

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 4, 2022, at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

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; Interim County Attorney, Cynthia Hudson; 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.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price noted that she added at the close of that day's meeting an opportunity for an additional closed meeting should it become necessary. She said since this was added after the agenda was published, she wanted to mention that.

Ms. Mallek **moved** to adopt the final agenda. 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.

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

Ms. McKeel announced that she joined Ms. Price and several of their School Board members last night in this room to celebrate 42 teachers who had received the Golden Apple Awards from the Nunley family. She said the Golden Apple Awards ceremony was a recognition for their teachers from all over this area, from both public and private schools, and were nominated for the award by their peers, families, and students. She said it was a special award, and 42 awards were given out. She said again they wanted to thank the Nunley family, who had supported this program for 20 years. She continued that on Tuesday, May 10, from 5:30 to 7 at Albemarle High School cafeteria, the Lambs Lane Master Plan would be presented for the public.

Ms. McKeel said as a reminder to everyone that there had been a committee of citizens and educators as well as elected and School Board members who had been working on a Master Plan for the Lambs Lane campus, which was the campus that included Albemarle High School, Jack Jouett Middle School, Greer Elementary School, and Ivy Creek, and would soon include the Boys and Girls Club. She said there was a first draft of the design of this master plan, and it would be shown to the public on Tuesday, May 10 from 5:30 to 7 at Albemarle High School's cafeteria. She said it was a presentation that could be dropped into and dropped out of, but at the beginning there would be a short presentation by the planning group, so erring on the side of being early would be best. She said there were flyers on the table for those who wanted them.

Ms. Mallek said it was spring, so there was a lot going on. She said on Saturday, April 23, she was fortunate to be able to join Dan Eggleston and four generations of the Wood family to celebrate the dedication of the L. F. Wood Training Center at Seminole Trail Fire Department. She said on the screen was Passie [Wood], cutting the ribbon with her daughters. She said the fundraising was done by the company, and was composed of CONEX boxes stuck together, and could be reconfigured in different ways for different people to train. She said they invited members of other companies to come and train as well, and easy access to training kept their firefighters safe and was very important.

Ms. Mallek said she celebrated Arbor Day last Friday with a hike to the Boundary or Corner Oak at the top of the mountain in Mint Springs Valley Park. She said a dozen tree stewards and family members joined in to celebrate this more than 200-year-old tree's survival through hurricanes and derechos, providing cooling shade for orchard workers for three different orchard farms came together at this point. She said several hiking families and a cyclist had found their way to the top of the mountain trails which converged there.

Ms. Mallek said Albemarle County Parks and Recreation's Jim Barbour made sure they did not get lost. She said they recognized the Charlottesville Area Tree Stewards for their work monitoring specimen trees and also providing hundreds of trees and the manpower to plant them in Albemarle County parks. She said they would keep watch also on the white oak at the airport, which was the second largest white oak in the Commonwealth. She said it was one of the heritage trees there as well.

Ms. Mallek said the Alliance for the Chesapeake Bay had information for tree planting resources

and economic and ecological benefits for increasing their tree canopy everywhere. She said the Crozet Arts and Crafts Festival was coming this weekend, just in time for Mother's Day. She said a few showers were predicted for Saturday, but full sun was expected on Sunday, so please get out there and find mothers and grandmothers something special. She said there would be music, food, and hundreds of artists who were juried and sold their wares there.

Ms. Mallek said also in Crozet, 19,949 Kelly Bronze turkey eggs made the trip safely from England, and once they hatched, they would be turned out in the forest and fields of the farm to live like turkeys should. She said they were spectacular creatures when seen out in the field, and hopefully others would get a chance to visit.

Ms. LaPisto-Kirtley said on Saturday there would be an Arts Festival in Darden Towe. She said to invite everyone to come and enjoy what would be presented, filled with artists and different things.

Mr. Gallaway said he fully endorsed turkeys living as they should. He said he had no other announcements.

Ms. Price said on Sunday, May 1, she had a great time going to Thistle Rock Farm for the first annual May Day Beltane Celtic Festival. She said she learned there were four Celtic seasonal festivals, the first was Imbolc, the beginning of spring, the second was Beltane, which was halfway between the spring equinox and summer solstice, the third was Samhain, the end of the harvest season, and Lughnasadh, the beginning of the harvest season. She said what was interesting about this was being reminded of the diversity of cultures that were there in Albemarle County. She said she appreciated John Kluge and Christine Mahoney for opening their property to everyone on Sunday.

Ms. Price said she had been house- and dog-sitting in Nelson County where her daughter and son had a house, and recently was able to walk along the Rockfish Valley Foundation trail in Nellysford in the Wintergreen-Afton area, and it was a beautiful trail near Bold Rock Cider. She said it was great for families because it was pretty level, but they also had 17 stations of representations of the creatures that lived along that area, so it was both fun and informative. She said children would love it, so she encouraged people to take a look at that.

Ms. Price said they were now at 993,100 Americans dead from the pandemic. She said the daily average now across the country was two times what it was just a couple of weeks ago. She said fortunately, while the cases were up, it appeared this was a much less deadly variant than the previous ones that came through, but it was still served as a reminder to get vaccinations and be careful.

Ms. Price said it was an exciting time as Ms. McKeel said about the Golden Apple Awards, because there had been so few times in the past few years in which people were able to get together, and the energy could be felt in the room as these teachers and their families were able to celebrate. She said the Nunley's 21 years of sponsoring this event were wonderful.

Ms. LaPisto-Kirtley asked if she said that the date for the festival was tomorrow or Saturday.

Ms. Price said she believed she had said it was Saturday.

Ms. LaPisto-Kirtley said Saturday was the correct date.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Recognizing the Centennial of the Charlottesville Band.

Ms. Mallek **moved** to adopt the proclamation recognizing the Centennial of the Charlottesville Band as she read it aloud. 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.

Ms. Pamela Evans introduced herself as the Vice President of the Charlottesville Band. She thanked them for all their support over the years. She said it allowed them not only to stay in existence throughout the pandemic, but they also were able to have their small ensemble perform outside for a lot of people, including some who were very lonely or unwell, and it kept them in the community during that time. She said she wanted to mention that a lot of young families came to their concerts and told them it was the first time they had brought their children to live music because it was a free concert, they could be outside lots of the time, and it was easy to go in and out.

Ms. Evans said their members included high school members, retired people, CEOs, mail carriers, and probably anyone else they could name was in the band. She said they all had a love of music and a love of sharing it with the community. She said she wanted to invite everyone to their first concert of the summer season, which would be June 7 at Claudius Crozet Park in the County, at 7:30, and if anyone wanted to look up any of their events, they could be found at cvilleband.org.

Ms. Price asked if any of the Supervisors had any comments.

Mr. Andrews said he mentioned to some people that they were doing this, and they said they had heard the band at the naturalization ceremonies and looked forward to them at many different ceremonies, so it had made a big impact on the community, and the fact they had someone playing there who started when he was born was impressive.

Ms. Price said she enjoyed the Christmas concert this year, and she wondered how they did that in the cold.

Ms. Evans said tuning was fun.

Ms. Price thanked her and said the arts were so important to their community and they really appreciated it.

Ms. McKeel thanked Ms. Evans for all her years of service. She said the Charlottesville Band was probably one of the most popular nonprofits in this community. She said one of her fondest memories she had as a child was attending the Staunton Municipal Band concerts. She said it was a very similar organization and she knew they had families and children all over this community who appreciated the ability to hear the concerts for free.

Ms. LaPisto-Kirtley said without bands, they would not have football games, so she thanked them very much for being a band.

Proclamation Recognizing the Centennial of the Charlottesville Band

WHEREAS, Whereas the Charlottesville Band Mission Statement reads: “We are the Charlottesville Band; local musicians enriching community life through excellence in musical performance and education since 1922 and through our free concerts, varied repertoire, and partnerships, we provide our members and audiences with experiences that entertain, uplift, and inspire”; and

WHEREAS, the Municipal Band of Charlottesville was established on August 17, 1922 and, gave its first concert at a park in downtown Charlottesville on August 29, 1922, and since its founding The Band has played hundreds of free concerts at civic functions, patriotic occasions and celebrations including events to honor several Presidents of the United States, as well as the Queen of England; and

WHEREAS, since admitting them to the Band in 1957, almost 600 women have played with the Band and Peggy Madison, one of the first eighteen women to join in 1957, continues to play with the Band to this day and the Band has had more than 1,700 musician members and continues to be one of the oldest continually operating community bands in the United States; and

WHEREAS, in 2020 and 2021, the Band upheld its commitment to a century of free uninterrupted music, playing through the pandemic with its ensembles performing at safely distanced outdoor concerts in the summer and with the full Band performing a December Holiday concert in downtown Charlottesville; and

WHEREAS, In 2021, The Municipal Band of Charlottesville changed its name to “The Charlottesville Band” to reflect its standing as an independent band.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, recognizes the Charlottesville Band as a valued resource for our community as it celebrates its Centennial.

Item No. 6.b. Proclamation Celebrating Asian American and Pacific Islander Heritage Month.

Ms. LaPisto-Kirtley **moved** to adopt the proclamation celebrating Asian American and Pacific Islander Heritage 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. Irtefa Binte-Farid, Coordinator for Equity and Accountability, thanked the Board for their commitment to telling a more inclusive story as to who they were as a County by highlighting these different parts of their community through the proclamations. She said today she was thrilled to introduce Attar Zahran, a student from Albemarle High School, to accept this proclamation. She said Mr. Zahran was a second-generation Indonesian American Muslim student, president of the Albemarle High School’s gaming club, and a member of the Islamic Society of Central Virginia. She thanked Mr. Zahran for taking time out of his school day to join them there today.

Mr. Zahran said on behalf of the Asian and Pacific Islander community, he thanked them for recognizing this month. He said as stated before, oftentimes the diversity of the Asian community was

overlooked, and commonly associated with eastern Asia, but there was a large presence in southeast and south Asian countries such as Indonesia, Malaysia, India, Bangladesh, and Pakistan. He said all these countries had a major presence in the world and in Albemarle County. He said he was from Indonesia and could speak on behalf of Indonesians but could not speak on behalf of the wide variety of countries and languages that were present in Albemarle County, but he could speak on behalf of the Muslim community, which was a big part of the Asian community as a whole. He said Islam, Christianity, Buddhism, Sikhism, and all of these different religions were a part.

Mr. Zahran said the Islamic community in Albemarle was a prime beacon of the Asian community also in Albemarle, and they had done great things for decades and had many active members who had done projects for the public, boy scout troops, and youth programs. He said there was a presence in Albemarle County public schools, as there were a large number of Asian students from all different countries, such as India, Bangladesh, and Pakistan who would appreciate it if they were recognized, so he would like to thank them for that.

Ms. Price thanked Mr. Zahran. She asked if any Supervisors had comments.

Ms. Mallek asked if the pop-up window on the screen could be removed. She thanked Mr. Zahran for his remarks.

Ms. Price said she had the great and good fortune of living twice in the Philippines, to have family who had lived in Japan, Hawaii, and Thailand, and had a trip scheduled to Indonesia but the Navy cancelled it, so it was still on her bucket list and she would make it. She said she also had the good fortune to travel throughout the Pacific Rim and come away with so much to be grateful for, for the contributions that all of them had made. She said that was all on the positive side. She said when she read the last "whereas" in the proclamation, however, of the things they had not done well as a country. She said it was her pledge to him that she would do everything she could to make sure they never again faced that type of discrimination against the national origin or religion of a person. She thanked him for all he was doing to make this a better community.

Mr. Zahran said he thanked her from the bottom of his heart.

Ms. LaPisto-Kirtley thanked Mr. Zahran very much and thanked him for being there to accept this proclamation. She said for him to keep up the good work and that they were very proud of him.

Mr. Gallaway said he mentioned at their last Board meeting a few weeks ago that he had the opportunity to be at an Iftar, celebrating Ramadan, and beginning to learn, and what he had begun to learn as a part of that process was that people took the time to reflect and self-reflect so that you could learn how to self-improve and do better. He said these proclamations, when they came forward, was always a chance to reflect on his own knowledge of what it meant to be Asian-American. He said when one stopped and thought of how many different cultures, languages, and lifestyles could exist under that large category of Asian-American, it was phenomenal.

Mr. Gallaway said he did not ever want to get lost in his own worldview of thinking that there was just one grouping that could be labeled that way. He said there were so many differences and variation and diversity in that category, which was what they needed, because that was what made a community happen. He said they could not have a strong, vibrant community without that type of diversity. He said he was appreciative for the work they were doing and having these guests join them, because it was always an opportunity to reflect on what he did not know and what he needed to learn, because that was what it would take for him to do his part in making sure they had inclusivity.

Ms. McKeel said these proclamations were their way as the leaders in Albemarle County to recognize the importance of the diversity that was in their community, and to celebrate it, and hopefully positively impact the way that their community felt about diversity and the people they were recognizing. She said thank you.

Proclamation Celebrating Asian American and Pacific Islander Heritage Month

WHEREAS, Asian Americans and Pacific Islanders make up an estimated 5.6% of the U.S. population and a 7.3% of the population of Albemarle County; and

WHEREAS, Asian Americans and Pacific Islanders have flourished and succeeded in the County of Albemarle and are a vital part of our community's history, making important contributions to the cultural, civic, and economic life of the County; and

WHEREAS, in spite of the strength shown and successes achieved, Asian American and Pacific Islander communities face systemic barriers to economic justice, health equity, educational attainment, and personal safety, compounded by the stark gaps in Federal data, which too often fails to reflect the diversity of this community in terms of languages, ethnicities, and religions; and

WHEREAS, Asian American and Pacific Islander communities have faced increasing harassment and hate crimes during the COVID-19 pandemic, particularly targeted towards women and elders of the community; and

WHEREAS, present-day inequities faced by Asian American and Pacific Islander communities are rooted in our nation's history of exclusion, discrimination, racism, and xenophobia -- including discrimination legalized through the Page Act of 1875, the Chinese Exclusion Act of 1882, the incarceration of Japanese American citizens during World War II, and the targeted surveillance of South Asian Americans, especially those who are Muslim, Hindu, or Sikh, after the national tragedy of 9/11.

NOW, THEREFORE, BE IT PROCLAIMED, that the Albemarle County Board of Supervisors do hereby recognize and celebrate May 2022 as Asian American and Pacific Islander Heritage Month and encourage our community to observe this month by learning more about our collective history, including our darker chapters, so we can use lessons of the past to create a more inclusive and equitable future for us all.

Item No. 6.c. Proclamation Recognizing May 1 through 7, 2022 as Municipal Clerks Week.

Ms. Price **moved** to adopt the proclamation recognizing May 1 through 7, 2022 as Municipal Clerks Week and read the proclamation aloud.

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.

Ms. Borgersen said thank you and that it was an honor to serve the Board.

Proclamation Recognizing Municipal Clerks Week

WHEREAS, the Municipal Clerk is a time honored and vital part of local government that exists throughout the world and serves as an information center on functions of local government and community; and

WHEREAS, the Municipal Clerk is the oldest among public servants and provides a professional link between the citizens and local governing bodies and agencies of government at all levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of Municipal Clerk through participation in education programs, seminars, workshops and the annual meeting of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Municipal Clerk.

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

May 1 – 7, 2022 as Municipal Clerks Week

AND FURTHER, extend appreciation to Claudette K. Borgersen, Clerk, Travis O. Morris, CMC, (Certified Municipal Clerk) Senior Deputy Clerk, and Carolyn Shaffer, Clerk to the Planning Commission; and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Item No. 6.d. Proclamation Recognizing May 1 through 7, 2022 as National Correctional Officers Week.

Ms. McKeel **moved** to adopt the proclamation recognizing May 1 through 7, 2022 as National Correctional Officers and Employees Week and read the proclamation 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.

Col. Kumar thanked the Board and Supervisor McKeel for bringing this forward. He thanked Mr. Walker for their support in drafting this proclamation. He said their work sometimes could be behind the scenes, and as long as they did their jobs, they were not noticed, which was the way it should be. He said over the last two years, these men and women who were there with him and others back at the jail had come to the forefront in the courage they showed during the pandemic especially.

Col. Kumar said every day, they walked into that jail knowing well that Covid-19 was there. He said they left their families at home, went into that jail, not only risking their own personal safety, but that of their family when they went home. He said every single day they showed up to their jobs to keep the inmates safe and the community. He said he wanted to thank them and again thanked the Board very much.

Ms. Price asked the Supervisors if they had comments.

Ms. Mallek thanked them for all their support and work they did to help their offenders learn new skills and have a better life once they were released.

Mr. Gallaway said he had the opportunity not long ago to tour the facility with Col. Kumar and one of the items he learned about was trauma-induced design, which was brought up for the inmates who were housed there. He said one of the questions they had a brief conversation about was if this type of design was the same approach for the employees who worked there. He said it was not a job that any of them, pandemic aside, believed was not a high-stress job. He said he hoped he was not out of line for saying that this Board would be fully supportive of the renovations that would be done, not only those who were being housed there in mind, but those who worked there so they had the proper facility to call their job and to keep in mind the social-emotional stress that they were under doing this type of work. He thanked them for the work they were doing.

Ms. LaPisto-Kirtley said she was biased because her oldest brother was a correctional officer in California. She said she was on board with them all. She said she also went for a tour of the facility and was in favor of the renovations. She said she was extremely impressed by the professionalism of everyone there and how things were managed. She said she looked forward to continuing to support them.

Ms. McKeel asked Col. Kumar if anyone from his entourage wanted to say anything.

Col. Kumar said he did not believe so.

Ms. McKeel said they were thrilled to have them there and to recognize the service they had performed with honor and dignity and dedication to the safety of the inmates, the safety of their fellow staff members and employees, and to the safety of their public. She commented that she was thrilled when every one of the Supervisors jumped at the chance to tour the jail. She said they all had toured the jail, and all the City Council members had toured the jail, and at this time, several of the Nelson County Supervisors had as well. She said that spoke to the importance that the elected officials were placing on the work they did and the importance of the facility to their community. She thanked them and said she appreciated them being here.

Mr. Andrews said he agreed with all the remarks that had been made so far. He thanked them for their support.

Ms. Price said she appreciated the comments about the risk that the officers and staff faced during the worst of the pandemic. She said they all had observed how those residential facilities with the close spaces and close interaction was where most of the infections took place. She said they all did a tremendous job there. She said the best thing they could say about the correctional officers was that they were largely invisible. She said the reason that was good was because it meant they were doing their job right and they did not have the issues there that many confinement facilities had, so while they may be visible in the news, they were ever-present in their thoughts. She thanked them for the job they did and for taking the time to be there this afternoon.

Proclamation Recognizing National Correctional Officers and Employees Week

WHEREAS, National Correctional Officers and Employees Week was first proclaimed on May 5, 1984, by President Ronald Reagan when he signed Proclamation 5187 creating “National Correctional Officers’ Week,” to recognize the men and women who work in jails, prisons, and community correction across the country; and

WHEREAS, National Correctional Officers and Employees Week became the official name the first week in May when, in 1986, the U.S. Senate officially changed the name from “National Correctional Officers’ Week”; and

WHEREAS, National Correctional Officers and Employees Week has been designated as the week of May 1, 2022, through May 7, 2022, by the U.S. Department of Justice and the Federal Bureau of Prisons; and

WHEREAS, National Correctional Officers and Employees Week honors the work of correctional officers and correctional personnel for their service with honor, respect, and integrity; and

WHEREAS, National Correctional Officers and Employees Week in Albemarle County recognizes employees of the Albemarle Charlottesville Regional Jail for their role in safeguarding the citizens of Albemarle County by providing safe, secure and humane incarceration of offenders within their custody.

NOW THEREFORE, BE IT PROCLAIMED, we, the Albemarle County Board of Supervisors, do hereby recognize the week of May 1 through May 7, 2022, as “National Correctional Officers and Employees Week,” and all Albemarle County citizens are encouraged to pay tribute to the Correctional Employees of the Albemarle Charlottesville Regional Jail for the vital public service they provide.

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.

Mr. Smith greeted the Board. He introduced himself as Keith Smith, Chairman of the Piedmont Community Land Trust. He thanked the Board for the \$625,000 the Board gave to them in their last meeting. He said there were a lot of great people in the housing affordability space, and there was no silver bullet. He said he stole this from a dear friend of his, Robert Liberty, but there was a silver buckshot. He said Albemarle County’s contributions happened to be a couple of the beads in that. He said he wanted to take a moment and share with them what that \$625,000 would do. He said that \$625,000 would produce 12 new construction homes, valued at about \$4 M. He said it would be located at Spring Hill Village and Avon Park. He said they would be putting people in homes by the end of this year in those 12 units. He thanked the Board for doing this. He said he watched the meetings regularly and was unsure how many people thanked the Board. He said they could not be doing what they did without them. He thanked them.

Mr. Williamson introduced himself as Neil Williamson, President of the Free Enterprise Forum, a privately funded public policy organization focused on Central Virginia’s local governments. He said this morning, the Charlottesville Area Association of Realtors released the first quarter home sales report. He said he provided each of them the local snapshot page. He said Albemarle sales volume was down compared to last year, but median home sales price was up. He said the median was \$476,750. He said to quote the report, “inventory remained at historically low levels in Albemarle County. He said there were 173 active listings at the end of the first quarter, which was 78 fewer listings than a year ago, or a 31% decline. He said inventory was now about a quarter of what it was two years ago.

Mr. Williamson said in the “density-deferred density-denied report,” the Free Enterprise Forum documented this and prior Board’s actions that reduced residential carrying capacity, limiting the number of homes below comprehensive plan targets for rezonings. He said to please know that not all dense developments were affordable, but most affordable developments were dense. He said Mr. Smith just highlighted the success of the Piedmont Community Land Trust in creating long-term affordable housing by working with Albemarle County. He said by leveraging nonprofit funds and utilizing local government dollars, the land trust was able to subsidize the cost to qualified first-time homebuyers. He said in 2017, Albemarle County entered into a public-private partnership with Pinnacle Construction and Development and established 96 new affordable multi-family units, Brookdale Apartments, tied to a performance agreement. He said the terms of the agreement required the units to be occupied by families whose annual income was less than 60% of the area annual median income. He said the agreement called for the units to remain affordable for 30 years. He said in exchange, the property owner was rebated a portion of the local real estate taxes paid.

