional names can be added to the ballot by petition.

To have a proposed name listed on the ballot, it will be necessary for the name to be supported by a petition signed by at least 200 qualified voters. The petition must be filed with the court prior to the printing of ballots.

If none of the names receives a simple majority, the committee recommended that a run-off election between the top two names be held within 30 days after the first name referendum.

The report further noted that the name selection should be based on a majority of votes at large rather than a majority in either the City or County.

[Name Committee members: Supervisor R. A. Yancey (Chairman), Councilman W. A. Rinehart, III, Supervisor Edgar N. Garnett, and Councilman G. A. Vogt.]

Subject: Preliminary Report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Name of Consolidated City

April 15, 1969

This Committee respectfully recommends to the Council and Board as follows:

1. After consolidation is approved in the referendum on that issue, the name of the Consolidated City should be selected by another referendum election including all of the voters of Charlottesville and Albemarle County and held upon a date not less than 60 days after the referendum election on the question of consolidation and not less than 60 days before the effective date of consolidation, said election to be conducted according to the provisions of Section 24-141 of the Code of Virginia (1950) as amended, insofar as applicable. Selection of the name in this manner is permitted by Section 15.1-1131(2) of the said Code.
2. In the election recommended in paragraph 1, the ballot should list the name "Albemarle", and the name "Charlottesville". There should also be provision for listing other names on the ballot, provided such other names are supported by petitions filed with the Circuit and Corporation Courts containing signatures of at least 200 qualified voters.
3. If none of the names listed on the ballot as recommended above receive a majority of the votes cast in the election, a run-off election should be held within 30 days after the first election between the two names which received the highest votes in the first election. The name first receiving a majority of votes cast in either such election shall be the name of the consolidated City for all purposes.
4. The election or elections recommended above will be conducted while the present City and County are still in being, so the expenses incident thereto should be borne by each governing body within its territory, and the Electoral Board of each political subdivision should administer the election within its territory. In calculating the majority of votes cast, however, the total vote from both City and

County should be taken together. In other words, selection of a name should not depend upon a majority from each subdivision, but upon a majority of the total votes cast in both.

Respectfully Submitted,

Committee on Name of
Consolidated City

By *R. A. Yancy*
Chairman

COMMITTEE ON TRANSITIONAL AND FUTURE STRUCTURE OF
COUNCIL FOR THE CONSOLIDATED CITY REPORT

Subject: Preliminary Report of the Committee on Transitional and Future Structure of Council for the Consolidated City and the Board of Supervisors of Albemarle County

From: Committee on Transitional and Future Structure of Council for the Consolidated City

April 15, 1969

This Committee has met several times and has considered alternative plans for the structure of the governing body of the new city which will be created if the County of Albemarle

General Information: Each of the County's Supervisors is currently elected by magisterial district and there are six districts in the county. Although there are wards in Charlottesville, each City Councilman is elected at large.

The consolidation agreement and the new charter should establish the council-manager form of government similar to that now in effect in Charlottesville and all other Virginia cities.

II

During a transitional period beginning with the effective date of consolidation and continuing until September 1, 1974, the number of councilmen should be eleven, the same as the combined number of the present Charlottesville Councilmen and Albemarle

COMMITTEE MEMBERS: Supervisor Peter T. Way (Chairman), Councilman W. A. Rinehart, III, Supervisor R. A. Yancey, Councilman Mitchell Van Yahres, County Attorney D. B. Marshall and City Attorney W. Clyde Gouldman.

To accomplish this, the consolidation agreement should provide for the division of the consolidated city into seven boroughs as follows:

- (1) Charlottesville Borough (Present City)
- (2) Monticello Borough (Present Charlottesville Magisterial District of Albemarle County)
- (3) Ivy Borough (Present Ivy District)
- (4) Rivanna Borough (Present Rivanna District)
- (5) Scottsville Borough (Present Scottsville District)
- (6) Samuel Miller Borough (Present Samuel Miller District)
- (7) White Hall Borough (Present White Hall District)

These names should be subject to change if the name ultimately selected for the City creates duplication or confusion with any borough names.

Subject: Preliminary Report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Transitional and Future Structure of Council
for the Consolidated City

April 15, 1969

This Committee has met several times and has considered alternative plans for the structure of the governing body of the new city which will be created if the County of Albemarle and the City of Charlottesville consolidate. The Committee submits the following recommendations:

I

The consolidation agreement and the new charter should establish the council-manager form of government similar to that now in effect in Charlottesville and all other Virginia cities.

II

During a transitional period beginning with the effective date of consolidation and continuing until September 1, 1974, the number of councilmen should be eleven, the same as the combined number of the present Charlottesville Councilmen and Albemarle Supervisors, and the geographical areas represented by the new councilmen should correspond to those now represented by the present Supervisors and Councilmen. To accomplish this, the consolidation agreement should provide for the division of the consolidated city into seven boroughs as follows:

- (1) Charlottesville Borough (Present City)
- (2) Monticello Borough (Present Charlottesville Magisterial District of Albemarle County)
- (3) Ivy Borough (Present Ivy District)
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- (7) White Hall Borough (Present White Hall District)

These names should be subject to change if the name ultimately selected for the City creates duplication or confusion with any borough names.

The incumbent Councilmen of Charlottesville and Supervisors of Albemarle County upon the effective date of consolidation should comprise the initial council of the consolidated city, representing as they do the various boroughs, five from Charlottesville Borough and one from each of the other six boroughs. The terms of the two present Councilmen which expire September 1, 1970 (Mr. Rinehart and Mr. Vogt), should be extended by the consolidation agreement for one year. The terms of the three other present Councilmen and of all present Supervisors should be terminated September 1, 1971, by the consolidation agreement. In June, 1971, the voters of the consolidated city should elect a new council of eleven members with the same territorial residence requirements as the present Council and Board of Supervisors, that is, five must reside in Charlottesville Borough and one must reside in each of the other six boroughs, but all residents of the consolidated city should be eligible to vote for all eleven positions. All eleven councilmen elected in June, 1971, should take office September 1, 1971, to serve terms of three years, expiring September 1, 1974.

III

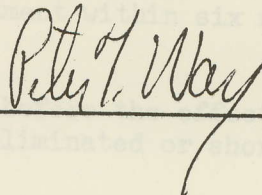
The eleven-member council elected in June, 1971, should be required by the consolidation agreement to submit to the qualified voters of the consolidated city a plan for permanent structure of the Council and for election of the members, which plan should go into effect with an election to be held in June, 1974, for election of councilmen to take office September 1, 1974. The consolidation agreement should not place restrictions upon the transitional Council concerning its plan for permanent structure and election of Council, but should leave matters such as the number of members, geographical representation, etc., to the judgment of the transitional Council, subject to referendum approval.

Comment

It should be noted that recommendations II and III are not supported by a unanimous vote of this Committee, although a majority did favor them. For example, two members believe that the establishment of the permanent future Council should take place sooner than 1974, and that the consolidation agreement should spell out with some particularity a reduction in size of Council and the method of election with particular regard to geographical representation by individual councilmen and re-districting. Some members

had reservations about at-large voting for members of the transitional Council. It was felt by the majority, however, that such at-large voting was only fair in view of the fact that the former Albemarle County area would have six members of the transitional Council, whereas the former Charlottesville area would have only five members.

Respectfully submitted,



Chairman

The committee recommends that the criminal law enforcement and police duties of both the county's sheriff's office and the city police department be merged into a single consolidated city police department six months after the effective date of consolidation.

If other arrangements can be made, the six-month transitional period may be eliminated or shortened, the committee noted.

The committee further recommended that the Sheriff's additional constitutional duties, such as supervision of jails and serving civil papers, continue until the expiration of his term on December 31, 1971.

At that time, those duties other than criminal law enforcement and police work would be assumed by sergeant of the consolidated city. Until the end of 1971, the current Charlottesville city sergeant should continue his duties within the city limits, the report noted.

The committee also recommended that:

- 1) City and county ordinances in effect prior to merger should continue in the former city and county until repealed or amended by the new consolidated city council.
- 2) A new code should be prepared as soon as possible after consolidation.
- 3) Upon merger, the new city council should request the Virginia State Police to continue to serve former Albemarle County.

[Police and Law Enforcement Committee Members: Councilman J. W. Wright, Jr. (Chairman), Sheriff W. S. Cook, City Police Chief C. G. Durbin, City Sergeant Raymond G. Pace, City Commonwealth's Attorney J. E. Camblos, County Commonwealth's Attorney Downing L. Smith, Supervisor Gordon L. Wheeler, Chief Deputy George Bailey and Captain T. H. Adams.]

SYNOPSIS: POLICE AND LAW ENFORCEMENT COMMITTEE REPORT

The committee recommends that the criminal law enforcement and police duties of both the county's sheriff's office and the city's police department be merged into a single consolidated city police department within six months after the effective date of consolidation.

If other arrangements can be worked out before the effective merger date, the six-month transitional period should be eliminated or shortened, the committee noted.

The committee further recommended that the Sheriff's additional constitutional duties, such as supervision of jails and serving civil papers, continue until the expiration of his term on December 31, 1971.

At that time, those duties other than criminal law enforcement and police work would be assumed by sergeant of the consolidated city. Until the end of 1971, the current Charlottesville city sergeant should continue his duties within the city limits, the report noted.

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[Police and Law Enforcement Committee Members: Councilman J. W. Wright, Jr. (Chairman), Sheriff W. S. Cook, City Police Chief C. O. Durham, City Sergeant Raymond C. Pace, City Commonwealth's Attorney J. T. Camblos, County Commonwealth's Attorney Downing L. Smith, Supervisor Gordon L. Wheeler, Chief Deputy George Bailey and Captain T. H. Adams.]

Subject: Preliminary BACKGROUND - LAW ENFORCEMENT of Charlottesville and the Board of Supervisors of Albemarle County

(City of Charlottesville: Population, 38,160; Area, 10 square miles)

CHARLOTTESVILLE POLICE DEPARTMENT: Organized in 1888, the Police Department has a 1969-70 budget of approximately \$640,000 and a staff of 65. The Department is supported entirely by City tax funds.

DUTIES: Crime prevention, law enforcement, traffic control and engineering, public education, protection of life and property, information and aid, locating missing persons, preservation of peace and order, recovery of stolen property, modification and elimination of environmental hazards, and apprehension and prosecution of offenders.

AREA PATROLLED: 130 miles of streets within the City limits.

II. CHARLOTTESVILLE CITY SERGEANT'S OFFICE: Established in 1902, the City Sergeant's Office has a 1968-69 budget of approximately \$79,000 and a staff of 16. Roughly two-thirds of the office's budget came from state funds.

DUTIES: Serves all civil processes, jury notices, divorce papers and some criminal warrants. The City Sergeant's Office is also in charge of City Jail and it is responsible for transporting prisoners to state farms, penitentiaries, mental institutions and detention homes.

III. ALBEMARLE COUNTY SHERIFF'S OFFICE: Organized in the late 1700's, the Sheriff's Office had a 1968-69 budget of approximately \$170,000 and a staff of 23. The state provides roughly two-thirds of the Office's budget.

DUTIES: Like the City Sergeant, the Sheriff is responsible for serving civil processes, jury notices, criminal warrants and divorce papers. The Sheriff is responsible for the County jail and transportation of prisoners. In addition, the Sheriff's Office is the chief law enforcement agency in the county.

AREA PATROLLED: 840 miles of primary and secondary roads within the county. The State Police assist in traffic safety and patrolling.

IV. STATE POLICE: The primary function of the State Police is patrolling of state highways. Although their prime responsibility is state highways in the county, the State Police also have jurisdiction in the city. A State Policeman can serve criminal warrants in both the City and County. Although the local office maintains a staff of ten troopers, the number of troopers assigned can depend on general traffic patterns throughout the state.

Subject: Preliminary Report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Consolidation Committee on Police and Law Enforcement

April 15, 1969

This Committee on Police and Law Enforcement was named by the Council and Board to study the effects on police work and law enforcement of the proposed consolidation of the City of Charlottesville and the County of Albemarle. This area of study overlaps the areas covered by other committees, especially those studying the Courts and Administration of Justice and the Constitutional Officers. This Committee has attempted to avoid encroachment on other fields of study, but our recommendations may be subject to change if they do not fit in with new plans in those other fields. We have devoted most of our thought and discussion to provisions for an orderly transition from a County and a City to a single consolidated City. For these reasons, this can only be an interim report, not a final one. The following are our preliminary recommendations:

1. Sheriff - The incumbent Sheriff of Albemarle County in office on the effective date of consolidation should be the Sheriff of the consolidated city and should continue in that office until December 31, 1971, the expiration of the term for which he was elected as County Sheriff. The office of Sheriff of the consolidated City should cease and terminate after December 31, 1971, or upon such earlier date as the incumbent Sheriff at consolidation ceases, for any reason, to serve.

2. Police Department - The officials of the Charlottesville Police Department in office at the effective date of consolidation should continue in office as officials of the Police Department of the Consolidated City which should be a separate department of the City government, under the direct control of the City Manager.

3. City Sergeant - The Sergeant of the City of Charlottesville in office at the effective date of consolidation shall be the Sergeant of the Consolidated City until the expiration of the term for which he was last elected or appointed within the former City of Charlottesville. After completion of that term, as a constitutional officer, the City Sergeant will be subject to popular election and will have the duties and responsibilities prescribed by the Constitution and laws of Virginia.

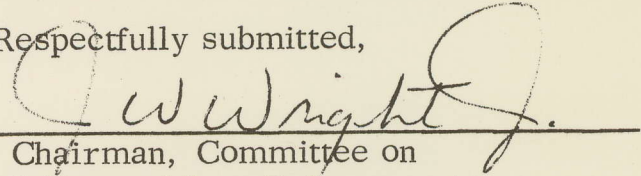
4. State Police - Immediately upon consolidation, the Council of the consolidated City should request the Virginia State Police to continue to serve the area which formerly comprised Albemarle County. This request must be granted for a period of ten years after consolidation under Virginia Code §52-11.2.

5. Transition Period (a) Sheriff and Police Department - If, prior to the effective date of consolidation, the Chief of the Charlottesville Police and the Sheriff of Albemarle County have completed plans for a complete assumption by the Police Department of the consolidated city of all police and criminal law enforcement duties within the entire area of the consolidated city, exclusive of the duties which will continue to be carried out by the State Police, they shall report their plans to the Council of Charlottesville and the Board of Supervisors of Albemarle County. If the Council and the Board are then satisfied that proper police protection can be provided throughout the consolidated city by the Police Department, they may, by joint resolution, relieve the Sheriff of all duties for police work and criminal law enforcement, effective upon any date no sooner than the effective date of consolidation and no later than six months thereafter. After this transition period, not to exceed six months, the Police Department shall have sole responsibility, with the assistance of the State Police, for police work and criminal law enforcement throughout the consolidated city. (b) Sheriff and City Sergeant - During his term of office which will expire on or before December 31, 1971, the Sheriff should continue to perform all of his other duties within the area which formerly comprised Albemarle County, except for his former duties of police work and criminal law enforcement which will be turned over to the Police Department as provided in (a) above. The Sergeant of the consolidated City will perform his duties within the former City of Charlottesville as provided by law until the office of Sheriff ceases and terminates. Thereafter the City Sergeant shall perform all of those duties throughout the consolidated city. Both the Sheriff and the Sergeant shall have authority, however, to serve summons, writs, notices and other legal papers throughout the entire area formerly included within Albemarle County and the City of Charlottesville, and both shall be officers of all courts with territorial jurisdiction over the consolidated city.

6. City and County Ordinances - All ordinances in effect in the City of Charlottesville and Albemarle County on the effective date of consolidation should remain in effect within the areas previously affected thereby until repealed or amended by the Council of the consolidated

city, and a new Code for the consolidated City should be prepared as soon as practicable after consolidation. New criminal ordinances should be drawn so as to take into account the variations needed in regulation of activities as between urban areas and rural areas.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. W. Wright". The signature is written in a cursive style and is positioned above a horizontal line.

Chairman, Committee on
Police and Law Enforcement

CITIZEN STUDY PACKET NO. 2

PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Courts, Clerks and Administration of Justice Committee report with Synopsis and Background Material.

This is one of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Three additional reports are in Citizens Study Packet No. 1.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

SYNOPSIS: COURTS, CLERKS AND ADMINISTRATION OF JUSTICE COMMITTEE REPORT

COURTS OF RECORD:

The committee recommends that the new consolidated city be made part of the Eighth Judicial Circuit and that the Charlottesville Corporation Court and the Albemarle Circuit Court be merged into a two-judge single circuit court.

Former city and county court of record judges would preside over the new circuit court. The committee suggests that both judges should have full concurrent jurisdiction and power to try all civil and criminal cases within the Eighth Circuit.

Of the two judges, the one with the most seniority on a court of record should be named senior judge, the report states.

On courts not of record, the committee recommends that the Albemarle County Court and the Charlottesville Municipal Court be consolidated into one new city municipal court.

The report also calls for dividing the new court into a Part I and Part II, with the two former county and city judges having concurrent and co-extensive jurisdiction.

The committee also suggests the possibility, at some future date, of consolidating the two parts of the Municipal Court under a full-time judge (both are now part-time positions).

Both Part I and Part II records should be kept under a single municipal court clerk, to be appointed by the senior judge, with the approval of council.

The report noted that the former city and county would continue to be served by the Regional Juvenile and Domestic Relations Court for the Eighth Judicial Circuit.

If consolidation takes place, the report recommends that the new city have one full-time commonwealth's attorney, as soon as practicable.

The committee also notes that there can only be one clerk of the circuit court of the consolidated city. Both the city and county now have a clerk each. The committee suggests that, if the two incumbent clerks cannot agree which of them shall be clerk, the Circuit Court should appoint one of them a clerk and the other as principal deputy. The committee recommends the same procedure for the Commonwealth's Attorney.

