

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 2, 2022 at 1:00 p.m. This meeting was held by electronic communication means using Zoom and a telephonic connection, due to the COVID-19 state of emergency.

BOARD MEMBERS PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Mr. Jim Andrews, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Greg Kamptner; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m. by the Chair, Ms. Donna Price.

Ms. Price said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(16), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." She said that the opportunities for the public to access and participate in the electronic meeting were posted on the Albemarle County website, on the Board of Supervisors' homepage, and on the Albemarle County calendar. He stated that participation included the opportunity to comment on those matters for which comments from the public would be received.

---

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

---

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price said she had two items to add to the agenda under Item No. 23. She said one would be a request that Supervisor LaPisto-Kirtley had regarding the letter of support for the Lafourche Historic Registry inclusion, and the other was from Supervisor Mallek with regard to a letter sent to Senator Warner in support of honoring our Promise to Address Comprehensive Toxic Acts (PACT) Act, 2021. She said both of these were late additions because of the time framing of the information and when it was necessary to be supported.

Mr. Andrews **moved** to adopt the final agenda, as amended.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

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

Mr. Andrews said as he was sure all of them were cognizant of what was going on in the world, his heart went out to those who were suffering right now. He said they should take note that the IPCC (Intergovernmental Panel on Climate Change) released its sixth report assessment on climate this past week as well, and again was something the world needed to take note of. He said there were some good things going on in the County that he would let other Supervisors discuss.

Ms. McKeel thanked Mr. Andrews for his recognition of the terrible things that were happening in the world, as well as the environmental report that came out this week. She said on the positive side, they had a wonderful event in the County Office Building yesterday. She said Sean Reaves was pinned as the new Chief of Police, and along with his promotion, there were many other promotions for the Albemarle County Police Officers.

Ms. Mallek said Old Rag Mountain trails would now be by walking day pass only, so people who were interested in hiking Old Rag should contact [recreation.gov/ticket](https://recreation.gov/ticket) to get a ticket for \$1 ahead of time. She said that did not include parking, so to please plan ahead for that. She said the Journey Through Hallowed Ground was offering summer camps, and she sent the link to that to Matt Haas so he could circulate it to the students. She said usually juniors and seniors did the summer camp in Middleburg.

Ms. LaPisto-Kirtley said her heart went out to the people of Ukraine who were fighting for their lives regarding this invasion. She said on a more positive note, she attended her first meeting of the Charlottesville-Albemarle Convention for the Visitors Bureau. She said it went very well and they were looking for positive things to bring visitors to Charlottesville and Albemarle.

Mr. Gallaway said the issue about speeding that he brought up the previous week continued to be an issue. He said he was bringing it up to those driving today to tell them to slow down. He said as the weather warmed up, and children and everyone else were excited to be outside, there was more risk to pedestrians, especially after a few years of being pent up. He said he was just calling attention to it, and the County would do what it could within its confines to help with enforcement, but he was working with other communities and other efforts that they could on their own associations. He said as they made

some comments on some political items happening, he wanted to express his disappointment with the House and the General Assembly for failing to get rid of the ban on gay marriage in the state. He said it was far past the time for that to run through, and it was the will and the urge of what the Commonwealth should be, and the fact it did not happen was a disappointment.

Ms. Price said she agreed with the concerns and comments of her fellow Supervisors and that what was happening in Ukraine was outrageous, and for the sake of brevity she would not address that. She said the Thomas Jefferson Soil and Water District recently announced the winners of the 2021 Clean Water Farm Awards, which recognized local farmers and landowners who progressively managed their operations and adopted and implemented innovative conservation tools, technologies, and practices. She said Albemarle County's own High Lawn Farm, owned by Rosalyn Kuntz and David Herd, were the recipients this year. She said she was a proud supporter and happy customer of High Lawn Farm and that she purchases their beef at the Scottsville farmer's market. She said it showed they not only produced great products, but they did it in an environmentally conscious manner.

Ms. Price said she also wanted to express appreciation for their Broadband Office, Michael Culp and Jason Inofuentes. She said they recently were able to have their testimony before the SCC and Albemarle County, due to their effort and the leadership of their Assistant County Executive Trevor Henry, were instrumental in unifying a number of regional counties to provide significant testimony, which would bring relief to their consumers. She said finally, it was important that, as they went into budget season, their community appreciate the value of the County's triple-AAA bond rating, and their consent agenda item 8.2, they were able to reflect \$2 million of savings by being able to refinance loans because they had such good credit.

---

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Proclaiming March as Red Cross Month.

Ms. McKeel **moved** to adopt the proclamation recognizing March as Red Cross Month and read the motion aloud.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

Central Virginia Red Cross Executive Director Bill Brent said the Red Cross was only there because of the support they received from the communities they served. He said their mission was to prevent and alleviate human suffering in the face of emergencies, and they did that by mobilizing the power of volunteers and the generosity of donors. He said they were so fortunate and grateful for that support. He said he would be remised today if they did not acknowledge they did not acknowledge the Red Cross members serving across the world, and in parts of the world that were in conflict today. He said he was willing to do a lot for his American Red Cross, including dying his hair red for Red Cross Month.

Mr. Brent said he never once had to question that he would be killed for going to work, and they had colleagues in the Red Cross serving in other countries today that were taking that risk and serving in bomb shelters and risking their lives to protect communities in Hungary, Poland, Ukraine, and in Russia. He said their impartiality, neutrality, and universality required them as an organization to embrace that. He said he was grateful they were an organization that embraced those fundamental principles and values, and that they had a community that supported them in that, so he thanked the Board for the proclamation.

Mr. Andrews said he wished to express his gratitude to the American Red Cross for trying to make a better world and for the resilience he thought they all should dedicate themselves to. He said he hoped people would continue to support the Red Cross with donations of all kinds.

Ms. McKeel said Mr. Brent's words were moving, and it was important for them to remember the things that at times they could take for granted in this country, other people really struggle with, whether it was going to work or school, and the Red Cross was appreciated for their efforts through all of the disasters that they had seen in many, many countries and continued to today.

Ms. Mallek thanked the Red Cross organization. She said she began taking classes back in the 1950s and her grandson participated in their classes for his senior life saving so he could get a job just before the pandemic began. She said during these last couple of years, everything being shut down had really emphasized how much they provided because they did not have it then. She said she looked forward to a more normal year and thanked them for all they were doing.

Ms. LaPisto-Kirtley asked Mr. Brent to make it known to the brave Red Cross members, especially those who worked overseas, that they supported and saluted them.

Mr. Gallaway thanked Mr. Brent for being present and said he wished they had been able to coordinate and dye his beard red along with him. He said he agreed with his fellow Supervisors sentiments and offered his sincere appreciation to all those who volunteered for their organization.

Ms. Price said she could only add to the suffusive praise. She said her family had all benefited directly; all four of her children received their CPR advanced life saving and their swim instructor certificates, which allowed them to be lifeguards when they were growing up, and those were skills that would continue to save themselves and others throughout their lives. She said she had also experience living both in the United States and overseas in places where the Red Cross had responded to hurricanes, typhoons, floods, earthquakes, and even volcanoes. She said the work the organization did was simply invaluable in a world where they were working so hard to hurt so many other people, it was a blessing to have the Red Cross there to help take care of people.

---

**Proclamation Proclaiming March as Red Cross Month**

**WHEREAS**, in times of crisis, people from across Albemarle County come together to take care of each other. This humanitarian spirit is part of our community and exemplified by American Red Cross volunteers and donors; and

**WHEREAS**, in 1881, Clara Barton founded the American Red Cross, turning her dedication to helping others into a bold mission to prevent and alleviate people's suffering. More than 140 years later, we honor the kindness and generosity of the Red Cross volunteers here in Albemarle County, who continue to carry on Clara's legacy of saving lives. They join millions of people across the United States who volunteer, donate blood, make monetary donations, or learn vital life-preserving skills through the Red Cross; and

**WHEREAS**, in Albemarle County, the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours, whether providing emergency shelter, food, and comfort to families devastated by local disasters such as home fires, winter storms, flooding; donating essential blood for victims of accidents and burns, cardiac surgery and organ transplant patients, and those being treated for leukemia, cancer, or sickle cell anemia; supporting military service members and veterans, along with their families and caregivers, through the challenges of military life; helping to save the lives of others with first aid, CPR, and other skills; or delivering international humanitarian aid; and

**WHEREAS**, their work to prevent and alleviate human suffering is vital to bolstering the resilience of our community. We dedicate this month of March to all those who continue to drive the noble legacy of the founder of the American Red Cross, Clara Barton, who lived in her words: "You should never think about anything but need, and how to meet it." We ask others to join this commitment to giving back in our community.

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the Albemarle County Board of Supervisors now proclaim the month of March 2022 as Red Cross Month and encourage all residents of Albemarle County to get in touch and support their humanitarian mission.

---

Item No. 6.b. Proclamation Celebrating Women's History Month.

Ms. Price **moved** to adopt the proclamation Celebrating Women's History Month.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

Ms. Palwasha Mohammad Asif greeted the Board and thanked them for having her. She said this was a big opportunity for her to share her story and her background. She said her name was Palwasha Mohammad Asif, and she was from Afghanistan, but had lived in the United States since 2015. She said she graduated high school in Kabul and went to college there until her second semester, when they moved to the United States. She said she was a full-time employee working with the IRC (International Rescue Committee) and a part-time college student. She said she had a hard time adjusting to everything they left in Afghanistan and when they came to the U.S. She said she started school when she came here, and she was turning 18, so the school she applied to did not accept her because it was only two months left until she was 18, so they said it would not benefit her to only be in school for two months.

Ms. Asif said the IRC provided her with English classes, of which she had taken many, to improve her English to find jobs to help support her family. She said as they knew, Afghan families were large families, and hers was the same, there were about ten of them in the house, and it was a big responsibility on her and her brothers as well. She took classes and got a chance to apply for college. She said she got her certificate as a pharmacy technician. She said she worked for two years as a pharmacy technician in CVS, and after that, in 2017 she was a volunteer in IRC. She said after some years, she decided to apply to the IRC to work with them and help refugees.

Ms. Asif said as they knew, Afghan refugees were making up more than 1/3 of the refugees in Charlottesville right now, and it had been 40% of the resettlement of Afghan refugees from 1998 plus the 331 people in the past five months, so that was why they were trying to help give them the support and love that they received from IRC and from the community. She said she also wanted to mention that they came through the IRC, so that was why she felt she knew the help people needed and how to help them. She thanked the Board for the proclamation.

Ms. Price thanked her and clarified for those who did not know, the IRC was the International Rescue Committee. She said she would like to ask the Board if they had any comments.

Mr. Andrews thanked Ms. Asif and welcomed all the refugees to Charlottesville and Albemarle County. He said it was very appropriate that when they were celebrating Women's History Month that they are also talking about empowering women refugees.

Ms. McKeel thanked Ms. Asif for helping them understand her situation. She said she appreciated hearing those stories, and wanted to thank Harriet Kuhr from the IRC for all the work that organization does. She said she had been involved with them over many years and they were very much a part of the community.

Ms. Mallek said she was glad Ms. Asif could be here and help others understand the work that the IRC does.

Ms. LaPisto-Kirtley thanked Ms. Asif and said she believed they all knew people who were helping the Afghan refugees coming to the community and wanted to do everything possible to support them. She said she was glad Ms. Asif was here.

Mr. Gallaway thanked Ms. Asif for joining them. He said he always appreciated this proclamation coming forward, because his grandmother had the most profound and strongest influence on his life, and he thought of his girls often. He said Delegate Hudson recently tweeted and reminded people that UVA did not become a coed institution until 1970. She said her point in bringing that up was that a lot of men had never sat in a classroom next to women, and those men were still in leadership positions, board rooms, etcetera. He said he was proud to be serving on a Board with four strong women, and before Mr. Andrews joined the number was five. He said he was always grateful when he talked to his children about the women he served with who were leading Albemarle County.

Ms. Price thanked Ms. Asif for making it real by sharing her story, which helped all of them in the community to remember what it was like, because many of them were descended from immigrants who came to this country at some point in time. She said she also wanted to thank Ms. Asif personally for paying it forward and taking her experience and using it to help others in their community. She appreciated the fact that this proclamation this year was tailored, and they did not repeat language that may have been used in previous years, because it was an ever-changing world. She said they were honored to have Ms. Asif present today.

Ms. Asif thanked the Board for their comments and feedback. She said she had a great time joining the meeting.

---

### **Proclamation Celebrating Women's History Month**

**WHEREAS**, Women's History Month, celebrated during the month of March, originated in 1987 to recognize the heritage and achievements of women; and

**WHEREAS**, throughout our nation's history, the United States has welcomed women immigrants and refugees from around the world who have contributed to all areas of society and whose knowledge, skills, and abilities have laid the foundation for a more robust workforce and a more prosperous economy; and

**WHEREAS**, almost 50% of the 26.6 million refugees worldwide are women and girls who face unique challenges during the displacement and resettlement process because of their gender identity, including the threat of sexual violence; and

**WHEREAS**, if fully harnessed, the economic power of refugee women could contribute \$1.4 trillion to the annual global GDP; and

**WHEREAS**, Albemarle County continues to welcome and support refugee members in our community, not only because their contributions improve the quality of life for all of us, but because we strive to live up to our ideal of creating an inclusive community for all regardless of what they can do for us in return.

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby acknowledge and celebrate Women's History Month 2022, with a special recognition of the challenges that the women and girl refugee members in our community face and overcome, and we recommit to building an equitable and inclusive society where even our most vulnerable members can thrive.

---

Item No. 6.c. Proclamation Recognizing March 16 through March 22, 2022 as the 28th Annual Festival of the Book.

Ms. Gallaway **moved** to adopt the proclamation recognizing the 28<sup>th</sup> Annual Festival of the Book.

Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

Ms. Jane Kulow thanked the Board for the proclamation. She said they were thrilled to present their first ever hybrid 2022 Virginia Festival of the Book, and their 28th annual festival. She said they greatly appreciated the support of Albemarle County and invited everyone to participate this March. She said in order to provide safe access for all, they listed Covid-19 policies according to each in-person venue, so they encouraged everyone to check the precautions listed for each event at VaBook.org. She said meeting people where they were, the 2022 festival presented 75 events, 74 of which were free, offering access to books in all genres for all ages. She said each of these events allowed them to hear directly from the author, however anyone wishes to participate, and they were thrilled to once again welcome attendees from elsewhere to visit their community for this festival. She said they appreciated their support, she was happy to answer any questions they may have, and she hoped to see them at the festival.

Mr. Andrews said even though it seemed they were all very agreeable, he was one of the ones who wanted to read this resolution as well, so there had been a fight over this one. He said he very much appreciated this and they were big personal supporters of the festival, and loved reading for it in the past. He said he wished them well this year and he believed the new format would be great.

Ms. McKeel said it was lovely to see Ms. Kulow. She said all they had gone through with the shutdowns during the pandemic for the past two years, one of the good things that came out of it was the ability to have this hybrid model where they could invite people from all over the world to enjoy the festival with them. She said that was something that, when there were many not-so-happy things going on, was at least one happy piece they could celebrate with her. She said she looked forward to seeing the schedule and list when they came out.

Ms. Mallek said as another loser to being able to read the proclamation for the festival, she agreed with Ms. Kulow and looked forward to perhaps another year when the advisory group was together again, because she found that a very meaningful thing to be a part of. She said their community had been a bookish community forever, and some of the statistics that surprised her was that they had the highest ratio of bookstores to population in the country a few years ago, and she hoped that was still the case. She said they had book programs like the Dolly Parton Book Program that got books into the hands of children throughout the Commonwealth and was very heavily supported in the community. She said this festival had been something that rocked their world every year, and she was grateful for the hybrid format, because she could never get to go to the things she wanted to in the past except for maybe one out of ten, so to have the ability to go back to a recording later or attend more than one event at once was wonderful. She said the author visits to schools had been spectacular over the years, and she hoped those would continue as things evolved. She said the people the children had met and been able to engage with them about how they wrote their book or did their illustrations were very meaningful to the children and the teachers. She wished Ms. Kulow luck with the event.

Ms. LaPisto-Kirtley thanked Ms. Kulow and said the hybrid format was a good idea. She wished her luck and said she enjoyed it in the past and was glad that now more people could participate.

Mr. Gallaway said they all agreed that the Virginia Festival of the Book was in great hands with

Ms. Kulow at the helm. He said he also wanted to commend everyone for taking this to the hybrid version. He said over the last few years, people had perhaps gotten used to, and did not think about how easy it was to put things by the wayside because of Covid-19, but she found a way to not only continue to provide and do the festival, but also turn it into an advantage to expand the participation, was phenomenal. He said he knew that would be a piece that would move on in an annual basis, because this would most likely become the new norm. He congratulated her on that and said Ms. Mallek's comments about being able to go back and listen to recordings was helpful if someone couldn't attend in person.

Ms. Price said it was quite a race to see who would read the proclamation, clearly demonstrating the Board's interest in the Festival of the Book. She said they had a bounty of blessings in Albemarle County, and the Festival of the Book was one of those many blessings that they had. She said she believed they all recognized the importance of reading over the past couple of years as they closed schools and virtual learning, in particular for young learners, the challenges they face in improving reading skills. She said the work they did was so important to encourage reading at all levels, and they all thanked Ms. Kulow for being there today.

Ms. Kulow thanked them all. She said it was the toughest time in their preparations for the festival as it was two weeks out. She said their words of support and enthusiasm were wonderful to hear, and she looked forward to seeing them all soon.

Ms. Price said she wanted to thank Dr. Binte-Farid as well for all the work she did continually in her office to ensure they actually put into practice equity and inclusion and diversity in these proclamations. She apologized for not being able to speak to her before she signed off of the meeting.

---

**PROCLAMATION  
VIRGINIA FESTIVAL OF THE BOOK**

**WHEREAS**, the County of Albemarle believes that literacy is critical to active and engaged citizenship, and is committed to promoting reading, writing, and storytelling for all, both within and outside its borders; and

**WHEREAS**, reading stimulates the creative and intellectual growth of individuals, while also building community through shared experiences, discourse, and understanding; and

**WHEREAS**, the 2022 VIRGINIA FESTIVAL OF THE BOOK as a hybrid event, with events presented locally and through online platforms, draws attendees and attention to Albemarle County from around the globe, while providing all programs but one free of charge to attendees, and offering greater accessibility through closed-captions, recap videos, and transcripts; and

**WHEREAS**, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, and cultural and civic organizations collaborate with the VIRGINIA FESTIVAL OF THE BOOK to explore the world through reading, foster empathy for the stories of others, and promote literacy for all; and

**NOW, THEREFORE, BE IT PROCLAIMED**, that we the Albemarle County Board of Supervisors do hereby recognize

**WEDNESDAY, MARCH 16 THROUGH SUNDAY, MARCH 20, 2022  
AS THE  
TWENTY-EIGHTH ANNUAL  
VIRGINIA FESTIVAL OF THE BOOK**

and encourage community members to participate fully in the wide range of available programs and activities.

---

Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Patricia Cochran introduced herself as the current president of the League of Women Voters of the greater Charlottesville area, and she presently resided in the Samuel Miller District. She said after a year of review of the Albemarle County 2015 Comprehensive Plan, the League of Women Voters of the Charlottesville area would like to offer a suggestion for the upcoming update to the County Comprehensive Plan. She said in order to be viewed through the lens of climate action, the growth management section of the Comprehensive Plan first needed to indicate which aspects of land use contributed to climate change. She said chapters of the plan that related to increasing greenhouse gas emissions should be identified as having growth that must be managed. She said the policy should say how that should be done.

Ms. Cochran said it was reported on page five of the summary for policymakers in the IPCC 2014 Report that globally, economic and population growth continued to be the most important drivers of increases in CO2 emissions from fossil fuel combustion. She said the contribution of population growth between 2000 and 2010 remained roughly identical to the previous three decades, while the contribution of economic growth had risen sharply. She said locally, they should be aware of economic growth as a driver of the growth of fossil fuel use. She said as they related to climate action, the chapters in the Comprehensive Plan could be divided into two categories: those that generated greenhouse gases, and those that were carbon sinks. She said those that generated greenhouse gases were all related to economic growth, which were economic development, the development areas, housing, transportation, and community facilities. She said the four other chapters were carbon sinks, which were natural resources, historic, cultural, and scenic resources, the rural area, parks and recreation, greenways, blueways, and green systems.

Ms. Cochran said land uses that acted as carbon sinks must be preserved and protected to mitigate global warming and therefore climate change. She said the greenhouse gas emitters should at the very least be developed so that they were carbon neutral. She said their growth must be managed so that if they grew, they did not contribute to an increase in greenhouse gases. She said conversely, the land uses that acted as carbon sinks must be preserved and protected. She said they suggested that accurate data be available that showed the effect of various activities on greenhouse gas emissions and on supporting resilience. She said these data should be used to achieve carbon neutrality in plans and designs that were submitted to the County Board of Supervisors for permitting. She thanked them for allowing her to share this suggestion.

---

Mr. Kent Schlussel, Rio District, said he had been a resident of Albemarle County since 1977, and paid taxes to the County every year. He said he had served in the United States Air Force for 29 years, both on active duty and in a very active reserve organization. He said he taught both undergraduate classes and graduate classes, had sat on dissertation committee examinations, master's degrees, and had advised many students. He said he had never asked a question like the County staff asked him this morning. He said he currently was teaching a master level course for Rowan University called "Engineering Ethics and Law."

Mr. Schluskel said he had supervised and hired hundreds of people, and in his last full-time job before retirement, he supervised about 300 people. He said he accepted people for who they were and encouraged all to use their talents. He said he always based his personnel decisions on character and qualifications. He said never had he been asked a question like he was asked this morning, nor had he ever asked an employee a question like the question the County staff asked. He said he was awarded the Equal Employment Opportunity award by the Intelligence and Security Command of the U.S. Army for his actions in 1999. He said the command had over 26,000 employees at the time, and there was only one EEO award, so he was sure he must have treated everyone fairly.

Mr. Schluskel said he applied to be on the AC44 Working Group to help the County develop its Comprehensive Plan, filled out the application and submitted it. He said this morning, he received an email from the County staff asking him what his sexual orientation was and if he had a disability. He said he could opt out and not answer those questions and he was fairly sure that his application would then not be considered. He said it was no one's business what his sexual orientation was and especially the County government had no business asking. He said he believed this was a discriminatory action. He asked if the County was saying that if he did not have the correct sexual orientation, he should not apply.

Mr. Schluskel said all humans had some type of disability. He said he had never looked at a person and said they were disabled. He said he always looked at another person and asked himself what abilities did the person have, and how can this person contribute to the mission. He said he happened to actually have a disability according to the Veterans Administration, but that had never stopped him from using his abilities as he had never used that as a factor if he could do the job or not. He asked if the County had gone so far out that they needed to know everyone's sexual orientation and disability status. He said this was nothing more than big brother watching people and based on his ethics training and responses from his graduate students on similar discussion questions, this would be considered unethical. He said according to federal law, just the asking of this question is illegal – Title 7 of the Civil Rights Act of 1964.

---

Agenda Item No. 8. Consent Agenda.

Ms. Price said there were no items pulled from the consent agenda.

Ms. Mallek **moved** to approve the consent agenda. Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Item No. 8.1. Resolution Recognizing Jared Loewenstein.