Mr. Williamson said the Community Land Trust housing nonprofit-for-sale model and the Brookdale for-rent for-profit model provided examples of what had created sustainable, affordable housing right here in Albemarle County in the last five years. He said cars market reports documents they had a housing affordability issue. He said he highlighted these two specific programs that utilized several leveraged programs in order to create the subsidy to make that gap. He said the County was included in some of those by direct investment. He said the question he had was how did the two proposals they were reviewing today measure up to these examples. He said if they wanted housing affordability, they must increase supply and applicant incentives. He said absent both, landowners would proceed by right and they would get lower density, larger lots, and few, if any affordable units.

Agenda Item No. 8. Consent Agenda.

Ms. Mallek **moved** to approve the consent agenda. 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.

Item No. 8.1. Approval of Minutes: August 19, 2020.

Ms. Mallek had read the minutes of August 19, 2020 and found them to be in order.

By the above-recorded vote, the Board approved the minutes of August 19, 2020.

Item No. 8.2. Construction Easement for Southwood Community Development Block Grant Project.

The Executive Summary forwarded to the Board states that in June 2019, Albemarle County was awarded a Community Development Block Grant (CDBG) in the amount of \$1 million. The grant funds are to be used for the construction of five single family dwelling units in Village 1, and the construction of a pocket park honoring the Monacan Indian Nation in Village 2 of the Southwood Redevelopment project Phase 1.

To be able to utilize CDBG funds for housing construction, the Virginia Department of Housing and Community Development (DHCD) requires localities to have control of the subject property during the time of CDBG funded activities (see paragraph 4 on page 46 of Attachment A). DHCD defines site control as either ownership or lease of the property, although alternative methods of legal control may be considered. DHCD has approved use of a Temporary Construction Deed of Easement to demonstrate legal control of the property.

To satisfy CDBG requirements, the owner of the Property has agreed to grant to Albemarle County a Temporary Construction Easement (Attachment B) on Southwood Block 3, Lots 4 and 5; and Block 5, Lots 10, 11 and 12. Approval and acceptance of the Deed would convey a temporary construction easement to the County required for the Southwood Village 1 CDBG project. Unlike most deeds conveying temporary construction easements, this deed specifically states that the property owner (Southwood Charlottesville, LLC), rather than the easement recipient (the County), will perform all construction work. It further provides that the County has the right, but no responsibility or obligation whatsoever, to perform any construction work on the Property. Again, the sole purpose of the easement is to demonstrate County control of the subject property during the time of CDBG funded activities

A second temporary construction easement across Parcel ID Number 90A1-1E to allow the County to complete the construction of a pocket park in Village 2 of the Southwood Redevelopment project Phase 1 will be presented to the Board for approval at a later date.

Approval and acceptance of the Deed of Temporary Construction Easement would allow the County to utilize \$880,000 of CDBG funding awarded for the project.

Staff recommends that the Board adopt the attached Resolution (Attachment C) authorizing the County Executive to accept a temporary construction easement on portions of Parcel ID Number 90A1-1E.

By the above-recorded vote, the Board adopted the attached Resolution to Adopt the Construction Easement for Southwood Community Development Block Grant Project:

**RESOLUTION ACCEPTING TEMPORARY CONSTRUCTION EASEMENT
FROM SOUTHWOOD CHARLOTTESVILLE, LLC**

WHEREAS, Southwood Charlottesville, LLC owns Parcel ID Number 090A1-00-00-001E0; and

WHEREAS, an easement across this property is necessary in order for the County to comply with the requirements for the Southwood Village 1 Community Development Block Grant, which will support the funding for the construction of five single family dwelling units in Village 1, and the construction of a pocket park honoring the Monacan Indian Nation in Village 2 of the Southwood Redevelopment project Phase 1.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the County's receipt of a temporary construction easement on Parcel ID Number 090A1-00-00-001E0, and authorizes the County Executive to sign, in a form approved by the County Attorney, a Deed of Easement and any other necessary related documents.

Item No. 8.3. SE202100045 Brookhill Special Exception – Request for Two Variations to Brookhill Code of Development (ZMA201500007).

The Executive Summary forwarded to the Board states that the applicant requests special exceptions for two variations to the Brookhill Code of Development (COD) of ZMA201500007. Specifics of each request are summarized below:

1. Variation #4 - Modify block length requirements of Section 2.2.3 of the COD for Blocks 16 & 17
2. Variation #5 - Modify Table 5 of the COD to shift the maximum number of dwelling units permitted between blocks

Staff analysis of the request is provided as Attachment C.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the special exceptions request.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment C) to approve SE202100045 Brookhill Special Exception – Request for Two Variations to Brookhill Code of Development (ZMA201500007):

RESOLUTION TO APPROVE SE 2021-00045 BROOKHILL REQUEST FOR VARIATIONS TO CODE OF DEVELOPMENT (ZMA201500007)

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2021-00045 Brookhill Request for Variations to Code of Development 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 §§ 18-8.2(b), 18-8.5.5.3, and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exceptions:

- (1) would be consistent with the goals and objectives of the Comprehensive Plan,
- (2) would not increase the approved development density or intensity of development,
- (3) would not adversely affect the timing and phasing of development of any other development in the zoning district,
- (4) would not require a special use permit, and
- (5) would be in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves as special exceptions Variation #4 and Variation #5 to the Brookhill Code of Development, in general accord with the special exceptions application submitted by Collins Engineering dated October 22, 2021.

Item No. 8.4. Set Public Hearing for Ordinance to Amend County Code Chapter 2, Administration, to Increase the Compensation of the Board of Supervisors.

By the above-recorded vote, the Board directed staff to Set Public Hearing for Ordinance to Amend County Code Chapter 2, Administration, to Increase the Compensation of the Board of Supervisors.

Item No. 8.5. Board-to-Board, April 2022, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Action Item:** Adoption of Calendar Year 2022 Tax Rates, Budget-Related Ordinances, Fiscal Year (FY) 23 Budget, Borrowing Resolution, FY 23-27 Capital Improvements Plan (CIP), and Appropriation of the FY 23 Budget.

The Executive Summary forwarded to the Board states that at the Board's May 4, 2022 meeting, staff will ask the Board to consider the following items:

- 1) Adoption of the Resolution to Set Calendar Year 2022 Tax Rates:** The Board held a public hearing on the proposed 2022 calendar year tax rates on April 27, 2022. The 2022 calendar year tax rates are for the year beginning January 1, 2022 and ending December 31, 2022.
- 2) Adoption of Various Budget-Related Ordinances:** On April 20, 2022, the Board held public hearings on the adoption of ordinances to increase the Food and Beverage tax rate, increase the Transient Occupancy Tax rate, and impose a Disposable Plastic Bag Tax.
- 3) Adoption of the FY 23 Operating and Capital Budget:** The Board held a public hearing on the Fiscal Year 23 (FY 23) Proposed Budget on April 27, 2022. The budget presented for adoption includes the Board's FY 23 Proposed Budget plus any adjustments made by the Board or School Board in subsequent work sessions and is for the fiscal year beginning July 1, 2022 and ending June 30, 2023.
- 4) Adoption of the Annual Resolution of Appropriations:** To provide the authority from the Board to spend these funds, the Board's adoption of an Annual Resolution of Appropriations for the fiscal year ending on June 30, 2023 is required.
- 5) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing:** In addition, the Board's adoption of a Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing is required to provide the County with the authority to use bond proceeds to reimburse capital program expenditures for the specified projects.
- 6) Adoption of the FY 23 - 27 Capital Improvement Plan (CIP):** This reflects the adopted FY 23 Capital Budget plus the out years of the plan, FY 24 - FY 27, reviewed with the Board of Supervisors during the budget development process. FY 24 - 27 will inform future long-range financial planning and are not requested for appropriation.

DISCUSSION:

- 1) Adoption of the Resolution to Set Calendar Year 2022 Tax Rates:** The FY 23 budget is based on a real estate tax rate of \$0.854 per \$100 of assessed valuation and a personal property tax rate of \$3.42 per \$100 of assessed valuation, as set forth in Attachment A.

2) Adoption of Various Budget-Related Ordinances: a. Food and Beverage Tax

If adopted, the proposed ordinance (Attachment B) would revise Chapter 15, Taxation, Article 10, Food and Beverage Tax. The food and beverage tax would increase from four percent to six percent, effective July 1, 2022.

b. Transient Occupancy Tax

If adopted, the proposed ordinance (Attachment C) would revise Chapter 15, Taxation, Article 9, Transient Occupancy Tax. The transient occupancy tax would increase from five percent to eight percent, effective July 1, 2022.

c. Plastic Bag Tax

Virginia Code § 58.1-17.45 through 58.1-17.48 grants localities the authority to impose a five cent per bag tax on disposable plastic bags provided by grocery stores, convenience stores or pharmacies. Durable plastic bags designed for repeated use are exempt from this tax, as well as plastic bags used solely to wrap, contain, or package certain goods to prevent damage or contamination. This exclusion would include packaging for ice cream, meat, fish, poultry, produce, unwrapped bulk food items, perishable food items, dry cleaning, prescription drugs and multiple bags sold in containers for use as garbage, pet waste, or leaf removal bags. Revenues from such tax must be used for programs supporting environmental cleanup, litter and pollution mitigation, environmental education efforts or to provide reusable bags to SNAP or WIC benefit recipients. If adopted, the proposed ordinance (Attachment D) would create a new article (Article 8.1) to County Code Chapter 15, Taxation. Collection of the plastic bag tax would be performed by the State Department of Taxation. State Code requires localities to provide a certified copy of the ordinance to the Tax Commissioner of the Commonwealth at least three months prior to the date the tax is effective. The effective date for the disposable plastic bag tax would be January 1, 2023.

3) Adoption of the FY 23 Operating and Capital Budget: The FY 23 Budget for the Board's approval is detailed in Attachment E and is based on the FY 23 Proposed Budget plus the adjustments detailed below:

Recommended Budget-Neutral Adjustments

The County Executive recommends the following budget-neutral adjustments to the FY 23 budget:

- Reallocate \$100,435 from the Office of Equity and Inclusion to the Department of Parks and Recreation for one position and associated operating costs with the Yancey Community Center.
- Reallocate \$541,132 from the Community Development Department (CDD) to the Department of Information Technology (IT) for Geographic Information Systems (GIS) services. This includes 4 positions, part-time and overtime wages, and operating costs associated with GIS services.
- Reallocate \$132,752 from the IT Department to CDD for Records Management Services. This includes 2 positions and related operating expenses.
- Reallocate \$2,950,600 from the Business Process Optimization Reserve to various departments for the following purposes:
 - \$1,157,426 to the Office of Performance and Strategic Planning (P&SP) to support implementation of the Core Systems Modification (CSM) project. This funding includes 4 positions and their associated operating costs and consulting services.
 - \$915,600 to P&SP for project management services.
 - \$877,574 to IT to support implementation of the CSM project. This funding includes 2 positions and their associated operating costs and ongoing system maintenance costs.
- Reallocate \$20,000 in anticipated Plastic Bag Tax revenue and expenditures from the General Fund to a Plastic Bag Tax Special Revenue Fund.
- Reallocate \$25,000 from the Central Virginia Small Business Development Center to the Community Investment Collaborate. In the Proposed Budget, these programs were combined and should be shown as two separate agencies.

Board of Supervisors Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 6, 2022 work session. Adjustments made during subsequent meetings will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 4, 2022.

Public Schools Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 6, 2022 work session. The School Board held a budget work session on April 28, 2022. Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 4, 2022.

4) Adoption of the Annual Resolution of Appropriations

The Resolution of Appropriations appropriates the total County Budget, including both County government and Public School operating and capital funds, Public School special revenue funds, and other County government funds appropriations in a single resolution (Attachment F). The Annual Resolution includes the following:

Board of Supervisors Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 6, 2022 work session. Adjustments made during subsequent meetings will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 4, 2022.

Public Schools Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 6, 2022 work session. The School Board held a budget work session on April 28, 2022. Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 4, 2022.

County Executive Authority

The appropriation resolution authorizes the County Executive to do the following. In accordance with current practice, all of these transfers or distributions will be reported to the Board of Supervisors as part of the County's quarterly financial reports.

A) Transfer funding between specific Board approved FY 2023 non-departmental reserve accounts and the appropriate department accounts for expenditures. For FY 2023, these specific General Fund reserve accounts are:

- Business Process Optimization Reserve
- Climate Action Pool
- Pandemic Reserve
- Reserve for Contingencies
- Salary and Benefits Reserve
- Space Reserve

The specific Capital Fund reserve accounts are:

- Transportation Leveraging Program
- Advancing Strategic Priorities Reserve
- Economic Development Funding for Public-Private Partnerships

B) Administratively approve budget transfers of unencumbered funds for up to \$500,000 per fund in the fiscal year from one classification or project to another within the same fund:

- allocate the County-wide salary lapse budget between department budgets to appropriately reflect where salary lapse actually occurs.

C) Administratively approve the carry forward of outstanding grants and capital projects and programs from year to year.

D) Close out grant funds and capital projects, including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.

E) Administratively approve the carry forward of outstanding balances up to \$18,000,000 for estimated encumbered purchase orders.

5) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing: The Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing allows the County to use bond proceeds to reimburse the County for capital program expenditures.

6) Adoption of the FY 23 - 27 Capital Improvement Plan (CIP): All amounts in the executive summary and attachments reflect budget decisions made through April 6, 2022 work session. Adjustments made during subsequent meetings will be made within the attached resolution prior to adoption and reviewed as part of the staff presentation on May 4, 2022.

Adoption of the budget, tax rates, and related ordinances by the Board will establish the Fiscal Year 2023 Operating and Capital Budgets and Calendar Year 2022 tax rates and provide the authority from the Board to spend funds included in the budget. For the adoption of the Capital Improvement Plan, FY 24 - 27 will inform future long-range financial planning and are not requested for appropriation.

Staff recommends that the Board:

- 1) adopt the attached Resolution to Set Calendar Year 2022 Tax Rates (Attachment A);
- 2a) adopt the attached ordinance to amend the Food and Beverage Tax Ordinance (Attachment B);
- 2b) adopt the attached ordinance to amend the Transient Occupancy Tax Ordinance (Attachment C);
- 2c) adopt the attached ordinance to impose a Disposable Plastic Bag Tax (Attachment D);
- 3) adopt the attached FY 23 Budget Resolution approving the FY 23 Budget as recommended by the County

Executive and amended by the Board of Supervisors (Attachment E);

- 4) adopt the attached Annual Resolution of Appropriations (Attachment F);

- 5) adopt the attached Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing(Attachment G); and

- 6) adopt the FY 23 - 27 Capital Improvement Plan

If adjustments are desired today, changes will be made within the attached Resolutions prior to adoption.

Item No. 9.a. Adoption of the Resolution to Set Calendar Year 2022 Tax Rates

Mr. Andy Bowman, Chief of Budget, said he was joined by Nelsie Birch, Chief Financial Officer. He said as the Chair had said, today was a step of eight actions that were the final step in the Fiscal Year 23 budget development process. He said looking back at where they had been in this process, his comments would be brief and high-level, because they followed a series of seven budget work sessions that had been held, a series of public hearings, Board members themselves had held additional town halls and engagement, and even prior to the dates on this calendar, this Board had been providing direction on shaping this budget from October through December as part of the Five-Year Financial and other long-range planning processes.

Mr. Bowman said that brought them to the final steps today, which were eight actions to approve the ordinances and related resolutions for all of these things which were interrelated to both adopt the budget and appropriate the funding. He said he would walk through these one by one and would pause for Board questions and comments, and then they could take action on them one at a time. He said he would begin with the tax rate resolutions and ordinances. He said these included the Real Estate, Mobile Homes, and Public Service tax rate of \$0.854 was the Calendar Year 2022 rate that was the same as the proposed rate in Calendar Year 21. He said that would go into effect on January 1 on the bills that would be sent out in the coming weeks. He said for the Personal Property, Machinery and Tools taxes, the current rate was \$4.28 per \$100, and was proposed to be reduced to \$3.42 per \$100 assessed value and would also be effective January 1, 2022.

Mr. Bowman said much of that change was due to the unique situation they were in with the supply chain and used car prices. He said the Board held a public hearing on April 20 public hearings on the next three items. He said the first was the Food and Beverage Tax, which was now allowed to be increased under state law from 4% to 6%. He said that would be effective on July 1, 2022. He said the Transient Occupancy Tax would be increasing from 5% to 8% and was also effective July 1. He said finally the Disposable Plastic Bag Tax, which would be \$0.05 per each disposable bag, went into effect on January 1, 2023. He said there would be four actions related to tax rates. He said the very first one was a resolution, Attachment A, that would set the Real Estate and Personal Property Tax rates as shown on the slide. He asked if there were any questions from the Board.

Ms. Price said there were no questions in regards to item A.

Mr. Bowman asked the Board for an action on the item.

Ms. Price asked if any Supervisor would like to make a motion to adopt the Resolution to Set Calendar Year 2022 Tax Rates (Attachment A).

Ms. Mallek **moved** to adopt the Resolution. Ms. McKeel **seconded** the motion.

In further discussion, Ms. Mallek asked if they needed to read the rates or just refer to the attachment.

Ms. Hudson said it was whatever the Board's preference was.

Ms. Price said she would defer to Supervisor Mallek, who made the motion.

Ms. Mallek said she would read the rates as they had in the past: Real Estate, Mobile Homes, and Public Services, \$0.854 per \$100 assessed value. She said Personal Property, Machinery, and Tools, \$3.42 per \$100 assessed value. She said Food and Beverage Tax, 6%. She said Transient Occupancy Tax, 8%. She said Disposable Plastic Bag Tax was \$0.05 per plastic bag.

Ms. Price reminded Ms. Mallek that it was only the first one on A, and the others would come in on the resolutions they would do next.

Ms. McKeel repeated her second for the particular motion on the screen, Attachment A.

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 SET
CALENDAR YEAR 2022 TAX RATES**

BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, does hereby set the County Levy for Calendar Year 2022 for general County purposes at:

- (1) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of real estate;

- (2) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of manufactured homes;
- (3) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of public service property;
- (4) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of personal property;
- (5) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of business personal property that is not classified as machinery and tools, merchants' capital, or short-term rental property, with an original cost of less than Five Hundred Dollars (\$500.00); and
- (6) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of machinery and tools; and

BE IT FURTHER RESOLVED that the Board of Supervisors orders the Chief Financial Officer of Albemarle County to assess and collect County taxes on all taxable property, including all taxable real estate and all taxable personal property.

Item No. 9.b. Adoption of an Ordinance to Increase the Food and Beverage Tax Rate.

Mr. Bowman said the proposed budget was balanced on all of these tax rates, which is why they were asking them to be set first, because if there were to be a change in any of the rates, it would require subsequent discussion before changes were made to the budget, which was why they had broken these out.

Mr. Bowman said they grouped the Food and Beverage Tax, Transient Occupancy Tax, and Disposable Bag Tax here as they were all hearings that were led by their Assistant CFO for Policy and Partnerships, Jacob Sumner, on April 20, but they deferred the action on that until today so this decision could be made in the context of all the other budget decisions. He said staff recommended the Board adopt the ordinance to amend the Food and Beverage Tax (Attachment B).

Ms. Price asked if any Supervisors had questions about the Food and Beverage Tax. Hearing none, she said the floor was open if a Supervisor wanted to motion to adopt the ordinance to amend the Food and Beverage Tax ordinance (Attachment B).

Ms. McKeel **moved** to adopt the Ordinance to Increase the Food and Beverage Tax Rate as presented in Attachment B. Mr. Gallaway **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.

* * * * *

ORDINANCE NO. 22-15(3)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, TAXATION, ARTICLE 10, FOOD AND BEVERAGE TAX, 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 15, Taxation, Article 10, Food and Beverage Tax, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By amending:

Sec. 15-1001 Food and beverage tax imposed; amount.

Chapter 15. Taxation

Article 10. Food and Beverage Tax

Sec. 15-1001 Food and beverage tax imposed; amount.

A tax is hereby imposed on the purchaser of all food served, sold, or delivered for human consumption in the County in or from a restaurant, whether prepared in that restaurant or not, or prepared by a caterer, subject to the limitations and conditions of Virginia Code § 58.1-3833.

A. *Tax rate.* The rate of this tax is six percent of the amount paid for the food.

B. *Computation.* In computing this tax, any fraction of \$0.005 or more shall be treated as \$0.01.

C. *Applicability of Virginia Code § 58.1-3833 et seq.* Except as provided in this article, Article 7.1 of Chapter 38 of Title 58.1 of the Virginia Code (Virginia Code § 58.1-3833 et seq.) applies to this article.

(§ 8-76, 12-10-97; Code 1988, § 8-76; § 15-1201, Ord. 98-A(1), 8-5-98; § 15-1001, Ord. 19-15(1), 4-17-19; Ord 22-15(3), 5-4-22, effective 7-1-22)

State Law reference— Va. Code § 58.1-3833.

This ordinance is effective on an after July 1, 2022.

Item No. 9.c. Adoption of an Ordinance to Increase the Transient Occupancy Tax Rate.

Mr. Bowman said the next item for action was the proposed ordinance to amend the Transient Occupancy Tax (Attachment C).

Ms. Price asked if there were any questions from Supervisors. Hearing none, she asked if a Supervisor would like to make a motion.

Ms. LaPisto-Kirtley **moved** to adopt the Ordinance to amend the Transient Occupancy Tax as presented in Attachment C. 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.

* * * * *

ORDINANCE NO. 22-15(4)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, TAXATION, ARTICLE 9, TRANSIENT OCCUPANCY TAX, 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 15, Taxation, Article 9, Transient Occupancy Tax, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By amending:

Sec. 15-901 Transient occupancy tax imposed; amount.

Chapter 15. Taxation

Article 9. Transient Occupancy Tax

Sec. 901 Transient occupancy tax imposed; amount.

A transient occupancy tax is hereby imposed on the use or possession of all rooms or spaces in hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms for fewer than 30 consecutive days as follows:

A. *Tax rate.* The rate of this tax is eight percent of the amount charged for the use or possession.

B. *Applicability of Virginia Code §§ 58.1-3819 and 58.1-3826 to this article.* Except as otherwise provided in this article, Virginia Code §§ 58.1-3819 and 58.1-3826 apply to this article.