(Courts, Clerks and Administration of Justice Committee members: Supervisor Gordon L. Wheeler (Chairman), Charlottesville Commonwealth's Attorney John T. Camblos, Councilman Kenneth T. E. Davis, City Attorney W. Clyde Gouldman, County Clerk Shelby S. Marshall, County Attorney D. B. Marshall and County Commonwealth's Attorney Downing L. Smith)

Clerk of the Charlottesville Corporation Court - Carl E. Hennrich (appointed, 1969).

Both are full-time positions.

BACKGROUND - COURTS, CLERKS AND ADMINISTRATION OF JUSTICE

I. COURTS OF RECORD:

Circuit Court of Albemarle County - Has the power to try all civil and criminal cases within the county and can try Charlottesville civil cases. It is part of the Eighth Judicial Circuit which includes the counties of Albemarle, Greene, Fluvanna and Madison. Presiding Circuit Court Judge: Lytteton Waddell (appointed, 1951).

Corporation Court of Charlottesville - Has exclusive criminal jurisdiction in Charlottesville and concurrent civil jurisdiction with the circuit court in Charlottesville. Presiding Judge: George M. Coles (appointed, 1957).

II. COURTS NOT OF RECORD:

County Court of Albemarle County - Has civil jurisdiction in any civil case up to \$3,000, exclusive criminal jurisdiction for any misdemeanor and conducts preliminary hearings on all felony charges within the city. Presiding Judge: Stuart F. Head (appointed, 1950-51, 1954-present).

Municipal Court of Charlottesville - Has same jurisdiction in the city as the county court does in the county. Presiding judge: Allan N. Spitzer (appointed, 1959; elected, 1961; appointed, 1966-present).

Both are part time positions.

III. REGIONAL JUVENILE AND DOMESTIC RELATIONS COURT:

Created earlier this year, the court handles all juvenile and domestic relations cases within the Eighth Judicial Circuit and Charlottesville. Presiding Judge: Ralph P. Zehler (appointed, 1969).

IV. COMMONWEALTH'S ATTORNEYS:

Albemarle County Commonwealth's Attorney - Downing L. Smith (elected, 1951).

Charlottesville Commonwealth's Attorney - John T. Camblos (appointed, 1962; elected, 1965-present).

Both positions are part time.

V. CLERKS OF COURTS OF RECORD:

Clerk of the Albemarle Circuit Court - Mrs. Shelby Marshall (elected, 1968).

Clerk of the Charlottesville Corporation Court - Carl E. Hennrich (appointed, 1969).

Both are full-time positions.

Subject: Preliminary report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Courts, Clerks and Administration of Justice

April 22, 1969

This Committee has consulted with the judges of the present Circuit and County Courts of Albemarle County and the Corporation and Municipal Courts of the City of Charlottesville. The recommendations contained herein are in large part based upon the information and the desires expressed by the Judges regarding changes which will result in their positions, duties and jurisdictions in the event that Charlottesville and Albemarle County are consolidated to form a single city. Unless otherwise specifically noted, all recommendations should be made effective immediately upon consolidation becoming effective.

I

Courts of Record

1. The consolidated city should be made a part of the Eighth Judicial Circuit of Virginia, replacing Albemarle County in that Circuit. The incumbent judges of the Circuit Court of Albemarle County and the Corporation Court of Charlottesville should both be designated as judges of the Eighth Judicial Circuit and of a new Circuit Court of the consolidated city.

2. Both judges of the new Circuit Court should have full concurrent jurisdiction and power to try all civil and criminal cases arising within the Eighth Judicial Circuit, including the entire consolidated city, as provided for circuit courts by State Law. The actual work load should be distributed between the two judges by agreement, or, failing such agreement by assignment of cases by the Senior Judge. The Judge who has served longer as a court of record judge shall be the Senior Judge.

3. The Senior Judge should serve on the Board of Miller School and should have and exercise all powers to appoint other officials within the consolidated city as are granted to the Circuit Court by State Law or by City charter.

4. The City Manager and Council should, upon request, supply to the judges of the Circuit Court such secretarial help, supplies and equipment as are reasonably necessary or desirable to enable them to carry out their duties effectively.

Note: Some of these recommendations will require amendments of some sections of State Law by the General Assembly prior to consolidation.

II

Courts Not of Record

1. The County Court of Albemarle County and the Municipal Court of the City of Charlottesville should be merged into a single Municipal Court of the consolidated city with full criminal and civil jurisdiction as provided for municipal courts by State law throughout the consolidated city. This Court should, however, be divided into two divisions to be known as Part I and Part II, each of which will be operated and presided over by a judge of equal rank with fully concurrent jurisdiction throughout the consolidated city.

2. The incumbent Judge of the Municipal Court of Charlottesville at the effective date of consolidation shall be Judge of the new Municipal Court, Part I, and shall continue to serve for the remainder of the term for which he was last appointed by the Judge of the Corporation Court of Charlottesville. The incumbent Judge of the County Court of Albemarle County shall be Judge of the new Municipal Court, Part II, and shall continue to serve for the remainder of the term for which he was last appointed by the Judge of the Circuit Court of Albemarle County. Upon expiration of their respective terms, or if a vacancy occurs in either position for any reason prior to such expiration, these judges should be re-appointed or replaced by order of the Circuit Court of the consolidated city for new terms of four years, each subject to state law.

3. Although the jurisdiction of the two Municipal Judges should be concurrent and co-extensive, cases should be assigned to the two parts of the Court on a geographical basis as a matter of general practice. All Municipal Court criminal cases arising from alleged offenses committed in the Boroughs of the consolidated city which include the former City of Charlottesville and the former Charlottesville Magisterial District and all Municipal Court civil cases in which process is served within those Boroughs should be assigned to and tried in Part I; all other civil and criminal cases properly cognizable by the Municipal Court should be assigned to and tried in Part II. The Circuit Court of the consolidated City should have full power at any time to re-organize the two Parts of the Municipal Court and to prescribe such other plan as it may see fit to fairly and equitably divide the load of work between said Parts and the Judges thereof in order to provide the best possible result in the administration of justice in that Court, or, with the approval of City Council, to consolidate the two parts of the Municipal Court under a full-time judge.

4. The salaries of both Municipal Court judges shall be fixed by Council.

5. A Clerk of the Municipal Court shall be appointed by the senior Municipal Court Judge, subject to approval by the City Council, to serve at the pleasure of the senior Municipal Court judge. Such clerk should keep all records of both Parts of the Court and shall, subject to approval by the judges and the City Council, employ such deputies and other personnel as shall be needed to assure proper assistance to the judges and proper service to the public. A single Clerk's Office shall be maintained open to the public during business hours in a convenient location, and adequate court-room facilities should be provided for both Parts of the Court. Salaries of the Clerk and other personnel and the cost of such facilities should be paid by the consolidated city with such state participation as is provided by State law, and should be subject to approval by the City Council.

6. The Circuit Court of the consolidated city should appoint substitute judges of the Municipal Court as provided by state law.

III

Juvenile and Domestic Relations Court

1. The consolidated city should, by action of its governing body and its Circuit Court, replace the City of Charlottesville and the County of Albemarle as part of the region served by the recently created Regional Juvenile and Domestic Relations Court for the Eighth Judicial Circuit, assuming the combined share of that Court's financial support formerly borne by said City and County.

IV

Justices

1. Justices of the Peace for the consolidated city shall be appointed by the Circuit Court as provided by Title 39.1 of the Code of Virginia (1950) as amended, and should have the powers and duties provided thereby.

2. The Circuit Court should appoint one or more special justices to hear and adjudicate petitions for commitment and admissions of mentally ill persons within the consolidated city as provided in Title 37.1 of the Code of Virginia (1950) as amended (see especially Section 37.1-88).

V

Commonwealth's Attorney

1. There is now, and there will be at consolidation, an incumbent Commonwealth's Attorney for the City of Charlottesville and an incumbent Commonwealth's Attorney for the County of Albemarle. One of those persons should be the first Commonwealth's Attorney for the consolidated city, and the other should be his principal deputy or assistant for terms ending December 31, 1973. If the two incumbent Commonwealth's Attorneys, prior to the effective date of consolidation, agree which of them shall be Commonwealth's Attorney for the consolidated city and which shall be the deputy, they should notify the judges of the Corporation Court of Charlottesville and the Circuit Court of Albemarle County of such agreement, and the Circuit Court of the consolidated city should make appointments according to said agreement, or failing such agreement, should appoint one of said incumbents to be Commonwealth's Attorney and the other to be the principal deputy for the terms specified above.
2. The Commonwealth's Attorney's position should be subject to election in November, 1973, for a new term beginning January 1, 1974, and thereafter as provided by the Constitution and statute laws of Virginia.
3. Any vacancy in the office of Commonwealth's Attorney should be filled by appointment as provided by State law, but no appointment to the position of principal deputy should be required if that latter position becomes vacant.
4. Upon consolidation, or as soon thereafter as practicable, the Commonwealth's Attorney's position should become one of full-time employment with a salary commensurate with such employment and its professional requirements. Adequate office space, secretarial help and a staff of professionally-qualified assistants should be provided for their office. Recent decisions of the federal courts, together with the increased work load following consolidation, will require regular attendance of a qualified prosecuting attorney not only at the criminal trials conducted by the two Circuit Judges, but also in both parts of the Municipal Court and in the Juvenile and Domestic Relations Court. Effective prosecution and supervision of these activities will require a full-time Commonwealth's Attorney plus several part-time or full-time assistants.
5. The Commonwealth's Attorney should have no responsibilities for legal work in the civil field on behalf of the consolidated City.

VI

Clerks of Courts of Record

1. In view of the recommendation in 1 above, there can be only one Clerk and one Clerk's Office to serve the Circuit Court of the consolidated city. There will be two incumbent Clerks in office when consolidation becomes effective, the Clerk of the Corporation Court of Charlottesville and the Clerk of the Circuit Court of Albemarle County. One of these incumbents should be the Clerk of the Circuit Court of the consolidated city. If they do not agree as to which of them is to be the Clerk and make their agreement known to the judges of their respective Courts prior to the effective date of consolidation, the Circuit Court should, upon said effective date, designate one of them to be the Clerk and the other to be the principal deputy clerk and should make the necessary appointments to effectuate such designation. Each of them should serve in the capacity to which he is appointed until expiration of his current term for which he was last elected before consolidation. Any vacancy occurring in the office of Clerk during such term should be filled by appointment as provided by State law, but no appointment should be required to fill the position of principal deputy clerk if that position becomes vacant.

2. The Clerk should be responsible, subject to approval by the Circuit Court of the consolidated city, for such storage and arrangement of the combined records of the two former Clerk's Offices as shall assure their safe-keeping and an orderly consolidation thereof in such a manner as to serve the convenience of the public. The Manager and Council of the consolidated city should, upon request by the Clerk approved by the Circuit Court, make available to the Clerk such funds, facilities and labor as may be reasonably necessary or advisable to accomplish the duties required of him in connection with the orderly transition from two Clerk's Offices to one.

3. After consolidation, compensation of the Clerk and the other expenses of his office should be paid in the manner provided by State law for clerks of courts of record in cities and their offices, with such proper supplements from funds of the consolidated City as may, in the judgment of City Council, be necessary or desirable in order to enable the Clerk to properly staff and equip his office and to provide proper service to the court and to the public.

4. The duties, rights and responsibilities of the Clerk should be governed by the Constitution and statute laws of Virginia.

VII

University of Virginia Property

1. For all purposes of criminal and civil jurisdiction and of administration of justice by the several courts which will serve the consolidated City and by the officers of said courts, all real estate owned by the Rector and Visitors of the University of Virginia within the former boundaries of the City of Charlottesville and the County of Albemarle should be considered as part of the consolidated city from and after the effective date of consolidation.

Note: Implementation of this recommendation will require consultation with University officials and possibly action by the General Assembly.

Respectfully submitted,

Committee on Courts, Clerks
and Administration of Justice

By

London L. Wheeler
Chairman

CITIZEN STUDY PACKET NO. 3
PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Land Use, Zoning and Subdivision Control Committee Report with Synopsis and Background Material

This is one of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Four additional reports are in Citizen Study Packets No. 1 and No. 2.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

SYNOPSIS: LAND USE, ZONING AND SUBDIVISION CONTROL COMMITTEE
REPORT

PLANNING COMMISSIONS (GENERAL):

After the effective merger date, the committee recommends a maximum transitional period of two years, during which an initial 15-member planning commission would draw up a comprehensive zoning and subdivision ordinance for the merged city.

During this transitional period, the report states, all ordinances, rules and regulations on city or county land use now in effect should remain effective in the former city and county until either amended or repealed by the new charter or general law.

As soon as a comprehensive zoning and subdivision ordinance is drawn up, the committee recommends that a nine-member commission be appointed.

In an appendix to the report, the committee suggests setting up a permanent planning department for the consolidated city.

Such a planning department would assist the planning commission and the board of zoning appeals and develop whatever plans are necessary for proper subdivision and zoning control throughout the new city.

The report also recommends that a planning department coordinate the planning work of all city agencies and consult with any civic or citizen planning group.

A planning department also should assist the city manager and city council in studying, analyzing and reporting on regional and intergovernmental relationships of the new city, the committee concludes.

III. COMPREHENSIVE LAND USE PLANS:

The city's comprehensive plan was first drawn up in 1931, updated in 1959 and a revised plan is expected sometime this year. The county began working on its comprehensive plan in March and is expected to complete it within the next 16 months.

A comprehensive plan includes an economic survey and plans for future land use, public facilities, transportation and commercial, residential and industrial growth.

As part of its comprehensive study, the county planning commission and county planner are currently reviewing the county's zoning and subdivision ordinances. In addition, planners

(Land Use, Zoning and Subdivision Control Committee Members: Jack Horn (Chairman), Supervisor L. F. Wood, Councilman J. W. Wright Jr., Thomas A. Dooney, John Humphrey, Louie Scribner, Dr. Avery Catlin and Dr. Richard D. Marks.)

In Clarksville, some of the benefits of a comprehensive plan have been the elimination of conflicting and uneconomical land uses, the sale of bonds at favorable times, savings to taxpayers through advanced purchase of land for public use and projects, projects designed to meet the immediate and future city needs.

BACKGROUND: LAND USE, ZONING AND SUBDIVISION CONTROL

I. PLANNING COMMISSIONS (GENERAL):

Every planning commission is charged by law with the development of a comprehensive land use plan. A commission's prime areas of responsibility are zoning ordinances, subdivision regulations and capital improvement programs. Ongoing services performed by a commission include regulation of subdivisions, developing large-scale building layouts, administering zoning ordinances and zoning changes, and serving as advisors to the governing body on the area's physical development.

II. HISTORY

The General Assembly authorized the creation of planning commissions in 1934. Both the Charlottesville Planning Commission and the Albemarle Planning Commission were formed in 1944. The city commission has seven members, one of which may be the city manager or city engineer and another a member of city council. The remaining five members are appointed at large from city residents. All eight of the county commission's members are appointed with one supervisor and the county executive serving as *ex officio* members.

III. ZONING AND SUBDIVISION CONTROL:

The city planning commission drew up its first zoning and subdivision ordinances in 1928. The original zoning ordinance has been revised twice and the planning commission is currently reviewing both ordinances to determine what revisions will be necessary to meet future needs.

The first county subdivision ordinance was drawn up in 1949 and it has been since revised eight times. A zoning ordinance was drawn up in 1968.

III. COMPREHENSIVE LAND USE PLANS:

The city's comprehensive plan was first drawn up in 1931, updated in 1959 and a revised plan is expected sometime this year. The county began working on its comprehensive plan in March and is expected to complete it within the next 16 months.

A comprehensive plan includes an economic survey and plans for future land use, public facilities, transportation and commercial, residential and industrial growth.

As part of its comprehensive study, the county planning commission and county planner are currently reviewing the county's zoning and subdivision ordinances. In addition, planners also are looking into the possibility of a site plan ordinance, a capital improvement program and a possible building code.

In Charlottesville, some of the benefits of a comprehensive plan have been the elimination of conflicting and uneconomical land uses, the sale of bonds at favorable times, savings to taxpayers through advanced purchase of land for public use and projects proposals designed to meet the immediate and future city needs.

IV. PLANNING STAFF:

The Charlottesville Department of Planning was organized in 1952 and currently has a staff of two. In 1968 Albemarle County established a County Planners Office with a staff of three.

The function and role of the city's planning department is to orderly serve the planning commission, city manager and city council toward influencing community development. The department's ongoing responsibilities are administration, mandatory services and long-range planning.

Administrative duties include correspondence, public hearings, public meetings, record maintenance, publications and briefs.

Mandatory services are comprehensive plan review, data collection, population estimates and projections, zoning administration, subdivision review and advisory services to the governing body and other local and regional bodies.

The development and continued revision of the community's land use plan, transportation and physical facilities, fall under long-range planning.

The County Planning Office has similar duties.

Subject: Preliminary report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on land use, zoning and subdivision control

May 6, 1969

INTRODUCTION

Without exception, every member of this Committee on land use has expressed a firm belief that a governmental merger of Albemarle County and the City of Charlottesville will be beneficial to comprehensive planning and land development for the community. The obvious task at hand, therefore, is one of careful examination of certain areas which may be important in bringing about a consolidated government without losing continuity of planning and land use control. Having made such a preliminary examination, the Committee respectfully presents the recommendations set forth below:

I. TRANSITION PERIOD

A. Planning Commission

It is recommended that on the effective date of consolidation the two existing planning commissions of the respective governing bodies be consolidated into one planning commission consisting of 15 members. This commission shall act as one on all matters under its jurisdiction. Though we recognize that a planning commission of 15 members is too large to function as efficiently as a smaller commission on a permanent basis, we think this 15 member consolidated commission should operate initially during the transition period which, in our opinion should not exceed twenty-four months from the effective date of consolidation of the two governments. In accord with this thought, we would recommend that any members whose terms expire during the transition period be reappointed for a short term which will not exceed the transition period. We also recommend that the governing body be given discretion not to make any appointments whatever during the transition period so long as the number of members on the planning commission does not fall below a total of five (5).

