

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on October 18, 2023, at 1:00 p.m. in Lane Auditorium on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

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

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Steve Rosenberg; Clerk, Claudette Borgersen; and Deputy Clerk, Travis Morris.

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

Ms. Price introduced the following Albemarle County Police Officers in attendance: Lieutenant Angela Jamerson and Master Officer Dana Reeves.

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

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Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price stated Ms. Mallek had requested to amend the agenda to include a proclamation supporting Operation Greenlight for Veterans under Item 6, Proclamations and Recognitions. She said that staff requested to remove Item 15, the public hearing for Pathways to Removing Obstacles for Housing (PRO) Housing Grant Application from the agenda, and to move Item 13, the report of the County Executive, and Item 16, committee reports from the Board, to before the closed meeting.

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

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

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

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

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

Ms. Mallek said that there would be a yard sale at Burley Middle School on Saturday, the 21st of September, which was being sponsored by the Jefferson Masonic Lodge No. 20 and the Chihamba 33rd Annual African American Cultural Arts Festival. She said that her constituent, Ruby Stratford-Boston, had provided her with an update on this event. She said that it was a fundraiser for the Chihamba Festival, which had been running for 32 years. She said that if anyone wanted to donate items, they could bring them to Burley on Friday afternoon at 5 p.m. in order to support the sale on Saturday.

Ms. Mallek said that the next event was the Apple Butter Festival at the White Hall Community Building, sponsored by the White Hall Ruritan, on Saturday, October 28, from 8 a.m. to 12 p.m. She said that the cooking would be taking place all day on Friday and Saturday, so they would be offering apple butter from the early morning hours, along with a significant amount of effort put into the cooking process.

Ms. Mallek said that on November 11 and 12, the 29th Annual Artisan Studio Tour would be occurring. She said that people were receiving this brochure in their mailboxes by now. She said that there were 24 studios throughout the region, encompassing all of Central Virginia's counties and the City. She said that this was an ideal place to do Christmas shopping and catch up with friends.

Ms. LaPisto-Kirtley said that she had the honor of attending the marker unveiling for Virginia Murray on October 8. She said that Ms. Murray was an elementary school teacher at the Rosenwald School, which was built by Mr. Rosenwald from Sears and Roebuck, who constructed seven schools in Albemarle County. She said one of these schools was being converted into a community center, which will be officially opened on November 11. She said that as a pioneer and one of 13 children, Ms. Murray was born in 1897. She said she served as a teacher before becoming the superintendent of schools in her area. She said a school was named after her in the White Hall District. She noted that Ms. Price attended the event and spoke, as did Ms. McKeel.

Ms. McKeel said the Medicare open enrollment period began on October 15 and would end on December 7. She said that JABA (Jefferson Area Board for Aging) offered free counseling services for those who scheduled an appointment. She said the service was available to anyone in the community and could help individuals review their current plan and potentially save money on prescriptions. She said that to schedule an appointment, one could visit [jabacares.org](http://jabacares.org) or call JABA directly.

Ms. McKeel said the County would soon be launching a MicroCAT transit option as a pilot program. She said the service was free to the public and functioned as an Uber-like platform to provide bus transportation from Pantops to 29 North or other stops to go into the City.

Ms. McKeel said that it was an excellent option compared to driving one's car. She said that the MicroCAT buses were designed for individuals who required ADA (Americans with Disabilities Act) accessibility. She said that the soft opening was scheduled to commence next week, but the official launch would take place on October 30. She said that it would operate from Monday through Saturday, between 6:30 a.m. and 9 p.m. She said that people could visit [www.city.ridewithvia.com/microcat](http://www.city.ridewithvia.com/microcat) or contact CAT directly for assistance.

Ms. Price said that the International City/County Management Association (ICMA), which was the leading professional organization for city and county managers, in collaboration with the American Councils for International Education, had implemented the Young Southeast Asian Leaders Program. She said they were fortunate in the County to have two young leaders from Southeast Asia, Emily and Autumn from Cambodia and Thailand, respectively, come and spend some time with them. She said that the value of such programs in promoting the ideals of Western-style governance, including the rule of law, was significant. She said that it was important to show people from developing nations how government should operate.

Ms. Price said that last week, she and Mr. Richardson had the chance to present to the Emerging Leaders Program of the Sorenson Institute. She said that they offered various programs designed to educate individuals on leadership skills around the country, with a primary focus on Virginia. She said that during their presentation, Mr. Richardson discussed his background in North Carolina, which led to an exchange of messages between one of the class attendees and the Speaker of the North Carolina House of Representatives, whom Mr. Richardson had previously worked with at one of his previous employment positions. She said this illustrated the significance of connections and how they can impact the development of leaders. She said that they needed to take advantage of those opportunities to help educate people about how government is supposed to operate.