**By the above-recorded vote, the Board approved the Resolution of Appreciation for Jared Loewenstein:**

**Resolution of Appreciation for Jared Loewenstein**

**WHEREAS**, Jared Loewenstein was appointed to the Albemarle County Historic Preservation Committee (HPC) on May 3, 1995, and served through October 2001, then was appointed again on June 4, 2008, and continued to serve Albemarle County with distinction through 2021, holding the office of Chairperson for a majority of those years, and

**WHEREAS**, Jared Loewenstein has been a dedicated member committed to the mission of the HPC and the preservation of Albemarle County's cultural resources while displaying kindness and respect in his collaboration with fellow committee members, county staff, and members of the public, and

**WHEREAS**, Jared Loewenstein has been a positive force in the preservation community, founding the Proffit Historic District in 1998-99; owning, restoring, and living in two properties listed in the State and National Registers; advising, with the HPC, on the restoration of Findowrie, one of Albemarle's oldest and most significant resources; and advocating for the maintenance, documentation, and preservation of the County's cultural resources; and

**WHEREAS**, understanding that volunteer, leadership, and engaged citizens are the foundation of a vibrant community, we, as members of the Albemarle County Board of Supervisors, wish to extend our utmost appreciation for the invaluable experience, leadership, professionalism, and insight that Jared Loewenstein has contributed which has been beneficial to the citizens and staff of Albemarle County; and

**NOW, THEREFORE, BE IT RESOLVED** that we, the Albemarle County Board of Supervisors, do hereby recognize and appreciate

**Jared Loewenstein**

For over 20 years of service and wish him well in all future endeavors.

---

Item No. 8.2. Resolution Authorizing the Issuance of Refunding Bonds.

The Executive Summary forwarded to the Board states that, in Fiscal Year 2013 (FY 13), the County issued a tax-exempt Revenue Bond through the Economic Development Authority of Albemarle County (EDA) to fund local government and school projects. The 2013 bond issue is currently callable on June 1, 2022. Under current federal legislation, a bond refunding can retain its tax-exempt status if closing on the refunding bonds occurs within 90 days of the call date. At this time, the County has the opportunity to lock in advantageous long-term interest rates to refinance the existing bonds at lower rates for debt service savings over the remaining term of the bond (next 11 years).

Staff recommends the Board approve the issuance of revenue refunding bonds to refinance the 2013 bonds at lower interest rates, in an amount not to exceed \$21.5 million, including cost of issuance.

The refinancing includes all of the outstanding Public Facility Revenue Bonds (Albemarle County Project), Series 2013 (the "2013 Bonds") that are subject to optional redemption. Preliminary budgetary savings estimates from the refinancing are expected to exceed \$1.9 million spread over the remaining life of the issue, assuming interest rates as of January 28, 2022 (plus a 0.50% interest rate cushion).

On February 15, 2022, the County's Financial Advisors, Davenport & Company, will present an overview of the proposed plan of lease revenue bond financing to the EDA, which is authorized under State law to assist the County in financing local government facilities and equipment, and will request the approval of an associated Resolution. If the EDA adopts the Resolution presented to them on February 15, 2022, it will serve as the conduit issuer.

If the Board adopts the Resolution (Attachment A), the EDA will issue debt through a Public Sale in a principal amount not to exceed \$21.5 million to refinance outstanding bonds and cost of issuance, and would loan the proceeds to the County. The EDA Bonds will be secured under a master trust agreement and master financing agreement structure prepared by Hunton Andrews Kurth LLP, the County's Bond Counsel. The security for the EDA Bonds will be the County's promise, subject to appropriation, to make payments to the EDA to enable it to make debt service payments associated with this debt issuance.

A draft Preliminary Official Statement (POS), which is the Bond offering document to the capital market, is available for Board and public review in the Board Clerk's Office.

Based on the County's triple-AAA credit ratings, and without the security of offering additional leased collateral (unless recommended by the financial advisor), it is expected that the debt would be issued with credit ratings in the high 'AA' category, given the appropriation structure of the financing.

The resolution necessary for the Board's approval, to advance this borrowing plan, is attached (Attachment A).

Interest rates at the time of preparing this Executive Summary are at favorably low levels. The County is expected to realize budgeted debt service savings due to the refinancing of existing debt. The debt payments associated with this issuance are anticipated to be similar to or less than the amount budgeted for County debt service in FY 23. This financing adheres to the County's financial policies regarding debt limits, debt capacity, debt affordability, and debt repayment standards.

Staff recommends that the Board adopt the attached Resolution (Attachment A) authorizing the proposed plan of financing through the EDA.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment A) authorizing the proposed plan of financing through the EDA:**

**RESOLUTION APPROVING A PLAN TO REFUND CERTAIN PRIOR BONDS THROUGH THE  
ISSUANCE OF A SERIES OF REVENUE REFUNDING BONDS BY THE ECONOMIC  
DEVELOPMENT AUTHORITY OF ALBEMARLE COUNTY, VIRGINIA**

**WHEREAS**, the Economic Development Authority of Albemarle County, Virginia (formerly the Industrial Development Authority of Albemarle County, Virginia) (the "Authority"), pursuant to the Industrial Development and Revenue Bond Act (the "Act"), under which it was created, is authorized to exercise all the powers set forth in the Act, which include, among other things, the power to make loans to, among others, a county in furtherance of the purposes of the Act, to finance or refinance facilities for use by, among others, a county, to issue its revenue bonds, notes and other obligations from time to time for such purposes and to pledge all or any part of its revenues and receipts derived from payments received by the Authority in connection with its loans or from any source as security for the payment of principal of and premium, if any, and interest on any such obligations;

**WHEREAS**, the County Executive of Albemarle County, Virginia (the "County"), working with the County's Department of Finance and Budget and Davenport & Company LLC, as the County's financial advisor (the "Financial Advisor"), has identified a potential opportunity for the County to realize debt service savings by refunding all or a portion of the Authority's outstanding Public Facility Revenue Bonds (Albemarle County Project), Series 2013 (the "2013 Bonds"), the original proceeds of which were loaned to the County to finance and refinance various public facility projects for the benefit of the County;

**WHEREAS**, pending concurrence by the Board of Supervisors of the County (the "County Board"), the Authority has authorized the issuance of a series of Public Facility Revenue Refunding Bonds



(Albemarle County Projects) (the "Bonds"), for the purposes of (a) refunding all or a portion of the outstanding 2013 Bonds (such refunded portion, the "Refunded Bonds"), (b) funding as desired a reserve fund for the Bonds, and (c) paying the related costs of issuance and refunding;

**WHEREAS**, the Bonds are to be secured by payments appropriated from time to time by the County Board and paid in accordance with the terms of the Financing Agreement (as defined herein);

**WHEREAS**, there have been circulated prior to this meeting drafts of the following documents (collectively, the "Documents"), proposed in connection with the issuance and sale of the Bonds:

- (a) a form of Supplemental Agreement of Trust, supplementing the Agreement of Trust dated as of March 1, 2003, as previously supplemented (collectively, the "Trust Agreement"), all between the Authority and U.S. Bank Trust Company, National Association, as successor trustee (the "Trustee"), pursuant to which the Bonds are to be issued and which is to be acknowledged and consented to by the County;
- (b) a form of Supplemental Financing Agreement (the "Supplemental Financing Agreement"), supplementing a Financing Agreement dated as of March 1, 2003, as previously supplemented (collectively, the "Financing Agreement"), all between the Authority and the County, pursuant to which the Authority will loan the proceeds of the Bonds to the County and the County will undertake, subject to appropriation, to make payments to the Authority in amounts sufficient to pay the principal of and premium, if any, and interest on the Bonds and certain other related costs;
- (c) a form of Preliminary Official Statement of the Authority relating to the public offering of the Bonds (the "Preliminary Official Statement"); and
- (d) a form of Continuing Disclosure Agreement (attached as Appendix F to the Preliminary Official Statement), pursuant to which the County agrees to undertake certain continuing disclosure obligations with respect to the Bonds;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
ALBEMARLE COUNTY, VIRGINIA:**

1. The County Board hereby finds that the refunding of the Refunded Bonds will be in the best interests of the County and its citizens. The County Board hereby concurs with the following financing plan heretofore authorized by the Authority. The Authority will issue the Bonds and use the proceeds thereof to (a) refund the Refunded Bonds, (b) fund as desired a reserve fund for the Bonds, and (c) pay the related costs of issuance and refunding. Pursuant to the provisions of the Financing Agreement, the County will undertake to make certain Basic Payments and Additional Payments (each as defined in the Financing Agreement) to the Authority in amounts sufficient to amortize the Bonds, to pay the fees or expenses of the Authority and the Trustee and to pay certain other related costs. The obligation of the Authority to pay principal of and premium, if any, and interest on the Bonds will be limited to the Basic Payments and Additional Payments received from the County. The Bonds will be secured by an assignment of the Basic Payments and certain Additional Payments due under the Financing Agreement, all for the benefit of the holders of the Bonds. The undertaking by the County to make Basic Payments and Additional Payments will be subject to the appropriation by the County Board from time to time of sufficient amounts for such purposes. The plan to issue the Bonds and refund the Refunded Bonds shall contain such additional requirements and provisions as may be approved by the County Executive (the "County Executive," which term as used herein shall also include any Deputy County Executive) and the Chair or Vice-Chair of the Authority.

2. The County Board, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make appropriations in future fiscal years in amounts sufficient to make all payments due under the Financing Agreement and hereby recommends that future County Boards do likewise during the term of the Financing Agreement. The County Board hereby confirms that the prior projects to be refinanced are either essential to the efficient operation of the County or important to the welfare or quality of life of the citizens of the County, and the County Board anticipates that such facilities and purposes will continue to be so during the term of the Bonds.

3. The Chair or Vice-Chair of the County Board and the County Executive, any of whom may act, are hereby authorized and directed to execute the Documents to which the County is a signatory, which shall be in substantially the forms circulated prior to this meeting, which forms are hereby approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officer signing such Documents. Such officer's execution and delivery thereof shall constitute conclusive evidence of such officer's approval of any such completions, omissions, insertions and changes.

4. In making completions to the Supplemental Financing Agreement, the County Executive, in collaboration with the Financial Advisor and the Authority, shall provide for Basic Payments and Additional Payments in amounts equivalent to the payments on the Bonds and certain related costs and expenses, which Bonds shall be sold to the purchaser(s) thereof on terms as shall be satisfactory to the County Executive. The County Board consents to the issuance by the Authority of a series of Bonds pursuant to the provisions of the Trust Agreement; provided that (a) the aggregate principal amount of the Bonds shall not exceed \$21,500,000, (b) the "true" or "Canadian" interest cost of the Bonds shall not exceed 3.50% (taking into account any original issue discount or premium), (c) the Bonds shall mature or be subject to mandatory sinking fund redemption in installments ending not later than December 31, 2033, (d) the Bonds shall be sold to the purchaser(s) thereof at a price not less than 98% of the aggregate principal amount thereof (without taking into account any original issue discount or premium), and (e) the Bonds

shall be subject to optional redemption, if at all, at a redemption price not to exceed 102% of their principal amount. The County Executive is also authorized to approve, in collaboration with the Chair or Vice-Chair of the Authority, the timing for the issuance of the Bonds, the determination of the aggregate principal amount of the Bonds (subject to the limit forth in clause (a) above), the maturity schedule (including serial maturities and term maturities for the Bonds) and the redemption provisions, all as the County Executive shall determine to be in the best interests of the County.

5. The County Board hereby approves the following terms of sale for the Bonds:

(a) The Bonds shall be sold through a competitive sale or a negotiated sale, as the County Executive, in collaboration with the Financial Advisor and the Authority, determines to be in the best interests of the County.

(b) If the County Executive determines that the Bonds shall be sold by competitive sale, the County Executive is hereby authorized to receive bids for the Bonds and award the Bonds to the bidder providing the lowest "true" or "Canadian" interest cost, subject to the limitations set forth in Section 4. Following a competitive sale, the County Executive shall, in collaboration with the Chair or Vice-Chair of the Authority, file a certificate with the Authority and the County Board setting forth the final terms of the Bonds. The actions of the County Executive, in collaboration with the Chair or Vice-Chair of the Authority, in selling the Bonds by competitive sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the County Board.

(c) If the Bonds are sold by competitive sale, the County Executive, in collaboration with the Financial Advisor, is hereby authorized and directed to take all proper steps to advertise the Bonds for sale pursuant to the terms of a Notice of Sale, the form of which shall be prepared by the Financial Advisor and the County's bond counsel and approved by the County Executive.

(d) If the County Executive determines that the Bonds shall be sold by negotiated sale, the County Executive is hereby authorized, in collaboration with the Financial Advisor and the Authority, to choose one or more investment banks or firms to serve as underwriter(s) for the Bonds and to execute and deliver to the underwriter(s) a bond purchase agreement (the "Bond Purchase Agreement") in a form to be approved by the County Executive in consultation with the County Attorney and the County's bond counsel. The execution of the Bond Purchase Agreement by the County Executive shall constitute conclusive evidence of his approval thereof. Following a negotiated sale, the County Executive shall file a copy of the Bond Purchase Agreement with the records of the County Board. The actions of the County Executive in selling the Bonds by negotiated sale to the underwriter(s) shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the County Board.

6. The Preliminary Official Statement in the form circulated prior to this meeting is approved with respect to the information contained therein (excluding information pertaining to the Authority). The County hereby authorizes distribution of the Preliminary Official Statement to prospective purchasers of the Bonds in a form deemed to be "final" (within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule")) as of its date, except for the omission of certain pricing and other information permitted to be omitted pursuant to the Rule and with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Executive. Such distribution shall constitute conclusive evidence that the County has deemed the Preliminary Official Statement to be "final" (within the meaning of the Rule) as of its date.

7. The County Executive is hereby authorized and directed to approve such completions, omissions, insertions and other changes to the Preliminary Official Statement that are necessary to reflect the terms of sale of the Bonds, determined as set forth in Section 4, and the details thereof and that are appropriate to complete it as an official statement in final form (the "Official Statement"), and distribution thereof to the purchaser(s) of the Bonds shall constitute conclusive evidence that the County has deemed the Official Statement "final" (within the meaning of the Rule) as of its date.

8. The County covenants that it shall not take or omit to take any action the taking or omission of which shall cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations thereunder, or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the holders thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States of America any part of the earnings derived from the investment of the gross proceeds of the Bonds. The County shall pay from its legally available general funds any amount required to be rebated to the United States of America pursuant to the Code.

9. The County covenants that during the term of the Financing Agreement it shall not permit the proceeds of the Bonds or the facilities refinanced therewith to be used in any manner that would result in (a) 10% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of such facilities, (b) 5% or more of such proceeds or facilities being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied

with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the holders thereof under existing law, the County need not comply with such covenants.

10. Such officers of the County as may be requested by bond counsel for the County are authorized and directed to execute an appropriate certificate setting forth (a) the expected use and investment of the proceeds of the Financing Agreement (derived from the Bonds) in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and (b) any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be prepared in consultation with bond counsel for the County, and such elections shall be made after consultation with bond counsel.

11. All costs and expenses incurred in connection with the issuance of the Bonds and the refunding of the Refunded Bonds, including the Authority's fees and expenses and the related fees and expenses of bond counsel, counsel for the Authority, and the Financial Advisor, shall be paid from the proceeds of the Bonds or other legally available funds of the County. If for any reason the Bonds are not issued, it is understood that all such fees and expenses incurred in connection with the Bonds shall be paid by the County from its legally available funds and that the Authority shall have no responsibility therefor.

12. The County Board hereby authorizes and directs the County Executive to (a) determine which portions, if any, of the 2013 Bonds shall constitute the Refunded Bonds and when to refund such Refunded Bonds, (b) request that the Authority take all proper steps to call for the redemption of the Refunded Bonds and prepare and deliver any notices and correspondence necessary therefor and (c) take such action as may be considered necessary or desirable to assist the Authority in redeeming the Refunded Bonds.

13. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and, if applicable, to record such document where appropriate.

14. All other acts of the County Executive and other officers of the County that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the refunding of the Refunded Bonds are hereby approved and ratified.

15. This Resolution shall take effect immediately.

---

Item No. 8.3. Authorization to Schedule a Public Hearing to Consider a Proposed Ordinance to Amend County Code Chapter 12, Regulated Enterprises.

The Executive Summary forwarded to the Board states that the Board has directed the County Attorney's Office to conduct a comprehensive review and recodification of the County Code. Chapter 12 of the County Code regulates false alarms, amusements, dealers in precious metals, solicitors and peddlers, and taxicabs and other vehicles for hire. The most recent amendment to Chapter 12 was the revision of the false alarm provisions in 2015.

The process of recodifying the County Code includes making formatting, style, organizational, and substantive changes. These changes are being addressed at the chapter level before the Board considers adopting a complete, recodified County Code.

The attached proposed Ordinance removes Article 2, Amusements, and Article 5, Taxicabs and Other Vehicles for Hire. These removals reflect that these are outmoded areas of the Code, because County staff no longer relies upon them.

Where possible, without changing the underlying substance, staff has included stylistic revisions, eliminating archaic or redundant language, to make the chapter easier to read

There is no expected budget impact.

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) at a future Board meeting.

**By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) at a future Board meeting.**

---

Item No. 8.4 SE2022-01 Cove Lawn Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting one special exception for a homestay at 5574 Boaz Road.

Reduce Required Minimum Yards. Pursuant to County Code § 18-5.1.48(i)(1)(ii), the applicant is requesting to modify County Code 18-5.1.48(j)(2)(v) to reduce the required 125-foot setbacks to 40 feet +/- from the front northern property line and 45 feet +/- from the western property line for a homestay and its accompanying parking.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception, subject to the conditions attached thereto.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment F) to approve the special exception, subject to the conditions attached thereto:**

**RESOLUTION TO APPROVE SE 2022-00001 COVE LAWN HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE202200001 Cove Lawn Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the requested special exception would cause (i) no detriment to any abutting lot and (ii) no harm to the public health, safety, or welfare.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the Cove Lawn Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125-foot northern front and western side yards otherwise required for a homestay located on a parcel over five acres in the Rural Areas zoning district, subject to the conditions attached hereto.

\* \* \*

**SE 2022-00001 Cove Lawn Homestay Special Exception Conditions**

1. Parking for homestay guests must be located in the parking area shown on the House and Parking Location Exhibit dated February 8, 2022, or meet the setbacks required for homestays.
2. Homestay use is limited to the existing structure as currently configured and depicted on the House and Parking Location Exhibit dated February 8, 2022, or in additional structures or additions meeting the setbacks required for homestays.
3. The existing screening, as depicted on the House and Parking Location Exhibit dated February 8, 2022, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained.

---

Item No. 8.5 SE2022-06 Green Hill Cottage Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting one special exception for a homestay at 8270 Green Hill Lane.

Reduce Required Minimum Yards. Pursuant to County Code § 18-5.1.48(i)(1)(ii), the applicant is requesting to modify County Code 18-5.1.48(j)(2)(v) to reduce the required 125-foot setbacks to 122 feet +/- from the front southern property line, 55 feet +/- from the western side property line, and 65 feet +/- from the eastern side property line for a homestay and its accompanying parking.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception, subject to the conditions attached thereto.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment F) to approve the special exception, subject to the conditions attached thereto:**

**RESOLUTION TO APPROVE SE 2022-00006 GREEN HILL COTTAGE HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE2022-00006 Green Hill Cottage Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the requested special exception would cause (i) no detriment to any abutting lot and (ii) no harm to the public health, safety, or welfare.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the Green Hill Cottage Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125-foot front (southern) and eastern and western side yards otherwise required for a homestay in the Rural Areas zoning district, subject to the conditions attached hereto.

\* \* \*

**SE 2022-00006 Green Hill Cottage Homestay Special Exception Conditions**

1. Parking for homestay guests must be located in the parking area shown on the House and Parking Location Exhibit dated February 8, 2022, or meet the setbacks required for homestays.

2. Homestay use is limited to the existing structure as currently configured and depicted on the House and Parking Location Exhibit dated February 8, 2022, or in additional structures or additions meeting the setbacks required for homestays.
3. The existing screening, as depicted on the House and Parking Location Exhibit Map dated February 8, 2022, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained.

---

Item No. 8.6 FY 22 Second Quarter Financial Report, **was received for information.**

---

Agenda Item No. 9. **Work Session:** COVID-19 Update and Reconstitution.

The Executive Summary forwarded to the Board states that the on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic. On March 12, 2020, the County Executive, acting as the Director of Emergency Management, declared a local emergency because of the COVID-19 pandemic pursuant to Virginia Code § 44-146.21, and this declaration was confirmed by the Board of Supervisors on March 17, 2020. Beginning on April 1, 2020, all public meetings have been held virtually, pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.

On March 30, 2020, Albemarle County closed its office buildings to the public and transitioned to virtual service delivery, with key exceptions in public safety, inspections, and maintenance. Throughout the pandemic, adjustments have been made to County operations in-line with guidance and best practices from federal and state public health and safety agencies. Public meetings have remained virtual.

In January 2022, the Board received an update on planning for public meetings once County operations begin to return to regular operating status. In that meeting, the Board asked staff to return with a projected timeline to begin implementing the first phase of a transition to hybrid public meetings.

As part of this work session, staff will present an update on COVID-19 metrics, hybrid meeting logistics, and propose a tentative timeline to begin holding hybrid public meetings, for the Board of Supervisors and Planning Commission, as well as the School Board. A detailed timeline will be shared during the meeting.

There is no budget impact associated with this work session.

Staff recommends the Board receive the update and discuss timely elements of Reconstitution.

---

Trevor Henry, Assistant County Executive, said that he and Emily Kilroy would be presenting to the Board today, along with Deputy County Executive Doug Walker. He said they would be providing an update on Covid-19 numbers in their region, a common practice in their reporting throughout the pandemic, and it also teed up the conversation for recommendations around returning to in-person and hybrid meetings. He said Ms. Kilroy would lead them through that shortly, and she would also brief the Board on a change the CDC made to how they were assessing areas relating to recommendations on masking, a change that came out late Friday afternoon. He said she would walk through what that guidance was and how to interpret that as a locality and employer.

Mr. Henry said Mr. Walker would walk through some policy change recommendations as it related to ending the local emergency, and along with that a return to in-person public hybrid meetings for three meetings, one the Board of Supervisors, one the Planning Commission, and the third would be the School Board. He said initially, this tied back to their work session they had at the beginning of February. He said finally, he would talk through some of the logistics around the auditorium for the execution of those meetings, and they would open up for Board discussion and questions on any of the above.

Ms. Kilroy greeted the Board and said she would be going through some of the Covid-19 metrics and some of the changes that happened that were published by the CDC on Friday afternoon. She showed a chart and said it was a look at the data statewide that summarized the weekly cases over the past 13 weeks, and they could see as of the week of February 17, they were below where they were at the end of November, when looking at the statewide daily case data.

Ms. Kilroy showed a graph of Covid-19 in the Blue Ridge Health District and said it could be seen that after a very significant spike in cases due to the Omicron surge, they were now, at the end of February, back to where they were in late November. She said the new daily cases reported had, for several weeks, been in the triple digits, and they were back down to double digits.

Ms. Kilroy showed a graph of daily case counts in Albemarle, and said that while there was still fluctuation, there was a rapid downward trend in cases as they came off the surge experienced in the beginning of the winter. She said the UVA model was something that helped them look forward and understand the direction of the new daily cases as well as the magnitude. She said they continued to project, out of the Biocomplexity Institute, that they were past the surge from Omicron, with the peak at January 30, 2022 at 2,170 cases. She said that downward trend was expected to sustain through the end

of April.