B. Applicable Ordinances and Regulations

During the transition period, the Committee recommends that all ordinances, rules, regulations and orders pertaining to land use, in force immediately preceding the effective date of consolidation, in so far as they or any portion thereof are not

inconsistent with the consolidation agreement or with the charters which remain in full force and effect within the same area to which they were applicable immediately preceding the effective date of consolidation. We further recommend that they remain in effect until amended or repealed in accord with the provisions of the new charter or general law.

C. Special Duties of Commission

One of the primary duties of the consolidated planning commission will be to prepare, as soon as practicable, a new zoning ordinance and subdivision ordinance and any other ordinance which would be appropriate for land use control. These ordinances if adopted, would apply to the entire geographic area of the new consolidated government. As indicated above, the planning commission would work towards final adoption of such ordinances as soon as practicable and certainly within two years of the effective date of consolidation.

D. Staff Structure

It is thought that the present planning staffs of the County and the City can be consolidated easily. In our opinion there should be attendant efficiencies and economies of scale inherent in such consolidation. No increase in the size of these staffs as a result of consolidation is foreseen.

II. TERMINATION OF TRANSITION PERIOD

The transition period, in our opinion, should terminate upon adoption by the new governing body of a new comprehensive zoning ordinance and a new subdivision ordinance or twenty-four (24) months from the effective date of consolidation, whichever event occurs first. At that time, or soon thereafter, a new planning commission should be appointed as provided by law and as set forth below.

III. PERMANENT ORGANIZATION

A. Size of Planning Commission

It is recommended that the planning commission which will serve the future consolidated government immediately after the transition period consist of nine members. To allow flexibility, of course, we would recommend that the charter contain broad language stating that the planning commission shall consist of not less than 5 nor more than 15 members.

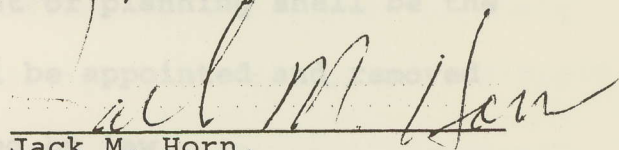
B. Planning Department

Attached as Appendix I is a sample ordinance which might be used to outline the permanent structure for a department of planning. It is recommended that such guidelines be used in ordinance form rather than as a charter provision so as to allow greater flexibility in changing the department.

CONCLUSION

As a committee, we submit these recommendations for your consideration with a willingness to restudy any areas you request. It may well be that out of future public hearings, some changes or additions to the foregoing recommendations will emerge.

Committee on Land Use - Zoning-
Subdivision Transitional
Period/Zoning



Jack M. Horn,
Chairman

APPENDIX I

Article _____ Department of Planning

Section _____ Established.

There is hereby established, under the office of the city manager, a department of the government of the city to be known as the department of planning.

Section _____ Director of department - Appointment and removal.

The head of the department of planning shall be the director of planning who shall be appointed and removed by the city manager as provided by law.

Section _____ Qualifications.

The director of planning shall be a person who has had professional training and experience in the field of urban planning.

Section _____ Powers and Duties

The director of planning, under the city manager, shall have general direction of the department of planning. He shall administer the functions, duties and responsibilities assigned him or his department by Section _____, by law and by the city manager. He may, under the city manager, establish, alter or abolish divisions and other classifications within the department.

Section _____ Powers and duties generally; assignment of responsibilities.

The following are assigned to the department of planning:

Planning, zoning and other land development controls necessary to the welfare of the community, including but not limited to:

- (1) Service as the professional staff for the planning commission and assistance to such commission in all of its duties and responsibilities as set forth in the Charter of the city or otherwise provided by law; and the undertaking of such studies as may be necessary in the preparation of plans for these purposes.
- (2) Service as the professional staff for the board of zoning appeals and assistance to such board in all of its duties and responsibilities as set forth in the Charter of the city or otherwise provided by law; and the undertaking of such studies as may be necessary in the preparation of reports for the board's information.
- (3) Advice to the planning commission, the city manager and the city council concerning planning, subdivision administration and zoning.

3.

(4) After approval by appropriate authority of any plans coming within its jurisdiction, advice to the planning commission, the city manager and city council on the desirability of any proposed changes in such plans.

(5) Preparation of such reports, plans and recommendations concerning planning and zoning as may be required by the city manager.

(6) Coordination, under the city manager, of the planning work of all city agencies.

(7) Advice to and consultation with the city departments in matters concerning planning, zoning, and subdivision administration.

(8) Advice to and consultation with other legally constituted planning agencies and with advisory, citizen and civic organizations.

(9) Preparation, under the direction of the city manager, of information bulletins on all phases of planning and zoning.

(10) Doing, under the city manager, all things necessary and proper for the promotion of sound community development.

(11) Assistance to the city manager and the city council in studying, analyzing and reporting on the various regional and intergovernmental relationships of the city.

(12) Where appropriate, and after approval by appropriate authority, representing the city manager and city council in regional and intergovernmental affairs.

It is understood that the powers, duties, functions and responsibilities prescribed and assigned in the sections above shall not conflict with the activities of any boards, commissions, authorities, departments or other agencies of the city heretofore or hereafter established. The department of planning and the director thereof shall, in the performance of their powers, duties, functions and responsibilities, work and cooperate with all such boards, commissions, authorities, departments and other agencies.

SCHOOLS CITIZEN STUDY PACKET NO. 4 REPORT (PART I)

PROPOSED MERGER OF CHARLOTTESVILLE AND

ALBEMARLE COUNTY

Part I of a two-part committee report. Part II will discuss the probable financial impact of a merged school

Following the effective consolidation date, the committee recommends a 15-month transitional period, during which an interim nine-member school board would carry out duties set by the city charter and general state law.

On September 15, 1971, the consolidated city council will appoint a nine-member school board with staggered terms, as follows:

Contents:

1. Schools and Education Committee Report (Part I) with Synopsis and Background Material
2. Constitutional Officers Committee Report with Synopsis and Background Material

Of the nine-member board, the committee recommends that three be appointed at large from the Charlottesville Borough (two from the city and one from what now is the county).

Appointments mean that there will be one board member from the Monticello-Ivy Borough (present Charlottesville and Ivy Districts), one from the Rivanna-White Hall Borough and one from the Scottsville-Samuel Miller Borough.

The report also recommends that the merged city council, after a public vote, have the power to remove the entire

These are two of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Five additional reports are in Citizen Study Packets No. 1, No. 2 and No. 3.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

(Chairmen: Thomas Jenkins, Dr. W. Copley McLean, Conner Smith, City School Superintendent Paul H. Cale, City School Superintendent Dr. Edward W. Rushton.)

SYNOPSIS: SCHOOLS AND EDUCATION COMMITTEE REPORT (PART I)

(This is Part I of a two-part committee report. Part II will deal with the probable financial impact of a merged school system.)

Following the effective consolidation date, the committee recommends a 15-month transitional period, during which an initial 13-member school board would carry out duties set by the new city charter and general state law.

On September 15, 1971, the consolidated city council should appoint a nine-member school board with staggered terms, the report states.

Initially, five members should be appointed to terms expiring on June 30, 1974, with the terms of the remaining four members expiring on June 30, 1973.

After the four 1973 terms expire, the committee suggests two-year terms for all newly appointed board members, with no member to be reappointed after eight consecutive years of service.

Of the nine-member board, the committee recommends that three be appointed at large from the Charlottesville Borough (present city), three at large from the merged city and three by boroughs in what now is the county.

Borough appointments mean that there will be one board member from the Monticello-Ivy Borough (present Charlottesville and Ivy districts), one from the Rivanna-White Hall Borough and one from the Scottsville-Samuel Miller Borough.

The report also recommends that the merged city council, by two-thirds vote, have the power to remove the entire school board.

(Schools and Education Committee Members: Thomas J. Michie Jr. (Chairman), Supervisor L. F. Wood Jr., Councilman J. W. Wright Jr., Thomas Jenkins, Dr. W. Copley McLean, Comer Smith, County School Superintendent Paul H. Cale, City School Superintendent Dr. Edward W. Rushton.)

BACKGROUND: SCHOOLS AND EDUCATION (PART I)

I. SCHOOL BOARDS (GENERAL):

The primary duty of a school board is to establish overall policies for the school system. A board does not deal with the day-to-day running of a school system. With the advice of the administrative staff, a school board can develop and initiate new educational programs. In addition, the board also adopts administrative and teacher salary schedules and formulates the annual educational budget. With the superintendent's recommendation, a board also elects and dismisses teachers.

II. CHARLOTTESVILLE SCHOOL BOARD:

One member of the city school board is appointed from each of Charlottesville's four wards and three other members are appointed at large. Appointments are made by the City Council and each board member has a three-year term. Terms are staggered. A member serves until his term expires and City Council is not empowered to remove any member or the entire board.

III. ALBEMARLE COUNTY SCHOOL BOARD:

The six county school board members are appointed by and serve at the pleasure of the Board of Supervisors. Board members are appointed by districts and they must live in the district they represent.

Subject: Preliminary report (Part I) to the Council of the
City of Charlottesville and the Board of Supervisors
of Albemarle County

From: Committee on Schools and Education

May 13, 1969

The Committee has discussed a wide variety of subjects related to schools and education. At this time we submit provisions that we recommend for incorporation in the charter.

The Committee has given careful consideration to the difference in mode of selection and term of office between the present school boards of the City and County. We have given careful consideration to the different degrees of control of the local school board by governing bodies and constituents that exist throughout the country. With these problems in mind the Committee recommends the following provisions for inclusion in the charter:

CHARTER PROVISIONS

SCHOOL BOARD

A. TRANSITION PERIOD

For a period beginning on July 1, 1970, the effective date of consolidation, to September 15, 1971, a thirteen man school board, formed by joining the seven and six member school boards of the City of Charlottesville and Albemarle County in office immediately preceding the referendum on consolidation, will serve as the school board of the consolidated city. The board will, during the transition period, have all duties and powers conferred upon City School Boards under provisions of this Charter and general state law.

B. PERMANENT SCHOOL BOARD

On September 15, 1971, a nine member school board shall be appointed by the City Council as follows: (1) Three of those appointed must reside in the Charlottesville Borough (present City) (2) three of those appointed may reside anywhere within the consolidated city, (3) one member appointed must reside in the combined Borough of Monticello-Ivy (present Charlottesville Magisterial District and present Ivy District), (4) one member appointed must reside in the Rivanna-White Hall Borough (present Rivanna and White Hall Districts), and (5) one member appointed must reside in the Scottsville-Samuel Miller Borough (present Scottsville and Samuel Miller Districts.)

Initially, five members shall be appointed to serve terms which expire on June 30, 1974 and four members shall be appointed to serve terms which expire on June 30, 1973. Of these last mentioned four members appointed to serve until June 30, 1973, two shall reside in the Charlottesville Borough (present City) and two shall reside within the present boundaries of Albemarle County. After June 30, 1973, all terms shall be two year terms but no member shall be reappointed who has served as a member for eight consecutive years immediately preceding such reappointment. Vacancies shall be filled by Council in a manner consistent with this Charter and with general law.


The foregoing notwithstanding, the Council by a vote of at least two-thirds (2/3) of all members of the Council shall have the power to remove the entire school board.

DIVISION OF EDUCATION

The division of education shall consist of the City School Board, the Division Superintendent of Schools and the officers and employees thereof. Except as otherwise provided in this Charter, the City School Board and the Division Superintendent of Schools shall exercise all the powers conferred and perform all the duties imposed upon them by general law.

The Committee will make a further report (Part II) concerning matters to be submitted in the consolidation agreement together with a report concerning probable financial impact of a merged school system.

Committee on Schools
and Education


Thomas S. Michie, Jr.,
Chairman

(Constitutional Officers' Committee Members: Supervisor Peter
Way (Chairman), Councilman W. A. Rinehart III, City Common-
wealth's Attorney J. T. Camblos, County Commonwealth's Attorney
Dwight L. Smith, City Commissioner of the Revenue Ora A. Maupin,
County Attorney D. S. Marshall and City Attorney W. Clyde
Gouldman.)

SYNOPSIS: CONSTITUTIONAL OFFICERS COMMITTEE REPORT

According to State Law and the Constitution, the Constitutional officers a city must have are commissioner of the revenue, treasurer, circuit court clerk, commonwealth's attorney and city sergeant.

The committee recommends that the consolidation agreement include, on a temporary basis, the additional constitutional office of sheriff. (Other arrangements concerning the Sheriff's Office are outlined in Study Packet No. 1).

On other constitutional offices, the committee notes that there can only be one clerk of the merged city circuit court. Both the city and county now have a clerk each.

The committee suggests that, if the two incumbent clerks cannot agree which of them shall be clerk, the circuit court should appoint one of them as clerk and the other as principal deputy. The same procedure was recommended for the commonwealth's attorney.

Administration and safe-keeping of all public records including court records; records all deeds, agreements, power of attorneys, leases, and contracts; assists the court in drawing and swearing in jurors.

Clerk of the Albemarle Circuit Court - Mrs. Shelby Marshall,
(elected, 1968). Staff: Four deputies.

Clerk of the Charlottesville Corporation Court - Carl E.
(appointed, 1969). Staff: Three deputies.

COMMONWEALTH'S ATTORNEYS:

Prosecution of all criminal cases; advising law
(Constitutional Officers Committee Members: Supervisor Peter T. Way (Chairman), Councilman W. A. Rinehart III, City Commonwealth's Attorney J. T. Camblos, County Commonwealth's Attorney Downing L. Smith, City Commissioner of the Revenue Ora A. Maupin, County Attorney D. B. Marshall and City Attorney W. Clyde Gouldman.)

Charlottesville Commonwealth's Attorney - John T. Camblos,
(appointed, 1962; elected, 1965). Staff: Two.

BACKGROUND: CONSTITUTIONAL OFFICERS

I. CHARLOTTESVILLE COMMISSIONER OF THE REVENUE:

Duties: Audits tax returns including state income tax, personal property, and business and professional licenses.

Commissioner of the Revenue: Miss Ora Maupin, (elected, 1946). Staff: Nine.

II. CHARLOTTESVILLE CITY TREASURER

Duties: Responsible for the collection of all taxes.

City Treasurer: L. G. Harding, (appointed, 1956; elected, 1957). Staff: Four.

III. CLERKS OF THE COURTS OF RECORD:

Duties: Administration and safe-keeping of all public records including court records; records all deeds, agreements, power of attorneys, leases, and contracts; assists the court in drawing and swearing in jurors.

Clerk of the Albemarle Circuit Court - Mrs. Shelby Marshall, (elected, 1968). Staff: Four deputies.

Clerk of the Charlottesville Corporation Court - Carl E. Hennrich (appointed, 1969). Staff: Three deputies.

IV. COMMONWEALTH'S ATTORNEYS:

Duties: Prosecution of all criminal cases; advising law enforcement agencies and governmental bodies on crime and criminal prosecution.

Albemarle County Commonwealth's Attorney - Downing L. Smith, (elected, 1951). Staff: Two.

Charlottesville Commonwealth's Attorney - John T. Camblos, (appointed, 1962; elected, 1965). Staff: Two.

V. ALBEMARLE COUNTY SHERIFF'S OFFICE: BACKGROUND:

Duties: Responsible for serving civil processes, jury notices, criminal warrants and is the chief law enforcement agency in the county; responsible for the County Jail and transportation of prisoners

Sheriff: W. S. Cook (elected, 1952). Staff: Twenty-three.

VI. CHARLOTTESVILLE CITY SERGEANT'S OFFICE:

Duties: Serves all civil processes, jury notices and some criminal warrants; responsible for City Jail and transportation of prisoners to state farms, penitentiaries, mental institutions and detention homes.

City Sergeant: Raymond Pace, (appointed, 1956; elected, 1961)

Staff: Sixteen.

CLERKS OF THE COURTS OF RECORD:

Duties: Administration and safe-keeping of all public records including court records; records all deeds, agreements, power of attorneys, leases, and contracts; assists the court in drawing and swearing in jurors.

Clerk of the Albemarle Circuit Court - Mrs. Shelby Marshall, (elected, 1968). Staff: Four deputies.

Clerk of the Charlottesville Corporation Court - Carl E. Hennrich (appointed, 1969). Staff: Three deputies.

COMMONWEALTH'S ATTORNEYS:

Duties: Prosecution of all criminal cases; advising law enforcement agencies and governmental bodies on crime and criminal prosecution.

Albemarle County Commonwealth's Attorney - Downing I. Smith, (elected, 1951). Staff: Two.

Charlottesville Commonwealth's Attorney - John T. Campbell, (appointed, 1962; elected, 1965). Staff: Two.

Subject: Preliminary Report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Constitutional Officers

May 13, 1969

This Committee has investigated and studied the effects of the proposed consolidation of the County of Albemarle and the City of Charlottesville upon the "Constitutional Officers of the two present political subdivisions and the duties of those officers. The term "Constitutional Officers" has for many years been used to designate the persons holding certain elective local government positions required in every county and city by the Constitution of Virginia. The Committee has assumed that the proposed consolidation will result in the creation of a new city. We believe that there are few, if any, obstacles in the way of consolidation in this area. This is due in part to the fact that Albemarle County's form of government does not include all of the constitutional officers included in the City's form of government, and in part to the fact that, in every case where duplication of offices does exist, the present office holders have consulted together and have indicated their willingness to adapt to the change that will result from consolidation. To be specific, the Judges of the Courts of Record, the Clerks of those Courts, the Commonwealth's Attorneys, the County Sheriff and the City Sergeant have expressed their views and have participated with other Committees in formulating recommendations in their particular fields of activity. Those recommendations, along with others, are incorporated in this report.