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Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Supporting Operation Green Light for Veterans.

Ms. Price **moved** to adopt the proclamation supporting Operation Green Light for veterans, as she read it aloud.

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

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

**Proclamation Supporting Operation Green Light for Veterans**

**WHEREAS**, Albemarle County has great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and honors the contributions and sacrifices of those who served in the Armed Forces as vital in maintaining the freedoms and way of life enjoyed by citizens; and

**WHEREAS**, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

**WHEREAS**, Approximately 200,000 service members transition to civilian communities annually; and an estimated 20 percent increase of service members will transition to civilian life in the near future; and

**WHEREAS**, studies indicate that 44 to 72 percent of service members experience high stress levels during the transition from military to civilian life, and active military service members transitioning from military service are at a high risk for suicide during their first year after military service.

**NOW THEREFORE BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby recognize Operation Green Light for Veterans, and with Albemarle's designation as a Green Light for Veterans County, declare from October 18 through Veterans Day, November 11, 2023, as a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service; and

**BE IT FURTHER PROCLAIMED**, that in observance of Operation Green Light, we, the Albemarle County Board of Supervisors, encourage County residents, businesses, and organizations in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 6 through November 12, 2023.

Mr. Trevor Henry, Deputy County Executive, representative of the County Veterans Affinity Group, and a former Navy submariner, accepted the proclamation. He said that this was an important element of awareness, as people who serve came home and often continued their battles. He said that this was an area of work and support that was meaningful. He said that he would like to give the Facilities Department a shout out for enabling the kind of ask, which may seem easy; however, the previous methodology of changing out a thousand light bulbs in every window was not easy. He said that the Public Works Division leadership devised an innovative approach and believed they would be able to reflect the proclamation in a manner that was visible and could accommodate additional requests in the future.

Mr. Henry said that it was noteworthy that within the County's Local Government and Schools, there were at least 300 veterans who were now public servants. He said that according to the latest census, there were over 6,000 veterans in Albemarle County; however, this number was likely understated since it only accounted for those receiving benefits. He said he served eight years of active duty, but he was not considered among the 6,000. He said that the Department of Defense (DoD) was a significant component of their community and economy.

Ms. Mallek said that she was not aware if there were any County veteran services officers in Virginia yet. She said in counties where this position existed, it had brought significant benefits to service members through expanded eligibility for various programs, which far exceeded the cost of hiring such a staff member. She said she strongly recommended that communities promote this green light program to ensure that veterans were aware of the changing requirements and eligibility criteria set by the VA (Veterans Administration). She said that the head of the VA made a big announcement in August 2023 regarding exposure to toxic chemicals covered under the PACT (Promise to Address Comprehensive Toxins) Act. She said that even if one was denied eligibility before, they should try again as it was a new world with new descriptions of where these exposures could have happened and which were presumptive coverage.

Ms. LaPisto-Kirtley said she had encountered individuals who were unaware that they could receive benefits and required those benefits. She said that they were not aware that recent developments within the past year or two had resulted in increased benefits for their veterans. She said that her older brother benefited from having served in the military and fought in Vietnam. She said that it was essential to assist them as they had made significant sacrifices, including risking their lives and enduring hardships within their families and personal lives.

Mr. Andrews asked where someone could purchase a green lightbulb.

Ms. Mallek said that on the NACo (National Association of Counties) website, they directed individuals to various online shopping options. She said that she was diligently searching for locally sourced strings of greens that she could use to decorate her fence, and if she found any, she would share this information with others. She said that on the NACo website under the 'Operation Greenlight' initiative should provide links to such resources.

Ms. LaPisto-Kirtley asked if they could do green spotlights on the building.

Ms. Mallek said that staff had decided to use spotlights on the front of the building.

Mr. Gallaway said that he had observed some employees who were veterans experiencing difficulties navigating through their benefits and services. He said if any obstacles or denials arose, it was crucial to persist in seeking assistance. He said he fully supported any resources that could be provided to help overcome these challenges.

Ms. McKeel said she had a string of lights on her garden fence which allowed her to change the color.

Ms. LaPisto-Kirtley said that her brother had taken over a year to receive his benefits, but the good news was that they were retroactive to the day of application. She said that it was essential for people to know that even if it took some time, the benefits would still be granted from the date of application.