Ms. Kilroy showed a national map that the CDC had been putting out for several months and had been referred to as the "CDC community transmission map." She said it was a scale from green to red for severity of transmission, and as the CDC had learned more about how to predict the transmission of the disease, they had come to understand that this map was more reflective of where they had been in recent times and not so much about where they were heading. She said last week, on Friday afternoon, they released a new community levels map, which she would discuss. She said most counties across the country had been red on this transmission map for the past several months, and the shift with the new approach of the community levels did something different.

Ms. Kilroy said she would first explain how the new community level guidance worked. She said there were three things that factored into what color was assigned, red, yellow, or green, for high, medium, or low. She said the first was how many cases over the past seven days were recorded in the community per 100,000 population, so the answer to that question of higher or lower than 200 set them into a lane on the chart for how those other indicators were rated and what the benchmarks for those were. She said one indicator was the percent of staffed inpatient beds occupied by Covid-19 patients on a seven-day average, and the second indicator was new Covid-19 admissions to hospitals per 100,000 population over seven days. She said that data was updated weekly by the CDC, so they had the first set of data and expected at the end of the week to get the next look at the data.

Ms. Kilroy showed a map of the Covid-19 community levels currently in Virginia. She said this was currently the first week of this new map approach. She said 70% of the United States population lived in a county where the shading was yellow or green. She said to note that Albemarle was red in this map as well.

Ms. Kilroy said that what the colors meant had to do with individual household behaviors and also community-level prevention strategies the CDC recommended. She said it was a much larger table if they looked it up on their website, but just a couple of examples were pulled into the chart on the screen to highlight what the difference between the low, medium, and high levels looked like. She said if they were in a red county, the number one individual household behavior was to wear a mask in public in indoor settings and a high emphasis on vaccines and boosters.

Ms. Kilroy said the data for Albemarle that was driving the red designation they currently found the community in was from the first gate, the cases over the past seven days per 100,000 population. She said at the time the map was published, the County had 292.5 cases per 100,000, and that put them in the lower lane, and when they added in where they were with Covid-19 admissions and staffed inpatient beds occupied by Covid-19 patients that kept them in the red. She said they would be looking at this community levels data moving forward to help inform some of the building policies and operating policies of the County. She said she would let Mr. Walker and then Mr. Henry could talk more about what that looked like.

Mr. Walker presented two slides to the Board about their policies. He said first acknowledging where they were two years later with the emergency declaration being made in March of 2020, it was that local emergency that set in motion a lot of the policy work and executive work that had occurred over the last two years. He said where they were currently was a position to recommend ending that local emergency now, with a resolution that the Board would be asked to consider, and if adopted, on March 16, which was their next regular Board meeting, and would be effective April 4.

He said the local emergency had allowed the County a number of advantages in addressing issues related to the spread of the Covid-19 virus during the emergency. He said they now believed that those advantages were no longer needed, and they were in the process of returning to more normal operations. He said again, being effective April 4 meant the Board was in the position to have its return to in-person meetings at their first meeting in April, which was April 6. He said the continuity of government operations ordinance, which was also in effect, would stay in effect. He said that was the ability for the County to have a deceleration lane to transition and allow some boards and committees to remain in virtual positions as they rolled this out for as long as a 12-month period.

Mr. Walker said he wanted to acknowledge the tiers of the process, although he would not get into significant detail about them. He said they were meant to help the staff and boards make the transition back to in-person meetings. He said tier one was what he had just referenced and would be effective April 4, the Board of Supervisors would meet April 6, and the Planning Commission would meet the following week, and the School Board would be meeting on April 14. He said they were the only bodies that would be affected in tier one by the in-person meetings. He said they were hybrid, and they had a lot of conversations about what hybrid meant when reflecting on these in-person meetings. He said tier two and tier three would not be discussed today, but there would be future work about the best time for bringing those public bodies back to the required in-person status.

Mr. Henry said the picture on the slide was a reminder to the Board and the public what their auditorium looked like. He said it reflected the upgrades made through the pandemic to enhance their audio-visual capability, and as it related to their ability to manage what they were calling a hybrid in-person meeting. He said it was worth noting that they invested in the technology and worked through the tiering process, which they had a work session on a month ago, the three meetings that were identified as part of the top tier were the highest production-level meetings, and they designed this in a way that provided equity of experience between a person in a seat physically or at a podium physically as a person attending virtually or presenting virtually. He said that was the effort of staff, and when the Board came

back in for a dry run or practice, they would be pleased with those technology updates.

Mr. Henry showed a slide of an aerial view of the auditorium. He said Ms. Kilroy mentioned at the beginning that as of today, they still had a masking policy in place as part of their building posture. He said this recommendation was built such that it was assuming that there would be masking in place currently, but they would continue to monitor the CDC guidance on a weekly basis, and if and when their area changed would be signified by a two-week steady state of either yellow or green. He said this would happen before they made any recommendation to the County Executive to change their building policy related to masking. He said they were also watching at the state level the Department of Labor and Industry, which was going to be providing guidance around mid-March around masking recommendations for employers.

Mr. Henry said with that as a backdrop, he would discuss the auditorium. He said right now, it was split into two sections. He said right now, they had seat covers in place and distanced seating on both sides, approximately six feet between open seats. He said they were proposing for a return to in-person, which was really asking to lift the restriction on one side of the aisle in the auditorium, creating a capacity of nearly 170 seats on one side. He said the other side they intended to keep in a distanced seating arrangement, which gave options and flexibility to both staff and to the members of the public attending the meetings. He said it also helped with families that wanted to sit together, etc. He said this was the recommendation to split the difference in comfort level as it related to being in proximity to others. He said the total capacity in this model for the auditorium would be 200 people, which did not include the upper deck, which would be another 180 with no seat restrictions. He said it was usually reserved, and he had only used it a handful of times in his decade of attending meetings.

Mr. Henry said they would continue to have their security/ambassador at the front visitor's entrance. He said that position would be staffed through evenings when there were public hearings in the building. He said they started that work in 2019, before the pandemic, and that work continued. He said that would help with directing, traffic control, and masking if necessary. He said that was the first checkpoint. He continued that shown on the diagram on the right side of the screen, there were figures in green, which was suggesting there be one or two staff, either County staff or contracted through a vendor, to help support the logistics of the room. He said they would also have ACPD supporting their Board meetings as they had prior to the pandemic for overall security, support, with help from two or three other officers as part of the process. He said there was also a dais area where traditionally the clerks' desks were located and where the Deputy County Executive and security officers had sat.

Mr. Henry said what they were suggesting was that they adjust the seating, at least for the beginning as they implemented this, and they could keep an eye on how it went and where their masking requirements were. He said they were in a position with the six Board members around the desk to take the opportunity to spread out and provide distancing at the desks. He said on the upper left was the location of the County Executive and County Attorney. He said it was a three-station desk that would be spread apart for two, and in the upper right they would be creating a bit of distance in the desk arrangement for the two Board clerks supporting the meeting. He said the last thing, which he thought would be very important for the Board, was that assuming they were still in a masked state for the building, they suggested that when a Board member would speak or if someone from the public was coming to the podium, they would remove their mask to in order to best be heard by others in the room, on the dais, and over the Zoom calls. He said that was a recommendation under the assumption they were still in a masked state based on CDC and other guidance. He said they could discuss this slide again later if the Board wanted to go through the logistics again.

Mr. Henry said in addition to audio-visual upgrades, they had made improvements through multiple County buildings for their HVAC system's air handlers specifically for improving air quality. He said on the screen was some engineering data, and that the auditorium was one of the best spaces they had for circulation of air through their HVAC system, and with the improved ionization process of the air handlers to remove harmful particles. He said he believed that Lance Stewart could answer any technical questions that related to AV or the technical side of the logistics. He said he wanted to note they made these improvements not only in the auditorium but throughout their buildings. He said he wanted to highlight that for an additional level of reassurance.

Mr. Henry said a summary of the recommendations was continuing the local emergency, where a recommendation would be made through consent action at the next Board meeting for an effective date to end it on April 4, and the first in-person meeting would be April 6. He said they would continue the continuity of government operation in place for 12 months, which allowed them to pace the first step back into the building, time to learn and assess for the next year of in-person meetings, which they would expect would be no earlier than June, and finally would give them time to transition the remaining set of meetings to in-person. He said the dates were at the bottom of slide, and from a building policy perspective, they would continue to monitor weekly the updates from the CDC and the state, they would likely be recommending to the County Executive a change in posture related to masking, moving to a more optional mode. He said he would give time for the Board to ask questions to the County Executive's Office who was on the call, as well as Roderick Burton and Lance Stewart.

Mr. Andrews said it was disappointing to hear they were still in the red, but he appreciated the effort to get them back to in-person because it was an important step. He asked what the status of the operations in the building was currently, because if the Boards came back in a hybrid setting, as opposed to the operations generally. He said he understood where they were with masks and he thought it was good that they could accommodate the speakers not have to wear a mask while speaking, and that went a long way to his earlier concern about being up there and having to speak through a mask the entire

time, although he knew that was a part of what people have had to go through. He said it was complicated and may be awkward in places, but he appreciated the work done and he looked forward to going back in person. He said other than that question he had no other comments.

Mr. Henry said if he understood correctly, their current operating state still had a masking requirement for all employees and the public who came into their building. He said they had a “playbook” that had determined how they managed their operations as they related to Covid-19 for two years now, and that defined all of the requirements. He said as it related to masking, that was a current requirement for both the public and staff. He said there were some adjustments to that, such as right now when he was in his own office with the door locked, the policy allowed for people to remove their masks in that setting. He said for the public in common space and staff in common space where separation could not be maintained, masks were still required.

Mr. Andrews said he understood the mask policy, but he wanted to clarify whether there were any other current restrictions to the public access to the building due to the pandemic.

Mr. Henry said he believed there were no other restrictions, and he would ask Mr. Walker or Ms. Kilroy to correct him if he was wrong, but they still had their Community Development intake office scheduled on a Monday, Wednesday, Friday routine, so there still were some restrictions around that. He said that also was due to staffing, but beyond that there was not much that he was aware of. He said they still did not allow any in-person outside entities come into meetings or for training. He said that was a continued restriction and was something they would look at with the Board. He said for this moving forward they would be looking at what that next step might be for access to some of their conference rooms.

Mr. Walker said that they did not have any restrictions to their operating posture in terms of delivering services out of any of their public buildings, so they were effectively full service. He said the operations of the building still included the Monday, Wednesday, Friday schedule in Community Development that Mr. Henry mentioned, and the limited capacity for conference rooms, which were not for outside groups at this point, but for staff meetings. He said they were trying to maintain six feet of separation even with masking as well.

Ms. McKeel said she appreciated the thoughtfulness they took in working through the process of coming back in person and trying to maintain safety and options for everyone. She said she noticed over the last few months that in order to come in the back door, the temperature monitor went back up. She asked Mr. Henry if the temperature monitor would be removed or if the public would still need to check their temperatures when coming in.

Ms. Henry said when the Omicron variant started to spread rapidly, they brought the temperature monitors out of storage and put them in the entrances to County office buildings, and it was purely for an optional temperature check for both staff and public. He said they had not talked about that, and it certainly did not hurt to have them out, but it was an optional tool for those coming into the building that was driven by the surge of the virus in December and January.

Ms. McKeel asked if, assuming the mask mandate was still in effect, they would provide masks for maskless people. She asked Mr. Henry how that would work.

Mr. Henry said they did that currently, and they had inventory that would be provided. He said assuming they were still in that state, they would be a resource available at the front desk and have extras in the auditorium area. He said even between now and April 6, if they changed their building policy, they would still have inventory available in the event that a person from the public or staff forgot a mask and needed one.

Ms. McKeel said she really liked the option to be able to use Zoom, because they had found how helpful it was for people. She asked if the Board members would be able to see the screen without having to turn around in their seats.

Mr. Henry said that one option, based on feedback, they would be working with the Clerk’s Office to schedule the Board to come in and do a dry run with the technology to experience that in person, as well as a walkthrough of security and emergency evacuations, which they had not done for a few years. He said in front of the Board would be a screen that projected what was being presented, whether it was a speaker talking, a PowerPoint presentation, or a combination.

Mr. Burton greeted the Board. He said that Mr. Henry had described the approach correctly and would be somewhat similar to the experience they had prior to Covid-19. He said the monitor would show what was on the larger screen, and it would be synchronized so they would have the same display as what everyone saw in the audience, so everyone would have the same experience with what their viewing position would be for the meeting.

Ms. McKeel asked if the Zoom option was there for presenters as well.

Mr. Burton said they would have the same function that the Board would have.

Ms. McKeel asked how they stood on the ability of a sitting Planning Commissioner or Supervisor or School Board member on being able to Zoom in if they were not able to attend in-person. She asked if that needed changes from the General Assembly.



Mr. Henry asked if Mr. Kamptner could respond.

Mr. Kamptner said the law, with respect to medical or personal reasons, was as it had been for the last several years, and there had been some amendments to it, but it remained. He said while not a direct answer to Ms. McKeel's question, in 2020 the General Assembly expanded the authority, and the issue Albemarle had to deal with was that they had to physically assemble in order to adopt the Continuity of Government Ordinance, so there was an exception for that. He said the language said "during catastrophes," and it was unfortunate they used different terms in different parts of the code, but he would equate catastrophe as a disaster, which the Covid-19 pandemic had been. He said there was a bill that would have expanded the ability for public bodies to meet virtually that died in the General Assembly this year.

Ms. McKeel asked if a Board member could use Zoom if they were unavailable for health reasons or personal reasons.

Mr. Kamptner said he would have to refer to the code, because it detailed very specific reasons. He said the public body had to adopt the policy that allowed it. He said he believed the EDA was in the process of adopting a similar policy as well. He said there was a limitation on the number of times that a particular member of the public body can do it in a year, so it was still fairly limited. He said the General Assembly wanted public bodies to physically assemble.

Ms. McKeel said it was important to understand those rules about attending via Zoom for the Board of Supervisors, School Board, and Planning Commission. She asked if there was anything pending in the General Assembly right now that could change the policy.

Mr. Kamptner said the only bill he was aware of failed, which was partially why they adopted the Continuity of Government Ordinance, because that gave broad authority to continue their governmental operations, and during a pandemic, that included being able to meet virtually.

Ms. Price clarified that the speaker before Mr. Kamptner was Mr. Roderick Burton, the Director of Information Technologies.

Ms. Mallek said she had missed the public a lot for the past two years, so she was excited for the possibilities for returning to in person, but she also appreciated the careful step-by-step approach. She said she really supported the plan that had been laid out by staff as to how they would use Lane Auditorium and trying things out with the tier one organizations. She said she wanted the general public to understand how important it was for them to call ahead when coming to Community Development and make an appointment, because each person that came in had a different need, and it was important to make sure the staff person that they needed would be available when they arrived. She said it was not a negative thing to have the Monday, Wednesday, and Friday appointments for that department, and she hoped people would continue to support it, even when the building was opened up. She said she assumed with all of this, that all five of their main budget work sessions would be the virtual from anywhere, as opposed to hybrid, and that maybe the one on April 6 could be held in person.

Ms. LaPisto-Kirtley said because they were going back in the public, she was concerned that if everyone was wearing masks in the building, because of the direction the state had taken regarding not wearing masks, if they were setting themselves up for some kind of confrontation. She said people may want to come in without a mask, and she wanted to know if there was any guidance on when the masks would not need to be worn, which to her would be the perfect time to resume public meetings.

Mr. Henry said that as an employer, they had the ability and authority to maintain their building posture that they believed was the safest state for their employees and community members that came into the building. He said they followed guiding intentions throughout the pandemic about safety and health, so they would have the ability to do that. He said they were monitoring the CDC's new guidance that came out on Friday that Ms. Kilroy had walked them through, and if and when the red from Albemarle County turned to yellow and stayed at yellow for multiple weeks, they could then discuss a change in recommendations for masking for day-to-day operations and for public meetings in tier one.

Mr. Walker said that in the description from Mr. Henry about how the auditorium and the lobby would be managed from a staffing standpoint, there was the typical security personnel that they were accustomed to, plus the ambassadors they would add to help manage the public's expectations as they came in, and that was one of the most important things they could do in order to help overcome any concerns they might have due to a lack of familiarity with what they were doing and why they were doing it. He said they found, for example if they used the experienced folks at RMC, how effective they had been in helping people understand the process, so that would be effective.

Mr. Walker said working in that public environment as they were, they would deal with the state of play as they encountered it on those Board meeting days, but they were optimistic that there were options for people to participate remotely, and they would definitely take advantage of that, and there were options for people to come in person, so they were obviously hoping people would take advantage of that too. He said the safety protocols right now only included masking, and they hoped that would change.

Ms. LaPisto-Kirtley asked if the hybrid option would still be available if no masks were required.

Mr. Walker said that was correct.

Ms. LaPisto-Kirtley said she wondered if they should wait until masks were no longer required just to avoid any kind of concern.

Mr. Gallaway said he had no objections to the plan, and he appreciated all the effort put into it. He said he agreed with Ms. McKeel that the policy around the Zoom procedure would be good to have in writing. He said it did not sound like much had changed since what existed pre-pandemic, but it would help with the understanding of it. He said as this went forward, as they had had to do since the pandemic began, they would have to remain flexibly and be prepared to change anything on the fly that was or was not working as circumstances changed, but he suspected the staff had already discussed that as well.

Ms. Price said the timing and tiers to her all made sense, and she looked forward to if things continued as they had with the pandemic to be back to Lane Auditorium in April and in virtual capacity. She said remote access only worked for those who had reliable broadband, which they knew was a major issue, so the ability to go back to live meetings for those who were able to was extremely important. She said she agreed with Mr. Gallaway's remark, all of this was pandemic-driven, so they must remain flexible. She said as long as things got better, they could make things more accessible for live meetings, but if things went downhill as they did with the Delta and Omicron variants, their community, they needed to appreciate that things must tighten up a bit. She said even after what they hoped would happen, when the pandemic was no longer the primary health risk, they had learned a lot over the last couple of years with regard to the use of masks.

Ms. Price said last winter, for example, there were no major flu outbreaks in the United States, and that was in major part due to the fact that so many people were wearing masks. She said even if they reached a point where masks were no longer required for the pandemic, she would ask County staff to continue to keep available an area of the Lane Auditorium for consideration of those who may be at risk for other factors or simply were more comfortable wearing a mask, possibly with some degree of social distancing even if it was not to the degree that they had been using it with regard to the pandemic.

Ms. Price said the only thing she would like to see change was the County Executive and the County Attorney sitting at the dais, because the ability to visually see reactions was helpful, and to have them sitting behind the Supervisors, particularly those who would be on the left side of the dais, somewhat restricted their ability to have a quick interactions. She said she would like it to be considered that they return to the same locations they had been on the dais before the pandemic.

Ms. McKeel said she agreed with Ms. Price about the dais. She said it was important for her as a Supervisor to be able to see the County Attorney and County Executive.

Ms. Mallek asked if they were to adopt the changed ordinance on the 16th, could it be contingent upon the metrics. She said then they would not have to come back and make a change and another ordinance later if the metrics did not go as they expected, so it would be flexible and able to be adopted based on how they did in cases.

Mr. Walker said that Mr. Kamptner would suggest the Board adopt a new emergency ordinance if that was the case. He said once the emergency was ended, then what would happen would be a new emergency based on circumstances such as increase in case counts. He said he believed that would accomplish the same thing but would be classified as a new emergency. He said Mr. Kamptner could comment on this further.

Mr. Kamptner agreed with what Mr. Walker said. He said as the circumstances may be different, they wanted to act under the current information.

Ms. Mallek was specifically asking about between now and April 6. She said if it was best to leave it until the last minute and scramble, she understood the benefits of having the latest information. She said she was in favor of as much space as possible, and she knew there were good reasons why staff shifted seats, and if the visibility was better, perhaps the desks facing the Board in the front might help them.

Ms. Price asked if there were any further comments from staff or Supervisors before they closed this item. Seeing none, she thanked everyone for the work done to prepare this and moved to the next item.

---

Agenda Item No. 10. **Presentation:** Board-to-Board, A Quarterly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.

School Board Chair Graham Paige greeted the Board members. He asked if he should now proceed with the report.

Ms. Price said to please do so.

Mr. Paige said he had several items to present this afternoon. He said first, this past Saturday marked the 8th annual Winter Songs Concert to benefit the Shelter for Help and Emergency. He said the concert was performed live onstage at Monticello High School for the first time since 2020. He said while closed to the public, it was livestreamed for all to watch. He said the concert was still on their YouTube website and was available to watch. He said the concert brought together six women's choruses,

including the Burley Bearettes Treble Chorus, the Advanced Women's Ensemble and No Fella Acapella from Albemarle High School, the Monticello High School's Women's Chorus, the Charlottesville High School's Knightengales, and the Lakeside Middle School chorus.

Mr. Paige said since its debut in 2015, Winter Songs had raised almost \$30,000 to assist women in crisis in Charlottesville and Albemarle County. He said early on Saturday, the shelter conducted a series of workshops with the participating vocalists on healthy relationships and how to reduce incidents of domestic violence. He said in other news, last Wednesday the Crozet Elementary School held a "topping out" ceremony to celebrate the structural frame reaching its highest point, with the addition currently under construction at the school. He said Albemarle County Public Schools, Nielsen, and VMDO held a ceremony to thank the workers who had brought the project to fruition thus far amidst such challenging circumstances.

Mr. Paige said Crozet Elementary was undergoing two separate additions, totaling approximately 35,000 square feet, and expanding capacity from 330 to 670 students. He said the addition included 17 new classrooms, three smaller resource classrooms, two offices, faculty workrooms, and various support spaces. He said expansions to the cafeteria, library, and kitchen supported the larger student enrollment. He said additional parking, an expanded plaza, a dedicated bus loop, a newly landscaped courtyard, an expanded outdoor playground, rain garden, and walking tracks were also included in the renovation. He said the project was on track to be completed this summer for a fall 2022 opening. He said when completed, all classrooms would be conditioned by their water source heat pump system with an underground fill of closed-loop geothermal wells, which would be the first of its kind for the County schools.

Mr. Paige said in other school division updates, Dr. Haas presented the Board with his recommendation that the 2022-23 academic school year at their February 17 budget meeting. He said he requested a \$30.8 million increase, which would increase the budget to \$242 million dollars. He said a main priority of the budget was recruiting and retaining quality teachers and staff. He said this was reflected in the proposed 6% increase in their teacher's starting salary. He said the proposed starting salary would be \$53,000, after including a 4% increase that went into effect in March. He said increasing pay should help them to hire more special education and substitute teachers. He said substitute teachers currently make \$140 per day.

Mr. Paige said another priority in Dr. Haas's request was investing in new learning facilities. He said that reducing classroom sizes would be beneficial for teachers and students. He said students would have more one-on-one time in the classroom. He said that Dr. Haas's plan would keep online learning for high school students next year.

He said in the written report that the Board received at the end of February, he informed them that at their February 10 meeting, Dr. Haas recommended that Broadus Wood Elementary School retain its name. He said the matter was discussed and would be on their consent agenda for final approval. He said continuing with updates, on Tuesday the 15<sup>th</sup>, the Albemarle County Public Schools held a community forum to discuss long-term planning related to its facilities located at Lamb's Lane, including Albemarle High, Jouett Middle, Greer Elementary, and Ivy Creek Schools, as well as Transportation and Building Services departments and the future Boys & Girls Club site.

Mr. Paige said the forum was an opportunity for members of the community to assist the school division in its development of a Lamb's Lane Master Plan. He said the schools at Lamb's Lane represented approximately 25% of their division's population, and this plan was focused on its potential to become a flagship campus, serving the County's population in practical, innovative, and sustainable ways.