I

The consolidated City will be required by the Constitution and Laws of Virginia to have the following constitutional officers:

1. Commissioner of the Revenue
2. Treasurer
3. Clerk of the Circuit Court
4. Commonwealth's Attorney
5. Sergeant

The consolidation agreement must provide for establishment of each of the above positions for the consolidated City. The terms of office, election and compensation for these positions are governed by State law. The consolidation agreement should also provide for establishment of the additional position of Sheriff of the consolidated City on a temporary basis.

II

The consolidation agreement should provide that the incumbent Commissioner of the Revenue, Treasurer and Sergeant of the City of Charlottesville at the effective date of consolidation will hold the same offices for the consolidated City for the remainder of the terms for which they were elected or appointed in the City of Charlottesville, which terms will expire December 31, 1973. They will be subject to election in November, 1973, and every four years thereafter under State law.

III

Commonwealth's Attorney

At the effective date of consolidation, there will be two incumbent Commonwealth's Attorneys in office, one for the City of Charlottesville and one for the County of Albemarle. One of them should be the first Commonwealth's Attorney for the consolidated city, and the other should be his principal deputy or assistant for terms ending December 31, 1973. If the two can agree, prior to the effective date, which of them shall be Commonwealth's Attorney for the consolidated City and which shall be the deputy, they should notify the judges of the Corporation Court of Charlottesville and the Circuit Court of Albemarle County of such agreement, and the Circuit Court of the consolidated City should make appointments according to said agreement, or, failing such agreement, should appoint one of said incumbents to be Commonwealth's Attorney and the other to be the principal deputy for the terms specified above. By state law, the Commonwealth's Attorney's position will thereafter be subject to election with the first such election to be in November, 1973, for a four-year term beginning January 1, 1974.

IV

There will also be two incumbent clerks in office at the effective date of consolidation, one for the County Circuit Court and one for the City Corporation Court. As in the case of the Commonwealth's Attorneys, one of the incumbent Clerks should be appointed Clerk of the Circuit Court of the consolidated City by the senior Judge of that Court, pursuant to agreement, if possible. The incumbent who is not appointed Clerk should be named as principal deputy. The Clerk should serve until expiration of the term which he or she was serving when consolidation became effective. Thereafter, the position of Clerk should be subject to election for terms of eight years, pursuant to State law.

Sheriff

The incumbent Sheriff of Albemarle County should occupy the office of Sheriff of the consolidated City until expiration of his current term on December 31, 1971, when that office shall cease and terminate. If, prior to that date, the office of Sheriff becomes vacant, for any reason, it shall cease and terminate. The duties of the Sheriff are spelled out in detail in the report of the Police and Law Enforcement Committee. When that office terminates, those duties will be divided between the Police Department and the Sergeant of the consolidated City.

Respectfully submitted,

Peter H. Way, Chairman
Constitutional Officers Committee

CITIZEN STUDY PACKET NO. 5
PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Public Utilities Committee Report with Synopsis and Background Material
2. Fire and Safety Committee Report with Synopsis and Background Material

These are two of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Seven additional reports are in Citizen Study Packets No. 1, No. 2, No. 3 and No. 4.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

SYNOPSIS: PUBLIC UTILITIES COMMITTEE REPORT

The committee recommends that the merged city council adopt a uniform policy for extension of utility services--such as gas, sewer and water--into the rural areas of the new city.

Such a policy, the committee noted, should place a "fair share" of extension costs on those directly affected and not on all taxpayers.

As an aid to guiding special area growth development, the study group suggested that the new city provide utilities on a cost-sharing basis to desirable new growth areas.

Merger, the committee stressed, does not automatically mean that all utility services will be immediately available throughout the new city. Utility services should be justified on the basis of economic and community interest.

It was also suggested that no special tax levy be imposed on any portion of the new city for redemption of existing utility bonds.

The committee also recommended that:

-- All public utility services be unified under the new city council as practical.

-- All public utilities should be financially self-sustaining.

-- Little change be made in the present Charlottesville system for selling and distributing natural gas.

Advantages of a merged utilities system are the elimination of duplication of city-county utilities services, substantial cost savings with improved efficiency through a combined engineering and maintenance staff, elimination of city-county utilities competition and the promotion of a unified utilities plan for orderly planning and development within the rural areas, the report stated.

(Public Utilities Committee Members: Councilman W. A Rinehart, III (Chairman), County Executive T. M. Batchelor, City Manager James E. Bowen, Supervisor Joseph E. Gibson, T. W. Edwards and Ray Jones.)

BACKGROUND: PUBLIC UTILITIES

CHARLOTTESVILLE UTILITIES

I. Water

Approximately three billion gallons of water are stored in the city's four reservoirs--one at Sugar Hollow, one in the south fork of the Rivanna River, and two in the Ragged Mountains. There are about 150 miles of water distribution lines within the city limits. The peak send-out per day of the city's water system is about nine million gallons. The current system is designed to meet water needs of ninety thousand people. With additional filter beds, it is estimated that the city could increase its delivery capacity to sixteen million gallons per day.

Estimated Cost: \$13,500,000

II. Gas

Charlottesville purchases natural gas from the Atlantic Seaboard Corporation near Free Union and distributes it to customers in and adjacent to the city. There are roughly 120 miles of gas lines.

Estimated Cost: \$7,000,000

III. Sewer System

Some 110 miles of sewer lines serve, with few exceptions, all homes within the city. There are two sewer treatment plants.

Estimated Cost: \$6,500,000

- V. The excess of receipts over utility disbursements last year was roughly \$950,000 which was transferred to the city's general fund.

NOTE: Estimated cost of water, gas and sewer systems does not represent the present value. It simply represents the investment at the time constructed. The total estimated cost of existing water, gas and sewer systems is \$27,000,000.

ALBEMARLE COUNTY UTILITIES to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County.

Committee on Public Utilities

I. Water

Albemarle County has approximately 700 million gallons of water stored in three reservoirs--Beaver Creek, Mint Springs and near Earlysville. Another reservoir which will add another 180 million gallons to the County's storage capacity is currently planned for the Scottsville area. There are approximately 60 miles of water distribution lines throughout the county. Currently the maximum output of these water systems is about 1.25 million gallons per day. The current systems serve residents in the Crozet and Scottsville areas and the northwest section of the county adjacent to Charlottesville.

Estimated Cost: \$2,500,000

II. Sewer Systems

Public sewers in the county serve residents of the Berkley and Woodbrook Subdivisions and Scottsville residents. There are two sewer lagoons--one in Scottsville and the other near the Woodbrook Subdivision--and a package sewer plant serves Berkley Subdivision residents. There are roughly ten miles of lines in these three areas.

Estimated Cost: \$325,000

III. County water and sewer systems are jointly owned by the county and the Service Authority. During 1968 these systems had an excess of receipts over disbursements of approximately \$25,000. This excess is retained for bond reserve and systems expansion.

NOTE: The cost of the water and sewer systems and the reservoirs does not represent their present value; it simply represents the County's investment at the time of construction or purchase. Total estimated cost of all county water and sewer facilities is \$2,825,000.

Subject: Preliminary Report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County.

From: Committee on Public Utilities

May 20, 1969

This Committee has met and gathered information concerning the present situation in Charlottesville and Albemarle County with regard to revenue-producing utility services provided by the various public bodies operating in that field. We wish to report the following facts concerning the present situation and the following recommendations for steps to be taken upon consolidation of the City and County:

Present Situation

1. The City of Charlottesville is providing water, sewer and gas service on a profitable basis within the City and also to selected customers in Albemarle County. All of the water impoundments used to supply the City system are located in Albemarle County, as are the City's filtration plants. Construction of some of the City's present facilities has been financed by general obligation bonds of the City, a substantial amount of which are still outstanding and will not mature for some time. Revenues from these utilities, however, are more than sufficient to operate the facilities and to service and amortize this bonded debt. In fact, a large sum of money, profit from utilities, is returned to the City of Charlottesville's general fund to reduce the amount required from tax revenue.

2. Albemarle County Service Authority, a public authority created by the Board of Supervisors of Albemarle County, but a separate legal entity from that Board, operates all of the public utility systems in Albemarle County upon the following bases:

(a) Crozet- The Service Authority leases the entire Crozet water treatment and distribution system from the Board of Supervisors. Under the terms of the lease, the entire system except for the Beaver Creek lake will become the property of the Service Authority January 1, 1975, when the remaining bonds of the Crozet Sanitary District are paid off. There is also a sewer system serving the County schools at Brownsville which is owned by the Service Authority.

(b) Scottsville - The Town of Scottsville sold to the Service Authority the old water and sewer systems which had been maintained by the Town for many years. The Service Authority has constructed a new filter plant near Scottsville and has improved and expanded the old Town systems so as to provide better service within Scottsville and its neighboring territory. The revenues from this system are pledged to pay bonds issued by the Service Authority to the Farmers Home Administration, a federal government agency which made loans and grants of funds to the Service Authority.

(c) Charlottesville Area - The Service Authority owns and operates a water system which serves the Carrsbrook, Westmoreland and Northfields subdivisions and a lagoon-type sewer system which serves the Woodbrook Subdivision. The Board of Supervisors owns a sewer system serving Berkley Subdivision and some customers located nearby, and it also owns water systems serving Berkley, Woodbrook, Montvue, West Leigh and other subdivisions and adjacent areas north and west of Charlottesville. These systems, although owned by the Board of Supervisors, are operated by the Service Authority as the Board's managing agent under an agreement terminable at will.

3. Albemarle County Service Authority has issued bonds which are revenue bonds only, and the revenues from the systems owned by the Authority and described in paragraph 2 above are pledged to secure those bonds. The Board of Supervisors is not a party to those bonds in any way and the County's general funds are not encumbered by them. The consolidated city would not be obligated for those bonds unless it assumed them voluntarily. The bonds issued on the Crozet water system, the Woodbrook sewer system and the Carrsbrook-Westmoreland-Northfields water system have their final maturity in 1985. The bond issue on the Scottsville water and sewer systems matures finally in 2008.

4. Under the short term water contract between the City and County, the County plans to pipe City water into all of the systems owned by the Board of Supervisors and the Service Authority except for the systems serving Crozet and Scottsville. As soon as this is done, the several wells now supplying those systems will be disconnected and retained only on a standby basis. The transmission system now under construction to carry City water to these systems will be owned by the Board of Supervisors.

5. All systems operated by the Service Authority are self-sustaining from a revenue point of view and carry all of the bonded indebtedness from current revenues.

6. Under the law of Virginia, Albemarle County Service Authority can continue to operate within a city if its jurisdictional area becomes part of such city by annexation or consolidation. The property of the Service Authority does not automatically become the property of the city, but it can sell its facilities to the city, provided that some proper provision is made to secure payment of its bond obligations.

7. The only bonded debt of the County of Albemarle related to public utilities is a small amount remaining from the Crozet Sanitary District bonds issued many years ago which will mature December 31, 1974. These are revenue bonds which are being funded from the revenues of the Crozet system as a charge upon the Service Authority's revenues from that system. All of the utility systems purchased by the Board of Supervisors in recent years and now owned by the Board were paid for from general County funds and all net revenues from those systems go into the County's general fund. The cost of the current project to connect the various subdivision water systems to each other and to the City's South Rivanna supply will likewise be paid from County general funds.

8. Upon consolidation of the City and County, the utility systems owned by the City of Charlottesville and those owned by the County Board of Supervisors will immediately become the property of the new consolidated city.

Recommendations

1. All public utility systems operated by the consolidated city should be financially self-sustaining, that is, revenues from those systems must be sufficient to pay all operating costs, debt charges, depreciation, and accumulated funds for some expansion.

2. No special tax levy should be required within any portion of the consolidated city for redemption of any existing bonds which were issued to construct or acquire public utility facilities.

3. The present system for sale and distribution of natural gas within the City of Charlottesville and its environs should continue to be operated by the consolidated city in the same manner as before consolidation.

4. The present self-contained sewer systems in the County should continue on the present basis until it becomes economically feasible to connect them to a unified system operated by the consolidated city. The sewer system at Berkley Subdivision is the only one which will automatically become the property of the consolidated city.

5. In order to avoid any misapprehensions, the public must be informed that the mere fact of consolidation will not make it possible to immediately provide utility services throughout the consolidated city. Provision of such services, particularly in areas located far from the present City and County systems, can be made only as they are justified on a basis of economic feasibility and service to the best interests of the whole community.

6. A uniform policy must be adopted by the council of the consolidated city for extension of utility services into rural areas of the consolidated city. This policy should be designed to place a fair share of the financial burden of extension of service upon those who will directly benefit from the service rather than placing the entire burden upon all of the taxpayers. At present, the City of Charlottesville requires all applicants for service outside the City limits to pay the entire cost of extending the transmission lines before the service is provided. This policy has worked well for Charlottesville in its dealings with land developers in the County. It is conceivable, however, that the new city may wish to guide development and land use by providing utilities to certain areas on a cost-sharing basis. It has also been suggested that higher rates might be established for utility services in some areas than in others in order to amortize the cost of extending service. Further study should be given to this problem before consolidation becomes effective.

7. The consolidated city can enter into the same relationship with the Albemarle County Service Authority which now exists between the County and the Service Authority, or some similar relationship. This Committee recommends, however, that all of the public utility services be unified under the control of the consolidated city's governing body as soon as practicable. We recommend that the new city purchase from the Service Authority all of its utility properties and assume all of the Authority's obligations, including its bonded debt. Certainly the Woodbrook sewer system and the Carrsbrook-Westmoreland-Northfields water system should be purchased immediately in order to combine into one ownership and control all of the utility operations in the subdivisions north and west of Charlottesville. The Crozet and Scottsville systems are entirely

self-contained and are remote from the present Charlottesville system, so there is less urgency for their acquisition by the new city. They might be left with the Service Authority for some time, if that course appears desirable. However, the maximum benefit from consolidation will not be realized until all utility systems are brought under the ownership and control of the consolidated city.

Conclusion

This Committee, after studying this area, sees no serious obstacles to consolidation in the public utilities area. In fact, this is an area where the advantages which will result from consolidation are numerous and obvious.

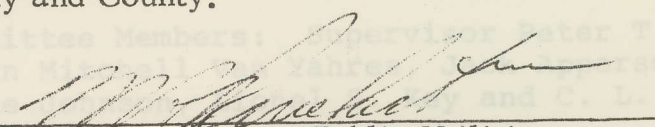
No duplication will be required in construction of expensive water impoundments and filtration plants, such as will be necessary for both the County and City if consolidation does not take place.

The competitive element between the City and County will be eliminated in planning the development of utility systems.

Substantial savings in cost and improved efficiency will result from a single engineering and maintenance service for all utility systems.

A single unified plan for provision of utilities throughout the area will assist in planning and development within present rural areas not now receiving utility services and also within areas now partially served.

The water resources of the area, limited as they are, can be developed in a unified manner, not only to handle present needs, but also to assure orderly long-term protection and development of the presently undeveloped watersheds in Albemarle County which will be the future sources of water for all residents of this community, City and County.


_____, Chairman
Committee on Public Utilities

Preliminary report to the City Council of Charlottesville
Bemarle County
Committee on Fire and Safety

SYNOPSIS: FIRE AND SAFETY COMMITTEE REPORT

The committee recommends that there be no radical change in the central Charlottesville Fire Department and that its fire fighting responsibilities be expanded to include the whole of the urban-metropolitan area. This should include the growth of additional substations.

A centralized communications and dispatching system should be set up for all fire fighting companies and agencies located within the merged city, the committee suggests.

The study group praised existing volunteer fire companies but felt additional volunteer companies should be encouraged in the present county.

Little change was recommended for voluntary emergency or private non-emergency ambulance service in the present city and county.

The report also noted that there are two fire stations in Charlottesville: one on Ridge Street and the other in McIntire Park. The county has three Volunteer Fire Companies located in Crozet, Scottsville, and Earlysville (a fourth is now being formed in the Rivanna District).

Records of past performance demonstrate that approximately one-third (1/3) of the calls answered by the Charlottesville Fire Department are for fires located in Albemarle County.

Approximately seventy (70) men make up the City of Charlottesville Volunteer Fire Company. These volunteers work in hand with paid Charlottesville firemen to fight fires located within the City. When necessary and practicable the Charlottesville Volunteer Company will also fight fires originating in the County.

In the County there are now three Volunteer Fire Companies (Fire and Safety Committee Members: Supervisor Peter T. Way (Chairman), Councilman Mitchell Van Yahres, Jack Apperson, James E. Craig, Eugene Johnson, Lionel S. Key and C. L. Marshall.)

formed in the Rivanna District.

Subject: Preliminary report to the City Council of Charlottesville
and the Board of Supervisors of Albemarle County

From: Committee on Fire and Safety

May 20, 1969

INTRODUCTION

At present the Charlottesville Fire Department is the only full time paid fire fighting agency serving the community of Charlottesville and Albemarle. This department employs thirty-three (33) men in two twenty-four hour shifts. The salaries of seven (7) of these thirty-three (33) men are paid by the County with the City paying for the other twenty-six (26) men. Ten major fire trucks are used by the department. One is owned by the County and nine are owned by the City. The central fire fighting headquarters is located in the heart of the City on Ridge Street while another fire house is placed in McIntire Park.

Records of past performance demonstrate that approximately one-third (1/3) of the calls answered by the Charlottesville Fire Department are for fires located in Albemarle County.

Approximately seventy (70) men make up the City of Charlottesville Volunteer Fire Company. These volunteers work hand in hand with paid Charlottesville firemen to fight fires located within the City. When necessary and practicable the Charlottesville Volunteer Company will also fight fires originating in the County.

In the County there are now three Volunteer Fire Companies located respectively in Crozet (3 trucks), Scottsville (2 trucks), and Earlysville (2 trucks). A fourth volunteer company is presently being formed in the Rivanna District.