(11-28-73; 8-15-74; 4-13-88; 3-19-97; § 8-41; Code 1988, § 8-42, Ord. No. 98-8(2), 6-10-98; § 15-901, Ord. 98-A(1), 8-5-98; Ord. 08-15(1), 10-1-08; Ord. 17-15(1), adopted 6-14-17, effective 8-1-17; Ord. 19-15(1), 4-17-19; Ord. 21-15(5), 12-1-21; Ord 22-15(4), 5-4-22, effective 7-1-22)

State Law reference - Va. Code §§ 58.1-3819 , 58.1-3826 .

This ordinance is effective on an after July 1, 2022.

Item No. 9.d. Adoption of an Ordinance to Impose a Tax upon Disposable Plastic Bags Tax.

Mr. Bowman said item 2c was to impose a Disposable Plastic Bag Tax. He said the recommendation would be for the Board to adopt Attachment D.

Ms. Price asked if there were any questions. Hearing none, she said the floor was open if any Supervisor desired to make a motion.

Ms. McKeel **moved** to adopt the Ordinance to impose a Disposable Plastic Bag Tax as presented in Attachment D. 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.

ORDINANCE NO. 22-15(5)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, TAXATION, 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 15, Taxation, of the Code of the County of Albemarle, Virginia, is hereby amended as follows:

By adding:

Article 8.1 Disposable Plastic Bag Tax
Sec. 15-810 Disposable plastic bag tax imposed.
Sec. 15-811 Adoption of State law.

Chapter 15. Taxation

Article 8.1 Disposable Plastic Bag Tax

Sec. 15-810 - Disposable plastic bag tax imposed.

There is imposed a tax of \$0.05 for each disposable plastic bag provided, whether or not provided free of charge, to all consumers of tangible personal property by retailers in grocery stores, convenience stores, or drug stores.

(§ 15-810; Ord. 22-15(5), 5-4-22, effective 1-1-23)

State law reference(s)—Va. Code § 58.1-1745(A).

Sec. 15-811 – Adoption of state law.

Virginia Code Title 58.1, Chapter 17, Article 12 (Virginia Code § 58.1-1745 *et seq.*) is incorporated into this chapter by reference and made applicable to the County, *mutatis mutandis*.

All revenues accruing to the County from the tax imposed under this ordinance are appropriated to one or more of the following purposes: environmental cleanup, providing education programs designed to reduce environmental waste, mitigating pollution and litter, or providing reusable bags to recipients of Supplemental Nutrition Assistance Program (SNAP) or Women, Infants, and Children Program (WIC) benefits.

(§ 15-811; Ord. 22-15(5), 5-4-22, effective 1-1-23)

State law reference(s)—Va. Code § 58.1-1745 *et seq.*

This ordinance is effective on and after January 1, 2023.

Item No. 9.e. Adoption of the FY 23 Operating and Capital Budget.

Mr. Bowman said they had now completed half of the actions for the day. He said they would now move onto the budget resolutions. He said the current slide showed the FY23 Total All Funds Budget looked like. He said it totaled \$586 million. He said that was a number that was greater than what the Board had last seen, primarily in the school budget. He said he would talk through those changes. He said they were in a unique timing situation this year where they published their online materials a week ago today, the Board of Supervisors held a work session on the 27th and the School Board held one on the 28th. He said he would take a moment, as mentioned in the staff report, to discuss those changes and updated resolutions they had provided to the Board and the Clerk.

Mr. Bowman said first, to cover some of the budget-neutral changes that were in the staff report, these were items that were not increasing the budget but were taking money from one part of the budget and allocating it to another. He said the first three items on the slide reflected the reorganization of staff from one department to another. He said for the last three years, the Office of Equity and Inclusion had been the home of the position that served the Yancey Community Center operations, and that position was proposed to be reallocated to provide the same services under the structure of the Parks and Recreation Department. He said they also had a reorganization between their Community Development Department and the IT Department where there were changes in both directions related to Geographic Information Systems and Records Management Services, so this was reflective of that reorganization. He said again, they were similar services being structured differently.

Mr. Bowman said the fourth item on this slide was the allocation of the Business Process Optimization Reserve, which was a lot of the funding that supported the County's upgrades and modernization of its core systems. He said as part of the ease in communication and transparency of this, they wanted to, at the time of the recommended budget, share this amount in one total rather than to say it was small amounts of money in different places, but now that they were at the time where the Board had expressed comfort in that recommendation, they were allocating those costs to the departments to which those expenses would take place.

Mr. Bowman said the fifth item was an accounting and reporting change, where the Plastic Bag Tax was originally identified as part of the General Fund, but there were state restrictions that were very specific as to how that could be used, and it was more appropriate that they account for this as a Special Revenue Fund. He said finally, another accounting and reporting clarification was in the recommended budget, where they included two agencies who shared one fiscal agent, the Central Virginia Small Business Development Center and the Community Investment Collaborative as one line item, but based on their reporting standards, it would be appropriate to break those out as two programs that had one common fiscal agent. He said there was not a change in services, and those last three were about the reporting of the County inside.

Mr. Bowman said the next changes that were in addition to the staff report was first to recap the April 27th Board of Supervisors adjustments, which were reflected in the updated attachments provided to the Board and the Clerk. He said those items were that the Board approved from the American Rescue Plan Act reserve about \$698,410 to the Housing Fund, and \$1 million to the Boys and Girls Club for their Albemarle Campus Club project. He said the Board also supported additional funding for the Department of Social Services that would add additional positions and accelerate the start dates of some positions in the budget. He said in addition to the local funding that also increased the budget by about \$56,000 for state and federal revenues for their share of those positions.

Mr. Bowman said finally, in FY23 Capital Budget, there would be \$254,430 that would be moved from the Athletic Fields Capital Project to a placeholder for the strategic plan and comprehensive plan updates. He said the total amount of what was being moved from the fields and athletics was much greater than that, but those costs were in FY24 and beyond. He said that funding would remain in that placeholder until there was direction on how the Board would like to proceed with that, whether that would be in the FY24 process or sooner.

Mr. Bowman said he would take a moment to recap the April 28 School Board meeting. He thanked Maya Kumazawa, his counterpart with the schools, who was present and assisted with putting together these updates and changes. He said the School Fund had received an update, with two major changes summarized on the right-hand of the slide. He said the first was more accounting oriented and the school division had looked at some of how some of their federal programs were reported and determined it would be more appropriate to budget them as a Special Revenue Fund rather than the School Fund. He said the School Fund, due to that change, would decrease \$3.1 million. He said the School Fund was also receiving as part of all of their revenue updates that were restricted to education purposes would have an increase of \$1.8 million to be used for items such as fuel, utilities and other costs that School Division staff had been updating through the budget process.

Mr. Bowman said in the second line, the School Special Revenue Funds increased by \$18.6 million due to these restricted revenue updates. He said this was due primarily to the reclassification of federal funding, the \$3 million he mentioned, and even more significantly, there was \$12 million in ARPA funding that was related to ARPA and had restricted uses under ARPA. He said the School Division had identified a lot of funding they had received in the current fiscal year. He said just like the County, that funding was received up front, and the School Division had been monitoring to what would be spent in FY22 versus what would be deferred to FY23 based on the time of the programs.

Mr. Bowman said the third line item was an update that was not a change in dollars but a clarification that was a request to combine in the appropriations resolution the School Maintenance Replacement Program with the School Indoor Air Quality Capital Project. He said this change was to allow flexibility for managing existing systems. He said that were currently in the CIP for replacement while they were drawing down federal revenue to help offset those costs. He said this was to administratively assist staff who may be doing an HVAC project of which a portion was maintenance and replacement and a portion was the upgrade, happening concurrently, and to assist staff they simplified that they were being compliant and that was how they managed those maintenance costs together.

Mr. Bowman said the final item was about \$5 million that the School Board intended to send to the CIP to support to-be-determined capital projects. He said some of the funding came from what was initially identified in the draft budget request that was presented to the Board in March. He said, in that time, the public schools had identified in their FY22 budget management some funding that could be sent to the CIP based on their revenues and expenses to date. He said this continued the theme from the past several months where both the Board of Supervisors and the School Board had directed one-time funding to the CIP. He said this funding was to be determined after the School Board adoption of the state budget. He said the Board may recall that the current County budget included \$3.6 million of state funding that was currently in question with the impasse of the state budget.

Mr. Bowman said the Board of Supervisors previously asked the public schools what the fallback plan was if the state funding did not come through, and this plan was responsive to that direction. He said if the state kept that \$3.6 million intact in the budget, the School Board would propose using that \$5 million in one way, and if the \$3.6 million were to be removed from the state budget, the School Board would come back at a later date with an alternative proposal for how that would be used. He said this was a placeholder to signify the intent of the School Board knowing that this specific use would be identified later. He said with those updates to the staff report and where they were with the proposed budget, this brought them to the adoption of the FY23 Budget Resolution. He said staff recommended that the Board adopt the FY23 Operating and Capital Budget Resolution (Attachment E).

Mr. Andrews said Mr. Bowman discussed allocating some money to improving the maintenance

of athletic fields. He asked if now was an appropriate time to discuss this.

Mr. Richardson thanked Supervisor Andrews for bringing that up. He said this was an appropriate time to discuss with staff if Board members were looking for adjustments in the budget going into the next fiscal year. He said this was a topic that was considered a carry-over topic from the last time the Board met and discussed athletic fields. He said he knew of at least two Board members who would like to talk about it that day. He said they were prepared today to talk about what they knew now if the Board would like to explore enhanced field maintenance at the Darden Towe Park's four fields. He said they would try to answer any questions the Board had, and if it had budget implications and the Board was so inclined, they could talk about a process for how they would suggest moving through that as they moved into the next fiscal year.

Ms. Price asked Mr. Richardson if he could provide a brief overview.

Mr. Richardson said as they went into Fiscal Year 23 on July 1, if the Board were to show a majority or consensus today that they would like to explore increasing the quality of the fields at Darden Towe, their first step would be to get an expert in the turf management industry to make an assessment by looking at the current state and give advice on a nutrient management program that would have an ongoing annual cost associated to it. He said in other words, if they were trying to increase the quality of the fields, their suggestions as to how to do that would take close to a year for one process to go through that, and it would probably include taking the fields offline at some point in time later this year, probably in the fall, in order for the treatment and process to take hold.

Mr. Richardson said the consultant would walk them through that process and look at a field management program that would include all of the fields that were included in the umbrella of County government and come back to them with some precise cost estimates. He said that would be into Fiscal Year 23. He said at a minimum, if the Board were to say today that they were interested in exploring the field maintenance and quality of the fields at the Darden Towe property, their first step would be to get direction from the Board to bring a consultant on board. He said he would project that would cost around \$20,000, which was an initial estimate from their staff. He asked Mr. Bowman if the Board were inclined to do that, that they could do an appropriation in June.

Mr. Bowman said yes, they could do that.

Mr. Richardson said that appropriation in June could be made as an adjustment and would be one-time money. He said they would be very careful as this assessment was completed to make sure the Board understood what they were looking at in terms of one-time money and what they were looking at in terms of ongoing investment. He said by this time, they would be in Fiscal Year 23 and could report back to the Board. He said to Chair Price that that was a high-level first step if the Board was inclined to do that. He asked if Mr. Henry had anything to add to this discussion.

Mr. Trevor Henry, Assistant County Executive, said that the estimate would include, when referring to fields under the County's purview, an assessment and plan that would tie to the irrigated fields, the majority of which were on school property. He said it would come back with an assessment of Darden Towe fields and a plan to improve maintenance, along with those other fields on school properties, which would be done in collaboration with schools. He said their goal would be to be back so they could implement this starting in the fall. He said it would likely take two full seasons of resting to get them there.

Mr. Richardson said Ms. Birch reminded him that if the Board did give direction today for that appropriation to be made in June, they would recommend the Board take the \$20,000 from their Strategic Reserve.

Ms. Price asked Mr. Andrews if that answered his question.

Mr. Andrews said yes.

Ms. McKeel asked if they would have an opportunity to discuss this further.

Ms. Price said yes. She said they were currently asking questions about the proposal, and then would open the floor if an action was to be made.

Mr. Gallaway asked if they were asking for questions on the athletic field piece or the presentation or both.

Ms. Price said at this point, it was the presentation. She said if he had questions on the athletic field, as Mr. Richardson had brought up, that was fine as well, but they would then see whether there were any motions and further discussion among the Board about the athletic fields or other things.

Mr. Gallaway said he wanted to restate what he understood about the School Fund. He said on the graph, the \$1.3 million went to the fourth line where the School Fund was mentioned again.

Mr. Bowman said a distinction he should have added was on the fourth line was that the School Fund monies were one-time. He said the School Division was using some of their revenue that would come from their policy of reserved fund balance that would then be sent to the CIP.

Mr. Gallaway asked if the School Fund in the first row and the School Fund in the fourth row were one fund or two different funds.

Mr. Bowman said it was a difference of one-time funding and ongoing funding.

Mr. Gallaway said he had quickly forgotten the categories of the School Board budget. He said the School Special Revenue Funds on line two was where the \$3.1 million was going.

Mr. Bowman said that was correct.

Mr. Gallaway said he appreciated the answer that was provided about how if the state did not come through with the capital monies, they had a plan. He said that concluded his questions.

Ms. Price said at this point, the staff recommended the Board adopted, as presented, the FY23 Budget Resolution, approving the FY23 Budget as recommended by the County Executive and amended by the Board of Supervisors, Attachment E. She said this would be the time if a Supervisor had a proposal to amend what had been presented, which they would then discuss at this time.

Ms. McKeel clarified that Attachment E was what was already in their packet.

Ms. Price said it was what had already been presented.

Ms. McKeel **moved** to adopt the FY23 Operating and Capital Budget Resolution as presented in Attachment E. Mr. Gallaway **seconded** the motion.

Ms. Price asked if there was any discussion.

In further discussion, Ms. Mallek asked if supporting and adopting this budget, and if there were changes from a later discussion, that would be coming from this existing document they were about to adopt because they were not increasing the revenue.

Ms. Price said she was not quite sure.

Ms. Mallek said this vote was not an obstacle to a vote to something else they had already talked about. She said she assumed she could vote for the budget as proposed and then also support further inquiry into athletic fields.

Ms. Price said this was the time, if she wanted to make a change regarding the support for the athletic fields, to have that discussion.

Ms. Mallek asked if that would be before they voted.

Ms. Price said that was what they were discussing right now. She said they had a motion to adopt the budget as presented, and it had been seconded. She said the question now was if that were to be discussed, and if she wanted to argue against that, now was the time to do that so they could vote on that motion, or if it was withdrawn, vote on a revision to the budget.

Ms. Mallek asked if she could make an amendment.

Ms. Price said that would depend on what her amendment was.

Ms. Mallek said she would like to make an amendment to have the consultant process, as suggested by staff, to learn about what would be required for the improvement of the athletic fields.

Ms. Price clarified that that was not suggested by staff but was answered.

Ms. Mallek said it was presented by staff in response to their questions.

Ms. Price asked if there was further discussion on this.

Ms. McKeel said they needed a second to the amendment.

Ms. Price said it was a discussion right now. She said they had a motion on the table and had to decide on that first. She said there was an offer of an amendment.

Ms. McKeel asked if there was a second.

Ms. Price said the first and second had to agree to the amendment, otherwise, they had to vote on this motion and then they could do that. She said if that was her proposal and she was not satisfied with the motion that was being made, she could vote against the motion being made, and if that was the outcome, then they could propose that amendment. She said they could not amend what was being motioned without the original motion-maker and the second agreeing to that.

Ms. Hudson said that could be done.

Ms. Price said the motion could not be amended without her permission.

Ms. McKeel said they could.

Ms. Hudson said that was correct, except that Supervisor Mallek could move now to amend that motion, they would have to take that motion up if they got a proper second and actually have a vote. She said if that motion to amend was not approved, then they were back to the main motion as it was originally stated.

Ms. McKeel said she would have to get a second.

Ms. LaPisto-Kirtley said she had to have a second to her motion.

Ms. Price said she offered a friendly amendment and did not move an amendment.

Ms. Hudson said that was correct; she did not move.

Ms. Price said if Supervisor Mallek wanted to move to amend the previous motion, consistent with what was presented by staff, that would be her motion.

Ms. Mallek **moved** that the Board amend the previous motion. Mr. Andrews **seconded** the motion.

Ms. Price said the discussion was now about the motion to amend, which was to include in the budget, the funding as presented by County staff. She asked if there was any discussion.

Mr. Andrews said what they were moving to do was to put \$20,000 from the contingencies into this question of what could be done to improve the maintenance of this fields, and then they would have to –

Ms. Price asked if Supervisor Andrews supported it.

Mr. Andrews said yes, he supported this.

Ms. McKeel said no.

Ms. Price asked if she had any comment she had to make. She said they were not voting and were discussing it right now.

Ms. McKeel said she was happy to make a comment because it was the best time for comments.

Ms. Price said it was.

Ms. McKeel said their vision statement said, “To create unparalleled outdoor and recreational experiences” and their mission statement said, “a system of parks, trails, and recreational experiences while being stewards of the environment.” She said they had 13 parks with 3,255 acres and 14 parks including Biscuit Run with 4,445. She said in 2019, Albemarle County had nine organizations representing over 7,000 participants, adults and youth, who were requesting rectangular field space. She said it was evident in 2019 that Albemarle County not only lacked the available fields but lacked the ability to provide quality fields based on high usage. She said not surprisingly, in 2019, their professional Parks and Recreation staff brought forward a CIP request to replace four existing fields at Darden Towe with artificial turf and lighting.

Ms. McKeel said installation of artificial turf at Darden Towe gave that urban park feel space regardless of the weather conditions and supported the high usage. She said installation of grass fields at Biscuit Run could add capacity while maintaining a commitment to the Commonwealth. She said there were instances where the application of artificial turf made sense. She said it was never her first choice, but sometimes it could be the best option to achieve a goal. She said a grass athletic field was comparable to an artificial turf field in that both were constructed by humans and were artificial creations with environmental impacts. She asked why the buffaloes roamed. She said they roamed because they ate the grass and moved on to let the grass regrow.

Ms. McKeel said a natural grass athletic field that was overused did not provide a healthy ecosystem, nor did it meet their community’s functional requirement for recreation and athletic use. She said a mudhole was not an environmental success, nor was asking people to play in goose poop an environmental success. She said the needed irrigation system often proved to be a waste of potable water in communities that resisted the use of pesticides and herbicides. She said if they were watching right now that much of their country in the west was struggling with water. She said people were being told to cut their water usage in the west by 30%. She said that could be them on a dime. She said they were already experiencing a lack of groundwater. She said she was very worried about what their wells would look like over the next year or two. She said she would not throw hard-earned taxpayer dollars at a plan that would absolutely not work.

Ms. Mallek said the vision and mission which were read could very well be carried out using natural grass fields and would be healthier and safer for their children and adults who played on them as well as for the environment. She said she would not be in favor of using any potable water to irrigate fields, and there were other water sources such as lakes that could be used. She said she did support

the modification to the budget.

Ms. LaPisto-Kirtley said she was not quite sure how to react, because this Board was already on a split 3:3 regarding natural grass or turf fields, so that was no longer the issue. She said the issue now was whether or not to improve what was at Darden Towe and some of their other athletic fields. She said the issue now was whether they spent \$20,000 to look at not only Darden Towe but other fields they had to see how they could improve those for their children. She said to rehash what they had already done seemed punitive and she did not want to make this a punitive type of thing. She said she wanted to improve what they currently did have, and that did not mean that they did not look for additional park space in the future, perhaps with turf, and the issue was whether or not this was the right sports venue. She said maybe they should look for a better sports venue in the County. She said Darden Towe was not it.

Ms. LaPisto-Kirtley said as she said, they had already discussed this issue and it was whether or not they improved what they already had for their children to play on. She asked if they abandoned their children and let them play on fields that were not up to what they should be, or if they should spend some money and look at how they could improve those fields. She said also with Darden Towe, they could hopefully get additional funding with Charlottesville to improve those fields to a certain level so that children could play on those fields, and additionally look at the other fields they had. She said she believed they needed to look at all their fields in the County, turf and otherwise, to make sure that everything was at a certain level, and they only did that by examining what they had. She said there was an urgency in some areas, Darden Towe in particular, where they needed to improve their fields for the quality of playing for their children.

Mr. Gallaway said the current state and quality of the fields showed they abandoned these kids and their activities long ago. He asked Mr. Henry what the consultant study achieved that they did not already know.

Mr. Henry thanked Supervisor Gallaway. He asked Mr. Crickenberger to be available for specific questions. He said this was a direct field assessment. He said the work they had done in the past had been at a programmatic level, considerations of synthetic turf versus grass. He said part of the Kimley-Horn and Associates' scope was not to go on field by field and do that level of assessment, and he believed what would come out of this would be different input based on different fields, because they were not all the same or in the same shape. He said what it gave them was a detailed plan of execution, a nutrient plan, things like aeration, lime, fertilizer, a seeding schedule, weed and pest control, a mowing schedule, a watering schedule, which would be needed, and a rotation schedule. He said those would be some of the outcomes of that, and the costs to implement that would likely need to be outsourced to complete some of that work and would manage what they could within their staffing.

Mr. Gallaway said with the options that were before them already, this would be saying that they were not doing either of those, but this was how they would go about approving that. He said they did not know what the costs were. He said what the consultant may find did not sound cheap to him.

Mr. Henry said they had a local field turf management company come to Darden Towe and give them what he would call a gut-check estimate on what that would take. He said he was hesitant to throw out any numbers because it required more study.

Mr. Gallaway said that would take them down a rabbit hole.

Mr. Henry said he could give what they provided as an order of magnitude, but it was not a number he would want to budget today or lock in.

Mr. Gallaway said in any case, once they do it, they would have to start resting fields as part of the plan, which was theorized in the maintenance plan he had in front of them a week ago, and in any case, they had a field deficiency and a lower capacity moving forward no matter what they did.

Mr. Henry said that was correct.

Mr. Gallaway said if they stayed as they were and did not put any money into it, they had poor quality fields that continued to deteriorate and did not have field capacity. He said if they threw money at it, they took fields out of rotation and started to rest them, they were paying to have lower capacity. He said they might get better quality but did not know that yet, and it could take years to get that better quality if he was guessing. He said Mr. Henry already said it would be a year for the consultant study.

Mr. Henry said no, he did not say that. He said they would look at it in multiple parts. He said their focus initially would be an assessment on Darden Towe so they could get a report out and bring it back to the Board. He said that would hopefully be more immediately actionable. He said they would like to do it fall-to-fall. He said starting this fall, it would rest through the spring and perhaps summer of next year depending on the state.