Mr. Paige said finally, Albemarle County Schools conducted its 16<sup>th</sup> annual division-wide spelling bee last month at Albemarle High School's auditorium. He said the competition comprised of scholars who won the spelling bees at their respective schools and included fifteen elementary school champions and six middle school champions. He said more than 1,000 students in grades 3 through 8 competed in their school-wide spelling bees that began in classrooms last month. He said Lyla Thiede, a 5<sup>th</sup> grader at Mountain View Elementary, placed first, Claire Meng from Hollymead, also a 5<sup>th</sup> grader, placed second, and Madeleine Rasmussen, 4<sup>th</sup> grader at Red Hill, placed third. He said the winning word was "strudel."

Mr. Paige said among the middle schools, there were eight competitors. He said Henry Matthews, an 8<sup>th</sup> grader at Henley placed first, and was joined by Catriona Shuve of Burley, a 7<sup>th</sup> grader at second place. He said Riley Gray of Lakeside, also a 7<sup>th</sup> grader, came in third place. He said the winning word was "delirious." He said he hoped they all would be able to master those two words. He said these six students had qualified for the next stage of the competition, which would take place on March 12 beginning at 9 a.m. at Albemarle High School. He said one winner would move on to the Scripps National Spelling Bee, which would be held on June 2 at Maryland's National Harbor.

Ms. McKeel said she was thrilled that they were moving their teachers' salaries forward, whatever kind of teacher they may be. She said they had been struggling for years to raise the teachers' salaries. She said the Lamb's Lane campus was long overdue for a relook and some changes, and she participated in the community forum, where the discussion with the community was engaging and appreciated by her.

Mr. Paige said he knew it had been at the top of her docket.

Ms. McKeel said two of her children were educated on that campus, and she understood the challenges well, which had gotten worse over the years. She congratulated the winners of the spelling bee, because she knew how competitive and important it was for some families in their community. She said she assumed the next level of the spelling bee at the high school would be in-person.

Mr. Paige said it would be, and was, the regional level so it would feature students from surrounding counties as well.

Ms. Mallek asked when the jazz band concert was because she could not find the email with that information.

Mr. Paige said he knew it was happening, but he did not have the information at hand.

Ms. Price said it was on Sunday, March 13 at 7 p.m. at the Jefferson Theater on E. Main St.

Mr. Paige said that was correct.

Ms. Mallek said it was so fun to go to their 2019 concert. She said she also was excited about Lamb's Lane and its evolution, and wanted to know if there was a timetable for the Master Plan development.

Mr. Paige said he could not give a timeline off-hand, but the work was continuing.

Ms. LaPisto-Kirtley said she enjoyed being at the elementary school spelling bee to take Mr. Gallaway's place that night but was glad that he was able to attend the middle school bee. She said she was honored to be present for such a wonderful event. She said she supported the increase in salary for their teachers and said she would like to see more pre-school classes in every elementary school.

Mr. Gallaway said he appreciated that he listed the names of the spelling bee winners in the Board report. He said he attended the public meeting for the Lamb's Lane campus, where he brought up teachers and Ms. McKeel brought up students to ensure they were included in providing input as they did with focus groups. He said one of the things the consultants said was that they were planning to hear from some high school students which made sense, but it was amazing what could be learned from a six-year-old as well. He said when talking about placement and how the space was being used, he would encourage that, while perhaps changing the way they received the information, to get valuable input from not just the older students but the younger students as well. He said the teachers that were there day in and day out had a good perspective on how a campus should be laid out and functional.

Mr. Gallaway said he knew they had talked to some administrators and principals, and he was hopeful all the teachers' perspectives would be heard as well as they continued to look at what could be done on that campus. He said he commended Mr. Paige on the compensation and looked forward to talking about the school division's budget as they worked through the budget process. He said he knew there were some competing views in the State House and Senate's version of SOQ positions and how they would be funded. He said he believed the Senate's included a full-time principal for all elementary schools and other support positions, but he did not know where that currently stood.

Mr. Gallaway said he was pulling this information from an update they received from David over at TJPDC (Thomas Jefferson Planning District Commission), but it would be helpful as they got into the budgets to know that was highlighted. He said if some ground could be made on positions funded, whether it was raises or other positions beyond the standard SOQs, plus putting a principal in every elementary school to be included in the state metrics for state funding was a good step forward, so he looked forward to learning more about that.

Mr. Paige said that this year's budget included having a full-time assistant principal at every elementary school, so that went beyond what the state was mandating.

Mr. Gallaway said the senate version would include a principal, using a metric of 500, so if there were less than 500 students there would be no assistant principal. He said he would be glad to have an assistant principal there.

Mr. Paige said he also made a note about including their students at Greer and Jouett probably on the Lamb's Lane forum.

Ms. Price said she was excited with what they were seeing going forward with the CIP and the school construction and renovation. She said she was pleased to announce publicly that she and Mr. Paige had worked together and would be restarting the quarterly meeting with the Chair of the School Board and the Superintendent with the Chair of the Board of Supervisors and the County Executive, which would go a long way with helping their two organizations stay up-to-date and informed on things happening in the community, helping them ensure that they had the school capacity where it needed to be based on development occurring.

Mr. Andrews said he was remised in thanking Mr. Paige for the presentation and work well done. He said he wanted to point out that the current increase was not nearly as great as the original amount suggested in the financial report's school funds summary. He said it was in the teens and not 30.

---

Agenda Item No. 11. **Presentation:** Albemarle-Charlottesville Regional Jail (ACRJ) Renovation Project.

The Executive Summary forwarded to the Board states that at the regular meeting on October 20, 2021, the Board received a presentation regarding a proposed renovation and expansion of the Albemarle-Charlottesville Regional Jail (ACRJ). This presentation is included for your reference as Attachment A. As part of that presentation, the Board was informed about the work to complete a Community Based Corrections Plan and Needs Assessment, both of which have now been completed. Next steps include the adoption of a resolution by the ACRJ Authority Board formally seeking State financial support for the project, in an amount up to 25% of eligible project costs, with the expectation that the actual design of the project will begin in the Summer of 2023. It is expected that the ACRJ Authority will consider that resolution at its meeting in March.

The consideration of a major jail renovation and expansion project by the ACRJ Authority Board is moving forward on an expedited timeline. The submittal of the Community Based Corrections Plan and Needs Assessment to the Board of Local and Regional Jails, along with the expected upcoming action by the Authority Board to formally seek funding support from the General Assembly, further advances the project along this timeline. Any future financing for this project will require formal support from all three participating jurisdictions along with an approved amendment to the ACRJ Service Agreement by all three parties. Based on the current schedule, it is anticipated that the Board of Supervisors will be asked to consider these actions as soon as September 2022. For this reason, the ACRJ facility project team has been tasked with providing timely, substantive updates to the Board in advance of the expected upcoming request for formal Board action.

Albemarle County will be required to pay its proportionate share of capital and operating costs associated with this project. Preliminary cost projections include a worst-case scenario of a total capital investment of nearly \$50 million. Finance modeling associated with this scenario suggests new debt service for Albemarle in the range of \$800,000 to \$1.24 million, beginning in FY 25 based on the current project schedule.

This information is provided to keep the Board of Supervisors aware as this project moves forward, anticipating future Board action regarding participation.

---

Ms. Price said Superintendent Kumer would be presenting this item. She asked the Board members to hold off on questions until the very end, and Ms. McKeel, as chair of the Regional Jail Authority, would make some closing comments after Superintendent Kumer.

Mr. Walker said he wanted to recognize that the Board heard a presentation by the same presenters back in October as a part of the work at that time in developing a facility needs assessment and a planning study, and the engagement work that was going on in the larger community, that work was completed and would be seen as part of the presentation today. He said he wanted to acknowledge was a decision by the Jail Authority to support a renovation project and formally request the state to support 25% payment of eligible cost, and then support from the three member jurisdictions to pay their share of the local portions of those costs, as was most forward.

Mr. Walker said it was timely in that the Jail Authority was set to consider the resolution to move it forward this month, and he knew the City of Charlottesville and Nelson County had similar interests, because it would be coming back to the Board in a few months and would ask for their full support for the project going forward. He said like Supervisor McKeel, he also served on the Jail Authority, so they were wearing multiple hats here. He introduced Superintendent Kumer, representing the jail, and Tony Bell and Chris Roman representing Moseley Architects.

Mr. Martin Kumer said he would be presenting the Albemarle Charlottesville Regional Jail (ACRJ) renovation and expansion. He introduced himself as Martin Kumer, Superintendent of the Jail, and with him was Tony Bell of Moseley Architects. He said he would give a brief history of the jail. He said the current facility was opened in 1975 and was designed to combine the Albemarle County and Charlottesville City jails. He said its rated capacity increased to 209 after two additions in the 1990s. He said Nelson County became the third jail member in 1997, and a final expansion was done in 2000 to bring capacity to 329, which remained the current rated capacity. He said their average daily population (ADP) had ranged over the years.

Mr. Kumer said the ADP had been as high as 600 in 2008, and as low as 265 in January of 2022. He said the January population was the lowest it had been in 20 years, and he had been there for 25 years so he could attest to it. He said their current staffing level was 161 employees. He said the renovation and expansion they would discuss today was approximately 56,000 square feet and would be contained within the current facility's 152,900 square feet.

Mr. Kumer said the decision to renovate the jail had a long background. He said back in September of 2019, he submitted renovation projects, an HVAC replacement and a flooring project, both together costing about \$1.25 million. He said at that time, the Board directed him to contract a facility conditions assessment to identify, prioritize, and guide future projects. He said the Board then hired Moseley Architects to conduct a Community-Based Corrections Plan (CBCP). He said as part of that CBCP, public engagements were held to collect feedback from the community and stakeholders such as the Commonwealth Attorney, the police departments, and others.

Mr. Kumer said Moseley presented those results to the Board in December of 2021, where the Board indicated they would seek reimbursement from the state for 25% of all eligible renovation costs. He said the Board adopted a resolution to allow Moseley Architects to submit the Community-Based Corrections Plan to the Department of Corrections, and on December 31, 2021, the Community Based Corrections Plan was submitted to the state.

Mr. Kumer said the facility conditions assessment found that the facility required significant upgrades and replacement to the HVAC, electrical systems and other major mechanical systems over the next 19 years, in addition to interior fixtures, lighting and security devices, etc. He said the FCA did not determine housing, square footage per inmate, staff needs, inmate needs, or community needs. He said that was where the community-based corrections plan came in. He said there were two studies composed through the CBCP, and one was a needs study. He said that determined how many beds they would need fifteen years in the future. He said after the needs study was completed, there were no indications in the historical data that the population would increase substantially in the future. He said after reviewing alternative forecast models, no models indicated an increasing inmate population, therefore, the rated capacity would not be increased with the renovation.

Mr. Kumer said the second part of the community-based corrections plan was the planning study. He said necessary improvements to the physical structure to meet the current Board of Corrections Jail Standards include, but not limited to additional toilets and showers to comply with ADA and new building codes, redesigned inmate housing areas that created an environment that encouraged mental and physical well-being, a dedicated mental health and segregation unit that was conducive to improving an inmate's mental health, and the construction of an outdoor recreation area. He said they also replaced major mechanical systems serving the original facility to improve climate control and air quality, additional inmate classroom and programming space, additional administration space, a larger public visitation area that would meet the needs of the public and professional visitors, and additional security measures for staff and inmates.

Mr. Kumer said the renovation and expansion met the identified goals and objectives in the CBCP planning study. He said the first goal was to create a space conducive to inmate rehabilitation that reduces recidivism. He said for that goal, they would use trauma informed design, which included using sound deadening materials, stress reducing colors, natural sunlight throughout the renovation and expansion.

Mr. Kumer said they would also add classrooms and programming space and integrate technology to the classrooms and housing areas. He said they would replace the existing HVAC units in all the housing areas throughout the building with effective and efficient units. He said they would also install an air filtration system effective against viruses and bacteria. He said they would increase fresh air ventilation. He said they would use efficient water conserving toilets, shower heads, and faucets, as well as use natural daylight throughout the building in order to conserve resources.

Mr. Kumer said the renovation improved quality and experience for all consumers that they served, which were the inmates that resided in the jail, the community and stakeholders who used the facility, and the employees who worked there. He said for their inmates, they would increase the square footage per inmate in housing areas, apply trauma informed design in all housing areas, renovate inmate housing areas to create more privacy and security, create an additional outdoor recreation area, improve quality of social interaction with family using technology based and in-person visitation.

Mr. Kumer said for the community and stakeholders, there was a new customer service area for family and professional visitors to improve service quality, and a professional visitation area with integrated technology. He continued that for employees, they would incorporate improved safety and security measures, provide efficient workflow, apply trauma-informed design in staff work areas, and create a work environment for staff morale, mental and physical well-being.

Mr. Bell said he would discuss the schedule of the renovations. He said the first portion was with regard to the approvals that followed the submission of the community-based corrections plan to the Department of Corrections, which occurred in December of 2021. He said they were currently reviewing the document that needed assessment and a planning study. He said prior to their file approval, the Jail Authority would approve and submit a resolution seeking that 25% reimbursement. He said, as Mr. Walker stated earlier, that was to happen at the authority Board meeting they were having later this month. He said over the next three months, in March and April, they would be meeting with the different member jurisdictions to review the renovations, make sure everyone had a complete understanding of the goals of the renovations and what they hoped to accomplish.

Mr. Bell said following the submittal of the resolution to the Board, local and regional jails, they would approve the CBCP needs assessment, which as he had mentioned, had no anticipated increase to the rated capacity. He said in the June through August window, the Board and local and regional jails would approve the CBCP planning study, and what that included was the renovations and the demolition and expansion of some areas of the jail to better serve the staff and to better serve the detainees. He said the primary objective was the detainees and reduction of recidivism to get the citizens back out on the streets as productive citizens of Albemarle, Charlottesville, or Nelson Counties.

Mr. Bell said in the August to September timeframe, as Mr. Walker stated, they would be looking for a resolution from the different member jurisdictions, which was laying the groundwork for the project to move forward, at which time they got approval from the governor and the General Assembly if the funding is available. He said there were different milestones to be met in September, October, and December of

2022, and finally, in June of 2023, was when the project would be included in the General Assembly's budget and approved and moved forward. He said that after that approval was received, the Board Authority would be ready to move forward with the actual project. He said this was the design and construction of the proposed improvements.

Mr. Bell said step one was to submit an advertising request for proposals, select an architect and engineer, and award a contract for those services. He said they would then move into the full design services, and in November 2023, the Department of Corrections would conduct its required value engineering on the design process. He said March of 2024 would be when the completion of the construction documents occurred, and when they would secure authority design approvals for all member jurisdictions. He said lastly, on the design side, would be advertising for construction bids, which would happen in May of 2024, at which point they would then receive bids and negotiate a contract with a bidder. He said at that point, construction was anticipated to take approximately 14 months. He said the completion of that project would occur in the 2025 timeframe.

Mr. Bell said the cost that was submitted as part of the community-based corrections plan planning study included three items, which were broken down by line item and were added to the totals. He said the demolition and renovation cost was \$21 million, and the new construction cost was roughly \$17 million. He said roughly 60 beds would be demolished as part of the renovation and expansion project. He said the expansion, as the superintendent was saying earlier, was providing space that met the current jail standards. He said the other costs were soft costs such as furniture for the facility cost approximately \$7 million, which brought the total estimated cost to \$49 million, 25% of which was reimbursable from the Commonwealth of Virginia, and the total cost to localities was estimated to be \$36.7 million.

Mr. Kumer said the current slide showed how the project would impact Albemarle County's share of debt. He said the funding analysis was based on the assumptions that the project adhered to the schedule presented by Moseley Architects, the total project cost did not exceed \$49 million, the state approved a 25% reimbursement, the debt service was allocated based on locality share of inmate days, which was how they currently spread out the operational side of the budget, debt was based on a twenty-year bond, and the locality shares remained constant.

Mr. Kumer said as they could see on the slide, in FY23 there was no impact as far as debt or funding went. He said FY24 was when they started to see some impact from the expansion and renovations project. He said FY25 was the same, with some more impact, and FY26 had those same numbers as well. He said in FY27 they would start to see the full impact of the fully funded renovation project and then on from there. He said they used the 1% growth and operational funds as a place to order, which could vary by year and also the shares of inmate population could vary by year, but this was a best estimate.

Mr. Kumer said they could also see the shares of the City of Charlottesville, which was under the same assumptions, and showed their budget and share of debt on the bottom of the slide, to give them some perspective as to how it played out in the three jurisdictions. He then showed the County of Nelson's debt projections. He said at this point they would be happy to take questions from the Board.

Mr. Andrews said he was trying to get a grasp on some of the numbers presented. He said this was a twenty-year bond, and it was also part of their AC44 plan in the sense that it would carry out to that, and his expectation was that the life of the project renovations would last well beyond that. He said it was an important project and would like to learn more about it.

Mr. Walker said he wanted to clarify that the debt would be issued by the Jail Authority itself, so the money was the money, but they would see it being addressed in part of their operating budget or five-year financial plan, not their capital improvement. He said that the financing process would occur after the jurisdictions had agreed to pay their share, and because they were an authority, they had the ability to issue debt, and that was how they saw it panning out for them.

Ms. McKeel said that the Jail Authority would take out the bond, and they would not go into Albemarle County's capital improvement program. She asked if they could explain to the Board the Department of Corrections requirements, because they had to operate under specific rules. She said localities could not just go out and upgrade a jail or build a jail. She said she thought it was slightly confusing that Mr. Bell was an architect from an architecture firm, yet they had not even started the specific design of the jail. She asked if they would address that.

Mr. Bell said he was an architect and had worked with Moseley Architects for about thirty years. He said they specialized in these types of local detention facilities, whether they be local jails or local regional jails, they did a lot of this type of work with different localities. He said Chris Roman was their project manager on this project, and he was very familiar also with local detention facilities. He said to answer Supervisor McKeel's question, the Board of Corrections had jail standards, which recently passed in 2018. He said it required that if a locality would decrease the capacity of its jail facility or make improvements to its jail facility, which it would seek reimbursement or additional staff, they were required to submit this community-based corrections plan, and it had those two parts. He said one was the needs assessment and one was the planning study. He said the needs assessment came into play when increasing the capacity of a facility, which they were not doing in this case.

Mr. Bell said for example, if they were to increase the rated capacity from the 329 to 359, they would have to provide substantiation to the Board of Corrections on why they believed that was needed.

He said that could be based on population, what was being seen going on in the community, based on caseload being seen in the courts, which all were the support of that increased capacity. He said again, they were not doing that here, based on the work being done in the community, by Commonwealth Attorneys, all the pre-trial programs, and all the post-trial programs were doing a great job in terms of curtailing population growth in their facilities. He said the second piece of that was the planning study, which was required whenever there were substantial improvements to the facility, or expansion or renovation. He said improvements did not include replacing something like a rubber roof that had been worn with time with a new rubber roof of the same type, because that was not classified as improvements and was considered care and maintenance of the facility.

Mr. Bell said what was considered an improvement would be changing a camera from a black-and-white static camera to a pan-tilt color IP address camera. He said they saw that as an improvement that was better for the facility, the detainee, and the staff. He said with that, the state and Department of Corrections would reimburse 25% of that approval. He said similarly, if there were changes made to a facility which brought it more in line with the standards, so the standards dictated how large a detainee cell needed to be, how large the dayroom needed to be, how large programming spaces needed to be, whether there should be indoor recreation or outdoor recreation.

Mr. Bell said anytime the jail made improvements to the facility, in terms of meeting those standards, the state and the Department of Corrections would approve that and guide it with 25%, but those standards must be met. He said demolishing an existing wing that had undersized dayrooms and undersized sleeping areas and building it back in kind did not meet the standard. He said there were some areas in the current facility that were like that, so their goal was to demolish some areas of the 1975 facility to a rated capacity of 65 beds. He said those beds were constructed to meet the full standard of the Department of Corrections, and they would seek reimbursement for that.

Mr. Bell said additionally, to build some mental health and segregation beds, again to meet the standards. He said the requirements of the DOC dictated that if there was a 329 bed-rated facility, they needed 10% of what was called "special purpose housing" beds. He said those could be medical suite, segregation, or mental health suite. He said that "special purpose" did not count as rated capacity, because the intent of those beds was that an inmate who had perhaps fallen ill would go to the medical suite, recover, and then move back into general purpose housing. He said the existing Albemarle Charlottesville Regional Jail did not meet that standard. He said they did not have 33 beds, which was 10% of the rated capacity of 329. He said that as part of this renovation, they were going to construct those beds.

Mr. Bell said portions would be segregated and identified as mental health, and there would be an additional second dayroom that could be for mental health or segregation. He said they were providing flexibility for the jail moving forward. He said all these improvements had been explained in the planning study, and the DOC was now doing that in order to make sure they met the criteria, and they would ask questions if they had any things that were not crystal clear to them, and then they would move forward in their process in terms of their review, approval, and backing with the dollars.

Ms. McKeel said she thought it was important to understand that they did not want to ship off the detainees in order to do this construction, because they did not want to send them away from their homes and families, and they did not want to pay for them elsewhere. She asked Mr. Kumer to explain how that was going to work.

Mr. Kumer said one of the things that made this a prime opportunity to do this renovation and expansion was the fact that their jail population was historically at its lowest point since the late 1990s. He said one of the issues other jails ran into when they did expansion or renovation like this was that individuals living in those areas being renovated had to go somewhere, and if they could not go somewhere else inside the facility, they had to serve their sentence while they awaited trial in another jail around the state of Virginia. He said they could not all necessarily be sent to local jails, but to wherever there was space, and not only that, but they would be further separated from their families and social networks, and they also had to pay.

Mr. Kumer said in the late 90s when they did the last renovation, they had to send in 35-40 of their inmates who were women to a facility on the eastern side of the state, and they were paying \$35 a day per person. He said it was very expensive, moved those women away from their families, and all transports for court fell back on the jail, so they were transporting on a daily basis and to and from that facility. He said now was an opportune time to do the renovation, because everyone that would be impacted from the renovation could be moved to another part of the renovation and would not be impacted, and when they completed one part of the renovation, they could move people to a different part of the building. He said it was the best way to do a renovation with people in an occupied space.

Ms. Mallek said she was glad to see a focus on more rehabilitative spaces and programming, and the trauma informed design. She asked if the reimbursement for the renovation also includes improvements to the systems where they included electrical wiring and other support systems so that they were not just creating new boxes.

Mr. Bell said the improvements to the HVAC system would be more efficient and require less maintenance and create better circulation and ventilation. He said filtration was taking bad things out of the air, which had been referenced in Mr. Henry's earlier presentation as being a County-wide improvement. He said it was no different at the jail, where they wanted fresh air for staff and for detainees to keep everyone healthy. He said the second part was ventilation, which was bringing in more fresh air.



He said the systems as they were designed back in 1975 met the standard, but obviously the standard had changed over the past 50 years, and the systems as they currently existed did not meet the current jail standards or the building code. He said the DOC acknowledged that, and the improvements that would be made would be 25% reimbursed. He said the same was true of lighting; there was old incandescent lighting and old fluorescent tube lighting, which they would be replacing with new LED lighting to be more efficient for energy and operational cost, as well as safer and more secure for the facility.

Ms. LaPisto-Kirtley asked if the 60 beds Mr. Kumer mentioned would be maintained during the renovation or if they would be without those 60 beds during that process.

Mr. Kumer said the section they were talking about demolishing had 60 beds in it, so they be taking them away and adding them back.

Ms. LaPisto-Kirtley said she thought this was a great project and thought it showed they would have a better jail facility once it all was completed.