Unfortunately, there is no central dispatching system or consolidated radio network to coordinate the County Volunteer Companies with City Fire fighting agencies. Coordination among these units must depend on cooperation effected, principally, by telephone.

RECOMMENDATIONS

A. FIRE PROTECTION

1. Charlottesville Fire Department

As the facts outlined above indicate, the City and County, in many ways already operate a paid fire department jointly. For this reason and because the system has been effective, the committee recommends no radical change in the central Charlottesville Fire Department should merger become effective. Rather, we suggest that the primary fire fighting responsibility of this department be expanded to include the whole of the urban-metropolitan area within the new consolidated government. Such expansion should include creation of additional substations, facilities which the committee thinks, in all likelihood, are needed at this time.

2. Volunteer Companies

Existing volunteer fire companies do an excellent job in assisting our full time firemen and a commendable service for the community. We recommend, therefore, that they be encouraged to operate as they now do and that their independent status be maintained. Additionally, efforts should be made to encourage creation of new volunteer companies in parts of the present County.

3. Central Dispatching System

One obvious asset to effective fire fighting in the

tion and dispatching system. This should include all fire fighting companies and agencies located within the new government boundaries.

Though the City of Charlottesville now has such a system, as already stated, it does not extend to the separate County companies. In light of this opportunity for increased efficiency through a central dispatching system, we recommend that as soon as practicable after merger, an appropriate, expanded centralized communication center be created for the new government to use in fire protection work.

B. AMBULANCE SERVICE

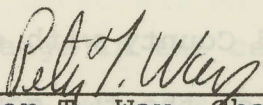
The Charlottesville-Albemarle Rescue Squad now provides the present City and County with excellent emergency ambulance service. A consolidation of the two governments should have no adverse effect on this service and, thus, the committee has not gone beyond examination and subsequent recognition of this fact.

As for non-emergency ambulance service, the City of Charlottesville now has an exclusive contract with a private company for ambulance service originating and terminating within the present corporate limits including the University of Virginia. Other private companies also operate to serve County residents. No change in this present operation is recommended as a result of merger by your committee. The existing contract applicable in the present City would not and could not be expanded automatically. If and when a new contract is deemed necessary, it would have to be bid publicly with ample opportunity for every interested business to participate. For the present, we recommend that non-emergency ambulance service be allowed to exist in its present form so long as effective service is continued.

CONCLUSION

Though the foregoing recommendations are submitted as final, the committee on fire and safety is willing to study additional items if the need arises or if the committee is requested to do so. At this time, we stand ready to answer questions posed by the public or the Board of Supervisors and City Council, or in the alternative, to find answers to such questions.

Respectfully submitted,


Peter T. Way, Chairman

PUBLIC CITIZEN STUDY PACKET NO. 6
PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

...an opinion from the Virginia Department of Welfare
...regulations, the committee reports that there would be
...state funds as a result of merger.
...no state funding barriers, the committee concluded that
...Charlotteville and Albemarle welfare departments could be
...one unit "quite smoothly".
...the new city council greater flexibility, the study
...recommended that council be given the option of letting the
...welfare department be administered by either a welfare board
...appointed officer.
...report noted that even if the county and city do not
...state law would still permit the consolidation of the
...departments.

Contents:

1. Public Welfare Committee Report with Synopsis and Background Material

This is one of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Nine additional reports are in Citizen Study Packets No. 1, No. 2, No. 3, No. 4 and No. 5.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.
(Chairman), Supervisor Gordon L. Wheeler, County Executive
... Betchelor Jr., City Manager James R. Bowen Jr., City Welfare
... Superintendent Catherine C. Chambers and County Welfare Superin-
... Virginia E. Marks.)

SYNOPSIS: PUBLIC WELFARE COMMITTEE REPORT

DUTIES OF THE WELFARE DEPARTMENT (GENERAL)

Citing an opinion from the Virginia Department of Welfare and Institutions, the committee reports that there would be no loss of state funds as a result of merger.

With no state funding barriers, the committee concluded that the Charlottesville and Albemarle welfare departments could be merged into one unit "quite smoothly".

To give the new city council greater flexibility, the study group recommended that council be given the option of letting the merged welfare department be administered by either a welfare board or council-appointed officer.

The report noted that even if the county and city do not merge, state law would still permit the consolidation of the two departments.

Advantages of a merged welfare department system noted by the committee were:

- Would increase the departments ability to recruit and maintain a fully trained staff.
- The food stamp program could be administered more effectively in a community-wide program.
- A larger listing of available homes would help the foster care program.
- Staff time would be cut by eliminating city-county case decisions.

(Public Welfare Committee Members: Councilman Mitchell Van Yahres (Chairman), Supervisor Gordon L. Wheeler, County Executive T. M. Batchelor Jr., City Manager James E. Bowen Jr., City Welfare Superintendent Catherine C. Chambers and County Welfare Superintendent Virginia S. Marks.)

BACKGROUND: PUBLIC WELFARE

I. DUTIES OF THE WELFARE DEPARTMENT (GENERAL)

Provides financial assistance and other services to those who meet the eligibility requirements as set forth by law. In order to establish eligibility, the state has a maximum for food, clothes and personal necessities. There is a maximum for shelter, nursing home, cost of room and board and medical expenses. There is also a one year residency requirement.

Financial assistance includes aid to the aged, aid to the permanently and totally disabled, aid to the blind, aid to dependent children, aid to foster children, medical assistance to the aged and general relief. The department also provides services to children which include foster care, adoption and services to unwed mothers.

II. CHARLOTTESVILLE WELFARE DEPARTMENT

A. Director of Welfare: James E. Bowen (appointed by the City Council)

Duties: Approves the appointment of staff members; reviews all cases and gives approval to eligibility and the amount of award for all new cases; gives final approval to policy, procedures, services and programs; delegates authority to the Superintendent.

B. Advisory Board: Five-member board appointed by the City Council as advisors to the director.

C. Superintendent: Catherine C. Chambers (appointed by the director in 1960)

Duties: Plans, organizes, directs, and coordinates the work of the department; develops programs and policies for the director's approval; establishes financial, statistical and case procedures; prepares the budget; interprets welfare programs to the public.

D. Staff: Fourteen (includes six social workers with an average caseload of 60-70).

E. Clients: 500

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III. ALBEMARLE COUNTY WELFARE DEPARTMENT

A. Welfare Board: Five-member board appointed by the Board of Supervisors.

Duties: Reviews all cases and approves eligibility and amount of reward for all new cases; gives final approval to policy, procedures, services and programs; approves the appointment of staff members; and sets policies and salaries.

B. Superintendent: Virginia S. Marks (appointed by the Board of Supervisors in 1950)

Duties: Supervises the general direction of the department under the supervision of the State and Welfare Board; plans, organizes, directs and coordinates department work; establishes financial, statistical and case procedures; prepares the budget; and interprets welfare programs to the public.

C. Staff: Ten (includes four social workers with an average caseload of 75).

D. Clients: 350-400

IV. FUTURE PROGRAMS

The food stamp program will begin in August in both the city and county. The Medicaid Program will begin in January and will render medical care to the needy. This program will take over the current medical assistance program now provided for the aged.

V. FINANCIAL ASSISTANCE AND OPERATING COSTS, 1968-69

Programs	City	County	Percentage Paid By:		
			Federal	State	Local
Aid to Blind	\$ 26,000	\$ 8,993	73	16	10
Old Age	108,100	53,917	74	15	9
Medical Aid to Aged	7,000	6,858	--	62	37
Aid to Dependent Children	78,080	58,142	53	29	17
Aid to Dependent Children-Foster Care	4,150	1,133	62	23	14
Aid to Permanently and Totally Disabled	59,740	42,680	71	17	10
General Relief	26,700	9,778	--	62	35
Foster Care	64,260	29,820	--	50	50
Administration	93,085	68,621	--	60	40
Total	\$467,118	\$278,041	--	60	40

Subject: Preliminary report to the Council of the City of
Charlottesville and the Board of Supervisors of
Albemarle County

From: Committee on Public Welfare

June 3, 1969

THE TWO EXISTING DEPARTMENTS OF WELFARE

The Departments of Welfare of Albemarle and Charlottesville, like their counterparts throughout Virginia, are charged by state law with the duty of providing financial assistance and other definite services to those persons who meet specified eligibility requirements. Aid is given to eligible applicants "in need of assistance" as determined by Virginia Department of Welfare and Institutions guidelines and according to approval from a local director of welfare or local board of welfare.

Charlottesville's Welfare Department has a total staff numbering thirteen full-time employees with one part-time stenographer. The Albemarle Department of Welfare is staffed with ten full-time employees. Sixty percent of the salary of these welfare department employees is paid for by the state with local governments paying remaining salary cost.

Caseloads of these two departments average approximately 500 per month in the City and 400 per month in the County. Any difference in caseload is created principally by the City's larger foster care program and the fact that the County Department of Welfare does not handle state and local hospitalization cases but refers them instead to the jointly operated Albemarle-Charlottesville Health Department.

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III. ALBEMARLE COUNTY WELFARE DEPARTMENT

As one might expect, the two departments are very much alike since both derive their duties and functions from the same state laws and since both have jurisdiction over a similar number of people. Differences between the two respective welfare departments are few indeed. This may be reflected in the close cooperation and working relationship which staff members have maintained during past years of operation.

CONSOLIDATION AND THE WELFARE PROGRAMS

Keeping in mind present operations of the two existing welfare departments, the Committee turned to consideration of whether a consolidation of these two departments under one governing body would adversely affect the overall welfare program and, if not, whether there might be any resulting advantages from such a consolidation.

An Opinion from the Department of Welfare and Institutions

First the Committee contacted the Virginia Department of Welfare and Institutions to make certain that there would be no loss of state financial participation as a result of consolidation. The answer received was a negative one, as expected, for the same formula for financial aid that governs the City and County welfare programs now would be applicable in a consolidated city. A consolidated welfare department, then, would receive as much state financial aid as is now received by the two existing departments together.

General Relief	26,700	9,778	--	62
Foster Care	64,260	39,820	--	50
Administration	93,085	68,621	--	60
Total	184,045	118,219	--	172

After expressing an opinion that consolidation poses no financial threat to community welfare programs, the Department of Welfare and Institutions went further by indicating to the Committee that, from the state level, there were no complications mitigating against consolidation. This, too, was not an unexpected viewpoint for state law permits merger of two local welfare departments even when there is no consolidation of the local governments involved.

Administrative Consolidation

Committee members discussed consolidation of the two respective welfare department staffs at some length. In view of the close cooperation, the inter-departmental working relationship maintained during preceding years, and the similarity of function of these two departments, it was concluded unanimously that administrative staffs could be merged into one unit quite smoothly and without significant interruption of the present level of welfare service.

Comparison of the two programs reveals at least one operational difference.

The Committee, when comparing the present city and county welfare programs, does recognize that the county program is administered by a local welfare board while, on the other hand, the city welfare program has no such board but is administered by one officer appointed by Council. Administration of the City welfare program is a responsibility which rests solely with this officer though he does have the benefit of advice rendered by the Council appointed Welfare Advisory Board.

Both the County and City systems have worked effectively. Both systems have their proponents. Under state law, §63.1-43 of the Virginia Code, a city council has the option of adopting either procedure. This is as it should be, therefore, the Committee recommends that any new council of a consolidated city be given a similar choice. Your Committee thinks that such flexibility is desirable and that charter provisions precluding one system or the other would be unnecessary and perhaps unwise.

Advantages of a merged Welfare Department

Finding no obvious disadvantages to consolidation of the welfare departments, Committee members examined possible advantages that would result from merger. Some advantages mentioned might be stated as follows:

- (1) Department heads are likely to find an increased ability to recruit and maintain a fully trained staff. For example, a prospective staff member can be shown greater job diversity, more opportunity for specialization, and greater opportunity for advancement to a supervisor's position.
- (2) Certain economies of scale should be inherent in a merged welfare department. One illustration would be the pooling of present assets by a merged department to acquire a group home for children. An undertaking of this magnitude would be difficult for either department were it to proceed alone at this time.

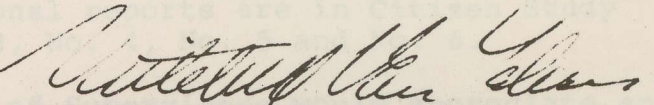
- (3) The food stamp program could be administered more effectively by a department having jurisdiction over the entire community.
- (4) The foster home program would benefit from a larger inventory of available homes.
- (5) Determination of the residence of applicants with respect to the present city-county line would, of course, be eliminated.

Though none of the foregoing advantages when taken alone would be given as a factor having great weight, when these advantages are considered as a whole, they are significant. Accordingly, the Committee has concluded that the Charlottesville and Albemarle Departments of Welfare can, for the same tax dollar, operate more effectively as one department under one governing unit.

CONCLUSION

This Committee presents information outlined above to the public, the Board of Supervisors, and the City Council, hoping that the report will prove useful during the next few months while consolidation of Albemarle County and the City of Charlottesville is being considered. We also hope that no one will hesitate to contact the Committee chairman with any question, comment, criticism, or suggestion.

Respectfully submitted,


Mitchell Van Yahres, Chairman

CITIZEN STUDY PACKET NO. 7

PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Schools and Education Committee Report (Part II) with Synopsis and Background Material

This is one of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Ten additional reports are in Citizen Study Packets No. 1, No. 2, No. 3, No. 4, No. 5 and No. 6.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

SYNOPSIS: SCHOOLS AND EDUCATION COMMITTEE REPORT (PART II)

I. ALLEGANY SCHOOL SYSTEM:

Schools: There are fourteen elementary schools (enrollment, 1,400). The committee recommends that there be no reduction in the current level of educational services and that service inequalities in the two systems be eliminated.

Also suggested was that all current employee rights and privileges be preserved after merger and that no salaries be decreased as a result of merger. The committee projected that it would require an additional \$305,000 in local funds to equalize salary scales in the two systems.

If the city and county school systems are merged, the committee recommended that kindergartens for 5 year olds be provided for county children. It is estimated the kindergarten program will require a capital outlay of \$450,000 plus an additional \$200,000 annually in local funds.

It was also suggested that bus transportation be provided for city school as well as county school children. As an example for estimating cost, the committee noted that if 2/3 of all city pupils qualify for bus service additional buses would cost \$175,000. The local share of additional transportation cost, however, should not exceed \$65,000 annually.

Because the superintendents' positions would be vacant on the effective merger date, the committee recommended that the consolidated school board choose a new superintendent.

Also noted was that with a merged community, a school board could better plan new and additional school plant facilities. Under a merged--as opposed to annexed--school system possible over or under expansions would be avoided.

Operation	263,010	292,580	29,670
Maintenance	130,890	130,100	7,210
Debt Service	473,632	503,176	29,544
Miscellaneous (including transportation)	523,975	560,015	36,040
Total	\$4,498,729	\$5,105,791	\$607,062

II. CHARLOTTESVILLE SCHOOL SYSTEM:

(Schools and Education Committee Members: Thomas J. Michie Jr. (Chairman), Supervisor I. F. Wood Jr., Councilman J. W. Wright Jr., Thomas Jenkins, Dr. W. Copley McLean, Douglas White, County School Superintendent Paul H. Cale, City School Superintendent Dr. Edward W. Pushton.)

BACKGROUND: SCHOOLS AND EDUCATION (PART II)

I. ALBEMARLE SCHOOL SYSTEM:

Schools: There are fourteen elementary schools (enrollment, 4,379), three junior high schools (enrollment, 1,866), one senior high school (enrollment, 1,389). Total enrollment: 7,634. Some classes have more than 30 students. Teacher-pupil ratio: 26.3. Instructional cost per pupil: \$475.

Insurable Value of Physical Facilities: \$12,803,398

Teacher Salary Scale (1969-70 budget): Minimum of \$6,200 with no experience to a maximum of \$9,018 with 15 years of experience for a Bachelor's Degree. Minimum of \$6,800 to a maximum of \$9,618 with a Master's Degree.

Programs: Aside from general academic programs, the county has: special education and vocational education (including distributive education, industrial cooperative training, vocational office training, practical nursing, agriculture, vocational home economics and data processing). There is no adult education or summer program.

Transportation: The county spent \$230,775 this year to operate school buses which traveled 836,000 miles and transported 6,636 children.

Tax Sources for Education: Local taxes, 54%; state, 40%; and federal, 6%.

School Budget:

	1968-69	1969-70	Increase
Administration	\$ 82,772	\$ 100,964	\$ 18,192
Instruction	3,024,450	3,518,056	486,406
Operation	263,010	292,680	29,670
Maintenance	130,890	138,100	7,210
Debt Service	473,632	503,176	29,544
Miscellaneous (including trans- portation)	523,975	560,015	36,040
Total	\$4,498,729	\$5,105,791	\$607,062

II. CHARLOTTESVILLE SCHOOL SYSTEM:

Schools: There are six elementary schools (enrollment, 3,654), two junior high schools (enrollment, 1,557), and one senior high school (enrollment, 1,319). Total enrollment: 6,530. Teacher-pupil ratio: 23.3. Instructional cost per pupil: \$509.

Insurable Value of Physical Facilities: \$10,464,778

Teacher Salary Scale (1969-70 budget): Minimum of \$6,300 to a maximum of \$9,750 for a Bachelor's Degree. Minimum of \$7,050 to a maximum of \$10,700 with a Master's Degree.

Programs: Aside from general academic courses, the city offers: industrial arts, computer, home economics, vocational education (including office training, industrial cooperative training, practical nursing, masonry and carpentry). There is a special education center located at McGuffey School. The city also offers an adult education and summer program.

Transportation: The city does not provide transportation for all its students. There is a taxi service for 50 students in the McGuffey area. One bus transports Venable area children to Greenbrier Elementary School because of overcrowding.