Mr. Gallaway asked if these were their best quality fields. He said that had been stated in an earlier meeting.

Mr. Henry said Mr. Crickenberger had stated that, and he would defer to him on that assessment.

Mr. Gallaway said if they rested these fields, they were turning the play to much poorer quality

fields.

Mr. Henry said the options that the leagues would have to do would be either in the remaining fields, fields they controlled, or other alternatives they could look at.

Mr. Gallaway said if he had water damage in his house, he would not just paint over it. He said they had to go to the structure and fix the issue and the problem. He said they had in front of them an option that would fix their system of fields, increase capacity, and increase quality everywhere for the current and future fields to be established. He said to try to break this down now and say that they were seeing if they were investing money into Darden Towe to improve it, he would not throw money at something that he did not think was the structural fix. He said when he joined this Board, part of the conversation was about how they made decisions about how the money got programmed.

Mr. Gallaway said he and others had mentioned that there were a lot of short-sighted decisions made around the Greer expansion when Greer was put into place. He said they were well-intentioned but were short-sighted by throwing money at something by doing half of what they should have done. He said they had been paying for that ever since in the urban ring elementary school seat capacity. He said this was no different. He asked why he would spend money on something that did not fix what he thought the bigger issue was. He said they had a complete system of fields and the entire system was broken. He said the only place it seemed to work effectively was on their high school sites because they had a synthetic turf field in operation with a system of grass fields that they could play on. He said if that did not tell them that that was not a wise investment, he did not know

Mr. Gallaway said he was not supporting throwing bad money at something that was just trying to make them look good because they could not come to a decision that he thought was right for the whole system. He said he thought that was insulting to do to people. He said they would maybe improve the quality of this particular place, but they had solutions on the table that could fix the entire system around the whole County. He thought that was what their taxpayers deserved, and that was where he stood on it. He said again that he did not support throwing money at something that he thought was a “look-good” effort that would not get at resolving the real issue.

Ms. Price said it was interesting that the most contentious and controversial issue this Board had faced in the two-and-a-half years she had been on it had been whether or not to put artificial turf on four fields in one park. She said to her, the proposed motion, which she did not support, was simply putting a band-aid on a gaping wound. She said she concurred with Supervisors McKeel and Gallaway and would not repeat their comments but adopted them as her own. She said this was a proposal to spend pennies when dollars were necessary, and she was not willing to accept this and move on as if they did something actually positive when they had an opportunity as Supervisor Gallaway said to actually fix the system. She said she simply could not do that and called foul on that proposal. She said they were simply kicking the can down the road.

Ms. Price said it had been years that they had known that their fields were inadequate and that they needed to do something like this. She said the other thing this did was shift a lot of money out of the CIP and into the Operating Budget. She said that was their opportunity with the CIP. She said it was four fields, out of 13 parks, and thousands of acres. She said yes, she did not turn to artificial turf first, but she thought that was the one solution that could have fixed the entire system. She said there definitely was an environmental impact, and everything they did in life had an environmental impact. She said she would not say to the children, youth, and adults in this County who wanted to play on adequate fields that she was willing to spend a few pennies when dollars were necessary. She said she did not support the motion for the amendment. She asked the Clerk to call the roll.

Ms. McKeel said she wanted to make clear she was voting “no” on the amendment.

Ms. Price said that was correct.

Roll was called and the motion failed by the following recorded vote:

AYES: Mr. Andrews, Ms. LaPisto-Kirtley, Ms. Mallek.

NAYS: Ms. McKeel, Mr. Gallaway, and Ms. Price.

Ms. Price stated that the original motion **moved** by Supervisor McKeel and **seconded** by Supervisor Gallaway to adopt the FY23 Operating and Capital Budget Resolution was still on the floor.

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.

* * * * *

FY 2023 BUDGET RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia:

- 1) That the budget for the County for the Fiscal Year beginning July 1, 2022 is made up of the County Executive’s Recommended Budget document and the amendments made by the Board of Supervisors.

2) That the budget for the County for the Fiscal Year beginning July 1, 2022 is summarized as follows:

General Fund	\$368,228,838
Less Transfers to Other Funds	(210,560,135)
Net General Government— General Fund	\$157,668,703
School Fund	\$242,041,753
Less Transfer to Other Funds	(7,036,792)
Net School Division— School Fund	\$235,004,961
School Special Revenue Funds	\$20,842,976
Less Transfer to Other Funds	(27,475)
Net School Division— Special Revenue Funds	\$20,815,501
County Government— Other Funds	\$53,506,562
Less Transfer to Other Funds	(18,084,644)
Net County Government— Other Funds	\$35,421,918
Capital Projects Funds	
County Government CIP Fund (net of transfer to School CIP Fund)	\$42,599,811
School Projects CIP Fund	50,026,941
Total Capital Projects Funds	\$92,626,752
Less Transfer to Other Funds	(39,600)
Net Capital Projects Funds	\$ 92,587,152
Debt Service Funds	
County Government Debt Service Fund	\$7,362,278
School Debt Service Fund	16,276,669
Total Debt Service Funds	\$23,638,947
TOTAL COUNTY BUDGET	\$565,137,182

3) That the budget for the County for the Fiscal Year beginning July 1, 2022 as described in 1) and 2) above is approved.

Item No. 9.f. Adoption of the Annual Resolution of Appropriations.

Mr. Bowman said the next action requested was to appropriate the FY23 Budget that the Board had just adopted. He said the budget itself was just a plan, the Appropriations Resolution provided the legal authority to spend funding. He said he would not go through the resolution in detail, but like in past years, the resolution authorized the County Executive to reallocate funding in very specific situations in the resolution. He said for transparency purposes, whenever that was used, they would report to the Board in their quarterly financial reports.

Mr. Bowman said this delegative authority was intended for items that were more administrative or reported in nature. He said if there was ever an item that was policy based, that would instead be brought to the Board as a supplemental appropriation request. He said as part of that authority, and administrative authority change this year would authorize up to \$18 million to be reappropriated as part of this initial resolution for encumbered purchase orders.

Mr. Bowman said an example of how this would work was that the County may have a contract in place to pay for replacement police vehicles that were funded in the current Fiscal Year 22. He said if, due to supply chain issues, those vehicles arrived in FY23, the expense appeared in FY23 and they needed to move the budget from FY22 to FY23. He said what they were proposing was allowing this authority up to that \$18 million amount now to allow them to administratively move more efficiently from one year to the next in order for the County to meet its contractual obligations and to be able to track these changes in their financial systems.

Mr. Bowman said they did this because when their staff, whatever their title may be in the organization, had the information in the financial system faster, that allowed them to move forward and manage their budget with more confidence, and to continue to implement and manage all the programs and services that they did. He said that was the rationale for the change. He said he would pause for Board questions, discussion, and approval of Attachment F, the FY23 Annual Resolution of Appropriations.

Ms. Price asked if there were any questions. Hearing none, she asked if a Supervisor desired to make a motion.

Ms. McKeel **moved** to adopt the FY23 Annual Resolution of Appropriations. 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.

* * * * *

ANNUAL RESOLUTION OF APPROPRIATIONS
OF THE COUNTY OF ALBEMARLE
FOR THE FISCAL YEAR ENDING June 30, 2023

A RESOLUTION making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 2023; to prescribe the provisions with respect to the items of appropriation and their payment; and to repeal all previous appropriation ordinances or resolutions that are inconsistent with this resolution to the extent of such inconsistency.

BE IT RESOLVED by the Albemarle County Board of Supervisors:

SECTION I - COUNTY GOVERNMENT

That the following sums of money be and the same hereby are appropriated from the GENERAL FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2023:

Paragraph One: ADMINISTRATION

Board of Supervisors	\$698,917
Executive Leadership	\$5,941,629
Human Resources	\$1,837,928
County Attorney	\$1,536,566
Finance & Budget	\$8,178,898
Information Technology	\$7,080,411
Voter Registration and Elections	\$1,101,409
	\$26,375,658

Paragraph Two: JUDICIAL

Clerk of the Circuit Court	\$1,147,800
Commonwealth's Attorney	\$1,952,405
Sheriff	\$3,380,457
Circuit Court	\$202,983
General District Court	\$38,400
Magistrate	\$5,225
Juvenile Court	\$142,937
Public Defender's Office	\$93,010
	\$6,963,217

Paragraph Three: PUBLIC SAFETY

Police Department	\$23,139,431
Fire Rescue Department (including City Fire Contract, System-wide Fleet Mgmt., Forest Fire Extinction, and Volunteer Tax Credit)	\$19,693,623
Crozet Volunteer Fire Department	\$206,286
Earlsville Volunteer Fire Company	\$163,376
East Rivanna Volunteer Fire Company	\$219,899
North Garden Volunteer Fire Company	\$115,658
Scottsville Volunteer Fire Department	\$171,446
Seminole Trail Volunteer Fire Department	\$417,560
Stony Point Volunteer Fire Company	\$157,495
Western Albemarle Rescue Squad (WARS) (including Contingency: WARS MOU)	\$473,978
Emergency Communications Center	\$3,294,904
Albemarle Charlottesville Regional Jail	\$4,132,405
Blue Ridge Juvenile Detention Center	\$538,496
Charlottesville Albemarle SPCA	\$702,122
Virginia Juvenile Community Crime Control Act (VJCCCA)	\$52,231
	\$53,478,910

Paragraph Four: PUBLIC WORKS

Facilities and Environmental Services	\$5,857,189
Rivanna Solid Waste Authority (RSWA)	\$2,119,965
Thomas Jefferson Soil and Water Conservation	\$134,128
Rivanna Conservation Alliance - Streamwatch	\$15,000
	\$8,126,282

Paragraph Five: HEALTH AND WELFARE

Department of Social Services	\$20,489,616
Albemarle Housing Improvement Program (AHIP)	\$428,480
Boys & Girls Club	\$57,680
Charlottesville Free Clinic	\$116,699
Charlottesville/Albemarle Health Department	\$846,659
Child Health Partnership	\$329,456
Computers4Kids	\$14,761
Foothills Child Advocacy Center	\$44,791
The Fountain Fund	\$17,500
Georgia's Friends	\$25,000
Jefferson Area Board for Aging (JABA)	\$377,985
Legal Aid Justice Center	\$41,012
Light House Studio	\$16,642
Literacy Volunteers	\$27,900
Local Food Hub	\$10,000

Meals on Wheels	\$10,400
Monticello Area Community Action Agency (MACAA)	\$46,280
Offender Aid and Restoration (OAR)	\$227,770
On Our Own	\$9,884
PACEM	\$946
Partner for Mental Health	\$15,000
Piedmont Court Appointed Special Advocates	\$9,880
Piedmont Family YMCA	\$10,400
Piedmont Housing Alliance (PHA)	\$63,187
ReadyKids	\$74,610
Region Ten	\$826,760
Sexual Assault Resource Agency (SARA)	\$21,855
Shelter for Help in Emergency (SHE)	\$97,181
The Bridge Line	\$28,051
The Haven	\$16,446
Thomas Jefferson Area Coalition for the Homeless (TJACH)	\$10,000
United Way	\$174,497
Women's Initiative	\$15,447
	\$24,502,775
Paragraph Six: EDUCATION	
Piedmont Virginia Community College	\$24,757
Paragraph Seven: PARKS, RECREATION AND CULTURE	
Parks & Recreation	\$3,987,990
Charlottesville/Albemarle Convention and Visitor's Bureau	\$605,771
Charlottesville Ballet	\$2,500
Charlottesville Band	\$8,000
Jefferson-Madison Regional Library	\$4,966,782
Lighthouse Studio/Vinegar Hill Theater	\$2,500
Live Arts	\$5,000
Music Resource Center	\$2,500
Paramount Theater	\$5,000
New City Arts Initiative	\$2,500
Virginia Discovery Museum	\$5,000
Virginia Festival of the Book	\$12,500
Virginia Film Festival	\$12,500
	\$9,618,543
Paragraph Eight: COMMUNITY DEVELOPMENT	
Department of Community Development	\$8,261,955
Office of Economic Development	\$665,597
Central Virginia Partnership for Economic Development	\$55,272
Central Virginia Small Business Development Center (CVSBDC)	\$36,000
Community Investment Collaborative	\$25,000
Virginia Career Works - Piedmont Region	\$16,623
Central Shenandoah Planning District Commission	\$5,546
Charlottesville Area Transit	\$1,000,000
Jaunt	\$2,309,213
Regional Transit Partnership	\$55,000
Microtransit Reserve	\$275,000
Thomas Jefferson Planning District Commission	\$156,222
Virginia Cooperative Extension Service	\$225,653
	\$13,087,081
Paragraph Nine: REVENUE SHARING AGREEMENT	
Revenue Sharing Agreement	\$15,545,227
Paragraph Ten: TAX REFUNDS, ABATEMENTS, & OTHER REFUNDS:	
Refunds, Abatements, and Tax Relief	\$1,520,000
Paragraph Eleven: OTHER USES OF FUNDS	
Transfer to School Operations	\$167,453,853
Formula Transfer to Capital Projects and Debt Service Funds	\$35,820,668
Transfer to Water Resources Fund	\$1,668,176
Transfer to Economic Development Authority Fund	\$315,000
Space Reserve	\$558,000
Reserve for Contingencies	\$565,521
Salary and Benefits Reserve	\$1,650,000
Business Process Optimization Reserve	\$200,000
Early Retirement	\$810,920
	\$209,042,138
Total GENERAL FUND appropriations for the fiscal year ending June 30, 2023:	\$368,284,588

To be provided as follows:

Revenue from Local Sources	\$324,391,999
Revenue from the Commonwealth	\$28,801,879
Revenue from the Federal Government	\$8,266,645
Transfers In from Other Funds	\$3,604,144
Use of Fund Balance	\$3,219,921

Total GENERAL FUND resources available for fiscal year ending June 30, 2023: \$368,284,588

SECTION II: GENERAL FUND SCHOOL RESERVE FUND

That the following sums of money be and the same hereby are appropriated for GENERAL FUND SCHOOL RESERVE FUND purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: GENERAL FUND SCHOOL RESERVE FUND

Transfer to the School Fund	\$9,810,950
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Total GENERAL FUND SCHOOL RESERVE FUND appropriations for fiscal year ending June 30, 2023: \$9,810,950

To be provided as follows:

Use of Fund Balance	\$9,810,950
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Total GENERAL FUND SCHOOL RESERVE FUND resources available for fiscal year ending June 30, 2023: \$9,810,950

SECTION III: REGULAR SCHOOL FUND

That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: REGULAR SCHOOL FUND

School Fund Expenditures	\$246,458,034
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Total REGULAR SCHOOL FUND appropriations for fiscal year ending June 30, 2023: \$246,458,034

To be provided as follows:

Revenue from Local Sources (General Fund Transfer)	\$167,453,853
Revenue from Other Local Sources	\$1,462,390
Revenue from the Commonwealth	\$67,085,366
Revenue from the Federal Government	\$618,000
Transfers	\$27,475
Transfer from General Fund School Reserve Fund	\$9,810,950

Total REGULAR SCHOOL FUND resources available for fiscal year ending June 30, 2023: \$246,458,034

SECTION IV: OTHER SCHOOL FUNDS

That the following sums of money be and the same hereby are appropriated for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: OTHER SCHOOL FUNDS

Other School Funds	\$39,424,421
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Total OTHER SCHOOL FUND appropriations for fiscal year ending June 30, 2023: \$39,424,421

To be provided as follows:

Revenue from Local Sources	\$7,392,587
Revenue from the Commonwealth	\$3,025,326
Revenue from the Federal Government	\$22,356,163
Transfers	\$6,010,752
Use of Fund Balance	\$639,593

Total OTHER SCHOOL FUND resources available for fiscal year ending June 30, 2023: \$39,424,421

SECTION V: OTHER COUNTY GOVERNMENT FUNDS

That the following sums of money be and the same hereby are appropriated for OTHER PROGRAM purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: OTHER COUNTY GOVERNMENT FUNDS

American Rescue Plan Act (ARPA)	\$12,158,944
American Rescue Plan Act (ARPA) Reserve	\$10,000,000
Computer Maintenance and Replacement	\$712,450
Commonwealth's Attorney Delinquent Fines and Fees	\$60,000
Victim-Witness Grant	\$232,009
Regional Firearms Training Center - Operations	\$217,648
Regional Firearms Training Center - Capital	\$90,000
Criminal Justice Grant	\$731,081
Water Resources	\$1,668,176
Courthouse Maintenance	\$32,019
Old Crozet School Operations	\$93,523
Plastic Bag Tax Fund	\$20,000
Vehicle Replacement	\$1,535,955
Children's Services Act	\$11,339,875
Martha Jefferson Health Grant	\$4,000
Housing Assistance Fund	\$4,237,155
Housing Fund	\$783,209
CACVB Fund	\$1,728,863
Darden Towe Memorial Park	\$371,134
Tourism	\$1,693,440
Economic Development Authority	\$612,461
Economic Development Fund	\$1,793,030
Total OTHER COUNTY GOVERNMENT FUNDS appropriations for fiscal year ending June 30, 2023:	<u>\$50,114,972</u>

To be provided as follows:

Revenue from Local Sources	\$3,013,693
Revenue from the Commonwealth	\$7,638,722
Revenue from the Federal Government	\$16,488,477
Transfers In from Other Funds	\$20,619,251
Use of Fund Balance	\$2,354,829
Total OTHER COUNTY GOVERNMENT FUNDS resources available for fiscal year ending June 30, 2023:	<u>\$50,114,972</u>

SECTION VI - COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2023:

Paragraph One: ADMINISTRATION

County Server Infrastructure Upgrade	\$520,000
Core Systems Modernization	<u>\$5,950,000</u>
	\$6,470,000

Paragraph Two: JUDICIAL

Court Facilities Addition/Renovation	\$18,500,000
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Paragraph Three: PUBLIC SAFETY

Fire Rescue Apparatus Replacement Program	\$2,913,225
Police County 800Mhz Radio Replacements	\$1,600,000
Police Mobile Data Computers Replacement	\$87,500
Police Patrol Video Cameras Replacement	<u>\$150,000</u>
	\$4,750,725

Paragraph Four: PUBLIC WORKS

County Government Maintenance Programs	\$1,967,000
Street Sweeper Purchase	\$385,000
Ivy Landfill Remediation	\$640,000
Moore's Creek Septage Receiving Station	\$109,441
NIFI-The Square	\$500,000
Southern Convenience Center Development	\$520,000
Regional Firearms Training Center Capital Reserve - County Share	<u>\$39,600</u>
	\$4,161,041

Paragraph Five: PARKS, RECREATION & CULTURE

Biscuit Run	\$2,748,310
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Paragraph Six: COMMUNITY DEVELOPMENT

Transportation Leveraging Program	\$2,105,765
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Paragraph Seven: OTHER USES OF FUNDS

Cost of Issuance	\$1,263,770
Placeholder - Strategic Plan & Comprehensive Plan Update	\$254,430
Project Management and Administrative Services	\$1,981,751
Borrowed Proceeds Transfer	<u>\$40,280,950</u>
	\$43,780,901
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2023:	<u>\$82,516,742</u>
To be provided as follows:	
Revenue from Local Sources (General Fund Transfer)	\$11,152,370
Revenue from Local Sources (Other Transfers)	\$532,019
Revenue from Other Local Sources (including proffers)	\$1,427,585
Borrowed Funds	\$63,454,768
Use of Fund Balance	<u>\$5,950,000</u>
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2023:	<u>\$82,516,742</u>

SECTION VII: PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: EDUCATION (PUBLIC SCHOOLS)

School Capacity #1 - High School Capacity and Improvements - Center II	\$32,500,000
Mountain View Elementary Expansion and Site Improvements	\$2,190,950
Project Management Services	\$364,019
School Projects Holding Account	\$5,024,579
School Bus Replacement	\$1,500,000
School Maintenance/Replacement	\$10,581,000
School Renovations	\$1,404,991
School Network Infrastructure	\$1,850,000
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2023:	<u>\$55,415,539</u>
To be provided as follows:	
Revenue from Local Sources (County Govt Capital Programs Transfer)	\$40,280,950
Revenue from Local Sources (General Fund Transfer)	\$1,636,247
Revenue from Local Sources (School Fund Transfer)	\$5,024,579
Revenue from Other Local Sources	\$135,000
Revenue from the Commonwealth	\$3,865,941
Revenue from the Federal Government	\$1,567,762
Use of Fund Balance	<u>\$2,905,060</u>
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2023:	<u>\$55,415,539</u>

SECTION VIII: DEBT SERVICE

That the following sums of money be and the same hereby are appropriated for the function of DEBT SERVICE to be apportioned as follows from the COUNTY GOVERNMENT DEBT SERVICE FUND and the PUBLIC SCHOOLS DEBT SERVICE FUND for the fiscal year ending June 30, 2023:

Paragraph One: PUBLIC SCHOOLS DEBT SERVICE FUND

Debt Service - Public Schools	<u>\$16,276,669</u>
Total PUBLIC SCHOOLS DEBT SERVICE appropriations for fiscal year ending June 30, 2023:	\$16,276,669
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$15,867,171
Revenue from the Commonwealth	\$330,108
Revenue from the Federal Government	<u>\$79,390</u>
Total PUBLIC SCHOOLS DEBT SERVICE resources available for fiscal year ending June 30, 2023:	\$16,276,669

Paragraph Two: COUNTY GOVERNMENT DEBT SERVICE FUND

Debt Service - County Government	<u>\$7,362,278</u>
Total COUNTY GOVERNMENT DEBT SERVICE appropriations for fiscal year ending June 30, 2023:	\$7,362,278

To be provided as follows:		
	Revenue from Local Sources (Transfer from General Fund)	\$7,164,879
	Revenue from Local Sources (Transfer from Stormwater Fund)	<u>\$197,399</u>
Total COUNTY GOVERNMENT DEBT SERVICE resources available for fiscal year ending June 30, 2023:		\$7,362,278
GRAND TOTAL - DEBT SERVICE FUNDS		<u><u>\$23,638,947</u></u>
TOTAL APPROPRIATIONS INCLUDED IN SECTIONS I - VIII OF THIS RESOLUTION FOR THE FISCAL YEAR ENDING June 30, 2023		
RECAPITULATION:		
Appropriations:		
Section I	General Fund	\$368,284,588
Section II	General Fund School Reserve Fund	\$9,810,950
Section III	School Fund	\$246,458,034
Section IV	Other School Funds	\$39,424,421
Section V	Other County Government Funds	\$50,114,972
Section VI	County Government Capital Improvements Fund	\$82,516,742
Section VII	Public Schools Capital Improvements Fund	\$55,415,539
Section VIII	Debt Service	<u>\$23,638,947</u>
		\$875,664,193
Less Inter-Fund Transfers		(\$289,382,185)
GRAND TOTAL - ALBEMARLE COUNTY APPROPRIATIONS		<u><u>\$586,282,008</u></u>

SECTION IX: EMERGENCY COMMUNICATIONS CENTER

That the following sums of money be and the same hereby are appropriated from the EMERGENCY COMMUNICATIONS CENTER FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2023:

Paragraph One: EMERGENCY COMMUNICATIONS CENTER FUND		
	Emergency Communications Center	<u>\$8,066,354</u>
Total EMERGENCY COMMUNICATIONS CENTER FUND appropriations for fiscal year ending June 30, 2023:		\$8,066,354
To be provided as follows:		
	Albemarle County	\$3,294,904
	City of Charlottesville	\$1,925,616
	University of Virginia	\$1,882,789
	Revenue from Other Local Sources	\$259,257
	Revenue from the Commonwealth	\$699,795
	Revenue from the Federal Government	\$3,993
Total EMERGENCY COMMUNICATIONS CENTER FUND resources available for fiscal year ending June 30, 2023:		\$8,066,354

SECTION X

All of the monies appropriated as shown by the contained items in Sections I through IX are appropriated upon the provisos, terms, conditions, and provisions herein before set forth in connection with said terms and those set forth in this section. The Chief Financial Officer and Clerk to the Board of Supervisors are hereby designated as authorized signatories for all bank accounts.