Mr. Gallaway asked if the capacity for a jail such as this followed the expected trend of the population growth, setting aside the programs that were maybe offset those who were going into the facility. He asked if that was how they tracked or predicted what their capacity needs would be.

Mr. Kumer said yes, that was one of the key factors in determining bed space needs, however, they were not a typical community and had not been for the last ten years or so, and even more in the last four or five years. He said there were many more programs that diverted the population to community programs and a holistic approach was taken with each individual to determine what was best for them and the community in a safe and effective manner, so that was what had helped them reach the population they were at now. He said in 2004, a jail study was done and the occupancy for the jail in 2019 was projected to be 900 people. He said in 2022, they were at 290 before he attended this meeting.

Mr. Bell said he would not compare them to other localities around the Commonwealth, but he gave kudos to the County for everything they were doing on the pre-trial and post-trial side, especially the Commonwealth's Attorneys. He said together, the three jurisdictions of Nelson, Charlottesville, and Albemarle were anticipating general population growth that would come with an anticipated increase in jail population, but they had seen historically a growing population over the past 5–10 years, and as the Superintendent indicated, the jail population today was the lowest it had been in 20 years. He said that was mainly attributable to all of the programs being offered and all the alternatives to incarceration that were being provided to the citizens who found themselves in court and possibly facing time in jail. He said that other path placed before them that saved the localities money and provided a better long-term outcome for these citizens.

Mr. Bell said to Mr. Gallaway's question, the answer was yes, they would typically expect a general growth in population and growth in jail population, but not in this circumstance. He said they had done a great job creating those programs, and the challenge now was sustaining that and continuing those programs and growing them perhaps. He said one component that was not currently being offered that the Commonwealth Attorney for the City of Charlottesville and the Commonwealth Attorney for Albemarle County were proponents of was a day reporting center, which was another thing that may have great results in terms of continuing to lower the jail population and provide better outcomes, so people stayed out of jail and in the community.

Mr. Gallaway asked what kind of center it was that Mr. Bell described.

Mr. Bell clarified that it was a day reporting center. He said what would happen there was that the citizens who were sentenced to go to the day reporting center would be almost the opposite of what they called a work release center. He said the work release center was where someone spent the night in jail and during the day went out to work a job that had been obtained, and after work they would come back to sleep in the jail again. He said a day reporting center was where someone slept at home and during the day, they went to the day reporting center, similar to a school or community college, where there would be rehabilitation programs, job skills training, or opportunities to seek employment. He said they would then have a clear pathway to a better self. He said the community did not have right now, but it was something both Commonwealth Attorneys were in favor of, and he believed the Superintendent was as well.

Mr. Gallaway asked if that was taken into account into the designs. He said anytime they did a renovation, they wanted to make sure they got the most bang for their buck. He said if the actual population did not change, and they did not have that special purpose capacity currently to serve that population, so the expansion would provide that special purpose. He said he wanted to make sure they were providing enough special purpose space, because the standard for mental health treatment and this day reporting center could grow beyond what they thought it was now, and he did not want to undercut it and make sure it was maximized during this renovation as more programs came into play.

Mr. Gallaway said he could not imagine the mental health support that would be provided, because in his mind, the people at the jail who did not qualify for these other programs needed a specialized or enhanced version of support, and he wanted to make sure they were providing enough space for that, and he believed the space could grow without it being based on 10% growth of their current population. He said he was trying to comprehend and understand how the sum of money was being used to maximize and keep the flexibility that was modern to their purpose thirty years down the

road rather than five years.

Ms. Price said this demonstrated the complexities not only of their budget system in terms of physical improvements, but also operational costs as things went forward. She said it also demonstrated the complexity in particular of the renovations of jails, because there were so many different entities that were involved in the process. She said she wanted to thank Supervisor McKeel for her long-standing and continued efforts to keep all of this on track and to keep the Board informed about how the process worked. She said when she listened to the presentation, it reminded her of a parallel in technology, the correct hardware and the correct software were necessary, and in this situation, they had to have the right facility and the right programs. She said talking about the facility, if they wanted to have a correctional facility, it was imperative that they upgraded this physical plan, otherwise they were just into a punitive system, and if it was nothing but punitive, they would have a high rate of recidivism, which led to more expense and lost lives for people who were not able to return successfully into society.

Ms. Price said they had been dealing with an overcriminalization and overincarceration issue in their society for many years, and once someone was incarcerated, they lost their job, income, and housing, and their families were affected. She said while recognizing there were some individuals for whom this was appropriate, not everyone who was facing a charge should face that. She said she appreciated that while jails did not invite people in, she hoped they never found themselves in a situation where the actual number of average daily population was double the facility. She said she believed they all owed thanks to those like Mr. Kumer, Ms. McKeel, the County and City Commonwealth Attorneys who were working on these alternative methods to actually achieve correction and return people to society rather than locking them up and throwing away the key. She said she was impressed with this presentation and very supportive of what they had brought to the Board.

Ms. Mallek asked if there were connections in the ongoing programs at the jail for partnering with the Virginia Career Works at Piedmont, job training, and job skills development.

Mr. Kumer said there was prior to the pandemic, and they would be reengaging with Piedmont once the pandemic was over. He said they had been great partners for over ten years, so they would certainly reengage with them as soon as possible. He said they also had started to engage with the University of Virginia as well, and were very fortunate they were so close.

Ms. Price asked Mr. Walker if he had gotten all the information he needed from the Board.

Mr. Walker said Ms. McKeel would make a closing statement.

Ms. McKeel said she wanted to remind everyone that they had a fifty-year-old jail that was not up to standards, and they had been patching it for a long time, but they needed to spend what was a considerable amount of money to position themselves in the best place possible to serve their staff and inmates and the community. She said comparing the expenses to a school was difficult, because the jail had more safety concerns and people who were spending their time there 24/7, so she wanted to Board to remember that the expense would be helped by the 25% reimbursement hopefully, and that there were three jurisdictions that would divide the cost.

Ms. McKeel said she also wanted to point out that she would start calling people on the phone to ask people to come by for a tour, because she believed nothing would help one understand the situation better than to take a tour of the jail. She said Mr. Andrews was joining her on Friday with Superintendent Kumer, and she would be contacting the rest of them as well. She said for the public, Superintendent Kumer had always said, anyone who wanted a tour of the jail should contact him. She said he was more than happy to provide a tour for the press or the public, but she believed it was incumbent upon the Supervisors and City Council to go to the jail before the fall when they would have to make some decisions.

---

Agenda Item No. 12. **Closed Meeting.**

At 3:39 p.m., Mr. Andrews **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1):
  1. To discuss and consider appointments of community members to the Architectural Review Board, the Board of Equalization, the Jefferson Area Community Criminal Justice Board, the Jefferson Area Board for Aging Advisory Council, and seven advisory committees; and
  2. To discuss and consider the performance of a Supervisor regarding interactions with other entities and persons; and
  3. To discuss and consider the appointment of the County Attorney's successor upon his pending retirement; and
- Under Subsection (6), to discuss and consider the investment of public funds in a volunteer fire company where bargaining and negotiation is involved and where, if made public initially, the financial interest of the County would be adversely affected; and

- Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation of the Board against the Scottsville Volunteer Rescue Squad.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Agenda Item No. 13. **Certify Closed Meeting.**

At 6:01 p.m., Mr. Andrews **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

The motion was **seconded** by Ms. LaPisto-Kirtley. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

Ms. Price said they did not finish their discussion on boards and commissions so they would be going back into a closed session at the end of the meeting.

---

Agenda Item No. 15 From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson said he had no report.

---

Agenda Item No. 16. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Susan Sherman greeted the Board and said she was speaking tonight in her position as the executive director of the Charlottesville Free Clinic. She thanked them for the support for the free clinic over the years, which this year was celebrating its 30th anniversary. She thanked the Board for including them in the proposed FY23 budget and holding the proposed funding steady as they had over the past several years. She said they continued to serve a critical need in this community. She said they served about 3,000 patients a year within the City, County, and outlying counties that were covered by the Blue Ridge Health District.

Ms. Sherman said the pandemic had proven quite challenging, but they had risen to the occasion and never closed their doors. She said they continued to see unprecedented demand for their services, most notably in mental health and dental services. She said although they did not by definition treat patients that were Medicaid eligible, because there were no dentists in the area that were accepting Medicaid, even though Medicaid did expand to cover adult dental services over the summer, no dentists were accepting Medicaid patients, so they continued to treat Medicaid eligible dental patients because there was nowhere else for those individuals to go. She said there was an increased demand for their services across the board, and the past year saw a 50% increase by new patients.

Ms. Sherman said that by definition, free clinics were a streamlined staff surrounded by robust community providers. She said unlike the federally qualified health centers, they relied entirely on philanthropy and local support. She thanked them for including them in the budget and hoped the final version would mirror what the proposed line item supported currently.

---

Agenda Item No. 17. **Public Hearing: County Executive's Recommended Budget.** The Recommended Budget contains summary information on the total County budget, organized into several funds to provide appropriate accounting and budgeting control, including: the General Fund (expenditures for general operations of the County), Special Revenue Funds (expenditures restricted for specific governmental purposes such as state and federal grant funds), the School Fund (expenditures for general operations of the County school system), Other School Funds (expenditures restricted for specific school purposes such as the Food Services Fund), Capital Improvement Funds (expenditures for acquiring, constructing, or maintaining capital facilities), and Debt Service Funds (expenditures for paying principal, interest, and charges on general long-term debt). The Recommended Budget contains a complete itemized and classified plan of all contemplated expenditures and estimated revenues and borrowings for the Fiscal Year.

---

Mr. Richardson said he would be joined by Ms. Emily Kilroy for the presentation, and he believed they would also be joined by their Chief Financial Officer, Ms. Nelsie Birch, and their Chief of Budget, Mr. Andy Bowman. He addressed the Board and said it was to be an abbreviated budget presentation on the FY23 recommended budget, which was ahead of the public hearing. He said he would outline what

happened after the public hearing tonight, because as the Board knew, there were a number of budget work sessions that would be coming in just a few days, and then they would work through the month of March. He said last week, they rolled the budget out, and he believed they were at 45 minutes, so they would hit only the highlights tonight and let the Board go through the public hearing.

Mr. Richardson said the current slide represented their total budget, which was \$565.1 million. He said the graph showed the all-funds budget. He said he would answer some questions they had received regarding the growth of the budget. He said the all-funds budget total value incorporated every fund the County maintained. He said that included the County's general fund, which they would talk about in just a few minutes, because that was the fund that the Board had the most authority with as it related to directing the services, the positions, and priorities. He said the all-funds total budget also included the County schools' funds, grant funding, and capital funds.

He said those funds could be highly variable from year to year; an example was the FY23 recommended budget included the influx of \$12 million in remaining one-time funding through the American Rescue Plan Act. He said additionally, the nature of capital projects and their related borrowing would vary year-to-year based on the timing of projects beginning. He said an example was the FY23 budget including the increase of \$31 million in borrowed proceeds to support notable projects such as the public high school innovation capacity project and the final phases of the court's capital project.

Mr. Richardson said the Board could see on the current slide the fluctuations that happened in the capital budget. He said in different years, the capital budget increased and decreased due to the timing of projects, in part, and the timing of debt issuance that supported the projects they were undertaking. He said the Board knew they had a five-year capital plan, and in any one year, they were looking at that year's capital budget, which should reflect the work that was going on in that particular year, but in their CIP, they were talking about five years, and across those five years, depending on the timing of the debt borrowing and the timing of the projects that were closed out, the overall capital budget would be affected in different ways.

Mr. Richardson said as he said earlier, he would take a few minutes to talk about the general fund. He said the general fund tended to be the more useful year-to-year comparison point, because it was where all tax revenue was received, and it was the primary ongoing funding source for the school fund, the capital fund, and the debt program. He said it also did not include pass-through grants that may vary from year to year, and that was where the Board had the ultimate authority over the investments they made. He said the general fund revenues for FY23 were estimated at \$368.2 million, and the general fund was built for maintaining the current tax rate at 85.4 cents per 100 assessed value tax rate, which was the same as calendar year one, as well as some of the other revenue adjustments that he would address in just a moment.

Mr. Richardson said when looking at the general fund revenues in recent history, there was an increasing trend from FY17—FY20. He said the goal line was a trend line of how they may have expected the revenues to grow over time had the trend continued. He said the Board could see over the past several years how that was impacted by Covid-19 and the trend took a fairly sharp downward turn, but when they extended that trend from FY17 to FY20 all the way to FY23, they could see they were just slightly behind where they might have been with projected revenues to be at this particular time.

Mr. Richardson said the FY21 budget was adopted at the very early stages of the pandemic, and a decrease from the FY20 adopted budget. He said that could be seen on the slide. He said the County then utilized a cautious approach to manage their financial position as they learned more about long-term impacts that the pandemic would have on their local economy. He said they called that budgeting process the 3-6-6-12 approach, which took them from the last months of FY20 all the way to where they were today.

Mr. Richardson said the FY22 budget was adopted in May of 2021, and it included revenue projections largely informed by the activity during the activity during the first three quarters of FY21. He said that was shown in the first light blue bar in the graph on the slide. He said subsequent to the budget adoption, the economic recovery became much more pronounced in the fourth quarter of FY21 and through the first two quarters of FY22. He said that was when they were able to look at their very stable economy to make some mid-year adjustments. He said the Board of Supervisors approved a budget amendment in 2021 as part of the County's financial management strategy, to be flexible as they began to move out of the pandemic.

Mr. Richardson said shown with the second light blue bar was an increase of 8.2% of the adopted budget, which was responding to the growth in revenues above what they had projected when the FY22 budget was adopted. He said the FY23 budget was 8.1% over the revised FY22 budget. He said the FY23 recommended budget continued the decisions and made further investments in the County's strategic priorities and was based on anticipated revenue growth in FY23.

Mr. Richardson said the impact of each revenue source on an individual's or household's bottom line was different. He said the growth of the share of local revenues from the real property tax shown on the slide, and accounting for the new enabling authority from the state to make changes from the different revenue categories led to the recommendation to increase the food, beverage, and transit occupancy tax rates, as well as considering the tax rates in those areas relative to other cities and counties in the Commonwealth. He said this had the effect of diversifying local revenues to reduce the reliance on real estate and broaden the impact to activities related to visitors to their community who stayed in their hotels and primarily ate at restaurants while they were visiting.

Mr. Richardson said how they achieved that in the budget recommendation was on the current slide. He said the real property tax rate was recommended to remain at its current rate, and they included the recently enacted cigarette tax and the plastic bag tax that the Board would be considering over the next few weeks. He said the personal property tax rate was recommended to drop by 86 cents to \$3.42 per \$100 evaluation, due to a spike mainly in used car values they had seen nationwide over the past year. He said the property tax rate also applied to the business personal property tax, which had a positive impact to both residents and businesses.

Mr. Richardson said the balance of his remarks would focus on the general fund, which was what funded Albemarle County government, which were the services shown as connected circles on the slide, which suggested the varied services they provided the community in Albemarle County, and they leaned on their partnerships with their key partnership agencies, their community partners, their agency partners, of which there were about 65. He said in balance with the recommended expenditures with the transfer to the school division to meet their request of \$167.5 million was an additional \$35.8 million in capital and debt, \$15.5 million in revenue sharing payment to the City, and the balance to support the work of the services they provided to the community.

Mr. Richardson said as he discussed last week, the budget reflected that their local economy had recovered from the pandemic and they were in a financial position to move forward with the County's strategic priorities, which were to address school capacity, recreational needs, public safety needs, human service needs, critical infrastructure and urban service needs, and to support their organization in their efforts to provide effective services that met their community needs. He said the four blocks shown on the slide were a framework he would use to show some of the investments they recommended for the upcoming budget.

Mr. Richardson said the first area was transformative capital investments. He said when looking at the five-year capital plan, and then looked at the FY23 capital budget, he believed it was transformational, because their investments and financial management had allowed them to be smarter in how they were funding projects and how they were being strong fiscal stewards. He said at the same time, recent recommended investments to increase their throughput of getting the work done would enable them to finish projects quicker and bring those projects online. He said shown on the current slide was the budget recommendation that over the next five years, they would advance three new school projects to address capacity needs within the school system, two elementary schools and a second high school center.

Mr. Richardson said this recommended budget supported the second phase of Biscuit Run Park, which was a 1,200-acre natural park in the County's development area that would provide a park experience that they had not seen with any of their existing parks. He said the budget also continued to fund their much-needed courts expansion and renovation project, which would make their court system more safe and more modernized. He said it also provided funding to continue to advance broadband infrastructure work. He said finally, the budget recommended investments in a transportation leveraging program, which was critical, because it provided local funding to draw down much needed state funding for road, bike, and pedestrian improvements.

Mr. Richardson said the next category was called "Working Differently" because as the community continues to adapt and to grow, the County must also adapt and work differently to keep pace with the community that they serve. He said the budget recommendation would launch a community response team led by the Department of Social Services. He explained the team would include a police officer, a firefighter, an EMT, and a social worker. He explained the team would respond to calls from individuals in crisis. He said the program was created in response to a growth in mental health related calls. He noted responding to mental health related calls had unique needs. He said the program would allow the County to preserve the fire rescue and police services for urgent medical or criminal matters. He said the team would work with individuals during the crisis and after to ensure they received the necessary support. He said the program was recommended to be funded with revenue from the cigarette tax which became effective on January 1.

Mr. Richardson said the budget recommended using a portion of the ARPA funding for a sewer connection program for households in the urban area with septic systems. He mentioned there were approximately 250 households in the community that would qualify. He said the program would have an environmental impact and strengthen the housing in urban areas. He said the budget recommended that the Yancey Community Center (YCC) continue to be a part of the County's community work. He said the YCC provided a home for supportive services in the southern part of the county.

Mr. Richardson explained that due to the workload of the Comprehensive Plan update, the budget recommended two temporary three-year community engagement coordinators to help with the community advisory committee work and manage relationships with individuals and community organizations. He explained the budget made investments in urban levels of service. He said a street sweeper program was recommended, and funding would invest in staffing and capital for equipment. He said the program would strengthen the frequency of street sweeping in urban areas which helped keep bicycle lanes clear and contaminants out of streams. He said there would be investments to strengthen the capacity for right-of-way management and vegetation management, and to better manage and maintain the existing spaces.

Mr. Richardson said the County would evaluate an investment in the Albemarle Transit Expansion study, and a pilot program for micro transit was recommended. He said the pilot program

would leverage state and federal funding for an innovative and on-demand service model in the Route 29 North and Pantops area. He said further investments in fire service delivery were recommended—a fire engine at Pantops would operate 24/7 to support and strengthen the fire rescue service system. He continued that there would be two additional police officers to support the squad-based policing model.

Mr. Richardson said there would be further investment in the economic development fund to support retention and expansion. He said additional funding would be provided to the CACVB to support marketing efforts to strengthen the tourism sector. He said a 4% salary market adjustment for all qualified staff was proposed effective on July 1. He said there was money allocated for a complete compensation and pay study of the entire organization to update the compensation and pay plan to market levels.

Mr. Richardson said the budget supported the core systems modernization work. He said there would be continued investment in enterprise solutions that allowed the teams to effectively manage resources and provide a streamlined customer service experience. He said the core systems modernization focused on the financial systems, the human resources systems, asset management systems, and community development. He explained there were over 50 boards and commissions that had open seats for community member appointments. He said the budget recommended a dedicated administrative support position to manage the recruitment, applications, and onboarding of the more than 200 community member positions.

Mr. Richardson said the Board would work through March and the first week of April to review the budget along with special topics as they were identified. He said a final public hearing on the Board proposed budget was expected on April 27. He continued that the Board was expected to approve the FY 23 budget and set the calendar year 2022 tax rate on May 4. He said Ms. Nelsie Birch, Chief Finance Officer, and Mr. Andy Bowman, Chief of Budget, were present to answer questions.

Mr. Andrews mentioned there were comparisons between the recommended budget and the previous year's adopted budget. He said the previous year's budget had significant austerity measures in place and had been increased throughout the year. He said the School Board's budget proposal was indicated to have an increase over the previous year. He asked for clarification regarding how the budget changed over the year and what the comparisons between the budgets meant.

Ms. Birch explained it was not normal to amend the budget mid-year. She said typically, the adopted budget was the budget for the year. She said the adopted budget represented a spending plan that underwent the public process. She said the performance of the FY 22 revenues was unknown until after the budget was adopted and had undergone the public process. She said the ongoing foundational revenues had risen to unexpected levels in FY 22. She said because of the 3-6-6-12 approach, the County did not end the fiscal year with an inordinate budget surplus.

Ms. Birch said the budget was adopted before the fourth quarter revenues were known. She explained the two controllable variables in a budget were either reduce revenue streams or increase expenditures in order to mitigate end of year surpluses. She said the FY 22 budget was anemic and did not fund all the pre-pandemic programs. She said staff brought a proposal to the Board to restart programs in the fall. She said there was an amended FY 22 budget approved in December to reflect the increased revenues.

Mr. Bowman said the first stages of COVID-19 vaccinations had begun in early 2021. He noted not many people had been able to access the vaccines despite the demand. He said ARPA was only being discussed and was not law during the FY 22 budget process. He said the trends in the consumer-driven taxes did not reflect the rebound that was visible later in the year. He said the data could be presented as to how the budget picture evolved.

Mr. Andrews asked what the trendline represented on the graph presented on the slide.

Mr. Bowman said the trendline referred to the trend from FY 17 through FY 20. He mentioned the 8.2% figure was the difference between the FY 22 amended budget and the FY 22 adopted budget, and the 8.1% figure was the difference between the FY 23 recommended budget and the FY 22 amended budget.

Ms. Mallek noted the funding for DSS seemed smaller than she expected. She asked if there was outside funding from federal and state sources that supplemented the funds. She asked if the graphic represented local funding or all combined funding.

Mr. Bowman said staff could clarify the chart to reflect what was included in the funding. He said DSS was one component of health and welfare budgeting, and the local funding of DSS was even smaller. He noted for Mr. Andrews that the average increase from FY 17 to FY 20 was closer to 6% than 5%.

Mr. Gallaway said Mr. Richardson had noted that the \$12 million in ARPA funding was included in the total budget figure. He asked if the \$12 million was considered federal funding or local funding.

Mr. Bowman said ARPA funding was included as part of the federal revenue figures.

Mr. Gallaway clarified that the \$36.2 million in federal funding included the \$12 million from ARPA.

Mr. Bowman said Mr. Gallaway was correct. He said when the total federal revenue figure was considered, the proposed budget had \$14.5 million more allocated than FY 22, and \$12 million was related to ARPA funding.

Mr. Gallaway recommended staff include flags in the presentation to note and clarify the budget anomalies, such as the ARPA funding, during the work session presentations.

Ms. Price said using the cigarette tax to fund a community response team was appropriate. She said she appreciated the sewer connection program. She opened the hearing for public comment. She noted there were speakers signed up for comment.

---

Mr. Rex Linville said he was a resident of the Samuel Miller District and represented the Piedmont Environmental Council (PEC). He said he supported the recommended funding for Biscuit Run Park. He mentioned the connected greenway into the park, and he said staff had reinitiated work on the project. He said the work would dovetail well with the smart-scale funded 5th Street Trail Hub project. He mentioned over \$20 million was dedicated to the Transportation Leveraging program which would allow the County to move forward with transportation priorities including bicycle and pedestrian quality of life projects.

Mr. Linville said the PEC was disappointed to see conservation funding zeroed out in the FY 23 budget. He said mitigations to the impacts of climate change and protection of land and wildlife habitat, biodiversity, agriculture, forestry, and water supply and quality were of paramount importance. He said politicians and scientists around the world called for an increase in conservation efforts to protect at least 30% of lands and waters by 2030. He said the land and water resources were vital to the future of the region and were a critical component of the County.