Tax Sources for Education: Local taxes, 77%; state, 22%; and federal, 1%.

School Budget:

	1968-69	1969-70	Increase
Administration	\$ 124,138	\$ 134,806	\$ 10,668
Instruction	3,298,437	3,894,889	596,452
Operation	274,968	326,440	51,472
Maintenance	165,034	158,419	-6,615
Debt Service	460,474	426,179	-34,295
Miscellaneous	257,076	280,810	23,734
Total	\$4,580,127	\$5,221,543	\$641,416

	1968-69	1969-70	Increase
Administration	\$ 82,775	\$ 100,964	\$ 18,189
Instruction	3,024,450	3,518,056	493,606
Operation	263,010	323,680	60,670
Maintenance	130,890	138,100	7,210
Debt Service	473,632	503,176	29,544
Miscellaneous	223,975	260,012	36,037
Total	\$4,498,722	\$5,105,791	\$607,069

CHARLOTTEVILLE SCHOOL SYSTEM:
 Schools: There are six elementary schools (enrollment, 3,654), two junior high schools (enrollment, 1,257), and one senior high school (enrollment, 1,319). Total enrollment: 6,230. Teacher-pupil ratio: 23.3. Instructional cost per pupil: \$209.

SUBJECT: Second preliminary report to the Council of the City of Charlottesville and the Board of Supervisors of Albemarle County

FROM: Committee on Schools and Education

June 10, 1969

The following statement completes the preliminary report of the Committee on Schools and Education. It consists of three brief statements proposed for inclusion in the merger agreement and some comments on these statements.

The Committee has concluded that other matters considered by it must be left to the new school board and the new city council. We are confident that the new School Board will be able to deal with these responsibilities and will observe sound principles in making the necessary decisions. For example, we have made no statement concerning the establishment of new attendance zones.

Similarly, we have made no suggestions about the utilization of existing facilities nor the planning of new facilities. However, we believe that the existing school plants can be effectively utilized in the event of merger. We also believe that merger would provide excellent opportunity for planning new and additional school plant facilities for a unified school division. Such a situation would lend itself most advantageously in the area of vocational and technical education and for expansion of physical facilities for kindergarten and special education. Furthermore, each of the existing systems would avoid the problem of possible over or under expansion, a problem inherent in any annexation situation.

MERGER AGREEMENT PROVISION:

School Services: The School Board should undertake to equalize educational services in the new school division as quickly as possible. There should be no diminution in the level of educational services.

COMMENT:

Perhaps the implications of this provision can best be explained by citing examples. For instance, pupils living in Albemarle County are furnished transportation to and from school when such service is deemed necessary. If the school systems are merged, many pupils living within the present City of Charlottesville would be eligible to receive this service. The new school board should adopt a policy and develop necessary plans and procedures for providing the service uniformly. Assuming that 2/3 of the city pupils would be eligible, the cost of acquiring buses would be approximately \$175,000. It is very difficult to estimate cost of operation but it appears that the local share of additional costs should not exceed \$65,000 annually excluding replacement costs which would be approximately \$15,000 annually.

The kindergarten is another example. The present city school system will have begun the operation of programs for five year old children before the vote on the merger. If the school systems are merged, kindergartens should be made available to children in the present County school system as soon as possible. Based on current costs it is estimated that half day kindergartens for the present County area would require capital outlay of \$450,000 and approximately \$200,000 in local

There are other differences in programs offered in the two school systems. We have not made a detailed analysis of the cost of equalization of these services but we believe that neither the changes nor the cost will be great in these areas.

MERGER AGREEMENT PROVISION:

School Employees: All employees in each class or category throughout the new school division should receive equal treatment. All rights and privileges which employees have at the time of merger should be preserved. No employee should be discharged by reason of merger. It may be necessary to change the titles and responsibilities of some individuals, but no salaries will be decreased because of the merger.

COMMENT:

A careful analysis shows that the cost of placing all present teachers, principals, and instructional personnel employed by the Albemarle County School system on the proposed salary schedule to be used in Charlottesville for 1969-70 would require an additional \$305,000.00 in local funds. The cost of paying 1/2 of the health insurance for all personnel as the city does would be approximately \$33,000.00.

MERGER AGREEMENT PROVISION:

School Division Superintendent: On the effective date of merger, the position of Superintendent for the new City will be vacant. The School Board will choose a new Superintendent thereafter and in so doing will observe all State Board of Education regulations concerning selection of Superintendents. Qualified persons in the system, including the present Superintendents will be considered along with other applicants.

CONCLUSION

The Committee on Schools and Education thinks that merger is feasible and desirable. We believe that the enlarged system offers an opportunity for obtaining better and more efficient use of the education dollar. It should be kept in mind by the citizens that the increase in operational expenditures after merger would be the result of keeping salaries competitive and of improved educational offerings and services rather than merger.

Committee on Schools and
Education

Thomas J. Michie, Jr.
Thomas J. Michie, Jr.,
Chairman

CITIZEN STUDY PACKET NO. 8
PROPOSED MERGER OF CHARLOTTESVILLE AND
ALBEMARLE COUNTY

Contents:

1. Public Services Committee Report with Synopsis and Background Material
2. Taxation and Finance Committee Report with Synopsis and Background Material

These are the last of twelve consolidation committee reports which will be used as the Charlottesville City Council and the Albemarle County Board of Supervisors explore the possibility of a city-county merger. Eleven additional reports (including Part I and II of the Schools and Education Committee Report) are in Citizen Study Packets No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7.

The City Council and Board of Supervisors would appreciate any factual information or ideas on the specific study areas from any citizen or group. Comments, suggestions or criticisms should be mailed to the respective committee chairman, in care of either the County Office Building or the Charlottesville City Hall.

BACKGROUND: PUBLIC SERVICES
SYNOPSIS: PUBLIC SERVICES COMMITTEE REPORT

I. STREETS AND ROADS

Street lights, sidewalks, garbage collection and storm drainage systems should be promptly extended throughout the urban area, the committee recommended.

If merger becomes effective, the "urban" area would include Charlottesville and a large portion of the Charlottesville District. The remainder of the county is classified as "rural".

The committee noted that the county--as opposed to the city--does not have building codes or inspection ordinances. It suggested that all city and county ordinances now in effect should remain effective in the former areas until either amended or repealed by the new city council. A study, however, should be made by the new council on the desirability of extending building codes and inspection ordinances on a uniform basis throughout the urban district, the group stated.

Curbs, gutters and sidewalks should be provided in the urban area on a cost-sharing basis by the landowner and new city.

The committee observed that after merger, the State Highway Department could continue to build and maintain roads in the present county area for at least 10 years.

It was also recommended that a study be made to determine the storm drainage needs of the entire urban area immediately after merger.

II. GARBAGE COLLECTION AND DISPOSAL

A. Albemarle County

The county provides no garbage collection service. There is, however, a private garbage service in which everyone has access. The county has two sanitary land fills: one located in Daniel Miller district and the other near Scottsville.

B. Charlottesville

The city collects all garbage and trash in Charlottesville and disposes of it in a sanitary land fill located on St. ... All residences are furnished pickup service twice ... costs the city \$230,000. Staff: 28;

(Public Services Committee Members: Supervisor L. F. Wood (Chairman), Councilman Mitchell Van Yahres, County Executive T. M. Batchelor and City Manager James E. Bowen Jr.)

BACKGROUND: PUBLIC SERVICES

I. STREETS AND ROADS

A. Albemarle County

The county has 143 miles of primary roads and 698 miles of secondary roads. All maintenance and construction funds for the county primary and secondary roads come from either state or federal sources. No local money is involved. State road funds (1969-70): \$771,200, primary system; \$1,192,042, secondary system. Another \$9,084,000 in state and federal funds has been allocated for Interstate 64 and Rt. 29--both of which involve more than one county. Streets lights are provided by the county in various subdivisions in the Charlottesville District and portions of Samuel Miller District and Crozet including White Hall.

B. Charlottesville

The city has 135 miles of streets and spends \$593,900 in maintenance. Out of this total the state provides \$243,401 (there is no federal allocation for streets). The formula for state funds is \$10,000 a mile for primary roads and \$1,100 a mile for secondary roads. In new construction of federal highway projects, the federal government pays 50%, state 35%, and local 15%. Some 1860 street lights are distributed throughout Charlottesville at an annual cost of \$70,000.

II. GARBAGE COLLECTION AND DISPOSAL

A. Albemarle County

The county provides no garbage collection service. There is, however, a private garbage service in which everyone has access. The county has two sanitary land fills: one located in Samuel Miller district and the other near Scottsville.

B. Charlottesville

The city collects all garbage and trash in Charlottesville and disposes of it in a sanitary land fill located on St. Rt. 742. All residences are furnished pickup service twice weekly and pickups are made daily, Monday through Saturday, in business areas. No special service charge is made for this service (it is included in the tax rate). Garbage collection and disposal costs the city \$230,000. Staff: 29; trucks, 16.

III. INSPECTION SERVICES

A. Albemarle County

Under the county's zoning ordinance, inspection is required but only to assure compliance with zoning standards. No building inspection as such is required. The Health Department inspects to determine whether new construction meets the minimum health requirements. This department, however, inspects only if no public water or sewer lines are available.

B. Charlottesville

The city requires building permits to construct, enlarge, alter, remove or demolish or change the occupancy of a building from one use group to another requiring greater strength, exit or sanitary provisions; or to change to a prohibited use; or to install or alter any equipment for which provision is made or the installation of which is regulated by the Basic Code. Buildings are inspected by the city building inspector from time to time during and upon completion of the work. A minimum fee of \$5.00 is charged for each permit issued.

Electrical permits are required for alterations of installations of electrical wiring or any type of electrical appliance or fixture. Inspections are made by the city electrician at such stages of the work as he may consider necessary to determine whether or not the provisions of the Charlottesville Electrical Code have been fulfilled. Electrical permit fees range from \$1.00 to \$40.00.

Plumbing permits are required for the installation, roughing-in, or changing of any sewer, waste, vent, trap or fixture. The word fixture means each water closet, sink, bathtub, shower, lavatory, wash tray, floor drain, washing machine connection, disposal or any water using apparatus which is connected to the waste or drainage system through a trap. Inspections are made by the city plumbing inspector during the course of erection, alteration or repair so often as may be necessary to see that all plumbing, drainage and sewage work is done in accordance with applicable city ordinances. Three dollars is charged for each sewer connection in the city or county, and two dollars for each permit.

IV. DEPARTMENT OF RECREATION

A. Albemarle County

The county recreational program is very limited. It has no permanent staff and has a summer recreational program only. There is one complete park in Crozet which offers fishing, boating, and picnicking. Two parks are now under construction, one in Earlysville and the other in Scottsville.

The county offers a summer children's program. In 1969-70, it is estimated that the county will spend \$3,000 to operate its recreational program.

B. Charlottesville

The Department of Recreation is one of the departments of the city government under the direction of the city manager. It has a ten member advisory board (appointed by City Council) to advise council on programs and facility developments.

Functions of the department are: to see that acceptable recreation activities are available to the public; to see that adequate recreation and facilities are provided for the public; and by request, to assist private and individuals in their recreation interests by being available to them and by serving in an advisory capacity to them.

There are fourteen outdoor areas and two full-time centers maintained and operated by the department. The outdoor areas include: McIntire Park which has golf, wading pool, picnic shelter, three ball fields, and 11 lighted tennis courts; Washington Park has two ball fields, swimming pool and park house; Greenleaf has a park house; Meade Avenue has picnicking and a ball field; Rives Street has a ball field and park house; Belmont Park has a park house; Forest Hills has a wading pool, picnicking, ball field and park house; Fifeville has some facilities; Azalea Park has a ball field; Greenbrier is currently undeveloped; Quarry Road has two ball fields; Tonsler Park has a ball field and park house. There are two monumental parks, Lee Park and Jackson Park.

Two centers--Carver and Downtown--are indoor facilities used for special interest classes, skating, meetings and supervised play. The department has a year-round program of activities for children, teens and adults which includes: art, ballet, baton, bridge, guitar for beginners, judo, karate, knitting and creative stitchery, modern dance, slimnastics for ladies, touch football, tumbling and stunts, adult basketball, youth basketball, youth string orchestra, men's fitness and athletic program, tennis instruction, junior tennis tournament, volleyball, organized playground activities, men's slow pitch softball, women's softball, swimming (summer), swimming instruction, skating, skating instruction, dances, golf and golf instruction.

There is a monthly attendance of about 6,000.

Staff: 10 full-time and about 64 summer employees.

The operating budget for parks and recreation is approximately \$226,900. There are no current plans for future parks.

V. JOINT PUBLIC SERVICES

A. Airport

The Charlottesville-Ablemarle airport is run by a joint

city-county airport commission formed in 1954. The commission is charged with advising the governing bodies on the care, management and control of the airport property and its facilities. Management has been contracted to Horizon Aviation on a lease basis with a fixed base operator and airport manager. The airport manager sees that the day-to-day operations of the airport are carried out and the fixed base operator operates the business part of the airport.

As for physical facilities, there is one runway 6,000 feet long with an instrumental approach, Horizon Aviation office building, hangar, Federal Aviation Administration flight service station (advisory body providing weather information) and one terminal. The airport is served by one certified air carrier, Piedmont Airlines, and two commuter airlines, Cardinal and Shenandoah.

The airport has an under-cover storage capacity of 30 airplanes. Other airplanes can be stored outside. Piedmont Airlines has about 10 flights a day. There is a minimum amount of traffic with 30-35,000 non-local movements a year.

The day-to-day operations of the airport are paid for by Horizon Aviation. Capital appropriations are provided by the city and county.

Airport Expenditures 1968-1969

Operation	\$ 951.14
Expansion	2,995.00
Fire and Rescue Building	36,185.82
	<u>\$40,131.96</u>

There is a \$55,500 grant outstanding.

B. Library

The McIntire Public Library consists of the Main Library, Scottsville Branch, Crozet Branch, Gordon Avenue Branch and the bookmobile. A public library for Charlottesville was founded in the early 1800's. In 1919 the Charlottesville Public Library was formed and in 1921 it was opened for public service. The city and county made a contract for joint operation of the library in 1947.

The policy making body is the Library Board whose eight members are appointed by the City Council and Board of Supervisors for four year terms. Their duties include appointing a director, selecting books, collecting information and reviewing the budget prepared by the director.

Staff: 23.

Money is appropriated to the library by the city and county on a basis of circulation. The county pays 48% of the total budget and the city pays 52%. Of the total operating budget (1969-70) of \$219,580, Charlottesville pays \$106,019 and Al' emarle \$84,816.

The appraised worth of all physical facilities including books

C. Health Department

The Albemarle-Charlottesville Health Department has been jointly operated by the city and county since 1923. It has a staff of 44 which includes one doctor, three dentists (two vacancies) and 14 nurses. The department currently serves over 3,900 patients. Eligibility for health services varies with each program--some are open to everyone while others are only for the medically indigent.

Listed among the departments duties are providing special clinics and services in cooperation with the University of Virginia Hospital; conducting a general health program which covers acute, communicable, venereal and tuberculosis control; providing nursing, school and health services; and conducting sanitation inspections of homes, schools, food establishments, nursing homes, homes for the aged, summer camps and roadside establishments.

Department costs are borne on a sharing basis by state, city and county. Generally the county pays 16%, the city 14% and the state 70% of the annual budget.

Budget comparison:

	<u>Total Budget</u>	<u>County Share</u>	<u>City Share</u>
1968-69	\$359,839	\$58,420	\$51,173
1969-70	396,971	64,879	56,213

1. Street and sidewalk construction and maintenance.
2. Street lighting.
3. Trash and garbage removal and disposal.
4. Storm drainage.
5. Building codes and inspection.

* Within the past year the County has assumed the cost of existing minimal street lighting in scattered areas of the County.

Subject: Preliminary Report to the City Council of
Charlottesville and the Board of Supervisors
of Albemarle County

From: Public Services Committee

July 1 , 1969

INTRODUCTION

This committee was instructed to study the problems which might arise from merger of Charlottesville and Albemarle County with regard to various services which are now provided by the two governmental units or which should be provided after merger by the consolidated city, exclusive of the services such as schools, police and law enforcement, public welfare, land use and fire protection which are being studied by special committees, and also exclusive of the revenue-producing services studied by the Public Utilities Committee. In several important fields of public service, such as the public library, the airport and the health department, the City and County have been operating jointly for some time. The successful joint operations in these fields will undoubtedly continue whether merger takes place or not. In the area of public recreation facilities, the City of Charlottesville has expanded its program considerably in recent years and the County has recently undertaken a modest program to provide recreational facilities accessory to its schools and the water impoundments at Beaver Creek and Earlysville. These programs are utilized by City and County residents alike and this will undoubtedly continue whether merger takes place or not. It appears to this committee, therefore, that the public service fields remaining for its consideration are the five fields listed below. The City of Charlottesville presently provides services to its residents in all of these fields, but Albemarle County does not.

1. Street and sidewalk construction and maintenance.
- * 2. Street lighting.
3. Trash and garbage removal and disposal.
4. Storm drainage.
5. Building codes and inspection.

* Within the past year the County has assumed the cost of existing minimal street lighting in scattered areas of the County.

All of these services are services which are required in urban areas and, by their availability, tend to promote urban development. This committee recommends, therefore, that these services should all be provided throughout the Urban District of the consolidated city on a basis comparable to that presently existing in the City of Charlottesville as promptly as possible, subject to the qualifications set out below in the discussion of each service.