Ms. Price said that she would not go back through the entire litany of her family history dating back several centuries; however, her 97-year-old father was a World War II combat veteran. She said she served in the Navy for 25 years and was a member of both the VFW (Veterans of Foreign Wars) and American Legion. She said her youngest son was a Marine Corps major with three combat operations. She said she had a personal appreciation for these types of proclamations. She said that there were those who served in the military, those who served with the military, and those who accompanied the military. He said that out of her four children, one served in the Marine Corps and two had served with the Department of Defense. She said that the family members of the service members also served. She said it was essential that they remember all those who provided support or directly helped defend the United States.

Mr. Dirk Nies, White Hall District, said that he had drafted a petition seeking to expand eligibility for real estate tax relief to the elderly and disabled who were of modest means. He said that he drafted a petition to gauge public support for eliminating the net worth criteria completely. He said that his petition had been signed by 425 citizens across two dozen zip codes in Albemarle County. He said that in response to their request, Jennifer Matheny, who is the Chief of Revenue Administration and oversaw this tax relief program, graciously convened a two-hour meeting attended by Ms. Mallek, Interim County CFO Jacob Sumner, Revenue Analyst Robert Wilson, his wife Carmen, and himself.

Mr. Nies said they had a discussion during which Ms. Mallek took six pages of notes. He said that two key takeaways that he gleaned from the meeting were that this proposal is not a significant financial burden for the County in his opinion. He said that less than one percent of real estate tax revenues were waived under the current program. He said that this program was run as an honor system, meaning that much of the net worth information submitted could not be independently verified. He said he urged the Board to take progressive and non-partisan action by granting real estate tax relief to additional vulnerable low-income elderly and disabled homeowners. He said that by eliminating the burdensome and intrusive net worth requirement for the next tax relief application cycle, these citizens could spend their savings on their own care, the care of their disabled loved ones, and the care of the land and home that they love.

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Ms. Phyllis Ripper, White Hall District, said that she was there to discuss the significance of a one-room schoolhouse located in Browns Cove that was currently being sold by its owner and how the County could preserve the structure. She said that the deed stated that the schoolhouse was built in 1932; however, it appeared on the 1907 Massey map as “the colored school.” She said that Browns Cove was a unique area due to the high number of descendants of enslaved people from local plantations who still resided in the area. She said that she met Alice Howard while researching the topic. She said she resided on one of these former plantations, BrightBerry Farm, and there was a very large cemetery for enslaved individuals on her property that she had cleaned up and preserved.

Ms. Ripper said that Ms. Howard’s parents were buried on her farm, along with her grandparents and numerous descendants. She said that Ms. Howard would now speak to them about some of her relatives who attended the one-room schoolhouse in Browns Cove. She said the structure was located across from Mount Carmel Church, which also required preservation. She said there were numerous graves surrounding both buildings that required preservation. She said she was unsure how they could proceed, but with the Board’s support, they could attempt to find a path forward and engage local citizens to help preserve the building.

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Ms. Alice Howard said that her parents both went to the old schoolhouse. She said she did not want to see it torn down or removed. She expressed her desire for them to preserve it as a historical site. She noted that many Black families also went to the schoolhouse, which consisted of only one room. She said that her uncle contributed to building the bridge nearby. She said that in the 90s, they stopped using the bridge, but there should be a way to reopen it to access the schoolhouse. She said that people should be able to visit the schoolhouse and the historical site.

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Agenda Item No. 8. Consent Agenda.

Ms. LaPisto-Kirtley **moved** to adopt the consent agenda.

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

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

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Item No. 8.1. Approval of Minutes: January 11, January 20, January 21, February 3, February 14, March 2, and March 9, 2022.

Ms. LaPisto-Kirtley had read the minutes of January 11, 2022, and found them to be in order.

Mr. Gallaway had read the minutes of January 20, 2022, and found them to be in order.

Mr. Andrews had read the minutes of January 21 and February 14, 2022, and found them to be in order.

Ms. Price had read the minutes of February 3, 2022, and found them to be in order.

Ms. Mallek had read the minutes of March 2, 2022, and found them to be in order.

Ms. McKeel had read the minutes of March 9, 2022, and found them to be in order.

**By the above-recorded vote, the Board approved the minutes January 11, January 20, January 21, February 3, February 14, March 2, and March 9, 2022.**

Item No. 8.2. Voting Credentials for the 2023 VACo Annual Business Meeting.