Paragraph One

Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional, and proportionate appropriations - the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full.

Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said fiscal year by the Board of Supervisors.

Paragraph Two

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

Paragraph Three

No obligations for goods, materials, supplies, equipment, or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for items exempted by the Albemarle County Purchasing Manual shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual, the County Attorney, and the Purchasing Agent or Chief Financial Officer. The Purchasing Agent shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency, or individual.

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

Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County

Purchasing Manual shall not be considered obligations of the County, and the Chief Financial Officer shall not
issue any warrants in payment of such obligations.

Paragraph Four

Allowances out of any of the appropriations made in this resolution by any or all County departments, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the rate established by the County Executive for its employees and shall be subject to change from time to time.

Paragraph Five

All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Chief Financial Officer.

Paragraph Six

Any funds appropriated herein to recipients who are not directly governed by the Board of Supervisors ("External Recipients") may be used only for the exclusive and singular purpose for which the funds are appropriated, subject to any additional conditions as stated in the Approved Budget, County policies, County agreement with the External Recipient, or as otherwise required or proscribed by law or ordinance. External Recipients have an affirmative fiscal duty to account for the appropriate and most responsible use of the funds and, as an express condition of the appropriation and in addition to other reporting requirements, must provide an accounting upon request by the County within 30 days in a form determined by the Department of Finance and Budget. External Recipients must be able to at all times account for any County funds appropriated to them separate from donations from any other source. Failure to adhere to these conditions or to the purposes for which the appropriations are made may, among other remedies, affect future appropriations. The Department of Finance and Budget is authorized to withhold transfers of appropriated funds to any External Recipient until any pending requests for reporting and accounting have been met to the County's satisfaction. If any funds allocated to an External Recipient remains unused at the end of FY 23, the unspent balance must be returned to the County unless a County agreement with the External Recipient, an agreement to which the County is a party pertaining to the funding terms of the External Recipient, or the applicable law, provides otherwise. These foregoing conditions shall be deemed incorporated into any agreement with an External Recipient executed after May 4, 2022.

Paragraph Seven

The County Executive is authorized to:

- 1) administratively approve budget transfers of unencumbered funds of up to \$500,000.00 per fund in the fiscal year from one classification, department, or project to another within the same fund;
- 2) allocate funding between the below identified classifications and the appropriate budget line-items for expenditure:

Expenditure Classifications Eligible for Transfer Under this Resolution:

General Fund

- Business Process Optimization Reserve
- Climate Action Pool
- Pandemic Reserve
- Reserve for Contingencies
- Salary and Benefits Reserve
- Space Reserve

Capital Funds

- Advancing Strategic Priorities Reserve in CIP
- Economic Development Funding for Public-Private Partnerships (P3s)
- Transportation Leveraging Fund

- 3) allocate salary lapse between department budgets;
- 4) administratively approve the carry forward of outstanding grants and capital projects and programs from year to year;
- 5) close out Capital projects and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance;
- 6) close out grant funds; including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.
- 7) administratively approve the carry forward of outstanding balances up to \$18,000,000 for estimated encumbered purchase orders.

Paragraph Eight

The Chief Financial Officer is hereby authorized to transfer monies from one fund to another, from time to time as monies become available, sums equal to, but not in excess of, for the appropriations made to these funds for the period covered by this resolution of appropriations.

Paragraph Nine

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

Paragraph Ten

This resolution shall become effective on July 1, 2022.

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Item No. 9.g. Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing.

Mr. Bowman said the next resolution always accompanied the Annual Resolution of Appropriations. He said this was simply to authorize the County to issue bond proceeds for projects that were included in the FY23 budget at the time when they were issued. He said staff recommended the Board approve Attachment G.

Ms. Price asked if there were any questions. Hearing none, she said the floor was open for a motion.

Ms. Mallek **moved** to adopt the Resolution of Official Intent to Reimburse the Expenditures with Proceeds of a Borrowing. 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 OF OFFICIAL INTENT TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING**

WHEREAS, the Board of Supervisors of Albemarle County, Virginia (the “Borrower”) has or intends to acquire, construct and equip various capital improvement projects described in the Borrower’s Capital Improvement Program (as it may be amended from time to time), including but not limited to projects undertaken for the following governmental and public purpose categories: (a) County administration, (b) judicial, (c) parks, recreation and cultural, (d) community development, (e) public safety, (f) public works, (g) schools, (h) transportation, (i) water resources and (j) solid waste (collectively, the “Project”); and

WHEREAS, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the “Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both.

NOW, THEREFORE, BE IT RESOLVED by the Albemarle County Board of Supervisors that:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the “Bonds”) or to incur other debt to pay the costs of the Project in an amount not currently expected to exceed \$68,449,995.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure); (b) a cost of issuance with respect to the Bonds; (c) a nonrecurring item that is not customarily payable from current revenues; or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain *de minimis* amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.
5. The Borrower intends that the adoption of this Resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. This Resolution shall take effect immediately upon its passage.

Item No. 9.h. Adoption of the FY 23 - 27 Capital Improvement Plan (CIP).

Mr. Bowman said this item was a resolution to adopt the Capital Improvement Plan. He said this would be the first CIP the Board had adopted in a few years due to the pandemic. He said at a summary level, the current slide showed how the five years of the plan were included for what was presented by the County Executive and amended by the Board. He said to clarify, the difference in the Capital Budget and the CIP was that the Capital Budget was what was adopted and appropriated, which was year one of the plan. He said years two through four, in this case FY24 – FY27, were a plan and not appropriated, and would inform future long-range planning when this process was picked up in a few months for next year’s process. He said staff recommended the Board adopt Attachment H for the CIP.

Ms. Price asked if there were any questions. Hearing none, she asked if there was a motion.

Ms. McKeel **moved** to adopt the FY23-27 Capital Improvement Plan as presented in Attachment H. 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. Price thanked Mr. Bowman, Ms. Birch, all their staff, and Mr. Richardson for the work they

had done for months to bring this together and responses to the frequent questions they had received from the Board, their fast turn-around, and the thoroughness of the information provided to help the Board reach these decisions.

Mr. Gallaway said well done.

Mr. Richardson congratulated the Board. He said as they moved to the close of this fiscal year, and as they prepared to go into FY23, they would be with the Board in the late summer months to discuss their strategic plan and areas where they saw their biggest opportunities and things to be addressed now. He said they would be reminded, as would they, of some amazing things in this budget. He said Mr. Bowman reminded him back in January that this was the most complex budget that he had ever worked on, and he was in his 17th year with this organization. Mr. Richardson said he agreed with him, and this was the most difficult, complex and multi-layered budget he had ever worked through. He applauded the Board because they showed up. He said they had seven budget sessions, and they stayed with them, and asked hard questions, but it was on behalf of the community they served.

Mr. Richardson said their team was an amazing team. He said their Budget and Finance Department, many of whom were present today and some back at the department led by Ms. Birch, were an amazing group of people who worked hard. He said that today was a good day for this County and a good day for this organization because this budget did a lot of amazing things for their community and the people they served every day. He thanked Ms. Birch and her team and thanked the school representative who was there today for the valued public partnership they had, the behind-the-scenes work that Matt Haas and his team did to meet the obligations and work back and forth.

Mr. Richardson said at times there was dynamic tension, but it was for the community that they served. He thanked the department heads present in the room for their work since the last fall, their cooperation with Ms. Birch, and the County Executive’s Office. He said he was very proud of all of them. He thanked Chair Price for the opportunity to recognize their people and valued partnerships they had in this community.

Ms. McKeel asked if they could give a round of applause to staff.

* * * * *

FY 2023
CAPITAL IMPROVEMENTS PLAN RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia:

- 1) The County Executive has prepared and recommended a Five-Year Capital Improvements Plan to the Board of Supervisors and that plan is included in the Budget Document and was presented at Budget Work Session #2 on March 14, 2022, with project discussion by the Board of Supervisors at additional budget work sessions.
- 2) The Board of Supervisors of Albemarle County hereby adopts the Five-Year Capital Improvements Plan for FY 23 - 27 as summarized below:

CIP Expenditures (net of borrowed proceeds transfers)	FY 23 - 27
Administration	\$ 14,867,000
Judicial	\$ 18,500,000
Public Safety	\$ 22,069,117
Public Works	\$ 18,154,458
Parks, Recreation, & Culture	\$ 10,247,743
Community Development	\$ 21,916,765
Other	\$ 40,805,101
Public Schools	\$145,746,941
Total CIP Expenditures	\$292,307,125

Agenda Item No. 10. **Action Item:** SE2022-13 Ivy Rose Teahouse Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting a special exception for a homestay at 5715 Ivy Road.

Use of Accessory Structure. Pursuant to County Code § 18-5.1.48(d), the applicant is requesting to modify County Code 18-5.1.48(b)(2) to permit a resident manager to fulfil the residency requirements for a homestay use.

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

Ms. Lea Brumfield, Senior Planner II in the Office of Zoning, said this presentation was for Special Exception 2022-13, 5715 Ivy Road at the intersection of Rockfish Gap Turnpike and Three Notched Road. She noted that she would be presenting this special exception for a resident manager on a rural area parcel under five acres in size.

Ms. Brumfield said while they recently adopted regulations regarding homestays, and in fact regarding homestay resident managers almost exactly one month ago, the regulations for this particular special exception for resident manager on a rural area parcel under five acres in size did not change at that time. She said this had been permitted before one month ago and was still permitted to be a request. She said they would not be using the new regulations, so this particular special exception was similar to five other requests that the Board had considered over the past two years for a resident manager on a parcel in the rural area under five acres in size. She said to clarify everything going on now, the limitations in residency, which were by right an owner occupancy required for a homestay.

Ms. Brumfield said homestays in the rural area on parcels under five acres in size were permitted up to two guest rooms by right, and they must be located in residential dwellings, must meet standard primary structure setbacks, and have screening from other parcels. She said they must have onsite parking and go through the standard zoning clearance process, which included neighbor notice and safety inspections. She said that was not anything new except for the setbacks, which did not apply to this particular special exception.

Ms. Brumfield said when they were considering the special exception, the factors that the Board was to consider in the homestay ordinance was whether there would be any adverse impacts to the surrounding neighborhood, whether there would be any adverse impacts to public health, safety, or welfare, whether it was consistent with the Comprehensive Plan, and whether it was consistent in size and scale with the surrounding neighborhood. She noted that as with all special exceptions, this and any future requests for homestay resident managers did not set a precedent for approval. She said each special exception came to them uniquely on its own merits and its weighed factors favorable and unfavorable based on the individual situations based on the individual situations of each request.

Ms. Brumfield said this particular proposed homestay was for tax map parcel 57-55, and immediately west of the parcel was 57-81J, where the applicants and owners resided. She said it was marked on the map on the slide with an orange asterisk. She said both of the parcels, the owner's home and abutting parcel which was the subject of this particular special exception, were owned by Lloyd and Maryanne Burk, and additionally, directly to the west of their parcel with the orange asterisk and not shown on this map was a parcel also owned by the applicants under an LLC by the name of Feather Nest, LLC. She said the owners owned that parcel and operated the Barn Swallow Artisan Gallery on that parcel. She said it was separate ownership based on the name but was actually the same owners as well. She said directly north of the parcel was Route 250, Mechums River was to the west, and to the south was large, heavily wooded residential parcels.

Ms. Brumfield said this particular special exception was a request for a resident manager to fulfill the occupancy requirements for a homestay use. She said currently, the parcel in question was occupied by the owner's son, who lived at 5715 Ivy Road, the proposed homestay location. She said it was marked on the slide with the green asterisk. She said the owners had also constructed an accessory structure that primarily served as a music studio and was marked on the map with a purple asterisk. She said the proposed homestay would be in the dwelling 5715 on the 3.15-acre parcel and have two guest bedrooms. She said the proposal was that during rentals, the resident manager who lived there would stay in the accessory structure, thus still staying on the property during the rentals.

Ms. Brumfield did not receive any comments or concerns from any neighbors. She said due to the proximity of the owner's residence to the proposed homestay, as well as the availability of the accessory structure for the resident manager to stay in, they did not believe this request would cause any adverse impacts to neighborhoods or public health and safety. She said additionally, this was in very close proximity to Crozet and the access to that was through major roads, so this also supported the consistency with Comprehensive Plan factors and supported tourism without impacting neighborhoods of rural character. She said in summary, staff recommended approval of the special exception.

Mr. Andrews said these were the exact circumstances they were looking at expediting. He said the particular circumstances for the special exception were unique to every situation, and in this one the owner lived next door. He asked if it were part of the special exception that if an owner lived somewhere else this would not apply.

Ms. Brumfield said no. She said this special exception would be taking into consideration the circumstances, but not limiting it on future uses. She said it was something that could be written into the conditions, but they did not have any precedent for that as far as writing the conditions, because they were looking at the use of resident manager. She said that was both for the owner and also for the uniqueness of the parcel with the accessory structure and the residents on it. She said there were multiple factors that went into it.

Ms. Mallek said having driven up and down that road so many times in the last 15 years, she

never even noticed the driveway, so it obviously was not making an impact on people going by.

Ms. Price asked if one of the lots was owned by an LLC.

Ms. Brumfield said the lot in question was not. She said there was a lot further west of the owner's parcel that was owned by an LLC. She said the owner's parcel was in the center, the subject lot was to the east, and the additional lot was to the west, which was the location of the Barn Swallow Artisan Gallery.

Ms. Price said that helped her clarify that issue. She said appreciating that special exceptions, when approved, went with the land, she had a question for the County Attorney. She asked if this were approved and there was a change in ownership of either of the lots, would that then affect the special exception.

Ms. Hudson said a change in ownership would not affect the application of the special exceptions as they ran with the land. She said by the land, subject to whatever special exceptions had been imposed if voted to adopt them.

Ms. Price said to put it into practical terms, the parents lived in one house and owned the adjacent property where their son, the resident manager, would be. She said if the parents aged and decided to move into the City, and they sold their lot but wanted to keep their son as the resident manager there, at some point the son may leave but the resident manager authorization for a homestay on that piece of property would still continue, even though down the road, different owners of either of the lots may take place.

Ms. Hudson said the resident manager component of this special exception would continue to be a requirement.

Ms. Price said she understood that but wanted to ensure they clarified that. She said that was part of the concern she would always have with resident manager situations. She said while everything right here looked wonderful, because it went with the land, then a change in ownership would result in the resident manager to continue to be legally permitted through the special exception of this homestay, and that was a concern she had when they approved resident managers rather than owner occupancy.

Ms. Mallek clarified that ownership was still required, and when someone new bought a piece of property, they bought it with the same requirements saying they had to live there to carry on this use and therefore hire the resident manager. She asked if that were correct, because she had believed this whole time that all the conditions with which this person could be given permission would then be applied to the new owner.

Ms. Hudson said that was correct.

Ms. LaPisto-Kirtley said she had the same concerns regarding things they approved that went with the land. She said her understanding was that it was not County ordinances but state law when they did something that went with the land.

Ms. Hudson said the zoning was being amended, and that the land use requirements and limitations that attached to it. She said that was specific to the land and not to who owned it.

Ms. McKeel said it was state law.

Ms. LaPisto-Kirtley said that was state law.

Ms. Hudson said it was state law.

Ms. LaPisto-Kirtley said that was the problem.

Ms. McKeel said her understanding was that there was a way this was flagged somehow or another so that when people bought this property, that did not go away. She said if there was a new owner perhaps 30 years from now, there was a way that as they purchased that property that that was flagged so they were aware of that and it did not get buried.

Ms. Hudson said this became part of their zoning law and zoning ordinance. She said they were charged with notice of what the legal land use restrictions and requirements were. She said as to how they actually located them, she would defer that part of the question to planning and zoning staff.

Ms. McKeel said she was trying to make sure.

Ms. Price said normally in a title search, this would show up.

Ms. McKeel said there was a way this was transmitted to a person who would purchase the property.

Mr. Bart Svoboda, Zoning Administrator, said it would not be found in the title search because it was not recorded at the Clerk's Office. He said what they saw now was when people purchased the property, they asked for a parcel history or whether the property was in compliance, and they had to track

that by state law the actions they took on the parcel, so it was discovered through that.

Ms. Price said while it was not done through a title search, there was a mechanism to ensure it. She thanked Mr. Svoboda.

Ms. McKeel said to Chair Price that that was helpful.

Ms. Brumfield said to clarify one of Ms. Mallek's concerns, if a new owner came in, there would still need to be a resident on the parcel. She said that would be through the zoning clearance process, which was new per owner, so every owner that came in had to go through the zoning clearance process, they would apply for it with a resident manager, and through the allowance of a resident manager with the special exception, that would be the process by which they would ensure someone was still living there and was a resident and that it was not just an empty house for most of the time.

Ms. Price said that addressed her concerns for this particular item, but it raised again the concern about the legacy that granting a special exception went with the land. She thanked Ms. Brumfield for clarifying the information about the LLC, because if either of these two parcels were part of an LLC, she would look at it very differently. She said if there were no other questions, she would ask Mr. Andrews as the Supervisor for the Magisterial District if he would like to take action.

Mr. Andrews **moved** that the Board approve the Ivy Rose Teahouse Homestay as presented in Attachment F to approve the special exception SE2022-00013 Ivy Rose Teahouse Homestay, subject to the conditions attached therein.

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
SE2022-00013 IVY ROSE TEAHOUSE HOMESTAY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE202200013 Ivy Rose Teahouse 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:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that in association with the Ivy Rose Teahouse Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to permit a resident manager to fulfill the residency requirements for a homestay use, subject to the conditions attached hereto.

* * *

SE2022-00013 Ivy Rose Teahouse Homestay Conditions

1. Parking for homestay guests must meet the requirements for homestays as outlined in County Code § 18-5.1.48(b) (Attachment C).
2. The existing screening, as depicted on the Parking and Structures Location Exhibit dated April 14, 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.

Agenda Item No. **Action Item:** 11. SE2022-09 1317 McCauley Street Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting a special exception for a homestay at 1317 McCauley Street.

Use of Accessory Structure. Pursuant to County Code § 18-5.1.48(d), the applicant is requesting to modify County Code 18-5.1.48(c)(1)(ii) to permit a homestay use within an accessory structure.

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

Ms. Brumfield said the second special exception they had today was Special Exception 2022-09

for 1317 McCauley Street. She said this was for the use of an accessory structure on a residentially zoned parcel. She said this again was something that was not influenced by the changes in the zoning ordinance last month. She said this particular one was on a residentially zoned parcel in Crozet. She said the homestays on residentially zoned parcels could only have a homestay in an accessory structure if they were granted a special exception by the Board. She said this was not a change. She said again, along with limitations on structure type, these homestays were permitted two guest rooms by right, must meet primary structure setbacks, have onsite parking, and go through the standard zoning clearance process, which included neighbor notification and safety inspections. She said in this case, the factors the Board may consider were adverse impacts to the surrounding neighborhood; adverse impacts to public health, safety, or welfare; consistency with the Comprehensive Plan; and consistency in size and scale with the surrounding neighborhood.

Ms. Brumfield said this particular homestay would occur in an existing garage structure and consist of a single guest room. She said the use would not include construction of any new structures and was therefore consistent with the size and scale of the neighborhood as it already existed in the neighborhood. She said additionally, the homestay use itself was permitted by right. She said this special exception was only for the structure. She said that was the only exception under consideration here. She said for example, if the owners put a homestay rental in their basement, that would be a by right use and they could have up to two guest rooms. She said under that, the special exception would not increase intensity of the homestay use, only permitting it in a different location.

Ms. Brumfield said staff had initial concerns about the setbacks of the structure, but after measuring the site, they confirmed that it did, in fact, meet the residential site setback. She said the structure was no closer to the property boundary than a house could be. She said additionally, the other concern was for parking. She said as seen on the aerial image on the slide, the existing driveway did permit up to three cars to be parked, which was the required number of cars that must be parked offsite. She said that would be reinforced in the recommended condition of approval number one. She said additionally, staff did not receive any comments from any neighbors or any concerns from anyone about this homestay.

Ms. Brumfield said if the special exception were to be approved, the applicant would then follow the normal homestay zoning clearance process, including sending emergency contact information to the abutting owners and undergoing a safety inspection. She said since this structure was previously a garage, the safety inspection would require proof of a certificate of occupancy for detached sleeping quarters to ensure this was safe for humans to sleep in overnight. She said in summary, staff recommended approval of this special exception with the listed conditions.

Ms. Price asked if there were any questions from Supervisors.

Ms. Mallek said she thought adjacent to the south or one parcel down from that was another homestay, and she wanted to know about ways in which users could be required to park off the street. She said at the corner of McCauley Street and St. George, there were continually cars poking out into the travel-way that they had not been able to resolve for years. She asked if there was some kind of condition or process where staff did not have to make multiple visits but could say the homestay was not in compliance and had to shut down until they fixed it.