RECOMMENDATIONS

1. Street and sidewalk construction and maintenance.

The Law of Virginia provides that, upon request of the governing body of a city formed from the consolidation of a city and a county, the State Highway Department must continue, for a period not to exceed ten years after consolidation, to provide full services for road construction and maintenance in that portion of the city which formerly was a county. We recommend that the Council and Board take advantage of this law and include a provision in the consolidation agreement requiring the new city council to do so immediately upon consolidation. If, after a period of time, the new council feels that it would be advantageous to take over street construction and maintenance within the Urban District, we believe that this can be done by agreement with the Highway Department. The Rural District should remain the responsibility of the Highway Department as long as possible. In this connection, we understand that the 10-year period provided in the present law will very likely be extended. We also recommend that the portion of the present County which becomes part of the Urban District after consolidation should be subject to the same policies as the present city area with regard to construction of curbs, gutters and sidewalks as soon as practicable after consolidation. This policy provides for a sharing of cost by the landowner and the city.

2. Street Lighting - As soon as practicable after consolidation, the consolidated city should extend the same policies with regard to street lighting to the entire Urban District as apply in the present city. Existing street lighting should be maintained in Crozet and Scottsville by the consolidated city.

3. Trash and Garbage Removal and Disposal - Within the entire Urban District, trash and garbage collection should be provided as a public service on a uniform basis immediately upon

consolidation. Within the Rural District, the present system of sanitary landfills maintained by Albemarle County should be continued, but no garbage collection service should be provided as a public service.

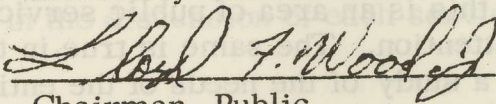
4. Storm Drainage - Even within the present City of Charlottesville, this is an area of public service which has not received much attention. The same is true in the County. We recommend that a study of the needs of the entire Urban District be made immediately upon consolidation and that a uniform policy be adopted for that area based upon the results of the study. We recommend that the consolidated city should not assume any responsibility for storm drainage in the Rural Area beyond that included in reasonable requirements contained in ordinances relating to subdivision of land, land use and zoning.

5. Building Codes and Inspection. The City of Charlottesville has ordinances which control rather strictly building practices within the City and provide for building permits and inspection fees to insure compliance. Albemarle County has no building code and, although building permits are required, there are no inspection fees or procedures provided for. The County building permit is merely a device to assist the real estate tax assessors in picking up new construction for assessment. This committee understands that the City and County attorneys have recommended that all City and County ordinances effective within the respective areas at the effective date of consolidation should remain in effect until amended or repealed by the new City Council, but only in the areas previously affected thereby. This committee concurs in the attorneys' recommendation, believing that the present status should be retained. We also recommend that a study should be made by the new Council to consider the desirability of extending the City Building Code and inspection ordinances or similar ordinances to be effective throughout the Urban District of the consolidated city after consolidation on a uniform basis. In urban areas, some effective control in this field is desirable. Whether such control is required or desirable in rural areas is debatable.

CONCLUSION

In summary, it is the belief of this committee that the services discussed in this report are essentially urban services, and

they should, therefore, be extended upon a uniform basis throughout the Urban District of the consolidated city upon the assumption expressed in the report of the Merger Committee on Taxation and Finance, that higher taxes related to urban services will be levied in the Urban District and the proceeds of those taxes will be segregated for expenditure in the areas where they are collected.



Chairman, Public
Services Committee

CONCLUSION

3. Trash and Garbage Removal and Disposal - Within the entire city it is the belief of this committee that the services discussed in this report are essentially urban services and

SYNOPSIS: TAXATION AND FINANCE COMMITTEE REPORT

Should merger become effective, the committee recommends that the new city be divided into two distinct taxing districts and that different real estate tax rates be applied uniformly throughout each district.

Under this concept, Charlottesville and a large portion of Charlottesville District would be taxed under an "urban" rate while the remainder of the county would be taxed under a "rural" rate.

The committee suggested that a 20% real estate assessment ratio be used throughout the consolidated city. County real estate is currently assessed at 15% of its fair market value while the city uses a 30% ratio.

Since the current tax rates and assessment ratios are different in both the city and the county, the committee noted that only by comparing tax dollars to the fair market value of property can any meaningful city-county comparisons emerge.

In a detailed analysis, the committee stated that for each \$100 of fair market value, city taxpayers pay \$1.40 while county taxpayers pay 84¢. This means that the true tax burden of county taxpayers is 60% of that paid by city taxpayers.

Although the tax burden is higher in Charlottesville, the committee observed that city taxpayers receive a much greater and more sophisticated concentration and range of governmental services than do county residents.

To underscore the difference in urban and rural costs, the committee observed that the city--as opposed to the county-- provides garbage collection, a comprehensive recreational program and wide-spread water service and gas systems. The city also spends more than the county for such services as fire and police protection and engineering and planning.

The difference in the true tax burden reflects a basic difference in urban and rural service demands. In this case, the higher the taxes, the greater the benefits, the group noted.

Acknowledging urban-rural service demand differences, the committee observed that if all real estate in the new city was assessed at 20%, neither county* nor city taxpayers would bear any tax increase.

Under this 20% ratio, the committee estimated the current tax rate would be \$7 and the current county* rate would be \$4.20 per \$100 of assessed valuation applied. The true tax burden of city taxpayers would remain at \$1.40 while the true tax burden of county taxpayers would stay at 84¢.

THESE FIGURES ARE COMPUTED ON THE BASIS OF THE COMBINED
CURRENT (1969-70) BUDGETS OF THE CITY AND COUNTY.

Although taxes would jump considerably in the urban portion of the Charlottesville District, this increase would be offset by the "prompt extension" of urban services, the committee stated.

* This excludes the urban portion of the county.

While the committee specifically mapped out the portions of Charlottesville District to be included in the urban area, it suggested that as service demands in the rural area intensify, the urban taxing district line be expanded.

It also was noted that schools, police and general governmental service costs must be borne uniformly throughout the new city. Other service costs, however, will be borne "entirely by the benefited area."

Before the effective merger date, the group suggested that the city and county operate on their existing budgets. During this transitional period, it was recommended that no borrowing should be allowed without prior approval of both the city and county governments.

The committee also suggested that certain other taxes be made uniform throughout the new city. These include:

- Imposition of a merchants and professional tax. The county currently has no such taxes.
- Setting a \$10 auto license tax. This reflects the current county rate but the city's rate is \$5.
- Using a utility tax for residential users of 10% for the first \$20 of monthly service with a \$2 maximum per month. This is half the county's current tax. The city presently uses a 5% tax with no practical maximum.

Also recommended was that the question of all general obligation bond issues should be submitted to referendum. Short-term borrowing, however, would be excluded from this requirement.

The committee acknowledged that there would be many differences of opinion concerning the report and suggested that hearings be held as soon as possible.

(Taxation and Finance Committee Members: Supervisor Joseph E. Gibson (Chairman), Supervisor Edgar N. Garnett, Councilman G. A. Voigt, Councilman Kenneth E. Davis, County Executive T. M. Batchelor, City Manager James E. Bowen, City Treasurer L. G. Harding, Assistant Director of Finance Ray Jones, County Attorney D. B. Marshall and City Attorney W. Clyde Gouldman.)

BACKGROUND: TAXATION AND FINANCE COMMITTEE REPORT

I. GENERAL INFORMATION

A. Fair market value of publicly owned property

	<u>Charlottesville</u>	<u>Albemarle</u>
Real Estate	\$22,000,000	\$16,243,000
Personal Property	<u>1,595,700</u>	<u>3,972,000</u>
Total	\$23,595,700	\$20,215,000

B. Indebtedness

	<u>Charlottesville</u>	<u>Albemarle</u>
Bonded Debt for Utilities	\$2,830,000	—
Bonded Debt for Schools	3,415,000	\$4,515,620
Bonded Debt for General Improvements	382,000	—
Crozet Sanitary District Bonds	—	30,000
Albemarle County Service Authority	—	1,047,510
Short Term Borrowing in Anticipation of Revenue	—	<u>700,000</u>
Total	<u>\$6,627,000</u>	<u>\$6,293,130</u>

II. ALBEMARLE COUNTY

In 1969, the tax rate is \$5.60 per \$100 assessed value. For example, for a \$20,000 home the assessed ratio is 15%; therefore, the assessed value would be \$3,000. The total tax would be \$168.

Total amount of revenue from real estate, 1968

Charlottesville District	\$ 617,050
Ivy	263,414
Rivanna	336,548
Samuel Miller	180,114
Scottsville	186,007
White Hall	<u>209,464</u>
TOTAL	\$1,792,597

Assessed value of real estate, 1968

Charlottesville District	\$ 11,866,340
Ivy	5,065,660
Rivanna	6,472,080
Samuel Miller	3,463,710
Scottsville	3,577,070
White Hall	<u>4,028,160</u>
TOTAL	\$34,473,020

Real value of real estate, 1968

Charlottesville District	\$ 79,108,930
Ivy	33,771,070
Rivanna	43,147,200
Samuel Miller	23,091,400
Scottsville	23,847,130
White Hall	<u>26,854,400</u>
TOTAL	\$229,820,130

The utility tax includes electricity, gas and telephone. The rate is 20% of the first \$20 usage of electricity and telephone; and 20% of first \$10 usage for gas.

The county's financial assets, as per audit, are \$2,111,054 for the year ending June 30, 1968.

Total amount of money coming in from the state is \$1,774,732. total amount of money coming in from federal funds is \$258,028 for the year ending June 30, 1968.

Charlottesville District is of major importance to the county because 27% of the school children come from this district and it produces 34.4% of revenue on real estate.

Estimate of the population of Albemarle County for 1969 is 39,468: Charlottesville District, 15,277; Ivy, 2,785; Samuel Miller, 5,427; White Hall, 4,664; Rivanna, 5,969; and Scottsville, 5,346.

The total number of square miles in the county is 740.38: Charlottesville District, 52.16; Ivy, 46.88; Rivanna, 153.84; Samuel Miller, 141.24; Scottsville, 188.54; and White Hall, 157.72.

The average weekly income per worker in the county based on taxpayers is \$109 in 1968.

III. CHARLOTTESVILLE

In 1969, the tax rate is \$4.65 per \$100 assessed value. For example, for a \$20,000 home with an assessment ratio of 30%, the assessed value would be \$6,000. The total tax would be \$279.

<u>Real Estate</u>	<u>1968</u>
Tax revenue	\$ 2,838,689
Assessed value	66,016,040
Real value	<u>220,053,470</u>

The city's financial assets, as per audit, are \$27,798,512 for the year ending June 30, 1968.

Total amount of money coming in from state and federal funds is \$1,872,412 for the year ending June 30, 1968.

Charlottesville has a population of 40,200. Total number of square miles in the city is 10.62.

The average weekly income per worker in the city based on taxpayers is \$93 for 1968.

The utility tax includes water, gas, telephone, electricity, and television cable. The utility rate is 5%.

INTRODUCTION

The Committee recognizes that a merged city will contain areas which will receive varying degrees of benefit from governmental services. While a case can be made for the division of the area of the new city into three classifications - urban, suburban and rural - the "suburban" classification poses many problems. Such an intermediate class suggests that a rural area is becoming urbanized but as of a point in time has not reached that latter classification. Having not become "urban" the "suburban" area does not require all the services of the urban area and therefore should not be taxed for them. The problems of determining just when a certain parcel of property evolves from one class to another and just which marginal taxes should be assessed along the way make apparent the inevitable difference of opinion between taxpayer and taxing authority. To create such a situation we feel would be detrimental to good governmental relations. We would classify all property within the merged city as either URBAN or RURAL. As the urban area expands into the surrounding area the new area should promptly become eligible for all urban services and should be required to pay for them. While any demarcation of boundaries will be arbitrary, your committee would presently recommend defining as Urban that land within the present City of Charlottesville corporate limits and the developed portions of Charlottesville Magisterial District immediately adjacent to the city as shown on the map attached hereto as Exhibit G. The land constituting the balance of Albemarle County would be classified as Rural.

-3-

SUBJECT: Second preliminary report to the Council of the City of
Charlottesville and the Board of Supervisors of Albemarle
County

FROM: Committee on Taxation and Finance

July 1, 1969

INTRODUCTION

The Committee recognizes that a merged city will contain areas which will receive varying degrees of benefit from governmental services. While a case can be made for the division of the area of the new city into three classifications - urban, suburban and rural - the "suburban" classification poses many problems. Such an intermediate class suggests that a rural area is becoming urbanized but as of a point in time has not reached that latter classification. Having not become "urban" the "suburban" area does not require all the services of the urban area and therefore should not be taxed for them. The problems of determining just when a certain parcel of property evolves from one class to another and just which marginal taxes should be assessed along the way make apparent the inevitable difference of opinion between taxpayer and taxing authority. To create such a situation we feel would be detrimental to good governmental relations. We would classify all property within the merged city as either URBAN or RURAL. As the urban area expands into the surrounding area the new area should promptly become eligible for all urban services and should be required to pay for them. While any demarcation of boundaries will be arbitrary, your committee would presently recommend defining as Urban that land within the present City of Charlottesville corporate limits and the developed portions of Charlottesville Magisterial District immediately adjacent to the city as shown on the map attached hereto as Exhibit G. The land constituting the balance of Albemarle County would be classified as Rural.

Your committee recommends a stratified tax rate applicable

to real estate in these two areas to reflect the varying governmental services received by each area. With respect to other taxes and licenses, your committee recommends that they be made uniform throughout the new city as soon as practicable.

A. TRANSITION PERIOD. (From the referendum date to the effective date of merger)

For this transition period both the City of Charlottesville and the County of Albemarle will operate on their existing budgets.

B. PREPARATION OF THE 1970-71 BUDGET The City of Charlottesville and the County of Albemarle should, prior to the effective date of the merger, prepare a combined single budget under which the new city shall operate from July 1, 1970 through June 30, 1971.

C. TAX RATE. Before discussing the effect of the merger on the tax rate, it is essential to understand the present situation. The County presently assesses real estate at 15% of its fair market value, the City at 30%. The rate of taxation is presently \$5.60 for each \$100. of assessed value in the County and \$4.65 for each \$100. of assessed value in the City. As the different tax rates are applied to different ratios of fair market value, it is difficult to make a comparison. However, if the amount of tax dollars is compared with the fair market value of the taxed property a more meaningful relationship appears. For each \$100 of fair market value of property in the City the taxpayer pays \$1.40; for each \$100 of fair market value of property in the County the taxpayer pays 84¢. (See Exhibit A for a detailed example)

Why cannot property be assessed at a ratio of 100% of its fair market value? The answer is that the County must abide with the assessments of the State Corporation Commission with respect to

property owned by utility companies (railroads, electric and power and telephone companies). The assessment of such properties requires some explanation:

In the past there was a tendency for local government to tax utility property disproportionately. In 1966 the General Assembly, by legislation, required a policy of gradually removing utility property from its assessment (40% of fair market value) to the ratio used by local government in the assessment of other real estate (for Albemarle County 15%, Charlottesville 30%). But to make this adjustment all in one year would seriously unbalance local budgets. Accordingly, a programmed reconciliation of ratios was begun in 1967, converting 5% of the property (then on hand in the utility companies) each year from the 40% S. C. C. ratio to the local ratio. In theory, after twenty years all utility property would be taxed as all other local real estate. All new improvements made by the utilities would be assessed at the local ratio.

From the foregoing it should be apparent that a change in the local ratio of assessment will affect only that utility property which has already been converted to the local ratio; that the balance of the unconverted property will be affected only 5% each year. As a change in the ratio must also bring a change in the rate -- or else the amount of the tax due will be changed -- an increase in the ratio to 100% of fair market value would cause a dollar rate to be lower substantially, and though local taxpayers would be paying the same tax, the utilities would be paying a substantially smaller tax, because the local property then assessed at 100% of its value would be paying the same dollar amount per hundred dollars of assessed value as would the utility company whose property would be assessed at only 40% of its fair market value. See Exhibit B for an idea of the magnitude

of property values affected.

Your committee has no desire to tax unfairly the utility companies any more than it wishes to be unfair to any of its local residents. Our aim is to leave the true dollar tax burden of all citizens as unchanged as is possible. To demonstrate that this is possible we illustrate a 20% overall local assessment ratio for real estate and a \$7.00 rate per hundred dollars of assessed valuation. If these figures are substituted in the example detailed in Exhibit A it will be revealed that the tax burden of the urban resident is unchanged, remaining at \$1.40. If we assume that the same relationship of tax burden should continue to maintain respecting urban and rural property (that the latter should be taxed at 60% of the former as it previously was) the rural property would have a tax burden of 84¢.

To permit such a difference in tax burden, there must be established a difference in governmental services which bear a reasonable relationship to the difference in tax rates. To aid in the comparison of rural and urban costs, Exhibit C and Exhibit D and attached. For a complete picture revenues must be considered with related expenditures, when possible.

Present City items with no comparable figures for the County include:

	<u>Water</u>	<u>Sewer</u>	<u>Gas</u>
Revenue	\$835,000	\$248,000	\$2,025,000
Costs, including debt retirement	<u>653,000</u>	<u>307,762</u>	<u>1,404,125</u>
"Profit" "(Loss)"	\$181,900	\$(59,762)	\$ 620,875

These are revenue producing services and their revenues properly should defray their costs including debt retirement. We would expect these services to expand substantially in the merged city. There would be

customers would be made uniform with the city customers, but the prompt extension of services to new "county" customers should soon offset this reduction and in short order produce a net gain in revenue.

The City budget reveals several items which, though legally the proper revenue of the City, are produced by the entire shopping area and are not attributable solely to the residents of the present City. These include the sales tax and the merchants and professional license tax. On the other hand, the County shows an item of "revenue" of \$700,000. This like amount is included in the County's capital improvements and reflects the borrowing and payment of funds for the purchase of the City's interest in Burley High School.