Mr. Linville noted the Comprehensive Plan specifically called for the County to "strengthen the Acquisition of Conservation Easements (ACE) program by providing a stable, dedicated funding source and staff resources for administering the program." He said in the past, the County had made significant investments in conservation, and at its peak, the County was investing more than \$1.6 million annually in conservation. He continued that the proposed budget did not further the example set by previous years. He said the proposal would cost future generations.

Mr. Linville said the pace of conservation should increase. He noted Board members had indicated they supported conservation efforts, and many surveys showed County residents also supported conservation efforts. He said he supported the inclusion of the plastic bag tax. He said the tax should be coupled with a community education campaign to inform residents of sustainable alternatives to plastic bags.

---

Ms. Robyn Mattern said she was a resident of the White Hall district. She urged for funding to be allocated to the Darden Towe Turf and Light project in the FY 23 budget. She asked why the project was not a priority for the Board like it was to the community. She asked if the Board had visited the fields of Darden Towe Park, Henley Middle School, or Murray Elementary School. She said the fields were dilapidated and unsafe. She said it was a shame and embarrassment that there were no quality fields for recreational sports within the community. She said Darden Towe Park had the most fields of a park in the County, but the fields were barely playable.

Ms. Mattern noted Darden Towe Park was in the center of the County—an optimal spot to be accessed by the community. She asked why the property was allowed to waste away. She said the County sought to build additional parks while it could not maintain the ones that already existed. She said the County lagged behind the neighboring communities in terms of usable turf fields. She mentioned other localities economically benefited from the sporting events hosted at their community facilities.

Ms. Mattern explained the only available turf fields in the community were located at the high schools and the University of Virginia. She explained both were costly to rent and neither were readily available to the community. She said there was an abundance of available funding in the budget, so financial concerns should not delay the project. She requested that the FY 23 budget include funding for turf fields and lights at Darden Towe Park.

---

Mr. Mike Ginsburg said he was a resident of the Scottsville district. He said he coached travel soccer in Charlottesville for 20 years. He said he had seen hundreds of multisport turf complexes across the United States and Europe, and they all had numerous turf fields marked for sports such as soccer, lacrosse, field hockey, and football. He said Greensboro, Williamsburg, Fredericksburg, Richmond, Asheville, and many other localities had public parks with multisport turf fields. He said they were common in Virginia, and the County was an outlier.

Mr. Ginsburg said improving the fields at Darden Towe Park would have a positive economic impact on the hotels, restaurants, and other businesses in the Charlottesville area. He noted that sports tournaments can bring in over 200 teams and 1000 people. He said the grass fields at Darden Towe Park were viewed as a punishment to use.

Mr. Ginsburg said people from all different backgrounds would be able to use the fields, and it was important to recognize the various uses that multisport fields provided. He said many sports groups

struggled to find suitable fields for their activities. He said multisport turf fields at Darden Towe Park would provide more options for kids who did not otherwise have the opportunity to play different types of sports. He said the fields would be an excellent use of public funds.

---

Mr. Scott Roth said he was a resident of the Samuel Miller District. He said he was the president and founder of Three Notched Brewing Company, he had three children, and he was a youth soccer coach and adult league player. He said he had dealt with the difficulty of training an under-11 (U-11) soccer team on the fields of Darden Towe Park. He said the team was considered the premier, or second best, in U-11, and children joined his team from Albemarle and surrounding counties.

Mr. Roth said the local communities lacked high quality fields. He explained the elite level teams were granted first options for the fields at South Fork and Belvidere Field House while the second, third, and fourth level teams, and all of the challenge and recreational squads were expected to train on subpar surfaces. He compared training at the Darden Towe Park fields to training on a waffle iron. He said it was impossible to train and frustrated the families that paid for their children to participate in the sports.

Mr. Roth said the environmental arguments against the fields were weak. He said the community strongly supported the fields. He said Richmond reported that the Jefferson Cup, which consisted of four youth tournaments throughout the year, utilized 32,000 hotel rooms and generated \$25 million in impact to the area. He said the Matthews Sportsplex in North Carolina opened with a near mirror image of Darden Towe—five artificial surfaces and facilities similar to the park. He said in the first few years, the Sportsplex hosted 17 tournaments for sports such as soccer, rugby, lacrosse, and field hockey. He explained six more fields had been added along with a championship stadium, and the economic impact to the local community was an estimated \$80 million.

Mr. Roth said sports tourism, historical tourism, and wine and beer tourism were important to the hospitality industry. He said he employed over 200 employees, and he understood there was a hole in the hotel and restaurant industry. He said the County's commitment to sports tourism could be a catalyst to bring the food and beverage industry back to full strength. He said sports tourism would generate meals tax revenue to bolster the budget. He said he would donate his time to operate the concession stand at the park if needed. He urged the Board to fund the project in the FY 23 budget. He said he would share additional economic data with the Board by email.

---

Mr. Dargen Coggeshall said he lived in the Samuel Miller district. He graduated from the University of Virginia and was a self-proclaimed business owner in Albemarle County, and he had three children who were athletes. He said his son practiced soccer in the left field of a baseball field. He said practice had been held in the baseball field year after year due to inadequate and unsafe surfaces for the children practice. He said he had a player at the elite level as well, and over the last 10 years, he had gone to Chesterfield, Culpeper, Haymarket, and Hammonton, New Jersey, for events. He explained he had spent tens of thousands of dollars to let his daughter pursue her passion in soccer.

Mr. Coggeshall said none of the places he had visited for events had the appeal of Charlottesville. He noted the County had the University, historic homes, the Blue Ridge Mountain, the James River, breweries, and wineries. He said the County did not have facilities to host events where other people spend money on their children's passion. He referenced the film, *Field of Dreams*, and he noted it starred Kevin Costner. He said the famous quote, "if you build it, they will come."

Mr. Coggeshall said Charlottesville would be a highly desirable sports tournament destination because of the available activities. He said Hammonton, New Jersey was the armpit of the world, but at least it had facilities such as turf fields and lights. He said people will come, and they will rent hotel rooms, and they will visit tourist destinations.

---

Ms. Anne Hunter said she was the Executive Director of Live Arts, a 31-year-old volunteer theater in Downtown Charlottesville. She said 60% of the patrons lived in Albemarle County, as did most of the board members. She said Live Arts received a \$10,000 lift grant from the Board in 2020, and two \$2,500 grants—one in 2021 and one in 2022. She said the grants helped Live Arts produce theater throughout the pandemic. She said the FY 23 budget included \$5,000 in funding dedicated to Live Arts.

Ms. Hunter explained the grant in the FY 23 budget would be used to rebuild the 1,200-person volunteer group after it was decimated by the pandemic. She said people did not feel comfortable volunteering, and Live Arts needed to provide a way to reengage people so that it could continue to produce theater for the community. She said each year, Live Arts invested about \$1 million into the local economy through wages, rent, vendors, and business expenses. She explained that Live Arts was a nonprofit.

Ms. Hunter said the organization participated in downtown revitalization and regional tourism efforts to strengthen the local economy. She said the organization was engaged in creative place making. She said the theater had helped transform downtown into an iconic arts and entertainment district in the 1990s and early 2000s. She said the theater was considered by *Cville Weekly* to be the best dramatic arts venue in Charlottesville.

Ms. Hunter said the theater created social cohesion, a term to mean connection within a community. She said as social cohesion grew, there would be greater resiliency, better social relations, a



better sense of belonging and higher participation, and greater trust and fewer inequities—social traits of a healthy thriving community.

Ms. Hunter said as the County continued to reckon with the effects of the pandemic and social justice movements, Live Arts served as a catalyst for healing, connection, and addressing disparities on multiple levels through volunteer efforts. She said the theater was predominantly white, and it was committed to dismantling the systems that perpetuated patterns of injustice. She said people of color composed 43% of the board.

---

Ms. Price closed the meeting to public comment.

Mr. Andrews mentioned there were recycling facilities that needed to have equipment inventoried.

Ms. McKeel said she believed there would be a discussion regarding turf fields during the budget work sessions.

Mr. Richardson said Ms. McKeel was correct.

Mr. Henry said staff was planning to present on turf fields during the March 23 work session. He said the discussion was not only on turf fields, it focused on overall field needs. He said the history of the Darden Towe Park turf project would be reviewed. He said the County's highest project priority was the construction of four grass fields at Biscuit Run Park.

Mr. Henry said there would be a consultant attending the work session to answer questions related to turf field technology and to address some of the Board's questions from previous years. He said staff looked for the Board's direction for next steps during the work session. He explained the Darden Towe Park turf project was funded, then paused during the pandemic, and it did not come back to be processed, so the project was not active. He said information regarding the project would be brought before the Board during the work session.

Ms. McKeel said she would like to know the current data science on turf field products.

Mr. Henry said an expert would discuss turf field technology at the work session.

Ms. LaPisto-Kirtley said Biscuit Run Park was the optimal place to have a sports facility. She said she would like to know the condition of the natural grass fields at Darden Towe Park.

Mr. Gallaway said it would be important for the public and the Board to have a thorough history of the Darden Towe Park project. He said staff should not present a brief history because the reasons the project was paused needed to be understood. He said the project did not come back because of the pandemic. He said the history of the project needed to be clear. He asked for clarification on the date of the work session.

Mr. Henry said the work session would be held on March 23.

Mr. Gallaway said that date was marked "as needed."

Mr. Henry said the date was planned.

Mr. Gallaway said the project generated interest, so the schedule should be clear ahead of the meeting. He said the County had paused the ACE program to do an evaluation of the program. He said a proper evaluation would be completed, and if funds needed to be allocated to the program, there were plenty of reserve funds to utilize for projects.

Ms. Price said there would be a number of work sessions where segments of the budget would be reviewed in depth. She said she agreed with others that there needed to be a sportsplex-type complex in the County. She said Darden Towe Park or Biscuit Run Park were possible locations for the facility. She said she was not interested in delaying the project further. She said she had questions on the advisability of artificial turf versus grass turf, and she looked forward to the discussion.

Mr. Richardson asked Ms. Birch if she would clarify the work session schedule and provide closing remarks.

Ms. Birch said the materials were printed and distributed before some of the topics had been decided. She said the March 23 work session would be about the fields and related budget allocations. She said the March 30 work session would focus on ARPA funding and budget recommendations along with a presentation on housing initiatives, such as rent and mortgage relief programs. She continued that the Boys and Girls club would formally propose its capital contribution request at the work session.

Ms. Birch explained the agenda had not been set for the April 6 work session. She said the work session was a placeholder if it was needed. She said if the Board identified areas where they wanted more discussion and information, the April 6 date could be used. She said the March 23 and March 30 agendas were full, so additional topics not addressed in the first five work sessions would be addressed on April 6.

---

Agenda Item No. 18. **Public Hearing: Fiscal Year 2022 Budget Amendment and Appropriations.**

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year, as shown in the currently adopted budget provided. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The cumulative total of the Fiscal Year 2022 (FY 22) appropriations itemized below is \$23,143,157. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 22 Budget Amendment totals \$23,143,157. The estimated expenses and revenues included in the proposed amendment are shown below:

**PROPOSED FY 2021-22 BUDGET AMENDMENT**

**ESTIMATED REVENUES**

Local Revenues \$ 168,637  
State Revenues \$ 671,473  
Federal Revenues \$ 884,395  
Loan Proceeds \$ 21,500,000  
Other Fund Balances \$ (81,348)  
**TOTAL ESTIMATED REVENUES \$ 23,143,157**

**ESTIMATED EXPENDITURES**

General Fund \$ 249,797  
Special Revenue Funds \$ 1,661,396  
School Fund \$ (5,610,201)  
School Special Revenue Funds \$ 5,028,853  
Debt Service Funds \$ 21,038,750  
Capital Funds \$ 774,562  
**TOTAL ESTIMATED EXPENDITURES \$ 23,143,157**

The budget amendment is comprised of a total of twelve (12) separate appropriations, seven (7) of which have already been approved by the Board of Supervisors:

- Four (4) appropriations approved 1/12/2022
- Three (3) appropriations approved 2/2/2022
- Five (5) appropriation requests for approval on March 2, 2022 are the remaining as described in Attachment A.

After the public hearing, staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriation for local government and school projects and programs, as described in Attachment A.

---

Mr. Andy Bowman said he was presenting on an item to amend the FY 22 budget. He said the fiscal year would end on June 30, 2022. He said Virginia code required a public hearing be held to amend the County budget when the total amount of funds exceeded 1% of the adopted budget. He said the amendment addressed the use of \$23.1 million.

Mr. Bowman said the first appropriation was directly related to the Board's approval to refund bonds totaling \$21.5 million. He said the impact of the refinance would create budgetary savings of \$1.9 million over the life of the prior issuances. He said all three AAA bond ratings had been reconfirmed during the refinancing process. He explained that the ratings, along with the County's financial policies, provided a way to reduce the County's risk and provide the Board and County flexibility when managing the budget.

Mr. Bowman said \$4.1 million was provided at the School Board's request from the Public Schools fund to the Capital Budget. He explained that in December, there was a revenue update that was provided by formula to County government, the School Division, and the Capital Budget. He continued that at the time, the Board approved a one-time contribution to the capital program of \$4.3 million—equivalent to the County government's share of the revenue update. He said in January, the School Board held discussions on the use of its portion of the revenue update. He said a portion of the school's funds was for operations, and a \$4.1 million portion was dedicated to the Capital Budget.

Mr. Bowman said both actions, by the Board and School Board, were incorporated into the recommended budget for FY 23, and they were strategies that positioned the County Executive to recommend a CIP that made transformative capital investments over the next five years. He said those investments would be further detailed during the following budget work sessions. He acknowledged there were other appropriations in the amendment up for approval. He said the other appropriations were explained in detail in Attachment A, and they were related to state and federal funding or appropriations

where the County was the fiscal agent for an entity, such as the Charlottesville Albemarle Convention and Visitors Bureau (CACVB). He said staff recommended the Board adopt the resolution in Attachment B.

Ms. Price opened the hearing for public comment. She noted there were no speakers signed up to speak on the item. She closed the hearing to public comment.

Ms. LaPisto-Kirtley **moved** that the Board adopt the attached resolution (Attachment B) to approve the appropriation for local government and school projects and programs, as described in Attachment A.

Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

**RESOLUTION TO APPROVE  
ADDITIONAL FY 2022 APPROPRIATIONS**

**BE IT RESOLVED by the Albemarle County Board of Supervisors:**

- 1) That the FY 22 Budget is amended to increase it by \$23,143,157;
- 2) That Appropriations #2022035; #2022036; #2022037; #2022038; and #2022039 are approved; and
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2022.

\* \* \* \* \*

FY 22 Appropriations		Attachment A - Descriptions
<b>Appropriation #2022035</b>		
<b>Sources:</b>	Federal Revenue	\$29,036
<b>Uses:</b>	Department of Social Services	\$29,036
<b>Net Increase to Appropriated Budget:</b>		\$29,036
<b>Description:</b>		
This request is to appropriate \$29,036 in federal revenue to the Department of Social Services (DSS). Of this amount:		
<ul style="list-style-type: none"><li>\$15,000 is for the Supplemental Nutrition Assistance Program - Employment &amp; Training (SNAP Employment &amp; Training). This program helps SNAP participants gain skills and find work that moves them forward to selfsufficiency. These programs also help to reduce barriers to work by providing support services such as transportation and childcare as participants prepare for and obtain employment.</li><li>\$14,036 is American Rescue Plan Act funding for the Adult Protective Services (APS) unit. These funds may be used for any APS client who meets Virginia's statutory or regulatory criteria for APS service eligibility.</li></ul>		
<b>Appropriation #2022036</b>		
<b>Sources:</b>	Capital Fund's Fund Balance (cash)	(\$4,110,201)
<b>Uses:</b>	School Fund (transfer appropriated budget to other funds)	(\$5,610,201)
	School Special Revenue Funds	\$1,500,000
<b>Net Change to Appropriated Budget:</b>		(\$4,110,201)
<b>Description:</b>		
This request is to appropriate the School Division's appropriation request approved by the School Board on January 13, 2022:		

- On December 1, the Board of Supervisors approved amending the FY 22 budget to incorporate an updated revenue projection and allocating it to County government, school operations, and capital and debt service based on the shared allocation of local tax revenues. The revenue update totaled \$20.3M in local, state, and transfer revenues, of which the Albemarle County Public Schools Fund received \$10.3M by formula. This appropriation request is to transfer \$1,500,000 of these funds to School Special Revenue Funds and \$4,110,201 to the Capital Improvements Program for one-time uses. The \$4,110,201 transferred to the Capital Improvements Program will be offset by a reduction in the planned use of fund balance (cash) in the fund in FY 22. This funding will support future capital projects as part of the FY 23 – 27 Capital Improvements Program.

**Appropriation #2022037**

<b>Sources:</b>	Charlottesville Albemarle Convention and Visitors Bureau Fund Balance (CACVB)	\$500,000
<b>Uses:</b>	CACVB	\$500,000
<b>Net Increase to Appropriated Budget:</b>		\$500,000

**Description:**

This request is to appropriate the following for entities where the County serves as fiscal agent:

- This request is to appropriate \$500,000 from the CACVB's fund balance for advertising and marketing.

FY 22 Appropriations

Attachment-A  
Descriptions

**Appropriation #2022038**

<b>Sources:</b>	State Revenue Scottsville Elementary School Additions and Improvements Capital Project*	\$486,770 \$228,594
<b>Uses:</b>	School Bus Replacement Capital Program	\$715,364
<b>Net Increase to Appropriated Budget:</b>		\$486,770

\*This portion of the appropriation does not increase or decrease the total County budget.

**Description:**

This request is to appropriate \$715,364 to the School Bus Replacement Program in the School Capital Fund for the purchase of two electric school buses. Of this amount, \$486,770 is in state grant revenue awarded through Department of Environmental Quality (DEQ) to cover the difference between the cost of two electric buses and two traditional diesel buses. The remaining funding needed for the full purchase amount is \$228,594 and has been identified in unused contingency from the Scottsville Elementary School Additions and Improvements project.

**Appropriation #2022039**

<b>Sources:</b>	Bond Proceeds	\$21,500,000
<b>Uses:</b>	Debt Service Funds Capital Funds (Cost of Issuance)	\$21,038,750 \$461,250
<b>Net Increase to Appropriated Budget:</b>		\$21,500,000

**Description:**

This request is to appropriate up to \$21,500,000 in bond proceeds for the refunding of the 2013 tax-exempt revenue bonds issued by the Economic Development Authority. Resolutions authorizing the refunding were presented to the EDA on February 15th and are on the Board of Supervisors consent agenda for approval on March 2nd. This appropriation would pay off the current principal and interest

owed on the 2013 issuance, as well as, fund the bond issuance costs. The refinancing is estimated to result in net budgetary savings of \$1.9 million over the remaining life of the bonds.

APP#	Account String	Description	Amount
2022035	3-1000-51001-333000-330021-9999	SA2022035 Revenue - Federal (DSS - Assistance)	\$15,000.00
2022035	3-1000-51001-333000-330022-9999	SA2022035 Revenue - Federal (DSS - Services)	\$14,036.00
2022035	4-1000-51200-453000-571102-9999	SA2022035 SNAP Emp & Trng P/S	\$15,000.00
2022035	4-1000-51200-453000-571810-9999	SA2022035 Adult Protective Services - ARPA	\$14,036.00
2022036	4-2000-69998-461101-999991-6499	SA2022036 SUPERINTENDENT'S CONTINGENCY	-\$5,610,201.00
2022036	4-2000-69998-493010-930000-6501	SA2022036 FUND TRANSFERS - CIP	\$5,610,201.00
2022036	3-3907-63907-351000-510109-6599	SA2022036 TRANSFER IN	\$1,000,000.00
2022036	4-3907-63907-468200-800700-6599	SA2022036 TECHNOLOGY EQUIPMENT	\$1,000,000.00
2022036	3-3905-63905-351000-512001-6599	SA2022036 TRS. FR.-FROM SCHOOL FUND	\$500,000.00
2022036	4-3905-63905-462340-800501-6599	SA2022036 MOTOR VEHICLES-REPL	\$500,000.00
2022036	3-9000-69000-351000-512001-9999	SA2022036 TRS. FR.-FROM SCHOOL FUND	\$4,110,201.00
2022036	3-9000-69000-352000-510100-9999	SA2022036 Use of Fund Balance	-\$4,110,201.00
2022038	3-9000-69000-324000-250900-9940	SA2022038 SA2022038 Electric School Bus + Grant	\$486,770.00
2022038	4-9000-69985-466500-999999-6109	SA2022038 SA2022038 Electric School Bus + Grant	-\$228,594.00
2022038	4-9000-63905-462320-800506-6599	SA2022038 SA2022038 Electric School Bus + Grant	\$715,364.00
2022037	3-4600-73000-352000-510100-9999	SA2022037 CACVB fund balance to marketing	\$500,000.00
2022037	4-4600-73000-481000-379300-9999	SA2022037 CACVB fund balance to marketing	\$500,000.00
2022039	3-9010-41400-341000-410530-9999	SA2022039 SA2022039 Debt Refunding	\$21,500,000.00
2022039	4-9010-93010-493010-939998-9999	SA2022039 SA2022039 Debt Refunding	\$21,038,750.00
2022039	4-9010-95000-495000-312807-9999	SA2022039 SA2022039 Debt Refunding	\$461,250.00
2022039	4-9910-95000-495000-999999-9999	SA2022039 SA2022039 Debt Refunding	\$968,750.00
2022039	3-9900-51000-351000-512031-9999	SA2022039 SA2022039 Debt Refunding	\$5,405,000.00
2022039	4-9900-95000-495000-910074-9999	SA2022039 SA2022039 Debt Refunding	\$5,405,000.00
2022039	3-9910-51000-351000-512031-9999	SA2022039 SA2022039 Debt Refunding	\$15,633,750.00
2022039	4-9910-95000-495000-910074-9999	SA2022039 SA2022039 Debt Refunding	\$14,665,000.00

Agenda Item No. 19. **Public Hearing: Virginia Community Development Block Grant (CDBG).**  
To solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for potential projects in the locality. Information on the amount of funding available, the requirements on benefit to low- and moderate-income persons, eligible activities, and plans to minimize displacement and provide displacement assistance as necessary will be available. Citizens will also be given the opportunity to comment on the County's past use of CDBG funds.

The Executive Summary forwarded to the Board states that the Virginia Community Development Block Grant (VCDBG) is a federally funded grant program administered by the Virginia Department of Housing and Community Development (DHCD). Since 1982, the DHCD has provided funding to eligible units of local government (non-entitlement communities only) for projects that address critical community needs including housing, infrastructure, and economic development. Albemarle County has received numerous grants in previous years to support housing and community improvement initiatives. The VCDBG application process requires that two local public hearings be conducted. The purpose of the first public hearing is to provide information on eligible activities that may be funded by CDBG, the amount of funding estimated to be available, and past activities undertaken with CDBG funds, and to receive public comment on this information and potential community development and housing needs. The follow-up public hearing is held in order to consider proposed project applications and must take place prior to the DHCD application due date April 1, 2022. Applications must be submitted by the County to the DHCD; however, the proposed activities may be undertaken by partner agencies.