Ms. Brumfield said that was a prime example use case of their short-term rental registry, and this location would be required to be on the registry. She said since that was in a separate section of the ordinance because they adopted it through the state code allowance, and it was a way they could count strikes against homestays. She said there was a three-strike rule where if someone was found in violation three times, they were done. She said they would need staff to document three times that they were not meeting the conditions of approval, and after those three times, then their permit was void.

Ms. Mallek asked if a location that had gone through a special permit process would be on their radar even if there was not an official registry yet.

Ms. Brumfield said this particular location did not have any violations against it.

Ms. Mallek thanked Ms. Brumfield.

Ms. Price asked if there were any further questions, hearing none, she asked if Ms. Mallek would like to take action.

Ms. Mallek **moved** that the Board adopt Attachment F, to approve a homestay special exception subject to the attached conditions at 1317 McCauley Street. Ms. McKeel **seconded** the motion. Roll was called and the motion passed 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
SE2022-00009 1317 MCCAULEY STREET HOMESTAY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE202200009 1317 McCauley Street 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:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood

NOW, THEREFORE, BE IT RESOLVED, that in association with the 1317 McCauley Street Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to permit the use of an accessory structure for a homestay, subject to the conditions attached hereto.

* * *

SE2022-00009 1317 McCauley Street Homestay Special Exception Conditions

1. Parking for homestay guests must meet the requirements for homestays as outlined in County Code § 18-5.1.48(b) (Attachment C).
2. Homestay use is limited to (i) the existing accessory structure as currently configured or (ii) a primary dwelling meeting all homestay setbacks as depicted on the Parking and Structures Location Exhibit dated April 13, 2022.

Recess. The Board recessed its meeting at 3:09 p.m. and reconvened at 3:25 p.m.

Agenda Item No. 12. **Action Item:** Designated Outdoor Refreshment Areas at The Shops at Stonefield.

The Executive Summary forwarded to the Board states that the 2021 General Assembly session revised and expanded several licensing laws administered by the Alcoholic Beverage Control Authority (ABC). One revision renamed the license for "local special events" as "Designated Outdoor Refreshment Areas" (DORA) and provided localities with greater opportunities to utilize them. This license allows the consumption of alcoholic beverages within a specific geographic area, including public spaces, and within businesses that are not licensed by the ABC (with permission from the owner). A DORA license is typically utilized for outdoor events that take place in a downtown setting with activities that span more than one block and may be planned for multiple days (i.e., music, art, or holiday festivals). By statute, ABC will only issue a DORA license to a locality, business improvement district, or nonprofit organization (Va. Code § 4.1-206.2(D)(2)(c)). Such annual license will permit no more than sixteen events and limit an event's duration to three days.

Last year, The Shops at Stonefield held "Music on the Lawn" events each Friday night throughout the summer to provide visitors with an outdoor opportunity to enjoy music and food. Each week, a portion of the proceeds from these events benefited a different local non-profit in the community. Stonefield will once again be hosting "Music on the Lawn" events this year and desires to designate a portion of their site as a DORA to expand beverage offerings and attract additional visitors. In 2021, these events increased foot traffic by over 25% compared to 2019.

Stonefield will be partnering with a local charitable non-profit to submit a DORA license application to the ABC. If the application is approved, the license will be good for one year from the date of issuance. Stonefield has drafted a public safety plan that has been reviewed and approved by Albemarle County Police and Albemarle County Fire Rescue (Attachment A). Virginia Code § 4.1-206.3 requires the ABC to consult with the locality before taking action on a DORA license application. Although a letter of support is not required, staff is requesting feedback and general support from the Board regarding Stonefield's application.

Once ABC receives this license application, it will be vetted through the same process as other ABC applications, which provide the opportunity for various County staff to comment on the application based on any outstanding zoning violations, past due taxes, or other concerns.

The Economic Development Office will pay the estimated \$515 cost of the ABC license for the first year. To maintain the license, this will need to be renewed annually based on the date of issuance.

Staff recommends the Board adopt the Resolution authorizing the County Executive to sign the letter of support.

Mr. Roger Johnson, Director of Economic Development for Albemarle County said he had the privilege today to talk about Designated Outdoor Refreshment Areas, which would be referred to as DORA. He said they were asking specifically for the Board's concurrence for an Alcohol Beverage Control (ABC) application for the Shops at Stonefield as part of the process required consultation with the local government.

Mr. Johnson said a DORA was a designated geographic area licensed by the ABC annually that

allowed the consumption of alcoholic beverages such as wine, beer, and mixed beverages in a public space, a private space such as streets and lawns, and in any business without an ABC license so long as the business agreed. He showed the Board a slide of example images. He said the top-right image was of the downtown mall, and that the Tom Tom Festival had a DORA application as well. He said he spoke with the Director of Economic Development from Charlottesville, and there were no particular complications with this particular event.

Mr. Johnson said another example was an event in Scottsville that happened in December. He said he was able to reach out to the town administrator, Mr. Matt Lawless, and Mr. Lawless confirmed that everything went well and that businesses had higher revenues of this particular event year-over-year. He said one business in fact reported that they had their highest revenues in their history. He said this was also happening around the state. He said example happening here was in Roanoke, Virginia, and there were other areas that could be cited as many local municipalities had adopted these particular Designated Outdoor Refreshment Areas.

Mr. Johnson said that Economic Development staff recommended this application be allowed to support their existing businesses. He said the way to do that was through a DORA, which allowed for alcoholic beverages to be purchased from permanent retail on-premises licensees located within the designated area, and only those could be consumed. He said there would be no food trucks or outdoor alcohol brought into this particular event. He said it would have to be purchased locally in the designated area, consumed locally, and it was important to note that people could not go from one location to another.

Mr. Johnson said for example, one could not pick up a margarita from Torchy's Tacos and bring it into Burger Bach. He said that was not allowed, and they would either have to consume it or dispose of it outside before moving into the other location. He said when this happened on the downtown mall, some particular restaurateurs and servers set up shop generally outside and allowed people to come more freely to access those in particular, and it worked out well for those particular consumers.

Mr. Johnson said he would next discuss what was needed to establish a DORA. He said it was an ABC license and was not anything they would do here as a municipality. He said they would accept an application from three different entities, either the locality of themselves, through a business improvement district, or through a nonprofit organization. He said as they would learn a little more in detail, they were asking a nonprofit organization to be the applicant to the ABC. He said there were two different types of criteria; the first was up to 16 events per year, and each event could be up to three days. He said if they were willing to stay in this parameter of the DORA, they must consult with the locality, which was what they were doing today on behalf of Stonefield, and they must submit an ABC application in the amount of \$515.

Mr. Johnson said what they were asking the Board to do was to provide a letter of support that verified that Stonefield consulted with a local municipality and would submit that with their ABC application. He said if an area in their community wanted to do more than 16 events in a year, or for more than three days for one event, it would require they passed an ordinance and would also require a different level of ABC application, which was \$3,015 in expense.

Mr. Johnson said what was needed for the ABC license was a map that included the scope and scale of the DORA, the dates and hours of operation, and a public safety plan. He said the requirements that applied to the events were containers no larger than 16 ounces and with the name or logo of the retail establishment from which it was purchased. He said an example on the bottom right of the slide shown was that some DORAs had included event guidelines, such as where the boundaries were, on the cup. He said an additional requirement to the event was they must have signage that clearly demarcated the boundaries. He said on the righthand side of the screen, there were some sandwich board signs from Scottsville that they used to designate their particular area. He said the final requirement was that the applicant or designee must provide adequate security to ensure compliance with ABC guidelines.

Mr. Johnson said Stonefield was asking to produce "Music on the Lawn" events, which would benefit local nonprofits. He said the actual applicant would be the Center for Non-Profit Excellence, which was a local organization that helped all nonprofits, so there would be one applicant as opposed to 15 different applicants. He said in 2021, the general manager of Stonefield informed them that these "Music on the Lawn" events increased onsite foot traffic by over 25% compared to 2019. He said some other important variables included the number of events, which they proposed was 15 events. He said they would be on Friday evenings from May 27 to September 2. He said the event hours themselves would be from 6 p.m. to 8 p.m., and the DORA hours would occur between 5 p.m. and 9 p.m. He said Stonefield had agreed to provide two security guards.

Mr. Johnson said on the screen was the safety plan required. He said outlines in red would be the Designated Outdoor Refreshment Areas. He said the boundary allowed Torchy's Tacos to be part of the DORA. He also noted that the parking areas were not included as an area where alcoholic beverages could be consumed outdoors. He said everything else seemed to be sort of their main-in-main. He said each checkmark on the map were the areas where the boundaries would be clearly demarcated. He said they shared this plan with both Albemarle County Fire and Rescue and the Albemarle County Police Department as part of their vetting process to make sure they were comfortable with the safety plan, and he was pleased to report that both entities did approve of this particular plan.

Mr. Johnson said they also provided some additional feedback that would be helpful. He said Albemarle County Fire and Rescue suggested that someone be responsible for monitoring inclement

weather experienced at outdoor events, and that would help prevent any issues for the patrons. He said secondly, the police were comfortable with their own security, but he wanted to recognize that if there ever were any issues, they had the ability to shut that down, and there were no concerns in that regard.

Mr. Johnson said today they were asking the Board to adopt the resolution to authorize the County Executive, Mr. Richardson, to sign a letter of support for the ABC application for the Shops at Stonefield. He said he would be happy to answer any questions the Board may have.

Mr. Andrews asked if the signs went up for the event and came down afterwards for that limited time.

Mr. Johnson said that was correct. He said it was expected there would be sandwich board type signs that clearly marked the boundaries.

Ms. McKeel said she was supportive of the proposal. She said Stonefield had two parts, including apartments and condos, and was very populated. She asked what the outreach to the neighbors had been.

Mr. Johnson said staff had not done any outreach. He said if the Board felt like it would be appropriate, they could take that step before the ABC application. He said he assumed Ms. McKeel was referencing the Commonwealth Drive area.

Ms. McKeel said she was talking about the apartments and condos at Stonefield.

Mr. Johnson said there could be outreach. He said from experience with other local municipalities, there were concerns expressed about hours of operation. He said the timeframe for the proposal would not exceed 9 p.m. to minimize disruption on the neighbors in regards to traffic.

Ms. McKeel said outreach should notify the surrounding residents as to the dates. She noted slide 13. She noted the hours of the events. She asked if DORA actually started an hour before the event and lasted an hour after.

Mr. Johnson said that was correct.

Ms. McKeel said there would be numerous opportunities for people to apply, such as the Plaza at Crozet. She said it was good to work it through.

Mr. Johnson said it was their first foray into this, and it was a pilot program.

Ms. McKeel asked to see slide 9. She said it got into what they had discussed regarding environmental concerns. She noted the use of plastic disposable cups. She asked if there was a way to have other options to provide different types of cups.

Mr. Johnson said it could be a condition of the Board's support. He said it could be recommended that recyclable cups be provided.

Ms. McKeel said there were other ways to address environmental concerns. She said she was unsure what the impact to the cost would be.

Mr. Johnson said they did a review on the financial success of similar programs in other localities. He said asking them to make such a consideration would not be burdensome.

Ms. McKeel said she supported the proposal.

Ms. Mallek said she remembered the old days of Fridays After 5, where one could take their cup of wine and go gallery to gallery on the downtown mall. She said ABC stopped it; it wanted a license for every gallery for each event. She said traffic would stay open on Bond Street, and there would not be an expansion into the grass and people would not be wandering into the streets.

Mr. Johnson said the license allowed for the consumption of alcohol in the streets. He said as far as he was aware, police would not prevent people from going in and out of the streets.

Ms. Mallek said Stonefield managers should reach out to the managers on their own. She said there should be signs alerting drivers of pedestrians. She asked if there was state legislation that limited the number of events that the County could have.

Mr. Johnson said there was not a limit on the total number of designated outdoor refreshment areas that the County could have. He said there was a limit on the rules and procedures for how they were approved. He said if the application were to have more than 16 events, then the application would require a different level of scrutiny. He said there was no limit on the total number of refreshment areas the County could approve.

Ms. Mallek said in California, the knives, forks, spoons, and plates were made of beets or corn. She said they dissolved in the rain quickly. She said she loved that idea, and where they could, they needed to change things.

Ms. LaPisto-Kirtley noted the streets would be opened, and people would be in the area marked in red on the event space map on slide 14.

Mr. Johnson said people would be walking everywhere, and he indicated on the slide where alcohol would be permitted. He said traffic would be coming in and out and pedestrians would be crossing the street.

Ms. LaPisto-Kirtley asked if you could only consume alcohol in front of where it was purchased.

Mr. Johnson said if someone purchased an alcoholic beverage in the appropriate DORA cup, they could go to any of the designated areas within the red boundaries as indicated on the slide and still be in compliance with the ABC regulations. He said people could take their beverages into the stores if the businesses agreed it was acceptable.

Ms. LaPisto-Kirtley said each participating business might not sell alcohol but would allow people to enter with alcohol.

Mr. Johnson said that was correct. He said there were examples of designated signs not included in the presentation. He said there were signs indicating businesses were participating or not participating.

Ms. LaPisto-Kirtley said she was concerned about the traffic and people drinking.

Mr. Johnson said there would be a designated zone for rideshares to pick up people.

Ms. LaPisto-Kirtley said she was concerned about people walking into the street. She said they may consider closing the road off in the future.

Mr. Johnson said they may, but they might keep the roads open so people could get in and out of the stores.

Ms. LaPisto-Kirtley said she was supportive of the item.

Ms. Price said Stonefield had been doing similar events on a smaller scale. She said the item was an expansion. She said when Scottsville did it, Scottsville Road went right through town. She said she shared the concerns over transportation. She said it was a limited window of time. She said you could not bring a beverage from one establishment into another establishment that served alcohol. She said she supported the item. She said it was an innovation, and a way to enhance quality of life. She said it would substantially increase the traffic flow and business to shops, which was needed after the pandemic.

Mr. Gallaway asked if people were allowed to bring beverages back to the hotel.

Mr. Johnson said the Hyatt hotel was not included at all. He said it was just for the shops at Stonefield.

Mr. Gallaway said it was just under Stonefield's purview.

Ms. Price said someone would have to finish their drink before walking to the hotel.

Mr. Gallaway said they did not endorse chugging. He said he believed the hotel did not have a bar.

Mr. Johnson said they served some sort of happy hour.

Ms. McKeel said they had a bar but it was minimal.

Mr. Gallaway said it was something to think about.

Mr. Johnson said many of the retail establishments had noncompete agreements. He said there was one grocery store, and another one could not be brought in. He said there were issues bringing in items from outside of the Stonefield property that complicated the matter.

Mr. Gallaway said he was thinking about reasonable human behavior. He said if someone were at the event and had not finished their beverage, they would likely walk back to their hotel room. He said it did not sound like there would be security to prevent people from leaving the premise with alcoholic beverages. He said it was up to the attendees to know the rules.

Ms. Price said the floor was open for a motion.

Ms. McKeel **moved** that the Board adopt the resolution as presented in Attachment B, authorizing the County Executive to sign the letter of support for Designated Outdoor Refreshment Areas at The Shops at Stonefield.

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.

**RESOLUTION TO APPROVE THE DESIGNATED OUTDOOR REFRESHMENT
AREA LICENSE AT THE SHOPS AT STONEFIELD**

WHEREAS, the 2021 General Assembly amended laws pertaining to the Alcoholic Beverage Control Authority's retail licenses, redefining "local special events" licenses as licenses for "Designated Outdoor Refreshment Areas;" and

WHEREAS, The Shops at Stonefield will be partnering with a local charitable non-profit organization to apply for a Designated Outdoor Refreshment Areas license from the Alcoholic Beverage Control Authority;

WHEREAS, this partnership has drafted a public safety plan that has been reviewed and approved by both the Albemarle County Police Department and Albemarle County Fire and Rescue; and

WHEREAS, this Board finds the planned events promote economic, recreational, cultural, and entertainment opportunities for the public and are consistent with the general welfare of the County.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Virginia Code § 4.1206.3, the Board of Supervisors of Albemarle County, Virginia, hereby authorizes the County Executive to sign the letter of support regarding a local charitable non-profit organization's application for a Designated Outdoor Refreshment Areas license to hold events at the Shops at Stonefield in Albemarle County.

Agenda Item No. 13. **Work Session:** Affordable Housing Developer Incentives.

The Executive Summary forwarded to the Board states that on July 7, 2021, the Board of Supervisors approved Housing Albemarle, the County's new housing policy, with delayed implementation of 1) the increased percentage of affordable housing units in residential developments subject to rezonings or special use permits; 2) the increase in compliance periods for affordable housing units; and 3) the new price levels for both affordable for-sale and affordable for-rent units, until a package of developer incentives to support the construction of affordable housing is approved and implemented.

Between June and October 2021, staff held four meetings with members of the developer community to discuss the components of an incentives package to support the provision of affordable dwelling units, and developers' efforts to meet the County's affordable housing goals.

On February 16, 2021, staff held a work session with the Board to discuss a proposal for an Affordable Housing Overlay (Attachment A). The proposed overlay was based on the discussions held with developers, would apply to the County's Development Areas, and included several incentives including density bonuses, reductions in development standards, waivers or reductions in development fees, and reductions in parking standards.

Staff received valuable Board feedback on the draft proposed Affordable Housing Overlay concept during the February 2022 work session. Concerns shared by the Board included:

1. the significant increase in density proposed under the overlay;
2. the amount of money associated with a waiver or reduction of building permit fees will not have enough of an impact on development budgets to offset the costs associated with the provision of affordable units;
3. concerns the proposed reduction of development standards would potentially result in a lower quality living environment for residents; and
4. the proposed reduction in minimum parking requirements would have a negative impact on surrounding communities.

Based on that feedback, staff has determined a better approach would be the adoption and implementation of an Affordable Dwelling Unit Program ordinance as authorized under Section 15.2-2304 of the Code of Virginia. Affordable Dwelling Unit (ADU) Program ordinances are similar to the County's current approach to securing affordable units through housing proffers. The primary difference between the two approaches is that under an ADU program, the provision of affordable units becomes a mandatory requirement, as opposed to a voluntary offering. ADU programs often include specific incentives in exchange for achieving pre-determined affordable housing thresholds. Common components of ADU programs include requiring a percentage of the total residential units be provided as affordable housing, a standardized cash-in-lieu of payment amount, minimum affordability periods for the affordable units, deed restrictions limiting resale prices, and an option for non-profit housing organizations to purchase a percentage of the affordable units. ADU ordinances may include developer incentives in addition to any density increases requested through rezoning applications. A more detailed description of ADU programs, as well as examples of such programs implemented by other localities can be found in Attachment B.

In establishing the recommendation for developer incentives, staff took the Board's feedback from

the previous work session into consideration in creating options providing clarity and certainty for both the developer community and for staff administering the program. For discussion and Board feedback in this work session, staff is presenting an approach to developer incentives aligning with similar Affordable Dwelling Unit Program ordinances as follows:

1. Require a minimum of 20% of the total units in a development be provided as affordable units;
2. The County will reimburse 100% of the actual water and sewer connection fees paid for 5% of the affordable units with the presentation of a certificate of occupancy for the unit AND the provision of proof of the rental or sale of the unit to income qualified persons to the Housing Program Manager AND a copy of the deed restrictions outlining the required affordability period and resale pricing restrictions;
3. Establishment of a cash-in-lieu payment amount per unit for projects unable to accommodate affordable housing units onsite; and
4. The creation and maintenance of a registration database for income qualified households eligible for and interested in affordable housing opportunities.

Adoption and implementation of an Affordable Dwelling Unit Program ordinance may impact the County's budget should financial incentives be included in the ordinance. The amount of the impact would depend on the number of developers seeking financial support, and the number of affordable units for which they are seeking funding.

Staff recommends that the Board provide direction and feedback on the Affordable Dwelling Unit Program ordinance discussion. If the Board supports implementation of an Affordable Dwelling Unit Program, staff recommends that the Board direct staff to submit a Resolution of Intent to consider amending the Albemarle County Zoning Ordinance for an Affordable Dwelling Unit Program and begin work on drafting the proposed ordinance inclusive of the feedback received during this discussion.

Ms. Stacy Pethia, Housing Policy Manager, said she would discuss developer incentives. She said a work session on developer incentives was held in February. She said she would begin the presentation with some background followed by a brief synopsis as to the purpose of the work session. She said she would review the discussion in February—the affordable housing overlay. She said she would discuss a new potential program that would address many of the concerns raised in February. She said she would close with next steps if the Board chose to move in one direction or the other.

Ms. Pethia displayed questions to guide the Board's discussion as they went through the presentation. She said staff would like feedback on whether an affordable dwelling unit program was something the Board was interested in staff pursuing. She said the other questions dealt with components of the program.

Ms. Pethia said in July 2021, the Board adopted Housing Albemarle, the new housing policy for the County. She said they requested to delay several components of the policy, including the recommended increase in the affordable units set aside, the change in the maximum sale and rental pricing for the affordable units, and the change in affordability periods for those units. She said the Board requested staff delay the implementation of those components until a package of developer incentives was pulled together and approved that would help support developer efforts to provide affordable units in new construction.

Ms. Pethia said once the incentive package was determined, the structure for full implementation of Housing Albemarle would be created. She explained Housing Albemarle focused on two categories of affordable housing; rental housing was focused on households earning 60% of area median income (AMI) while affordable home ownership was targeted towards households with a maximum of 80% of area median income. She said as of April 18, the U.S. Department of Housing and Urban Development (HUD) released the new area median income for the Charlottesville region, and it was \$111,200 annually. She said it was a 19% increase over the previous year's AMI. She said it would be \$89,000 for a family of four.

Ms. Pethia said during the February work session, the Board discussed a potential affordable housing overlay for development areas within the County. She said the overlay would apply to the development areas and include bonus density, reduction in building permit fees for the affordable units, flexibility in design and parking standards, and it would be approved through an administrative process.

Ms. Pethia said the Board expressed four primary concerns with the proposed overlay. She said the proposed density was a significant increase. She said there were concerns that the amount of money associated with the waiver, or reduction in building permit fees, would not have enough of an impact on developer costs to offset the cost of the affordable units. She said the Board expressed concerns that the proposed reduction in development standards would potentially result in a lower quality living environment for residents. She said the same concerns were expressed about the reductions in minimum parking requirements.

Ms. Pethia said staff looked at the options available in the state code. She said they identified affordable dwelling unit (ADU) program as a potential different direction to go. She said it addressed many of the concerns that were shared.