There are items of revenue which should be made uniform for the new city. These include the auto license tax (which we recommend be placed at the present county rate of \$10) and the utility tax which we recommend be 50% of the present County rate. This would make the utility tax for residential users 10% of the first \$20 of service each month, a maximum of \$2 per month. The present City tax is 5% of the cost of service with no practical maximum. (City rate drops to 2% when user's bill amounts to \$3,000 in a month.) The County should impose a merchants and professional tax. There would appear no need for the imposition of fees for building permits or inspection fees in rural areas as it is not contemplated that the construction in those less densely inhabited rural areas would be subject to the same ordinances governing construction as would the urban area's requirement.

There are, however, many items of costs which lend support to the different tax rate to be levied on urban residents over and above the rate levied on rural residents. The City spends for public service

and receives from the State \$244,000, a net local revenue requirement of \$619,800. For garbage collection and disposal the City spends \$185,955 in excess of the costs of the County sanitary land-fill operations (\$230,200 minus \$44,245). In fire department costs the City spends \$262,700, the County \$85,740. For Engineering and planning the City spends \$190,000, the County \$55,800. For recreation the City spends \$226,900, the County \$3,000. Finally, police protection costs the City \$713,100; the County spends \$184,545 for the Sheriff's department and receives a major portion of this as reimbursement from the State. Of all of the above costs (except police and possibly recreation) special tax districts could be established to provide revenue for those services.

There can be little question that the urban resident receives a much larger portion of the benefits derived from the expenditures just enumerated, but there is a problem in translating these benefits into terms of tax rate differential. However, your committee feels there are objective criteria by which to measure the costs of many of these services, at least to permit a reasonable relationship to exist with respect to tax differential and benefit received. For example, the cost of the benefit of garbage collection and disposal can be compared to the cost of that service to residents outside of the city (near city \$3.50 per month; more rural area \$4.50 per month). Even the differential in fire protection can be determined aside from comparing city tax base with cost of such protection. An exhibit (Exhibit E) is attached to indicate the difference paid by rural homeowners for fire protection and like coverage which costs are far in excess of those charged urban homeowners.

In sum, we feel there are ample bases to recognize the existence

from the far less demanding rural resident. Each area should pay for only those services received. In the future, when services are intensified and the urban area, in fact, expands, the lines of the taxing district should be adjusted to encompass the changed area.

There can be no taxing districts to defray costs for services classified by statute as schools, police and general governmental services. To meet any increase in these costs a general increase would have to be made to the tax rate uniformly to all real estate throughout the entire city, or funds would have to be obtained from other sources.

To illustrate the concept of taxing service districts in practice, the proposed ratio and rate would contemplate the prompt extension of services to the new urban area without any increase in tax on the rural taxpayer. Having established a reasonable relationship between the tax rate differential and the cost of services rendered, there should be no need to change the relationship of rural to urban tax rates until that just referred reasonable relationship should disappear. Any increase due solely to increased costs in schools, police or general governmental services, if payable from real estate tax, would have to be allocated uniformly throughout the entire new city. Cost of increased services to the area receiving such services will be borne entirely by the benefited area.

D. ASSUMPTION OF DEBT AND MERGER OF FINANCIAL ASSETS

The County and City now have almost the same total amount of outstanding indebtedness. Your committee sees no reason why all the present debts of the two governing units should not be assumed by the new city when governmental merger is effected. This means

among other things, that there should be no need for creation of special taxing districts to pay off indebtedness incurred by any one area prior to merger.

Though there are differences in the amount of assets (Exhibit F presents assets and debts of both units) the committee thinks any differences are immaterial, especially in view of the fact that by statute all of the assets of both present units will become the property of the one resulting city.

E. NO BORROWING DURING TRANSITION PERIOD WITHOUT PRIOR APPROVAL OF BOTH CITY AND COUNTY GOVERNMENTS

From the referendum date until the effective date of merger the need for extensive borrowing by either the County or City appears unlikely. With this thought in mind, your committee recommends that provisions in the consolidation agreement preclude any such borrowing before merger without prior approval by both the Board of Supervisors and the City Council. If by some chance, approval were received and loans were obtained, it is recommended that discretionary authority be given the new government to create special taxing districts for that borrowing area to pay off such indebtedness.

F. REQUIREMENTS FOR BOND ISSUES FOR THE NEW CITY

Although there is no legal requirement for it so to do, the City has for some years consistently submitted to referendum the question of general obligation bond issues. Your committee approves of this practice but would recommend that the charter of the merged city contain a provision requiring a prior referendum before any bonds can be issued. There should be excluded from such a requirement, however, such borrowing as may be required on a short-term basis which can be effected in anticipation of revenue for a particular fiscal year.

full awareness that complexities abound in these fields. We realize that taxing district lines wherever drawn will be subject to much controversy and difference of opinion. We understand that suggestions made herein might well be changed or that additional suggestions might be appropriate. Accordingly, we recommend a hearing on this report as soon as possible so that the Council and Board may have the benefit of public thought and statements long before any final consolidation agreement is prepared for referendum.

Respectfully submitted,

Committee on Taxation and Finance

Joseph E. Gibson

 Joseph E. Gibson, Chairman

EXAMPLE:

(A)	(B)	(C)	(D)	(E)	(F)	(G)
Appraised Value	Ratio Applied	Assessed Value	Ratio	Assessed Value	Tax	Tax Burden
Fair Market Value		A x B	C ÷ 100	D x E	F ÷ A	
\$15,000	30%	\$4,500	45	\$4.55	\$209.25	\$1.40
\$15,000	15%	\$2,250	22.5	\$5.50	\$126.00	80.84

As the foregoing example reveals, an Albemarle County resident has a true tax burden on real estate which is 60% of the burden shouldered by a City resident on comparable property. This differential is accounted for by the fact that a City resident receives many more services than the County taxpayer.

EXHIBIT A

COMPUTATION OF "ACTUAL TAX BURDEN"

It is difficult for comparisons to be made in current as well as proposed tax burdens if we continue to use the combination of ratios and rates presently in existence in Charlottesville and Albemarle. Any reference made in this report to the tax burden for a taxpayer will refer to the actual dollar amount of tax which will be levied with respect to each one hundred dollars (\$100) of fair market value of the tax property. To aid in comparison, the following shows the actual tax burden now borne by the citizens of each governmental unit with respect to real estate.

EXAMPLE:

	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	<u>Appraised</u>	<u>Ratio</u>	<u>Assessed</u>	<u>Number of</u>	<u>1969-70</u>	<u>Tax</u>	<u>Tax</u>
	<u>Fair Market</u>	<u>Applied</u>	<u>Valuation</u>	<u>\$100</u>	<u>Rate</u>		<u>Burden</u>
	<u>Value</u>			<u>in (C)</u>			
			A x B	C ÷ 100		D x E	F ÷ A
City	\$15,000	30%	\$4,500	45	\$4.65	\$209.25	\$1.40
County	\$15,00	15%	\$2,250	22.5	\$5.60	\$126.00	\$0.84

As the foregoing example reveals, an Albemarle County resident has a true tax burden on real estate which is 60% of the burden shouldered by a City resident on comparable property. This differential is accounted for by the fact that a City resident receives many more services than the County taxpayer.

EXHIBIT B

CORPORATION COMMISSION ASSESSMENT

COMPUTATION OF "ACTUAL BURDEN"

PUBLIC UTILITY PROPERTY

In 1966 the S.C.C. was assessing utility property in Charlottesville and Albemarle County at 40% of its fair market value while the County was assessing other real property at 15% of its fair market value and the city was assessing other Charlottesville real property at 30%. In 1966 the S.C.C. froze the amount of the property then held by utility companies and provided that the 40% assessment of that property would be brought into line with the assessment of other like property at the rate of 5% of the amount of property each year. All new improvements would be assessed by the localities on the same basis as other property. Because of this gradual transfer of property from a 40% assessed ratio to the local current assessment ratio, there is a cumulative loss of local revenue. The raising of the local ratio of assessment on other property brings a lowering of the dollar tax rate. This lower rate then applied to the property assessed at the 40% ratio would reduce the burden on the utility company.

The amounts involved are:

	<u>Charlottesville</u>	<u>Albemarle</u>
(A) Value of utility property on hand 1966 then assessed at 40% of its value-fair market value	\$16,212,772	\$26,240,000
(B) Fair market value annually removed from 40% assessment and assessed at local ratio (5% of A)	810,638	1,412,000
(C) Total transferred to local ratio thru 1969 (B x 4)	3,242,552	5,248,000
(D) Fair market value (1970) to be assessed at 40% ratio (A-C)	12,970,220	20,992,000
(E) New additions-fairmarket value	3,400,286	7,104,960
(F) To be assessed at current local ratio (C + E)	6,642,838	12,352,960

EXHIBIT C

COMPARISON OF THE REVENUES OF
 CHARLOTTEVILLE AND ALBEMARLE COUNTY

Fiscal Year 1969-70

	<u>Charlottesville</u>		<u>Albemarle</u>	
	<u>Amount</u>	<u>Percent of total</u>	<u>Amount</u>	<u>Percent of Total</u>
Real Estate and Personal Property Tax	\$4,324,500	33.42	\$3,248,000	39.06
Licenses	560,000	4.37	43,000	.52
Utilities Taxes	365,000	2.82	450,000	5.41
Franchise Tax	60,000	.46	-	-
Vehicle Tax (Tags)	93,000	.72	139,000	1.67
Courts and Clerks' Offices	107,800	.83	67,200	.81
Parking Meters	74,000	.57	-	-
Gas Receipts	2,025,000	15.65	-	-
Sewer Charges	248,000	1.91	-	-
Water	835,000	6.45	52,897	.63
A.B.C. Profits	110,000	.85	90,000	1.08
State Highway Funds	244,000	1.88	-	-
Local Sales Tax (1%)	1,150,000	8.89	225,000	2.70
Library	113,561	.87	-	-
State and Federal Relief Funds	432,066	3.34	346,500	4.17
Sheriff & Com. Attorney			160,500	1.93
Interest and Miscellaneous	200,000	1.54	183,783	2.21
Appropriated from Operating capital			700,000	8.42
Permits and All Others	164,575	1.27	78,020	.94
State Sales Tax (2%)	475,000	3.67	509,946	6.13
State School Funds	1,171,985	9.06	1,610,994	19.37
Other School Funds	184,500	1.43	411,500	4.95

EXHIBIT D

COMPARISON OF THE EXPENDITURES OF
CHARLOTTESVILLE AND ALBEMARLE COUNTY

Fiscal Year 1969-70

	<u>Charlottesville</u>		<u>Albemarle</u>	
	<u>Amount</u>	<u>Percent of total</u>	<u>Amount</u>	<u>Percent of total</u>
Administration	\$ 292,500	2.26	\$ 293,975	3.54
Engineering and Planning and Inspection	190,900	1.48	55,800	.67
Courts, Commonwealth Attorneys and Jails	132,700	1.03	105,230	1.26
Welfare	663,950	5.13	558,647	6.72
Public Service, Yards, Streets and Street Lights	863,800	6.68	10,000	.12
Refuse Collection and Disposal	230,200	1.78	44,245	.53
Water Costs & Debt Retirement	653,100	5.05	60,197	.73
Sewerage Line, Disposal and Debt Retirement	307,762	2.38	-	
Gas supply, Lines, Service and Debt Retirement	1,404,125	10.86	-	
Police Protection & Sheriff's Department	713,100	5.51	184,545	2.22
Fire Department	262,700	2.03	85,740	1.03
Recreation	226,900	1.75	3,000	.04
Library	219,580	1.70	85,070	1.02
General Debt	73,435	.57	-	
School Debt	425,679	3.29	503,176	6.05
Capital Improvements	1,150,000	8.89	1,219,100	14.65
School Budget	4,795,864	37.08	5,008,115	60.22
Other	327,385	2.53	99,500	1.20
TOTALS	<u>\$12,933,680</u>	<u>100.00%</u>	<u>\$8,316,340</u>	<u>100.00%</u>

EXHIBIT E

COMPARISON OF FIRE INSURANCE
(FIRE PROTECTION COSTS)

The following examples are merely illustrative and are used purely as a means of showing that fire protection can be quantified and related to population density and water accessability. All computations are based upon the costs of a "broad coverage homeowners" policy. All dwellings are of brick construction.

Fair Market Value of Dwelling

	<u>\$10,000</u>	<u>\$20,000</u>	<u>\$30,000</u>	<u>\$40,000</u>
Premium for three years if property is classified as:				
RURAL	\$131.	\$188.	\$289.	\$410.
URBAN	<u>95.</u>	<u>136</u>	<u>209</u>	<u>295</u>
Difference	\$36	\$ 52	\$ 80	\$115
Annual difference Above + 3	\$12.00	\$17.33	\$26.67	\$38.33

EXHIBIT F

PROPERTY VALUE AND INDEBTEDNESS

The property belonging to the City of Charlottesville and the County of Albemarle is shown below at their respective fair market values:

	<u>Charlottesville</u>	<u>Albemarle</u>
Real Estate	\$22,000,000.00	\$16,243,000.00
Personal Property	<u>1,595,700.00</u>	<u>3,972,000.00</u>
Total	<u>\$23,595,700.00</u>	<u>\$20,215,000.00</u>

The indebtedness of the City of Charlottesville and the County of Albemarle is shown below at the respective amount of outstanding principal; interest is excluded:

	<u>Charlottesville</u>	<u>Albemarle</u>
Bonded debt for utilities	\$ 2,830,000.00	\$ 0
Bonded debt for general improvements	382,000.00	0
Bonded debt for schools	3,415,000.00	4,515,620.00
Crozet Sanitary District Bonds	0	30,000.00
Albemarle County Service Authority	0	1,047,510.00
Short term borrowing in anticipation of revenue	\$ 0	\$ 700,000.00
	<u>\$ 6,627,000.00</u>	<u>\$ 6,293,130.00</u>

SOURCES OF VALUATIONS AND DEBT

The above evaluations were established by the City of Charlottesville and by the County Albemarle for their respective properties and debts and the committee is satisfied that such values are acceptable for the purposes of this proposed merger agreement.

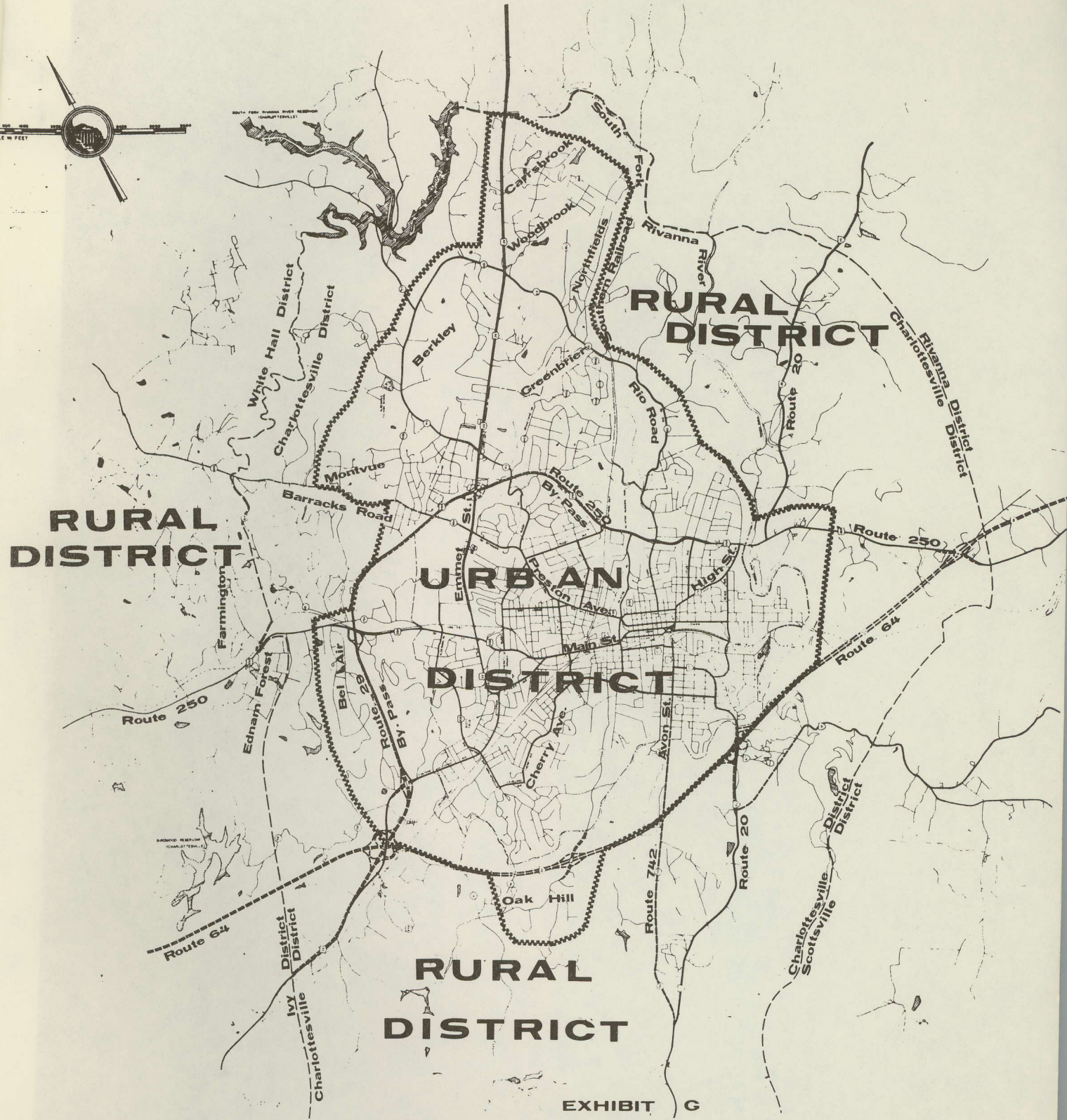
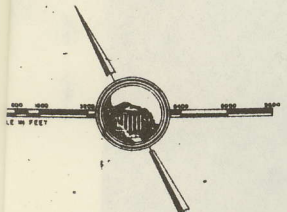


EXHIBIT C