Albemarle County, as a non-entitlement community, is eligible to apply to the DHCD for up to approximately \$1.5 million in CDBG funding for projects that benefit low- and moderate-income persons, prevent slums and blight, or address urgent community needs. Eligible activities include economic development, housing rehabilitation, housing production, community facilities and community service facilities. Community development projects can receive varying levels of funding, depending on the nature of the activity, or by combining multiple activities. In calendar year 2022, \$ 9,750,503 is available for competitive grants and \$6 million for open submission applications.

Over the years, Albemarle County has been successful in receiving a number of CDBG grant awards. The most recent grant was awarded in 2021 for the construction of five single-family homes and a Monacan Indian Nation Tribute Park as part of the Southwood Redevelopment project. This project is approximately fifty percent (50%) complete. The most recently completed project rehabilitated 29 owner-

occupied homes in the Alberene neighborhood. Prior grants have resulted in improved infrastructure and preservation of owner-occupied homes and rental units. The County is currently working with Habitat for Humanity on a CDBG Planning Grant to assist in developing a preliminary design for the first village in Southwood.

For any project to be considered by the County for CDBG funding, the applicant must notify the County no later than March 11, 2022. This notice shall include a brief description of the project, the proposed use of CDBG funds, and a description of the beneficiaries of the proposed activity. A completed application that includes the proposed budget and all required attachments shall be submitted to the County electronically by the County by March 18, 2022.

There is no budgetary impact until an application is made to the DHCD and approved for a funded project. Projects approved for CDBG funding generally require some level of local funding support, which may include funding provided by the project sponsor.

Staff recommends that the Board receive information on available CDBG funding and eligible uses and hold the public hearing to receive input from the public on potential community development and housing needs. Staff also recommends that the Board set a public hearing for March 16, 2022 for the second required public hearing to review and approve the submission of any proposed applications to the DHCD.

---

Ms. Stacy Pethia, Housing Policy Manager, said each year, the Virginia Department of Housing and Community Development (DHCD) made federal grant dollars available to non-entitlement areas in Virginia through the federal Community Development Block Grant (CDBG) program. She explained non-entitlement areas were cities with populations under 50,000, unless the city was designated as the principal city of a metropolitan area, such as the City of Charlottesville. She said non-entitlement areas were also counties with populations under 200,000. She said Albemarle County was a non-entitlement area.

Ms. Pethia said DHCD had over \$15.7 million in CDBG funds available for non-entitlement communities in calendar year 2022. She explained that \$6 million was available for an open, rolling application submissions process, and the remaining funds would be awarded through a competitive application process. She said that as a non-entitlement community, the County was eligible to apply for approximately \$1.5 million in CDBG funding.

Ms. Pethia explained projects had to meet one of three national objectives to be eligible for a CDBG award: projects benefiting low- and moderate-income persons; projects preventing slums and blight; and projects that addressed an urgent community need. She explained eligible activities included: economic development; housing rehabilitation; housing production; and the construction of community facilities and community service facilities, such as libraries.

Ms. Pethia said Albemarle County had successfully received several CDBG grants in past application cycles. She said past projects included a water and sewer project in the Oak Hill neighborhood and the rehabilitation of 29 owner-occupied homes in the Alberene neighborhood. She said the County had been awarded a CDBG grant to support the construction of five single-family homes and a Monacan Indian Nation tribute park as part of the Southwood redevelopment project.

Ms. Pethia explained that for a project to be considered by the County for CDBG funding, potential applicants must notify the County no later than March 11, and the notice should include a brief description of the project, the proposed use of CDBG funds, and a description of the beneficiaries of the proposed activities. She explained the completed application, which included the proposed budget and all required attachments, should be submitted to the County electronically by March 18. She said staff would present potential CDBG project applications during a public hearing before the Board on March 16.

Mr. Andrews asked for clarification regarding the timeline for applications.

Ms. Pethia said applicants had to notify the County by March 11, submit applications by March 18, and staff would present the applications to the Board on March 16. She noted that the applications were due after staff was to present, so she changed the full application due date to March 15.

Mr. Andrews asked if the Board would consider how to best support the project at the hearing.

Ms. Pethia said a range of factors were examined, and those involved the greatest needs within the community and how to best support those needs.

Ms. Price opened the hearing for public comment.

---

Mr. Dan Rosensweig said he was the president and COO of Habitat for Humanity of Greater Charlottesville, a nonprofit, affordable housing provider with the largest portion of its service area in Albemarle County. He said the nonprofit hoped to work with County staff to prepare an application to fund infrastructure and home construction in the Southwood Village II development. He said Village II was the second resident designed neighborhood and the portion of the neighborhood under construction.

Mr. Rosensweig said home construction in phase 2 was critical to providing rehousing

opportunities in phase 1 of Southwood. He said the development had to move as many families as possible out of the failing septic conditions present in phase 2, the area of the mobile home park. He said building housing opportunities in Village II would help pave the way for upgrades to infrastructure in phase 2 so the septic system could be decommissioned.

Mr. Rosensweig said CDBG and other sources of federal and state funding, most of which required County and Habitat for Humanity partnerships, were good sources to fund infrastructure. He said other sources of external funding included ARPA funding; infrastructure bill funds; and congressionally directed spending; he noted a request from Senator Tim Kaine and DEQ brownfield grants.

Mr. Rosensweig said existing and upcoming funding opportunities that met the guidelines for the CDBG included the phase 2 sewer line installation, onsite rehousing of residents currently living on failing septic systems, removal of the septic tanks, and an upgrade of Hickory Road to VDOT standards. He said there would be a work session and agenda item to examine the financial status of the Southwood redevelopment project. He said the work session would be an opportunity to lay out the options for improving the health, safety, and conditions of the families that lived at Southwood.

---

Ms. Price closed the meeting to public comment. She asked Ms. Pethia if she had any follow-up comments she would like to make.

Ms. Pethia said she did not, just that she would confirm that staff would be coming back to the Board the following month with an update on the Southwood project.

Ms. Price said the Board was being asked to set a public hearing for the item on March 16, 2022. She asked Mr. Kamptner if there were other motions for the item.

Mr. Kamptner responded that there were no other motions for the item.

Ms. Price **moved** that the Board authorize the Clerk to schedule a public hearing for March 16, 2022 for the second required public hearing to review and approve the submission of any proposed applications to the DHCD.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Agenda Item No. 20. **Public Hearing: SP202000008 Boys & Girls Club Northside Special Use Permit.**

PROJECT: SP202000008 Boys & Girls Club – Northside

MAGISTERIAL DISTRICT(S): Jack Jouett

TAX MAP/PARCEL(S): 060000000078A0

LOCATION: 2775 Hydraulic Road. Located on the County School Complex site located off of Hydraulic Rd. and Lambs Rd., adjacent to Jack Jouett Middle and Ivy Creek Schools.

PROPOSAL: To allow a Community Center use within a 49,200 square foot building on approximately 5+ acres of a 216+ acre parcel.

PETITION: To permit a Community Center use under Section 10.2.2.1 and Section 5.1.04 of the Zoning Ordinance, on a 216+ acre parcel. No dwelling units proposed.

ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT(S): (AIA) Airport Impact Area; (EC) Entrance Corridor

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

The Executive Summary forwarded to the Board states that at its meeting on January 18, 2022, the Planning Commission (PC) voted 5:0 (Commissioner More absent) to recommend approval of SP202000008 with conditions as stated in the staff report.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

The PC raised no objections to the Boys & Girls Club Northside special use permit request for a community center. However, several PC members had questions about the timing of the special use permit request given that a new building is currently under construction. Staff clarified that the new building currently under construction could be utilized for existing Boys & Girls Club uses that take place on the parcel that are accessory to public uses. Those uses include before and after school and summer activities. The special use permit is needed to allow the club additional uses that are not public uses but community center uses that require a special use permit. Those uses include relocation of their administrative offices to the new building, as well as allowing outside partner organizations to hold functions in the building. The letter of determination (LOD) referenced in the staff report is attached (Attachment D). The LOD provides further clarification on uses that are permitted by-right and uses that require special use permit approval.

No members of the public spoke at the public hearing on this proposal.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve SP202000008, subject to the conditions attached thereto.

Mr. Cameron Langille, Principal Planner, said the applicant requested a special use permit for the facilities on the shared campus of Albemarle High School, Jack Jouett Middle School, and Greer Elementary School. He said the entire parcel was 216 acres, but the special use permit was only within a 5.15-acre area in the center of the screen. He said the primary uses surrounding the parcel were undeveloped land along with single-family attached residence parcels to the southeast.

Mr. Langille said the property was zoned rural area (RA) and within the entrance corridor and airport impact area overlay zoning districts. He said the applicant requested a community center use in the RA zoning district. He said the Boys and Girls Club of Central Virginia looked to redevelop a central portion of the campus property currently used as a driving track for Albemarle High School. He said the community center would host the Boys and Girls Club before and after school and summer activities that were currently hosted at the Jack Jouett Middle School.

Mr. Langille explained the applicant proposed to relocate its administrative offices from its location on Cherry Avenue to the new building to be constructed in the 5.15-acre portion of the site. He said that as part of the community center use, the applicant would be able to host events for partner agencies, such as the Junior League of Charlottesville, the City's Parks and Recreation Department, and a variety of other activities and organizations.

Mr. Langille said the site included a two-story building that would include various programming. He said the applicant would provide more information as to the floor plan. He said new parking would be installed. He said the proposal included outdoor recreational space—sports fields and other gathering areas that could be used by students or community center patrons. He said the Boys and Girls Club operated before school, after school, and summer activities that were permitted by right at the new facility for the students of the public school system. He said those uses were considered accessory to the public use and allowed by right.

Mr. Langille said the County approved a site plan for the community center building along with associated improvements, such as the parking and recreational fields, in August 2021. He said the building was under construction. He said the Boys and Girls Club would be able to operate the before school, after school, and summer activities within the new building, and the special use permit would allow the other aspects of the community center use, such as the relocation of the administrative offices and the ability to host the events for outside partners.

Mr. Langille noted staff was unable to identify any unfavorable factors. He said four favorable factors were identified: the use was consistent with the purpose and intent of the RA zoning district; it would not create substantial detriment to adjacent parcels of land; it was consistent with the character and uses of the surrounding area; and the use would be consistent with many recommendations from the rural area chapter and community facilities chapter of the Comprehensive Plan.

Mr. Langille said approval of the special use permit was recommended with two conditions. He said both conditions were zoning performance conditions meant to protect the adjacent properties from any activities arising from the community center use. He said the first condition limited the hours for outdoor noise and outdoor music, and the second condition stated that any activity requiring night lighting must cease between the hours of 10 p.m. and 7 a.m. He said Bart Svoboda, Zoning Administrator, and Rebecca Ragsdale, Planning Manager, were present to answer questions from the Board.

Mr. Andrews wanted clarification regarding the status of the project. He noted the project was underway and the site plan was approved. He asked if the special use permit was necessary to allow the community center use.

Mr. Langille said once the building was completed, the Boys and Girls Club would be able to operate before school, after school, and summer school activities. He continued that the special use permit would allow the administrative offices to be located inside the new building and allow the space to be rented to other community organizations that the Boys and Girls Club frequently partners with.

Ms. Mallek asked if the lighting condition meant lights had to be turned off.

Mr. Langille said the lights had to be turned off.

Ms. LaPisto-Kirtley mentioned other entities would be able to rent the space. She asked what the cost would be to tenants.

Mr. Langille said he did not know the exact cost sharing rates. He said the Boys and Girls Club was leasing the property from the school system. He said the applicant could provide more information on how they lease out other spaces they operate.

Ms. LaPisto-Kirtley asked if the applicant had plans for the administrative offices on Cherry Avenue.



Mr. Langille said the applicant would be able to answer the question.

Ms. LaPisto-Kirtley said she wanted to know why the administrative offices were moving, and she noted if the Boys and Girls Club were to move their offices, they would need to construct a new building.

Mr. Gallaway said the facility should ensure all the children had left the space before shutting off the lights. He said he understood the reason for the special use permit, but when considering workload, the application should have been handled administratively. He said the rules likely prevented the application from being handled administratively. He noted a section of the site plan and asked what it was intended to represent.

Mr. Langille said the section of the site plan referred to by Mr. Gallaway, below the sports field, was part of the stormwater management for the site.

Ms. LaPisto-Kirtley read the rules for the public hearing.

Mr. L.J. Lopez, Milestone Partners, represented the applicant. He said the zoning of the parcels allowed the Boys and Girls Club to operate before school, after school, and summer programs in the Jack Jouett Middle School or in a new facility. He said the special use permit expanded the use to include community center uses. He said the community center use would allow the club to offer access to the facility to its community partners, such as Albemarle Public Schools, nonprofit organizations, clubs, and civic groups. He said the permit would allow the Boys and Girls Clubs of Central Virginia to relocate its administrative headquarters to the facility.

Mr. James Pierce said administrative space was requested in the facility because it was larger than the offices on Cherry Avenue. He said the Cherry Avenue club had an overcrowding problem. He explained additional space had been built into the top floor of the new facility so space at other clubs could be used to serve more children. He said the new facility was much larger than the other clubs, and he noted 23% of all children in the County attended school at the campus.

Mr. Pierce said the primary users of the space would be the Boys and Girls Club and the Albemarle Public Schools. He said during evenings and weekends, if there were not school or club uses planned, the applicant wanted to open the facilities up to community partners, consistent with the use of other clubs. He mentioned one club had opened its parking lot to the SPCA during the pandemic to allow for a clinic.

Mr. Pierce said there were plenty of outdoor spaces on the campus. He said there was access from all the schools and the Ivy Creek building. He said there were planned outdoor spaces along with 48,000 square feet of youth development facilities inside the building. He said two gymnasiums, one cafeteria, a cooking area, a kitchen, a STEM room, and an art room were designated as multi-age use. He said other areas were designated for 12-years-old and younger or teenagers. He said there were five youth development classrooms. He said there would be four squash courts in the basement of the facility, and there was a squash program currently running at Jack Jouett Middle School.

Mr. Pierce said the administrative space was proposed for the top floor of the facility. He said the location would allow access to the three building principals on the campus. He said the gymnasium was the most popular use, the teen center was an indoor/outdoor area, and rooms in the facility could be used during the day by the schools as classroom extensions. He noted that the elevator shaft had been constructed, and the field was beginning to take shape.

Mr. Lopez explained the existing stormwater management facility was part of the public school's capital expansion and stormwater management. He said the new facility would have underground stormwater retention to maximize space on the site. He said the existing stormwater management pond was not part of the applicant's plan. He said once the foundation had been back-filled, construction would be able to begin on the accessory annexes to the main core of the facility, such as the gym and the lobby components. He said the exterior wall facing south of the basement was a direct access connection to the natural area and would be the launching point for several outdoor programs.

Mr. Pierce said there were about 30 youth tour guides who could lead guests on tours through the site.

Ms. Price said the applicants' time had expired. She explained the applicant could submit additional documentation to the clerk's office. She noted there were no speakers signed up and closed the public hearing.

Ms. McKeel said this proposal for the community center was welcomed by her community because the neighborhood did not have meeting places in the area. She said the CAC had reviewed the project, and it did not have any concerns.

Ms. Mallek said the extra space would definitely be useful to both the schools and the community.

Ms. LaPisto-Kirtley said she supported the proposal.

Mr. Gallaway asked how many employees would use the top-floor administrative offices.

Mr. Pierce said there were 10 to 12 people.

Mr. Gallaway said he appreciated the clarification about the existing stormwater facilities. He echoed Ms. McKeel's comment that there was not a lot of meeting space in the area, outside of Northside Library, and the community center provided needed meeting areas.

Ms. Price thanked Ms. LaPisto-Kirtley and Ms. McKeel for securing the location of the facility. She noted the location was better than the original proposed location. She said she had taken a tour of the facility. She said it was needed in the community, and it was appropriately located on the Lambs Lane campus where 25% of Albemarle students were enrolled. She said the additional amenities were unmatched elsewhere in the County. She asked whether the location of the facility on County property changed the authority of the Boys and Girls Club to determine who was able to use the facility. She said if a government entity rented out a public space, there was less opportunity to restrict utilization by different groups.

Mr. Kamptner said the facility was on the School Board's property, so it was subject to the terms of that lease. He said the authority to control the uses of the facility depended on the terms of the lease.

Ms. Price said she presumed the Boys and Girls Club had the authority to approve uses that were consistent with its mission and not necessarily subject to be compelled to allow uses by others.

Mr. Kamptner addressed Ms. Mallek's question regarding the lighting conditions. He said the condition read, "activities requiring night lighting must cease between the hours of 10 p.m. to 7 a.m." He said he interpreted the condition to mean the activity had to cease but not the lighting. He said the County rarely required sites to be entirely dark, so the condition as written was reasonable. He said it would be a unique condition to require that the lights be completely turned off at 10 p.m.

Ms. Price said she suspected the lighting at the other school facilities was all night long. She said Ms. Mallek's question related to whether the activities would end.

Mr. Kamptner said the expectation was that the lights would come off, but he did not want the presumption that the County would cite the Boys and Girls Club with a zoning violation if the lights were inadvertently left on during the night.

Ms. McKeel **moved** that the Board adopt the attached resolution (Attachment E) to approve SP202000008, subject to the conditions attached thereto.

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

#### **RESOLUTION TO APPROVE SP202000008 BOYS & GIRLS CLUB NORTHSIDE**

**WHEREAS**, upon consideration of the staff report prepared for SP 202000008 Boys & Girls Club Northside and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.1, 18-10.2.2 (1), 18-5.1.04, and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance and the Rural Areas District, with the uses permitted by special use permit in the Rural Areas zoning district, with the regulations related to community centers in § 18-5.1.04, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves SP 202000008 Boys & Girls Club Northside, subject to the conditions attached hereto.

\* \* \*

#### **SP202000008 Boys & Girls Club Northside Special Use Permit Conditions**

1. Outdoor amplified music or outdoor amplified sound must cease between the hours of 10 p.m. to 7 a.m.
2. Activities requiring night lighting must cease between the hours of 10 p.m. to 7 a.m.

---

Agenda Item No. 21. **Public Hearing: Public Hearing on Ordinances to Revise Local Magisterial District and Precinct Boundaries.**

The Executive Summary forwarded to the Board states that Federal and State law require that

Virginia localities adjust their magisterial district and voting precinct boundaries every 10 years, in order to provide for relatively equivalent population distribution among magisterial districts and in order to eliminate or minimize split voting precincts. As a part of the local redistricting process, Virginia Code § 24.2-129(B) requires that the local governing body provide notice and an opportunity for public comment regarding proposed redistricting plans, and conduct a public hearing on the proposals. Virginia Code § 15.2-1429 requires a public hearing on the proposed ordinance that will approve the redistricting plan.

As part of the public notice and comment process, County staff prepared and presented to the Board of Supervisors on February 2, 2022 three alternative proposals for adjusting County magisterial district and voting precinct boundaries to comply with State and Federal law, posted the alternatives on the County website, and invited public comment on the alternatives. The three alternatives are provided in the form of proposed ordinances provided as Attachments A, B, and C. The public hearing proposed for March 2, 2022 is a part of that process. During the presentation, staff will share a summary of public feedback received and observations about the three options from an equity perspective.

There is no budget impact associated with the development of the proposed ordinance.

Following the public hearing, Staff recommends that the Board provide direction on a final redistricting ordinance for adoption on March 23, 2022.

---

Mr. Greg Kamptner, County Attorney, introduced the staff who would be presenting with him. He introduced Jake Washburne, General Registrar and Director of Elections, and Brian Becker, GIS Specialist in the Department of Community Development. He said that there were additional staff available to help answer questions including Anthony Bessette from the County Attorney's office and Emily Kilroy, acting in her capacity as Interim Director for the Office of Equity and Inclusion (OEI).

Mr. Kamptner said he would provide a brief review of the schedule of guidelines used to develop the three options that were the subject of the public hearing. He said a summary of the review by the Office of Equity and Inclusion of the options and comments received from the community through February 28 would be presented. He noted the public comment period would close on March 4.

Mr. Kamptner said the public hearing was one of three remaining important dates in the redistricting process. He said the remaining dates were March 23, where the Board would be asked to adopt an ordinance and the corresponding map, and March 24 and thereafter when the map and ordinance were to be published and voters were to be notified of the changes.

Mr. Kamptner said the purpose of the guidelines was to inform staff and ensure the public were aware of the applicable criteria for the redistricting process. He said the guidelines had been critical for staff to ensure the Board was provided with a redistricting plan for consideration that complied with all applicable federal and state and reflected long-standing practices and customs recognized by the courts.

Mr. Kamptner said the fundamental requirements for redistricting imposed by federal and state law were on the slide: population equality among the districts, protecting the voting rights and voting strength of protected classes, district boundaries that were compact and contiguous, and boundaries that were observable, such as roads, rivers, or other significant features.

Mr. Kamptner said the County had established its own magisterial district criteria over the years. He said comments had been received regarding increasing the number of supervisors to seven members. He explained that under the County Executive form of government, the County was authorized to have a board composed of between three and nine supervisors. He said increasing the size of the Board was previously proposed by the League of Women voters in 1991, and by a supervisor, a former president of the League of Women Voters, in 2001. He said in neither instance, nor in 2011, did the Board express a desire to increase its membership.

Mr. Kamptner explained an increase in the number of supervisors could be accomplished in two ways: by adding a seventh magisterial district or by adding a seventh supervisor who was elected at large to serve as the chair. He said either option would require a referendum by voters. He said staff did not recommend adding a magisterial district during the annual redistricting process. He mentioned state law allowed the number of districts to be changed at any time, not only as part of the redistricting process.

Mr. Kamptner said the first two bullet points on the next slide pertained to the congressional district split in the northwest of the county created by the state redistricting plan. He said the number of voters who fell within the 7th congressional district would be below the minimum precinct size of 100 registered voters due to the split. He said the Board would be required to request a statutorily authorized waiver for the prohibition against split precincts. He said the waiver request had been made to the state.

Mr. Kamptner said the target size of 2,500 registered voters per precinct was intended to accommodate for growth between the annual redistricting processes and allow polling places to not be overcrowded. He said there were precincts in the County that greatly exceeded the target size. He noted early voting reduced the strain on polling places on election day. He said the polling places had to meet several criteria set by the state, which he displayed. He explained the purpose for centrally located polling places was to ensure that the maximum travel time for voters was not more than 20 minutes. He said there were comments related to the distance some voters had to travel in order to vote under the various options.

Mr. Kamptner said the review by the OEI had been provided to the Board and posted online. He said the OEI review provided positive and negative impacts, and it concluded that none of the three options unduly impacted other populations to a greater extent than others. He commended the work by Ms. Kilroy, Ms. Irtefa Binte-Farid, and Ms. Putnam Ivey de Cortez for their work on this. He said they have significantly elevated the quality of the analysis of the impact of redistricting on minority groups over the prior decennial redistricting processes. He said there were two classes of comments received because two different locations were established to receive written comments: emails to <bos@albemarle.org> and <engage.albemarle.org>.

Mr. Kamptner said the slide showed the comments received at bos@albemarle.org. He said the following five slides summarized the comments received at engage.albemarle.org in response to five questions. He said 28 comments had been received, and there were two days left in the comment period. He said many responders did not answer all five questions, which he displayed. He said that in response to question four, 11 responders ranked option two as the preferred option. He said the slide displayed questions related to County wide issues, and the number next to each line referenced the number of persons who made the particular comment.

Mr. Kamptner presented slides relating to specific options and the proposed movement of certain populations between magisterial districts. He said the suggestion to move residents in Crozet from the White Hall district to the Samuel Miller district was made by two people who submitted comments to <bos@albemarle.org>. He said that the comment to add Porter's precinct to the Scottsville district was a shift made during the 2011 redistricting process because of the population growth in the Scottsville district. He noted the County had been reluctant to make the shift, but if it had not, it would have required a dramatic shift in all six magisterial districts.