Ms. Pethia said an ADU program was designed to direct or encourage the provision of affordable

units in new residential developments. She said it could provide developer incentives to support the provision of those units. She said one of the requirements was that it must be implemented through a ZTA.

Ms. Pethia said the County was authorized to adopt an ADU ordinance or program under Section 15.2-2304 of the code of Virginia. She said the enabling legislation did not place many restrictions on what the County could do and what the program could look like. She said it required density bonuses be provided. She said the percentage of the affordable units required, the depth and length of the affordability, and additional incentives in the ordinance beyond the density increases. She said the only additional requirement in the enabling legislation was that the incentives be sufficient to compensate developers for the cost of providing affordable units.

Ms. Pethia said there were approximately 500 similar programs implemented throughout the U.S. She said while they were all different, varying in their components to meet local needs, they had commonalities. She said there were eight commonalities to the programs. She said each identified a percentage of total residential units that needed to be provided as affordable housing. She said each set a standardized cash-in-lieu of affordable unit amount. She said unlike the housing proffers they currently received, where developers offered a range of cash-in-lieu amounts per unit, the amount in the ADU program would be standardized and could be set at any level.

Ms. Pethia said each program set minimum affordability periods for those units. She said they tended to range between 20 and 99 years. She said many included a county first-right-to-purchase option. She said it was the right for the local government to purchase up to a percentage of the units as soon as they were constructed. She said they could then offer the properties continuously as affordable housing.

Ms. Pethia said the County would also have the option to lease up to a percentage of the new rental units that they would be able to provide for longer periods of time as affordable housing. She said those options were included in the ordinance if the County had an associated public housing authority. She said many included the option for nonprofit organizations to purchase units. She said those options started after the units had been advertised to the general public for a certain period of time.

Ms. Pethia said looking at the proffer system, the County generally only got proffers to advertise the units as affordable housing from anywhere from 90 to 180 days. She said many of the ordinances had the same component, and nonprofits would be able to purchase units that had not been sold or not been under contract to be sold. She said that ensured that the units would remain as affordable housing. She said some of the ordinances placed a maximum square-footage for the units. She said the limited square-footage would make them smaller and more affordable. She said the programs set maximum affordable rental rates and sale prices for the units. She said many offered additional developer incentives.

Ms. Pethia said there were several localities in Virginia that had ADUs. She said Loudon County adopted an ordinance in 1999. She said they required 6.25% to 12.5% of the units in projects be affordable housing. She said those units had to be affordable for 15 to 20 years depending on whether they were for sale or for rent. She said Loudon had a cash-in-lieu payment that was equal to 100% of the cost of vertical construction.

Ms. Pethia said they targeted lower-income households; from 30% to 70% AMI. She said Loudon established caps on the square footage for affordable units. She said they included incentives such as flexibility in design standards, expedited review, and low-interest gap financing loans for the housing fund. She said since 2000, Loudon had added more than 2,500 units to their housing stock through the program.

Ms. Pethia said Fairfax County was the first county in Virginia to implement an ADU ordinance. She said there were delays in implementation. She said it underwent a court process. She said Fairfax adopted the current ordinance in 1999. She said it required 6.25% to 12.5% of the total units be provided as affordable. She said the affordability period was 30 years for all affordable units. She said the cash-in-lieu payments were equal to the fair market value of each affordable unit lot. She said Fairfax targeted the affordable units to households between 50% to 70% AMI. She said since the ordinance had been adopted, Fairfax had added nearly 3,000 affordable units to their housing stock.

Ms. Pethia said both numbers included units that were still in the program. She said the programs had been in existence for a while, and they had amended the affordability periods to make them longer. She said units had been lost over the years.

Ms. Pethia said it was hard to talk about an ADU program without mentioning Montgomery County, Maryland. She said they had a moderately-priced dwelling unit program. She said it was the oldest and longest running program in the country. She said their ordinance was adopted in 1974. She said they required the same approximate percentages as Fairfax and Loudon. She said they had amended the affordability periods for the rental units which were set at 99 years.

Ms. Pethia said they realized the 30-year period required them to constantly build affordable units. She said the cash-in-lieu payment was set at 3% of the sale price of the market rate units. She said the market rate unit prices were fairly high. She said their program targeted households between 65% to 70% AMI. She said there was a public housing authority that targeted the lower-income households. She said the incentives included design standard flexibility. She said they had added more

than 16,000 units to their affordable housing stock since they adopted the program.

Ms. Pethia said staff had identified several potential components for an ADU program in Albemarle. She said one was a density bonus secured through the rezoning process. She said they would require a minimum of 20% of the total units as affordable housing, as recommended by Housing Albemarle. She said they included the nonprofit right to purchase the affordable units that remained unsold after a 60-day marketing period. She said the program would establish maximum square-footages for the affordable units.

Ms. Pethia said the program could include a cash-in-lieu fee and the revenues would go to the Housing Fund Reserve to support additional housing projects. She said the program could establish a waiting list of income eligible households that were interested in affordable housing opportunities. She said the waiting list would help ensure that the units, particularly the units for affordable sale, were purchased by income qualifying households. She said it would cut down on revenue losses for developers. She said staff recommended including a financial incentive of reimbursement of 100% of water and sewer connection fees—or tap fees—for 5% of the total units. She said the 5% made up for the increase in the requirement from 15% to 20% of total units designated as affordable.

Ms. Pethia said staff performed case studies. She said one looked at the Rio Point Project. She said it examined what a basic ADU program would look like as opposed to what was achieved through the rezoning. She said the number of units and density through the program would be the same; developers would still have to go through the rezoning process. She said the number of affordable units required under the ADU program would increase to 66 as opposed to 49 through the rezoning process.

Ms. Pethia said the maximum affordable rents would decrease from \$2,200 per month to \$1,506 per month in accordance with the recommendations in the housing policy. She said rental units would target households at 60% AMI and below and would be affordable for 30 years as opposed to 10. She said the tap fees would cover approximately 17 of the 66 units and cost \$238,000 to come from the Housing Fund Reserve. She said staff used a random number for the cash-in-lieu of development to determine what a potential payment would look like.

Ms. Pethia said they used 30% AMI for no particular reason other than that was the recommended amount that households spend on housing. She said if the developer chose cash-in-lieu of development, the County would receive approximately \$2.2 million that would be placed in the Housing Fund Reserve. She said extending the affordability from 10 years to 30 years would serve approximately 864 families. She said it was a basic estimate based on the average turnover rate of 27.5 months per unit. She said the figure represented if all of the 66 units turned over every 27.5 months over the 30-year period.

Ms. Pethia said the next steps would include returning to the Board with a resolution of intent to amend the zoning ordinance. She said staff would continue working with developers to develop incentives to be included within the ADU ordinance. She said a work session would be scheduled with the Board to review the proposed ordinance, and a public hearing to adopt the ordinance would be held potentially in September. She said afterwards, staff would move on to implementation. She said the project was included in CDD's work program for FY23, and they were aware they may need to bring forward additional resources.

Ms. Pethia reiterated what staff were interested in gaining feedback on. She said staff wanted to know if the Board supported staff working on an ADU program ordinance, and whether the ordinance should include the nonprofit right to purchase the affordable units, a cap on the square-footage of the units, a standardized cash-in-lieu fee, and an additional monetary incentive equal to 100% of the tap fees for 5% of the units.

Mr. Andrews noted that developer incentives must be sufficient to compensate developers for the cost of providing affordable units. He asked if the program satisfied the requirement.

Ms. Pethia said the density bonus would go a long way to satisfy the requirement, but additional incentives would be needed, particularly because construction costs had increased significantly.

Mr. Andrews asked how the process worked.

Ms. Pethia said each developer would be consulted. She said each development pro forma was different. She said a set of additional incentives could be identified with the developer to get them to the spot. She said she did not know what those incentives would be. She said they would be prevented in a draft ordinance later.

Mr. Andrews asked how the maximum square footage and the standardized cash-in-lieu operated together. He asked what the standardized number was based on. He asked why a maximum square footage was required and how it impacted other aspects of the program.

Ms. Pethia said the maximum square footage would allow developers to build smaller units which are more affordable by nature. She said what was generally built were the same size as the market rate units because developers were 99% guaranteed that within 90 or 180 days, they would be able to sell the units at market rate. She said the County did not have a system in place to supply ready buyers for the affordable units. She said setting the square footage would provide smaller units and starter home sizes. She said it made the units more affordable for low- and middle-income people.

Mr. Andrews said he was concerned because different family sizes required different amounts of housing, so one size did not fit all in terms of affordability or need. He noted the water and sewer connections and the tap fee. He said he assumed it was a fixed, expected amount, and it was not based on the geography or difficulty as a particular area became developed.

Ms. Pethia said the RWSA set an amount for new construction and connection nearly constructed units to public water and sewer. She said at the moment, the fee was approximately \$1,400 per unit.

Mr. Andrews said the item was a ZTA. He said he was concerned that once the affordable housing overlay were implemented, there would not be oversight regarding its performance at the Board level. He asked if the ZTA would be applied per project.

Ms. Pethia said it would be project by project. She said developers would need to apply for rezoning for the site. She said the Board would have final approval of the rezoning. She said compliance would be monitored through the housing group.

Ms. McKeel said she pushed back a few years ago regarding ADU programs. She said her affordable neighborhoods were older and did not have HOAs. She said because of the location of her district, she was concerned the ADUs would be placed in the backyards and fill up with UVA students. She said that was the truth and what happened in the Jack Jouett district. She said stipulating that the ADU program would only apply to new development had alleviated her concern. She said her older, affordable neighborhoods would be protected. She asked what vertical construction meant.

Ms. Pethia said vertical construction was the construction of the actual unit.

Ms. McKeel said she did not know what vertical meant in that context.

Ms. Pethia said vertical construction was simply constructing the house itself.

Ms. McKeel said the maximum square footage was a good idea because it took out the issues with surrounding neighborhoods. She said there were unfortunate discussions about affordable housing. She asked if private and public roads were addressed.

Ms. Pethia said roads were not addressed. She said it specifically focused on affordable housing. She said the roads and other transportation issues would be done through the rezoning.

Ms. McKeel asked if design flexibility was referencing the form-based code.

Ms. Pethia said there were several ways localities had approached design flexibility. She said some had removed the minimum set back requirement. She said most localities had a select list of design standards that the locality was willing to negotiate and from which the developer could choose.

Ms. McKeel asked if there was a way to add to the ordinance connectivity requirements. She said the Board had supported connectivity, but it was a challenge with development proposals.

Ms. Pethia said she was unsure that requirement could be added to the ADU program ordinance.

Ms. McKeel asked if the developers had input on the program yet.

Ms. Pethia said she and CDD staff had met with a group of developers on Monday. She said they were ready and willing to work with the County on a program moving forward.

Ms. McKeel asked if the discussion had yet to happen.

Ms. Pethia said the conversation had not happened in any detail.

Ms. McKeel said the importance of homeownership and wealth building was often discussed frequently across the country. She said when they discussed affordable housing, it was assumed they discussed homeownership. She said she was thrilled the document talked about rental, because people were mobile and moved before they had the chance to develop equity in a home, renting made sense. She said rental made sense if someone was buying a house at the expense of saving for retirement or putting money into their future. She said there were times when renting was appropriate.

Ms. Mallek asked how the math worked. She said incentives were required to be sufficient to compensate developers for the cost of the units. She said it made her consider a question she had had since the RST development had been approved. She said the applicant had the capacity, financially and managerially, to provide 50% of the units because it suited the business model.

Ms. Mallek said that seemed to be the partner where they could get the most production of units and preserve green space and places to play and the quality of life. She said she was concerned about the balance of putting private money or taxpayer money and partnering with developers where the business model did not work. She said various attorneys had told her that the developer would not do more because their business model did not support it. She said they should do anything to get the right players into the room.

Ms. Mallek said she hoped that they would be able to adopt the other programs other counties had proven to work. She said the program created the structure for standardization to happen. She said it would be similar to other government structures. She said one of the localities in the report did not allow any cash-in-lieu payments. She said she had stated since 2008 that cash-in-lieu offers did not begin to cover the cost of an affordable unit. She said often, cash-in-lieu payments allowed properties that were not sufficient to be called an affordable component when they were not really. She said cash-in-lieu was helpful for the down payment assistance program, but that no longer existed. She said she supported getting units rather than allowing ways out of construction.

Ms. Mallek mentioned the financial literacy program and the waiting list. She said there was a certificate of qualification for buyers.

Ms. Pethia said both Fairfax and Loudon County provided certificates for anyone who was on the waiting list, including renters and buyers. She said the developers initially needed to market the affordable units to anyone with one of those certificates. She said the certificate stated the holder underwent the county's vetting process and were income qualified for the program. She said it could be a component staff considered.

Ms. Mallek said it seemed to go together with the financial literacy program that used to be done. She said it was cruel to push people into homeownership when they had no means to succeed. She said there were generations in Europe that had rented the same stone building. She said she was glad to hear about rental offerings. She asked if there was a way to put a hold on new applications until they adopted the program.

Ms. Mallek said along the west side of Route 29 North was a long-standing application to bring a certain property into the growth area. She said the applicant was told it would not be considered until the Places29 Master Plan was completed. She said if that was possible, she wanted it to be considered. She was concerned another 5,000 units could come before the Board and they would lose the opportunity to get a better result. She said she looked forward to the next round of information.

Ms. LaPisto-Kirtley said regarding RSTs, it was because they applied for federal funds.

Ms. Pethia said they would apply for low-income housing tax credits.

Ms. LaPisto-Kirtley said that would enable them to sell more homes at a lower price. She said not all developers wanted to do that.

Ms. Mallek said that was the business model she was looking for.

Ms. LaPisto-Kirtley noted nonprofits were allowed to purchase the units 60 days after being advertised. She asked if the nonprofits were unable to purchase the units after 60 days, could the County purchase the units or did another entity have the right. She asked if the units would stay affordable for longer than 90 or 180 days.

Ms. Pethia said there were different ways that could be done. She said the County could add a clause that it would have the right to purchase the units. She said there was no way for the County to manage the units. She said Montgomery County stated in its ordinance that should the units not be purchased by an income qualified household or a nonprofit, then the units could be sold at market rate, but they must be sold at the affordable price, and the resale price must be restricted for the affordable period. She said that someone earning \$100,000 a year could purchase a house for \$220,000, but they would not be able to sell the house at market rate when they moved, they would have to sell at whatever affordable price was set by the county.

Ms. LaPisto-Kirtley said the restriction was that even someone who made over \$100,000 a year could purchase the house, but they could not sell at a profit.

Ms. Pethia said that was correct. She said in most of the programs, the developers had to secure the affordability periods and restricted prices through a covenant on the property.

Ms. LaPisto-Kirtley asked if Ms. Pethia knew the suggested period of time for affordability.

Ms. Pethia said the Housing Policy, which was adopted the previous year, set the affordability period of for-sale units at 40 years.

Ms. LaPisto-Kirtley said she meant the timeframe for the initial purchase.

Ms. Pethia said that could be determined.

Ms. LaPisto-Kirtley asked if tax credits were discussed with developers regarding ways to offset the cost of affordable units.

Ms. Pethia said the developer of the Brookdale project was involved in those conversations, and he was familiar with the low-income housing tax credit project. She said the Brookdale and RST developers still needed additional financial support to make their projects happen due to rising material costs. She said they included low-income tax credit developers in the conversation.

Ms. LaPisto-Kirtley said the waiting list would be important. She said without a waiting list, she imagined the whole project failing.

Ms. Pethia said she agreed and that a waiting list was important for the process. She said she had been in conversation with the police foundation about how the process may look. She said it was recommended that they start within the County to start the waiting list, figure out the process, and open it up to others who were interested.

Ms. LaPisto-Kirtley asked if teachers were included.

Ms. Pethia said they were in the process of looking at a software system. She said the Housing office was implementing a new software program that would allow for online registration and for an individual to log in. She said documents could be submitted online.

Ms. LaPisto-Kirtley said it seemed the rental units were set at 60% AMI but the ones for purchase were recommended at 80% AMI. She said it would ensure affordability. She said the cap on the square footage was important. She noted Ms. Pethia had mentioned 1,800 square feet. She asked if there would be smaller units. She said in 1,800 square feet was a mansion in New York City.

Ms. Pethia said it was a random number she had pulled out of her head. She said all of those figures would be worked out in a draft ordinance.

Ms. LaPisto-Kirtley said the presentation slides were helpful.

Ms. Pethia said she could share the slides.

Mr. Gallaway said he appreciated the case studies. He said the County did not have the capacity for the density called for in the overlay. He said he was supportive in moving forward. He asked if the next time the item would come before the Board would be in June. He asked if the components of the ordinance could be determined by June.

Ms. Pethia said if the Board wished to move forward with the ordinance, the plan would be to work with CDD staff and developers to write a draft ordinance that would be brought before the Board for a work session in August. She said it would include those details.

Mr. Gallaway noted the highest percentage for other localities was 15%. He asked if the percentages required for affordable units would change if the County adopted an ADU program. He said the ADU program required it. He asked if it was the same philosophy from a percentage standpoint.

Ms. Pethia noted they could find incentives to make the affordable units happen. She said part of the problem was that 15% of units required by the County were voluntary. She said the ADU program would make them required. She said whatever percentage the County decided, the developer would either have to supply the payments or provide a cash-in-lieu payment. She said while she preferred the units be provided, cash-in-lieu payments allowed the County to subsidize other housing projects and provided a supply of money to provide incentives. She said the County would have to subsidize the units in some form.

Mr. Gallaway said the tap fees were one incentive he saw. He asked if it was provided to serve as an example.

Ms. Pethia said they were provided as an example. She noted they were expensive.

Mr. Gallaway agreed.

Ms. Pethia said it was a good incentive to keep, but it could be changed.

Mr. Gallaway said he was supportive of the program and would like to see it move forward. He said a developer incentives list did not need to be a defined, limited list. He said the County should provide items for consideration. He said incentives should be considered per project. He said codifying the requirements in the ordinances limited the Board's and the developer's flexibility. He said the County should not limit the types of incentives it provides, and there should be a process in place to consider other incentives. He said each project would be different. He said there should be trust in the developer to bring forward the incentives that would make the project work. He said he did not know how to codify that.

Mr. Gallaway said the cash-in-lieu payments would be figured out. He asked if the program was all or nothing. He said if the requirement were 20% affordable units, would developers be able to do 10% of the units as affordable and provide cash-in-lieu payments for the remaining difference.

Ms. Pethia said she had not considered that option, but it could be a possibility.

Mr. Gallaway said the housing reserve fund had been funded through surplus (positive variance). He said if they did not find alternative ways to fund the reserve, then it would severely limit the County moving forward. He said he was interested in the options for determining the cash-in-lieu amount. He said noted the case study for Rio Point. He said if the cash-in-lieu project were done, would the total units of the project still be 328, or would they have received the increased density under the bonus and

paid in cash for the increase.

Ms. Pethia said under the ADU program ordinance, developers would need to provide 20% of the total units as affordable in exchange for the increased density through the rezoning. She said the developer could provide the units and build them on site or pay the cash-in-lieu fee.

Mr. Gallaway asked if they could build 328 units or could they build the additional amount as if they received the bonus density.

Ms. Pethia said the 328 units was with the approved bonus density. She said they would get the bonus density and pay.

Mr. Gallaway said the developer would still receive the total with the density, they just paid for it.

Ms. Pethia said that was correct.

Mr. Gallaway said the Chairman of the Regional Housing Partnership, Mr. Keith Smith, was in attendance. He said there were varied parties involved with the partnership. He said ADUs had been discussed. He said it would be valuable for the chairman to speak to the Board after the supervisors were done with their questions.

Ms. Price said they were guarding connectivity. She said she concurred with Ms. McKeel's concerns. She noted connectivity issues with recent developments. She said it did not meet the goals of the County. She said she had a different concern on the minimum square footage. She said if 100 units were built, and 80 were market rate at 3,000 square feet, and 20 were affordable at 1,800 square feet, then the people who moved into the affordable units were easily identifiable.

Ms. Price echoed Mr. Gallaway's concerns. She said incentives should be provided that kept flexibility; ranges instead of absolutes. She said she supported where the program was moving. She said she wanted to hear from industry experts and developers. She said in terms of funding housing, a property transfer fee where the fee would go to the housing fund would be a way to ensure regular funding to the reserve. She noted Mr. Gallaway had suggested inviting Mr. Smith up to speak.

Mr. Keith Smith, Chairman of the Regional Housing Partnership, said he read Ms. Pethia's report. He said the land trust had closed on the tenth home in Springhill Village by raising their own cash. He said for about \$240,000, they were able to put 10 families into the affordable units. He said the AMI was somewhere between \$50,000 to \$60,000.

Mr. Smith said the partnership considered the four pillars of a healthy housing system. He said the pillars consisted of the public body, the affordable housing of nonprofits, the private sector, and the people they served and clients. He said they put everyone into a room to figure out the issue. He noted the partnership's round tables. He said all the partners were all in the same boat. He said he could answer questions. He said he did not use the term "affordable housing" anymore, he used "housing affordability."

Mr. Gallaway said Mr. Smith should be present at the work session to be held later in the year. He said it would be a way to get the information they were interested in.

Mr. Smith said one of the struggles people were having related to the cost of construction. He said smaller units were not necessarily cheaper. He noted that for one project, 400 to 800 square foot auxiliary dwelling units cost between \$150,000 to \$250,000 to build.

Ms. Mallek said the incentives should provide an equivalent value to the community. She said if they wanted a fewer number of units, it was because there would be some other value provided to the community. She asked Ms. Pethia if it would be helpful if Board members sent a list of data they wished to see. She noted the 328 units in the Rio Point case study. She asked if there were extra affordable units in the bonus density. She said in the charts, there were additional market units.

Ms. Pethia said for the approved Rio Point Project, 15% of the total units were proffered as affordable. She said that was equal to 49 affordable units approved under the rezoning. She said if the project had gone through an ADU program that required a 20% affordable unit component, then the developer would have to provide 66 affordable units and the 328 units they requested as a maximum.

Ms. Mallek said that was applicable across the board, not to the particular project.

Ms. Pethia said the ADU program would apply to the rezoning application. She said when a developer came in and requested to rezone a parcel, they would request the density bonus required for the project. She said the affordable units would be determined from the maximum number of units the developer stated they could provide. She said the percentage of affordable units only applied to the total number of units actually constructed.

Ms. Mallek said rezonings and special permits were mentioned somewhere in the packet. She asked if it was an item the County was considering.

Ms. Pethia said it could be considered.

Mr. Gallaway said the incentive to cover the tap fees for 5% of units was to cover the difference.

Ms. Pethia said the 5% of total units filled the gap between the 15% of affordable units done currently and the 20% in the housing policy.

Mr. Gallaway said the connectivity piece was the land use part. He said the Board had to handle that issue when it came before them for rezoning. He said the ADU program would be specific to the affordable units.

Ms. Price said the executive summary was that staff recommended the Board provide direction and feedback on the ADU program ordinance discussion. She said if the Board supported implementation of an ADU program, staff requested that the Board direct staff to submit a resolution of intent to consider amending the zoning ordinance for an ADU program and begin work on drafting the proposed ordinance inclusive of the feedback received during the discussion. She said the Board's consensus was in clear support of continuing work on the program. She asked if there was a requirement for a motion.

Ms. Hudson said as long as there were no objections to the chair's summary of the consensus, then a motion was not required.

Mr. Gallaway asked for Ms. Pethia's questions to be displayed again. He said in the last point when they used the phrase "or additional monetary incentive" he wanted to ensure the flexibility piece did not get lost.

Ms. Pethia said she noted the flexibility comment. She said it was a helpful discussion. She said there was a lot of information, so she was available to answer further questions.

Mr. Gallaway said the case studies were helpful.

Agenda Item No. 14. **Closed Meeting.**

At 4:57 p.m., Mr. Andrews **moved** that the Board go into a closed meeting:

- Under Subsection (1):
 1. To discuss and consider the compensation of various appointed public officers; and
 2. To discuss and consider appointments to various boards and commissions.
- Under Subsection (6) to discuss and consider the investment of public funds where negotiation is involved, where, if made public initially, the financial interest of the County would be adversely affected; and
- Under Subsection (8) to consult with legal counsel employed by the County regarding specific legal matters involving a regional agreement and requiring the provision of legal advice.

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.

Agenda Item No. 15. **Certify Closed Meeting.**

At 6:04 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. 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, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 16. Boards and Commissions:

a. Vacancies and Appointments.

Ms. LaPisto-Kirtley **moved** that the individuals named be appointed to the respective committees:

- **Appoint** Ms. Mallory DeCoster to the Crozet Community Advisory Committee with said term to expire March 31, 2024.

- **Reappoint** Mr. Ross Stevens to the Historic Preservation Committee with said term to expire June 4, 2025.
- **Appoint** Ms. Judith DiVita to the Piedmont Family YMCA with said term to expire January 31, 2024.
- **Appoint** Ms. Willie Mae Gray to the Social Services Advisory Board as the Samuel Miller District representative with said term to expire December 31, 2025

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, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 17 From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson said he did not have a formal presentation. He said Mr. Henry would provide an update on the opening of the parks for the summer.

Mr. Trevor Henry, Assistant County Executive, said he had mentioned at a previous meeting that the County had recruited 15 lifeguards. He said the number had risen to 19 lifeguards. He said the Parks Department would be working with Communications and Public Engagement Office. He said they would be moving forward with plans to open two of the three swim parks; Mint Springs and Chris Green Lake. He said they were having issues getting enough staff who were willing to travel to Walnut Creek. He said in order to safely open the parks, they would start with the two previously mentioned parks. He said recruitment would continue.

Mr. Henry said the plan was to open Mint Springs and Chris Green Lake starting Memorial Day weekend and then to continue to have weekend-only hours. He said once school ended on June 16, the operation would expand to being open from Thursday through Sunday. He said they would expand days and locations if they were able to recruit enough staff.

Ms. Mallek asked if there was information to share regarding training offerings.

Mr. Henry said through coordination with parks staff, the County would pay for certification and assist in scheduling opportunities for certification. He said Mr. Joe Clark was the contact in the Parks Department.

Ms. McKeel recommended outreach to the Jefferson Area Swim League.

Mr. Henry said they had been aggressive with all the high school level swim coaches and the area's summer program swim coaches. He said the outreach had been done. He said they were recruiting in the high schools and PVCC. He said it had been an issue for the past few years.

Ms. Price said the staffing issues were no different than other areas of the County.

Agenda Item No. 18. 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. Amanda Nelsen said she would cede her time to Ms. Kendall Colenbaugh. She said she was present as the teacher for her students present. She said they were sharing climate information with the Board.

Ms. Kendall Colenbaugh said she was a UVA student and enrolled in Right Climate, Art, and Engagement; a class focused on environmental engagement and awareness through public art. She said they represented some 600 members of the community who shared concerns about the lack of action surrounding the climate crisis. She noted the mural being held across the back of the room. She said the mural depicted a Charlottesville landscape against the backdrop of the average temperature anomalies between 1880 and 2022.

Ms. Colenbaugh said from blue in 1880 to red in 2022, the mural visibly depicted the warming of the planet due to climate change. She said on the other side, each post card, individually sewn together, expressed a community member's feeling towards the climate crisis and a place they cared deeply about that was impacted by climate change.

Ms. Colenbaugh said community members expressed feelings of anger, anxiety, frustration, sadness, and fear. She said above all, they expressed the need for change. She requested the Board provide strong climate action policies to reduce the carbon footprint and strengthen the collective environmental resilience. She said the County needed a bold climate action plan that centered climate justice, resilience, and regeneration.

Mr. Mason Crosby Pickett mentioned leftists and the Supreme Court. He said Mr. Sabato made a

statement and was surprised with the political landscape. He said the decision was unsurprising. He said Chief Justice Roberts called the leak of the court's opinion an "egregious breach of trust." He said the Supreme Court was the best of anything, no matter the judges.

Mr. Pickett said leftists were not speaking up against the leak. He said abortion should not be viewed as a form of birth control. He said to many leftists, it was a form of birth control. He said a sign on the news said abortion was a form of healthcare. He asked where those people's families and pastors were. He said in Los Angeles, the people protesting were throwing rocks at the police over birth control.

Mr. Pickett said the world was watching. He mentioned China. He said he spoke about natural climate change. He said he believed man had a huge part in climate change. He said China was an example. He mentioned the three worst cities in the world. He said there were discussions for a natural gas pipeline, but leftists stopped it. He said you cannot ask for everything. He said when you asked for everything, you got nothing.

Agenda Item No. 19. **Public Hearing: SP202100018 Greenbrier Veterinarian Expansion.**

PROJECT: SP202100018 Greenbrier Veterinarian Expansion

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 061W0-01-0A-00500

LOCATION: The proposed project is located on the north side of Greenbrier Drive (Route 866) approximately 600 feet west of Seminole Trail (Route 29).

PROPOSAL: Expansion of existing veterinarian services. The existing veterinarian service was most recently approved with SP201100031.

PETITION: Veterinary office and hospital allowed by special use permit under sections 22.2.2.5 and 24.2.2.4 of the Zoning Ordinance on a 3-acre parcel. No new dwelling units proposed.

ZONING: HC Highway Commercial - commercial and service; residential by special use permit (15 units/ acre) and C-1 Commercial - retail sales and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT(S): AIA - Airport Impact Area Overlay, Managed Steep Slopes

COMPREHENSIVE PLAN: Neighborhood 1 - Places 29 - Office/R&D/Flex/Light Industrial - employment generating uses including professional offices, research and development, flex spaces, and light industrial. Secondary commercial retail, residential (6-34 du/acre), institutional.

The Executive Summary forwarded to the Board states that at its meeting on March 1, 2022, the Planning Commission voted (6:0, Commissioner Bailey absent) to recommend approval of SP202100018 Greenbrier Veterinarian Expansion.

The Planning Commission expressed no concerns with this proposal. The Commission verified that no changes to the entrance or the layout of the site would occur, and that the adequacy of onsite parking would be verified during the zoning clearance process. There was no public comment at the meeting.

Staff recommends that the Board adopt the attached resolution (Attachment D) to approve SP202100018 Greenbrier Veterinarian Expansion.

Mr. Bill Fritz, Development Process Manager, said the special use permit was for the expansion of a veterinary clinic. He said the property was located on Greenbrier Drive and the proposal would allow the vet to use any portion of the buildings located on the site. He said they had been providing additional services over the years, so they wanted to be able to use the space as efficiently as possible. He said the particular property had been home to a vet since the 1990s. He said a special use permit was issued in the 1990s for an emergency veterinary clinic. He said the special use permit had been amended several times to expand hours of operation and allow additional space among other items.

Mr. Fritz said there had been no complaints related to the piece of property. He said the location of the property was about 700 feet from the nearest residence. He said all of surrounding properties were zoned commercially. He said the subject property had split zoning; highway commercial and C1. He said the special use permit was to amend an existing condition that limited the veterinary use of the property to one portion of the property to allow them to use any portion. He said there was a community meeting and Planning Commission meeting. He said no concerns were expressed at either meeting.

Mr. Fritz said only support was expressed for the particular use at each meeting. He said at the Commission meeting, only two comments were offered. He said the Commission wanted to confirm there would be no changes to the site. He said there would be no changes onsite. He said the Commission wanted to confirm that the parking would be adequate. He said the parking was adequate. He said staff recommended approval, and the Commission unanimously recommended approval.

Ms. Price opened the hearing to the public. She said the applicant would participate virtually.

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

Ms. Jo Higgins said she represented the property owner for the Greenbrier Veterinary and Medical facility. She said since the 1990s, the emergency room was expanded to include surgery, three veterinarians for internal medicine, one for cardiology, and one for oncology. She said they had fully rented the first building. She said they were seeking other veterinary uses to collocate on the site.

Ms. Higgins said the uses that had potential to join the practice were dermatology, ophthalmology, rehabilitation and recovery, and neurology. She said the services were needed. She said veterinary medicine had become specialized, and people often travelled out of the area, to Richmond or Northern Virginia, for specialist services. She said they had been met with enthusiasm.

Ms. Price noted there were no further speakers from the public. She closed the hearing to the public and brought the matter back before the Board.

Mr. Gallaway **moved** that the Board adopt the resolution as presented in Attachment D to approve SP202100018 Greenbrier Veterinarian Expansion and the conditions contained therein. 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, Ms. Palmer, and Ms. Price
NAYS: None.

**RESOLUTION TO APPROVE
SP202100018 GREENBRIER VETERINARIAN EXPANSION**

WHEREAS, upon consideration of the staff report prepared for SP202100018 Greenbrier Veterinarian Expansion 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 §§ 18-22.2.2(5), 18-24.2.2(4), and 18-33.8, 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, with the uses permitted by right in the underlying zoning districts, with the applicable provisions of *County Code* § 185.1.11, 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 SP202100018 Greenbrier Veterinarian Expansion, subject to the conditions attached hereto.

* * *

SP202100018 Greenbrier Veterinarian Expansion Special Use Permit Conditions

1. There shall be no outside exercise area. However, walking of animals is permitted and shall be delineated with either post and cable or fencing to an area in the northwest corner of the parcel as shown on the attachment (described in 3);
2. No animals are to be confined outside;
3. Use is allowed in 370 and 380-386 Greenbrier Drive as shown on the attached Land Title Survey Showing Parcel B-1 Section One Westfield created by B. Aubrey Huffman and Associates, LLC dated April 13, 2005; and
4. No overnight boarding shall be permitted, except for those animals under emergency medical care.

Agenda Item No. 20. **Public Hearing: ZMA202100015 Glenbrook.**

PROJECT: ZMA202100015 Glenbrook

MAGISTERIAL DISTRICT: White Hall

TAX MAP/PARCEL: 056A2-01-00-06200

LOCATION: Undeveloped portion of the Glenbrook development located south of Three Notch'd Road, west of the westernmost edge of Union Mission Ln, north of the future extension of Park Ridge Dr, and approximately 570 feet east of the eastern terminus of Hill Top St.

PROPOSAL: Request to amend the application plan and proffers concerning residential unit types associated with ZMA201600005.

PETITION: Proffers previously approved with ZMA201600005 included a voluntary, percentage-based mixture of residential building types, wherein a minimum of 50% of the proposed lots would be single family detached dwelling units and a minimum of 10% of the proposed lots would be single family attached or townhouse units. The applicant is requesting to remove the aforementioned requirement from this 1.89 acre portion of the 37.93 acre rezoning area. No change to the zoning district or maximum number of units are proposed. The subject property represents the final phase of the Glenbrook development.

ZONING: R-6 Residential - 6 units/acre

OVERLAY DISTRICT: EC - Entrance Corridor

PROFFERS: Yes

COMPREHENSIVE PLAN: Middle Density Residential - Residential densities in the range of 6-12 units per acre are recommended. Residential density of up to 18 units per acre could be considered to accommodate additional affordable housing (beyond any baseline affordability requirements); or to allow for construction of small-scale housing types: bungalow courts, small and medium multiplexes, accessory dwelling units, live/work units, small single-family cottages, and tiny houses. Secondary uses include religious assembly uses, schools and childcare,

institutional, and commercial/retail.

The Executive Summary forwarded to the Board states that at its meeting on March 15, 2022, the Planning Commission (PC) conducted a public hearing and voted 7:0 to recommend approval of ZMA202100015. The PC's staff report, action letter, and meeting minutes are provided below (Attachments A, B, and C, respectively).

During the PC meeting, discussion focused on clarifying the applicant's request, previously-approved affordable housing proffers for the property, the location of proposed affordable housing units and future unit type, as well as other development-related questions. The PC expressed concern that the applicant's request did not specify what would be provided in place of the previous building type commitment and that proposed affordable units would be co-located within a small portion of the development instead of being spread throughout. The PC did not include any recommended changes to the application plan or proffers in its motion to recommend approval.

No members of the public spoke during the public comment portion of the public hearing for this item.

Since the PC meeting, the applicant submitted a revised and signed proffer statement (Attachment D). Those revisions to the proposed proffers have been approved as to form by the County Attorney's Office. The proffer statement amends the application plan previously approved. No other revisions were made following the PC meeting and the prior accepted affordable housing proffers approved with ZMA201600005 will remain in place.

Staff recommends that the Board adopt the attached Ordinance (Attachment E) to approve ZMA202100015 Glenbrook.

Ms. Rebecca Ragsdale, Planning Manager, said she was filling in for Ms. Mariah Gleason. She said the proposal was a rezoning application for a portion of a previously approved portion of Glenbrook. She said there were different sections; the by-right sections and the rezoned sections. She said the parcel was 1.89 acres. She said it was part of a rezoning that occurred in 2017 and included about 37.93 acres. She said there had been a lot of activity south of the parcel as Glenbrook developed in phases. She noted the Park Ridge Drive extension.

Ms. Ragsdale said the surrounding parcels were zoned R6 and R2. She said the rezoning proposal involved various properties; some were R2, some were industrial, and some were R6. She said the 1.89-acre parcel was not contiguous with the rest of the development. She said the application plan from 2017 was proffered because it was an R6 district, and the ordinance did not require an application plan.

Ms. Ragsdale said the change would only apply to the 1.89-acre parcel. She said the only change was to a percentage-based requirement for housing types offered on the application plan. She said when staff analyzed rezoning requests, they looked for compliance with the Comprehensive Plan and that a mix of housing types were provided. She said in order to address those points, the applicant offered at the time that at least 50% of the units would be single-family detached. She said the proposal was that the requirement be removed for the 1.89-acre parcel. She said the remainder of Glenbrook was in the planning phases and complied with the mix of housing types; at least 50% single-family detached.

Ms. Ragsdale said the proposal was consistent with the Crozet Master Plan in terms of the middle-density designation. She said there was a community meeting where people were favorable to the request because it would provide opportunity to provide affordable units. She said the proffer offered was not specific. She said the applicant had flexibility in providing for rent, for sale, or cash-in-lieu of units, and they had the option to choose where to provide those within the development. She said staff found factors favorable and recommended approval. She said the Planning Commission voted unanimously to recommend approval.

Mr. Andrews noted that the parcel was not contiguous with the other parcels, but the development would be built around it.

Ms. Ragsdale said there were the rezoned areas in the application plan. She said around that rezoned area was R6 zoning. She said the rezoning was to make the area uniformly R6.

Mr. Andrews asked would be built next to the subject parcel.

Ms. Ragsdale said another by-right phase of Glenbrook would be built next to the parcel. She said she was not certain as to the status, what had been submitted, and what had been approved. She said Phase 1 and Phase 2 of Glenbrook were part of the rezoned area. She said Phase 3 and Phase 4 were not part of the rezoned area. She said it was anticipated the area would develop with more townhouses based on what the applicant had planned. She said the request would remove the percentage cap on housing types.

Mr. Andrews said he was concerned there would be only one housing type.

Ms. Mallek said she wondered why the parcel was left out. She said she wanted to know what kind of development would be expected for the parcel. She said it seemed the applicant wanted to put all

of the affordable housing for the Glenbrook development on 1.89 acres.

Ms. Ragsdale said the rezoning provided flexibility that remained with the applicant. She said two-over-one townhomes were being considered. She said the applicant could provide their planning for the parcel.

Mr. Gallaway asked if there would be 180 units in total.

Ms. Ragsdale said that was correct. She said the proposal was not a request to increase the number of units. She said the total was 180.

Mr. Gallaway said the 27 units would be the number of affordable units.

Ms. Ragsdale said that was correct.

Mr. Gallaway asked how many of those 27 units would be on the subject parcel if they received approval.

Ms. Ragsdale said all the affordable units would be located on the parcel.

Mr. Gallaway said the applicant would put all 27 affordable unit in one location.

Ms. Ragsdale said yes.

Mr. Gallaway said that was the reason for the proposal.

Ms. Price opened the hearing to the public and said the applicant was present.

Ms. Ashley Davies, Riverbend Development, said Mr. Scott Collins, Collins Engineering, designed the plans for Glenbrook. She said parts of the development site were rezoned to R6 in 2017. She said other parts of the development site were already zoned R6. She said the neighborhood was an extension of the Foothills neighborhood area. She said the request had been confusing.

Ms. Davies said since 2017, the County had entered into an affordable housing crisis that was getting worse by the day. She said typically, the developer chose the cash-in-lieu option. She said when they began the Glenbrook project, that was how they planned to address affordable housing. She said the developer had started a homebuilding company—Greenwood homes—and they were constructing housing within the development. She said they had gotten involved in affordable housing within the City.

Ms. Davies said the developer had already sold off the first two phases, and staff confirmed they were not allowed to put any of the affordable housing throughout Phase 3. She said there were affordable units as part of the by-right development. She said there were a large number of units with a variety of sizes. She said it would be walkable to recreational areas and downtown Crozet. She said the building type requirement was a hinderance. She said there were plenty of single-family detached units planned in the development along with other housing types.

Ms. McKeel asked if the units would be affordable.

Ms. Davies said yes.

Ms. McKeel asked if they would be two-over-one.

Ms. Davies said that was correct.

Ms. McKeel asked which of the units would be affordable.

Ms. Davies said for some, both units would be affordable within one dwelling, and for some, only the bottom level would be designated as affordable. She said there would be a variety of unit sizes; three-bedroom, two-bedroom, and one-bedroom units.

Ms. Mallek asked how the units would be arranged.

Ms. Davies said they looked like townhouse units. She said from the front, there would be a two-floor unit, and the back would provide access to the one-level unit.

Ms. Mallek said the lower-level units would be one-bedroom or studio style.

Ms. Davies said they were typically one-bedroom. She said there was a design for a two-bedroom unit, so the sizing might be different.

Ms. Mallek asked the developer's plans for renting and selling the units.

Ms. Davies said they were still figuring out what was best. She said they would be set up as condominiums, so the units could be sold.

Mr. Gallaway asked if the two-over-one design existed throughout the development.

Ms. Davies said there would be two-over-one styled units in the by-right area. She said they had almost completed the plat for Phase 3.

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

Mr. Gallaway asked if there were affordable units throughout the rest of the development.

Ms. Davies said all of the required affordable units as part of the rezoning would be in the 1.89-acre parcel. She said six affordable units would be constructed in the by-right area, but that related to a separate code section.

Mr. Gallaway said the affordable units would not be isolated to one section.

Ms. Davies said that was correct.

Ms. Price said when there was a large collection of properties, it allowed the opportunity to provide the diversity of housing types. She said this type of development was the “missing middle” she previously referred to. She said people should be able to move within a neighborhood depending on their needs.

Ms. Mallek **moved** that the Board amend the zoning map for TMP 056A2-01-00-06200, as presented in Attachment E. 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, Ms. Palmer, and Ms. Price
NAYS: None.

ORDINANCE NO. 22-A(5)
ZMA 2021-00015 GLENBROOK

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR PARCEL ID 056A2-01-00-06200**

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2021-00015 and their attachments, including the application plan last revised on February 18, 2022 the proffers dated March 28, 2022, the information presented at the public hearing, any comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code §§ 18-16.1 and 18-33.6, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2021-00015 with the application plan last revised on February 18, 2022 and the proffers dated March 28, 2022.

Agenda Item No. 21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. McKeel said the personal property tax rate was being reduced. She asked if there was a way to inform the taxpayers how much they had saved.

Mr. Richardson said he would send Ms. Birch an email and ask her Ms. McKeel's question. He said he would send a response to the entire Board.

Ms. McKeel said it would be good for the taxpayers to understand the implications. She said the meeting minutes they approved were from August 19, 2020, and they were nearly two years old.

Ms. Mallek mentioned action letters were sent to the Board whenever they were posted. She asked if it was possible to restart the practice. She said it would help people to see what was available. She said it was interesting reading the minutes that were posted because it was helpful as a reminder.

Ms. McKeel said only one person got to read them.

Ms. Mallek said Ms. McKeel was welcome to read them all.

Ms. LaPisto-Kirtley said she would be happy to give hers to Ms. McKeel to read anytime.

Mr. Gallaway said in April, the TJPDC voted to support the Raise Grant. He said the FY23 Rural transportation work program resolution was approved. He said it generated community interest through the impact organization.

Ms. Price noted the work done on the budget. She noted the work done by the CDD. She said

the community did not understand how much time the staff put in.

Agenda Item No. 22. Adjourn to May 5, 2022, 2:00 p.m., Lane Auditorium

At 6:56 p.m., the Board adjourned its meeting to May 5, 2022, 2:00 p.m., which will be held in Lane Auditorium. Information on how to participate in the meeting will be posted on the Albemarle County website Board of Supervisors home page.

Chair

Approved by Board
Date 02/21/2024
Initials CKB