Mr. Jake Washburne, General Registrar and Director of Elections, said he needed to make a correction to the written outline of the effects of the changes that, while not earthshaking, was pretty significant. He said in the cheat sheet provided with the outline of the changes, it stated the second map option proposed would affect the fewest number of voters. He explained the sheet was incorrect; when the numbers were pulled together, the first and second options were flipped. He clarified that the first option affected the fewest number of voters, about 1,700 voters. He said the second option would affect 2,400 voters, and the third option would affect 5,800 voters. He said one of the comments received favored option two specifically because it would affect the fewest number of voters. He apologized for the error.

Mr. Washburne explained a sliver of the northwest portion of Albemarle County had been included in the 7th Congressional district as part of the state redistricting process. He said the rest of Albemarle County was in the 5th district. He said there were 108 people who lived in the sliver of the 7th district, and 34 of those people were registered voters.

Mr. Washburne said the code prohibited the creation of a precinct with less than 100 registered voters, so the County applied to the state Board of Elections for a waiver to administer a split precinct. He said the Board of Elections approved the waiver at their meeting the day before. He said in all three of the options, Free Union would be the split precinct in northwestern Albemarle.

Mr. Washburne said the County was now entirely included in the 11th State Senate district. He said the County was previously split between the 25th and 17th State Senate districts. He said the 54th House of Delegates district comprised all of the City and the County precincts within the urban ring. He said the outlying precincts of the County were in the 55th House of Delegates district.

Mr. Washburne explained the challenges to creating new magisterial districts and precincts. He said a nearly equal population had to be included in each of the six County magisterial districts, and there had been significant population changes in the last decade. He said, because of the way the 54th and 55th House of Delegates district borders were drawn, the County would have to adjust precinct boundary lines to prevent split precincts as prohibited under state election law (except under limited circumstances).

Mr. Washburn said three proposed options for redistricting were available. He said for the first option, the overall population of the White Hall and Rio magisterial districts had to be reduced, and the population of the Scottsville and Samuel Miller district had to be increased. He said the option would affect the fewest number of voters; the fewest number of voters would have to change their polling place. He said the summary of the other changes this would make was on the slide. He said the option would meet the population deviation requirements and adjust three precinct boundaries so there would not be a split between the 54th and 55th districts.

Mr. Washburne said the second option would affect 650 more voters than the first option. He said it achieved the same goals as the first option in relation to the population changes of the magisterial districts. He said the precinct boundary changes were the same in all three options to prevent split precincts between the 54<sup>th</sup> and 55<sup>th</sup> House of Delegates districts.

Mr. Washburne said the third option was the most dramatic because it created a new voting precinct. He explained the Ivy voting precinct would be split into the Ivy and South Ivy precincts. He said the associated boundary changes along with the new precinct would affect about 5,800 voters.

Mr. Andrews asked if there was a reason why the Ivy precinct was split in the third option. He asked what made the option different than the other two that would necessitate dividing the precinct.

Mr. Washburne said staff had wanted to provide the Board with three options rather than two, so the third option was drafted. He mentioned it may be legally required in the future that the Ivy precinct be split in two because it could contain too many voters. He said the split was not required at the time.

Ms. McKeel asked Mr. Washburne to clarify the number of voters affected by the third option.

Mr. Washburne responded that 5,860 voters would have to change their polling place under the third option.

Ms. McKeel noted the new precincts would be within 20 minutes of the community. She asked if the 20 minutes meant 20 minutes in addition to current travel times or within the 20-minute travel distance required by law.

Mr. Washburne said the 20 minutes meant someone would be able to drive to their polling place within 20 minutes.

Ms. McKeel clarified that it would only take 20 minutes to reach a polling site.

Mr. Washburne said Ms. McKeel was correct.

Ms. Mallek noted there was a triangle portion of the district on Plank Road that went around Route 250 and stayed in the White Hall district, and a chunk north of Route 250 came out of the Mechum River precinct and into the Batesville precinct. She said she had driven from Foxchase to Batesville and it was a long drive. She said for that reason, the first option was better than the second because there were fewer disruptions to previous polling places. She asked if all of Jack Jouett was within the 54th House of Delegates district.

Mr. Washburne said he believed the new Jack Jouett was within the 55th district.

Ms. Price said part of Jack Jouett was in the 54th district, the eastern part closest to the City, but the rest was within the 55th district.

Mr. Washburne said there were two precincts within the Jack Jouett magisterial district that were in the 54th district, but the Jack Jouett precinct itself was not in the 54th district.

Ms. Price said she may have misunderstood as she was referring to the Jack Jouett magisterial district.

Mr. Washburne said the Georgetown precinct and the University precinct were in the 54th district and were part of the Jack Jouett magisterial district.

Ms. LaPisto-Kirtley noted there was only a small portion of the Rivanna magisterial district affected by the first and second options. She noted a small portion would be transferred to the Scottsville district. She said her district was not greatly impacted. She said she preferred the first or second option, and she would defer to the decisions of the more impacted supervisors.

Mr. Gallaway noted the first and third options did not differ in regards to the Rio and Jack Jouett magisterial districts.

Mr. Washburne said he believed Mr. Gallaway was correct.

Mr. Gallaway said the population of Rio in the first and third option were identical.

Mr. Washburn said that was correct.

Mr. Gallaway said the changes to the Jack Jouett district included Dominion Drive up to Four Seasons Drive then to Rio Road, then down to Greenbriar and Whitewood but not crossing Rio Road.

Mr. Washburn said the proposed Jack Jouett district included more of the Georgetown precinct and released part of Agnor Hurt because there was feedback that those boundaries would be better for communities of interest.

Mr. Gallaway noted Dominion Drive and Four Seasons Drive were the furthest part of the Jack Jouett district. He mentioned in the second option, the decision to cut out a corner of the Rio district in the north near Route 29 North was confusing. He noted Route 29 was a barrier, and from the perspective of the Rio district, the second option was not as appealing. He said the first and third options were basically the same for the Rio district. He said the change to the Rio district in the second option was needless. He asked if Woodbrook was completely in the 54th district.

Mr. Washburne said Woodbrook, Dunlora, and Branchlands were entirely within the 54th.

Mr. Gallaway clarified that Northside and Woodbrook would be included in the 55th district, and Agnor Hurt, Dunlora, and Branchlands would be in the 54th district.

Mr. Washburne said Mr. Gallaway was correct.

Ms. Price asked if Woodbrook was in the 54th district.

Mr. Gallaway noted Woodbrook had been split in the past.

Ms. Price said Agnor Hurt, Woodbrook, Branchlands, and Dunlora would be in the 54th district.

Mr. Gallaway clarified that only Northside would be in the 55th district.

Ms. Price opened the hearing for public comment. She confirmed there were no speakers signed up for comment. She waived the reading of procedural rules for speakers and closed the hearing to the public.

Ms. Price said staff was seeking the Board's direction for deciding on a final redistricting ordinance for adoption on March 23 and went back to the Supervisors for further comments.

Mr. Andrews asked if he was supposed to choose one of the options.

Ms. Price said whatever his guidance would be.

Mr. Andrews said he preferred the first or third option over the second. He said the addition of the South Ivy precinct would confuse voters, so he supported the first option over the third.

Ms. McKeel said she preferred the first or second option. She noted the section of Jack Jouett that connected to the Rio district took only a portion of the community of interest. She said she preferred the second option because it would create confusion if the Jack Jouett district could not contain the whole community of interest. She reiterated that she would choose option one or two, with a preference for option two.

Ms. Mallek said she preferred the first option because two small sections moved instead of one large section, and the roads around Route 250 were kept as the division between the districts which was clear to voters.

Ms. LaPisto-Kirtley said she preferred the first or second option.

Mr. Gallaway asked if the only change to the Rio district in the second option was the change of the northern portion.

Mr. Washburne said the second option removed part of what had been referred to as "the rabbit ear" of the Rio district in the northern part.

Mr. Gallaway said he had thought the removal of the rabbit ear was in addition to the changes in the first and third options.

Mr. Washburn said neither the first or third option removed the part of the rabbit ear from the Rio district.

Mr. Gallaway clarified that the Rio district would include Whitewood and Greenbriar but lose the rabbit ear tip. He said he thought he would lose both sections of the Rio district in the second option.

Ms. McKeel said keeping the community of interest together was important. She noted the second option did not keep the community together, it just shifted them.

Mr. Gallaway said he did not scrutinize the changes to the other districts to the degree he scrutinized the changes to the Rio district. He said the first option impacted fewer people than the third, so he leaned to support the first option. He said it would be a burden on voters who lived in the rabbit ear tip to travel to the Baker-Butler precinct. He asked where the Greenbrier, Dominion, and Four Seasons communities voted.

Mr. Washburn asked if Mr. Gallaway meant the Northside precinct.

Mr. Gallaway said he meant the Georgetown precinct.

Mr. Washburne said the Georgetown precinct voted at Albemarle High School.

Mr. Gallaway said in the second option, the dividing line remained the same. He said if the first option was chosen, the dividing line would be Dominion Drive and Four Seasons Drive, and the whole community block would vote at Albemarle High School while the rabbit ear block would vote at Baker-Butler. He said the trip across Route 29 to Baker-Butler was more confusing and burdensome than making the trip to vote at Albemarle High School. He said he did not have a strong inclination to either option, he wanted to know the differences in the options.

Mr. Washburne clarified the rabbit ears were the part of the Rio district that ran up the westside of Route 29 North currently within the Northside precinct. He said in the first option, all the voters would continue to be in the Northside precinct and would not have to cross Route 29 to reach Baker-Butler. He said in the second option, the voters would have to vote at Baker-Butler.

Mr. Gallaway said the decision seemed convoluted. He said he understood the population distribution better.

Ms. LaPisto-Kirtley said she would support the first option so Mr. Gallaway would maintain control of the rabbit ears.

Mr. Andrews asked what the population spread was for the six magisterial districts in each option and what the population deviation was between the districts.

Mr. Washburn asked Mr. Becker to review the data related to the population distributions across the magisterial districts.

Mr. Brian Becker, GIS Specialist, said the mean target population was 18,728 with a 5% deviation. He said the range for the populations fell between 17,791 and 19,664 people. He said within the first option, Samuel Miller had the greatest deviation and was 766 people below the target, and Rivanna had the next lowest deviation of 188 people under the target. He said the data was in the materials included with the packet for the presentation.

Mr. Andrews said he had the data in front of him.

Ms. Mallek asked if Mr. Becker could read the populations for each magisterial district in the first option since she was having trouble finding the spreadsheet.

Mr. Becker said Jack Jouett had 19,070 people; Rio had 19,279; Rivanna had 18,540; Samuel Miller had 17,962; Scottsville had 18,055; and White Hall had 19,461 people.

Mr. Kamptner explained Attachment D had the three options and the maps. He said the map key had the populations of the magisterial districts. He said they were on pages 2, 3, and 4 of Attachment D.

Ms. Price said she strongly supported the first option. She said she did not support the second option. She said Interstate 64 was a sensible boundary for the magisterial districts. She said the second option took part of the Free Bridge community north of I-64 and moved it into the Scottsville district which was not otherwise connected with the community. She said the community being moved was an integral part of the Rivanna district and was isolated from the rest of the Scottsville district.

Ms. Price said she did not support the third option because it unnecessarily impacted the largest number of voters. She said when she looked at option one, it did several things that made a lot of sense. She said the population of the Samuel Miller district from Scottsville Road, or State Route 20, south along Mountainview and Biscuit Run was moved it into the Scottsville district. She said given the terrain of the western part of Scottsville Road, the change made sense.

Ms. Price said the first option impacted the fewest number of voters. She said she strongly supported the first option and did not support the second option. She said she believed the first option was better than the third option because it impacted a substantially smaller portion of the population.

Ms. Price made a general comment thanking each of the staff involved and how complicated this was to put together. She said the census was delayed, and the state redistricting was delayed because the Supreme Court did not issue its final ruling until December 27. She said the time constraints on staff were significant. She said the OEI ensured communities of interest were not disadvantaged.

Ms. Price noted the consensus of the Board was towards the first option, there were some comments for the second option, and there was no support for the third option.

Mr. Gallaway asked what the population level was of the Agnor Hurt precinct. He said Branchlands was a sparsely populated precinct. He asked whether Agnor Hurt lost a chunk of the precinct to Branchlands. He asked if future developments were considered when evaluating precinct borders.

Mr. Washburne explained three new precincts were created three years ago because there were precincts that were too large.

Mr. Gallaway asked if a precinct, such as Northside or Dunlora, became too large because of development, would the precinct be split.

Mr. Washburne said Mr. Gallaway was correct.

Ms. McKeel clarified her preference was between the first and second option, however, she did not have a strong opinion for either option. She said if the Board was more comfortable with one option over the other, she would support the decision. She noted neither option significantly changed her district. She said she was happy to fall in line and go with the majority.

Ms. Price asked if there was consensus from the Board to support the first option. She said there were no comments in opposition to the first option. She asked if the item needed an action by the Board or a motion.

Mr. Kamptner said the Board would act on the options on March 23rd.

**Agenda Item No. 22. Public Hearing: Public Hearing on a Proposed Ordinance to Repeal Panhandling Regulations in Order to Comply with State Law.**

The Executive Summary forwarded to the Board states that County Code § 10-123 prohibits persons from distributing written materials to the occupants of motor vehicles, soliciting contributions from the occupants of motor vehicles, and selling merchandise or services to occupants of motor vehicles. For purposes of this executive summary, these three activities are collectively referred to as “panhandling.”

County Code § 10-123 is virtually identical to the Henrico County panhandling regulations that were determined by the United States Court of Appeals for the Fourth Circuit in 2015 to be unconstitutional because they violated persons’ First Amendment’s right of free speech. Since that decision, Albemarle County has not enforced County Code § 10-123.

To satisfy the Constitution, a panhandling ordinance must be based on evidence demonstrating, for example, that a person standing in the median at a specific intersection to panhandle creates a safety hazard at that specific intersection, and that other laws that do not raise constitutional concerns (e.g., the prohibition on pedestrians obstructing traffic) have been enforced but are inadequate. County Code § 10-123 does not pass constitutional review because it applies to all County public roadways and medians, and was based on the assumption that people panhandling on public roadways and in medians created a safety hazard. For multiple years after the Henrico County case was decided, the Albemarle County Police Department monitored those intersections in the County where panhandling is common and did not identify any safety hazards. Staff will provide updated information from the Police Department when the ordinance returns to the Board for a public hearing. However, County Code § 10-123 would not satisfy the standards established in current case law even if that information has changed for a specific intersection.

The cost of repealing County Code § 10-123 is not anticipated to have a budget impact.

---

Mr. Kamptner said the ordinance would repeal County Code § 10-123 which prohibited a range of activities commonly known as panhandling. He explained an ordinance to repeal an existing law was a simple act. He said the issue had generated questions over the years. He explained § 10-123 was originally adopted by the Board in 2005 after the General Assembly amended Virginia Code § 46.2-931 to enable the County to prohibit persons standing on any public roadway or median from distributing certain written materials, soliciting contributions, and selling or attempting to sell merchandise.

Mr. Kamptner said the executive summary that accompanied the ordinance adopting the section on July 6, 2005, identified a number of complaints from motorists being approached by persons soliciting money and referred to the potential for injury to drivers and passengers as well as the solicitors. He said the police officer who spoke in support of the ordinance during the public hearing said police had observed panhandlers darting in and out of traffic. He said the police officer noted some occupants felt intimidated when approached, that panhandlers congregated at the busiest intersections, there were complaints of trash where panhandlers congregated, and there were turf battles over panhandling locations.

Mr. Kamptner said at the time the section was adopted and amended in 2013, it was consistent with the applicable First Amendment case law; however, the section no longer satisfied that First Amendment case law. He said after County Code § 10-123 was adopted, the federal court’s analysis of the rights protected under the First Amendment had been evolving and expanding with regard to how the government could regulate protected speech and activity, including panhandling.

Mr. Kamptner said County Code § 10-123 was similar to the panhandling ordinance in Henrico County. He explained the Henrico County ordinance had been ruled by a federal appeals court in 2015 to violate the First Amendment because panhandling was protected speech. He said the County had not enforced the section since the Henrico County court decision, and there was no reason to leave the ordinance in the code until a replacement was found. He said staff recommended § 10-123 be repealed.

Mr. Kamptner said the repeal of the section would not mean the end of the County’s ability to regulate several types of conduct that has been complained about over the years. He said those laws regulated conduct such as obstructing traffic, profane swearing in public, urinating or defecating in public, engaging in disorderly conduct, committing assault and battery, and dumping trash on public streets. He said in order to enforce the law, persons who observe the conduct or were victims of the crime needed to report to the police. He said if the Board was interested in hearing the requirements for a panhandling ordinance under current constitutional principles, he could provide information.

Mr. Andrews said the ordinance should be repealed, and that it was late, so he was not interested in hearing about the further options that night. He said that this was something the Board could discuss again at a later time.

Ms. McKeel said the ordinance should be repealed because the ordinance could not be enforced, which was not a good thing. She noted the Board had received comments from an individual who had submitted ordinances from other localities, and Mr. Kamptner had said those ordinances were also unenforceable. She said the individual was leading the public to believe other localities had enforceable panhandling ordinances, which was not true.



Ms. Mallek said she was disappointed police officers could not stop and talk people to see if they need assistance. She said she was interested about talking about alternatives for this ordinance that were enforceable in the future, especially if there was something simple that they could implement. She said citizens going to the magistrate and reporting crimes where a police officer had not witnessed it was ineffective.

Ms. LaPisto-Kirtley agreed the ordinance should be repealed because it could not be enforced. She said she wished it wasn't against the First Amendment, but it is, so there was nothing they could do but repeal it. She said the commenter Ms. McKeel referred to had referenced laws in Missouri that did not apply to Virginia. She said the County could consider signage in the medians that directed to motorists not give money to solicitors or panhandlers and instead supply them resource and aid contacts.

Ms. McKeel said there were communities that put signs up. She said in Waynesboro, their new mental health teams were responding to beggars and panhandlers. She said the teams were at least partially successful. She said the budget recommended the creation of a mental health response team in the County. She asked if staff could evaluate the process of using the team to respond to panhandlers.

Ms. Price opened the hearing to public comment. She noted there were no speakers signed up for comment. She waived the reading of the rules for comment and closed the meeting to the public.

Mr. Price said she supported the repeal of the ordinance. She said maintaining unconstitutional laws created confusion from the public and resulted in disrespect for the law because people believed it was not being enforced. She echoed Mr. Gallaway's comment that the state should learn from the County when rescinding unconstitutional laws. She said keeping the laws present was a misguided political statement.

Ms. McKeel **moved** that the Board adopt the attached proposed ordinance (Attachment A).

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Ms. McKeel asked if Mr. Richardson or Mr. Walker would address her suggestion of the mental health response teams responding to this because she would really like to talk more about it at a later time.

Mr. Richardson said that, if the Board would like, he could work with Mr. Walker to schedule a work session to discuss with the Board the programs that are in place in Waynesboro and Henrico. He said they could also include Kaki Dimmock, Social Services Director, who is connected with many key agencies in the community and that, as a group, they could talk about what some options are for the Board to consider.

---

#### **ORDINANCE NO. 22-10(1)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 10, Offenses - Miscellaneous, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

**By Repealing:**

Sec. 10-123 Prohibited activities on public roadways and medians.

#### **Chapter 10. Offenses - Miscellaneous**

##### **Sec. 10-123 (Repealed 3-2-22)**

---

Agenda Item No. 23. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Price said Ms. Mallek had requested an item to authorize the Chair to send a letter to Senator Mark Warner in support of honoring the PACT Act (Promise to Address Comprehensive Toxics Act of 2021).

Ms. Mallek said she had circulated a template letter with Albemarle County added to it to support the bill. She said the bill would be up for debate the next day. She said the correspondence would be via email to the two senators and congressperson. She said it was last minute since she first heard about it the day before.

Ms. Price **moved** to authorize the Chair to sign a letter to Senator Warner in support of honoring the PACT Act.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Ms. LaPisto-Kirtley said the Board had received a letter from the Virginia Department of Historic Resources. She said the LaFourche home in the Rivanna District had been built in the late 1700s, and it had been approved for a homestay use. She said the home had applied for national historic preservation. She requested that the Board support the application to the National Register of Historic Places and inclusion in the Virginia Landmarks register. She said she requested the Chair sign a letter from the Board in support of the application.

Ms. Mallek said she supported the proposal and that Margaret Maliszewski from CDD has written great letters of approval for the Historic Preservation Committee in the past.

Mr. Walker said the Historic Preservation Committee had already issued its support of the project and had already submitted a letter of support. He said the Board's letter of support would be in addition to that.

Ms. Price said her grandmother was born in Bayou LaFourche, but there was no relation to the LaFourche home. She said the name had an appeal to her.

Ms. LaPisto-Kirtley **moved** to authorize the Chair to sign and send a letter in support of the application for inclusion in the National Register of Historic Places and the Virginia Landmarks register.

Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Non-Agenda Item. **Closed Meeting.**

At 9:17 p.m., Mr. Andrews **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1): To discuss and consider appointments of community members to the Architectural Review Board, the Board of Equalization, the Jefferson Area Community Criminal Justice Board, the Jefferson Area Board for Aging Advisory Council, and seven advisory committees..

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Non-Agenda Item. **Certify Closed Meeting.**

At 9:32 p.m., Mr. Andrews **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

---

Agenda Item No. 14. Boards and Commissions:  
Item 14a. Vacancies and Appointments.

Ms. LaPisto-Kirtley **moved** to appoint the following individuals to boards and commissions:

- **Appoint** Mr. Nathan Holland to the 5<sup>th</sup> & Avon Community Advisory Committee with said term to expire September 30, 2023.

- **Appoint** Mr. Taro Matsuno to the Architectural Review Board to fill an unexpired term ending November 14, 2024.
- **Reappoint** Mr. Kostas Alibertis, Mr. Joe Fore and Ms. Valerie Long to the Crozet Community Advisory Committee with said terms to expire March 31, 2024.
- **Appoint** Mr. Jim Duncan and Mr. Kenneth Thacker to the Crozet Community Advisory Committee with said terms to expire March 31, 2024.
- **Appoint** Mr. Bob Beard to the Equalization Board as the Samuel Miller District representative with said term to expire December 31, 2022.
- **Appoint** Ms. Abigail Wilson and Mr. Dan Mahon to the Natural Heritage Committee with said terms to expire September 30, 2025.
- **Appoint** Ms. Jane Foy to the Places 29 (Hydraulic) Community Advisory Committee to fill an unexpired term ending August 5, 2022.
- **Appoint** Mr. Seth Kennard, Mr. Brentney Kozuch, and Ms. Deborah van Eersel to the Places 29 (North) Community Advisory Committee with said terms to expire August 5, 2023.
- **Reappoint** Mr. Dennis Odinov and Ms. Betsy Baten to the Village of Rivanna Community Advisory Committee with said terms to expire March 30, 2024

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Andrews, and Ms. Price.  
NAYS: None.

Agenda Item No. 24. Adjourn to March 9, 2022, 3:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).

At 9:34 p.m., the Board adjourned its meeting to March 9, 2022 at 3:00 p.m., which would be an electronic meeting held pursuant to Ordinance No. 20-A(16), “An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.” Information on how to participate in the meeting will be posted on the Albemarle County website Board of Supervisors homepage.

Chair

Approved by Board
Date 10/18/2023
Initials CKB