**By the above-recorded vote, the Board adopted the voting credentials for the 2023 VACo Annual Business Meeting:**

VACo 2023 Annual Meeting  
Voting Credentials Form  
Form may be returned by mail, fax (804-788-0083) or email vrussell@vaco.org

Voting Delegate:  
(Supervisor)  
Name Donna P. Price  
Title Chair  
Locality Albemarle County

Alternate Delegate:  
(Supervisor)  
Name Ann H. Mallek  
Title Supervisor, White Hall District  
Locality Albemarle County

Certified by:  
(Clerk of the Board)  
Name Claudia Hicks Barger  
Title Clerk to the Board of Supervisors  
Locality Albemarle County

VACo 2023 Annual Meeting  
Proxy Statement

County authorizes the following person to cast its vote at the 2023 Annual Meeting of the Virginia Association of Counties on November 14, 2023.

\_\_\_\_\_ a non-elected official of this county.

-OR-

\_\_\_\_\_ a supervisor from \_\_\_\_\_ County.

This authorization is:  
☐ Uninstructed. The proxy may use his/her discretion to cast \_\_\_\_\_ County's votes on any issue to come before the annual meeting.  
☐ Instructed. The proxy is limited in how he/she may cast \_\_\_\_\_ County's votes. The issues on which he/she may cast those votes and how he/she should vote are: (List issues and instructions on the back of this form)

Certified by: Name \_\_\_\_\_  
Title \_\_\_\_\_  
Locality \_\_\_\_\_

Item No. 8.3. Facilities and Environmental Services (FES) Quarterly Report, **was received for information.**

Item No. 8.4. Rivanna Water and Sewer Authority (RWSA) Quarterly Report, **was received for information.**

Item No. 8.5. Albemarle County Service Authority (ACSA) Quarterly Report, **was received for information.**

Agenda Item No. 9. **Action Item:** 2024 Legislative Priorities and 2024 Legislative Positions and Policy Statements.

The Executive Summary as forwarded to the Board states that each year, the Board of Supervisors considers and approves a set of legislative priorities to pursue in the upcoming General Assembly session. The Board then meets with the County's local delegation from the General Assembly to discuss these priorities and submits them to the Thomas Jefferson Planning District Commission (TJPDC), the Virginia Association of Counties (VACo), and the Virginia Municipal League (VML). The Board of Supervisors held work sessions on its 2024 Legislative Priorities and 2024 Legislative Positions

and Policy Statements on June 21 and September 20, 2023. On October 18, 2023, the Board will have a third opportunity to discuss its Legislative Priorities and, if it is ready to do so, to establish those priorities and to adopt its Legislative Positions and Policy Statements.

During its work session on September 20, 2023, the Board of Supervisors reviewed the proposed legislative priorities, as well as proposed legislative positions and policy statements.

The Board provided direction to staff to move forward with the following three legislative priorities for 2024, in prioritized order:

- Provide state funding for Rivanna Futures project. Include \$58 million in funding in the biennial state budget for this economic development project adjacent to the U.S. Army's existing Rivanna Station installation.
- Grant the County taxing authority for school division capital projects. Amend Title 58.1, Subtitle I, Chapter 6 of the Code of Virginia to make Albemarle County eligible to levy an additional 1% retail sales tax for the purpose of funding school division capital projects.
- Expand the use of photo-speed monitoring devices. Amend Virginia Code §§ 46.2-882 and 46.2-882.1 to enable the use of photo speed monitoring devices on segments of secondary roads where speeding has been identified as a problem.

The consensus of the Board was to shift to the legislative positions and policy statements legislative priorities from 2023, concerning civil penalties, special exceptions for short-term rentals and all-virtual meetings. The Board further indicated its acceptance of updates to the legislative positions and policy statements to align with the Board's Fiscal Year 2024-2028 Strategic Plan and to reflect support of initiatives of other localities, including the extension of Line of Duty benefits to private police departments and the implementation of the Joint Legislative Audit and Review Commission report on Community Service Boards.

The Board discussed the potential support of conclusions in a Virginia Department of Fire Programs' report dated October 1, 2023. As the report was not available for review at prior work sessions, staff will provide further details at the October 18 work session for final Board direction concerning this subject. Suggested language is included in Attachment B, which can be deleted as needed.

Finally, one of the proposed policies and position statements in Attachment B concerns the extension of line of duty benefits to private police officers of private police departments recognized by the Commonwealth of Virginia. This initiative is being advanced by Nelson County, to benefit officers of the Wintergreen Police Department. Nelson County has requested that Albemarle County provide a letter in support of such legislation. A draft letter is attached to this executive summary as Attachment C for the Board's consideration.

There are no specific, identifiable budget impacts.

Staff recommends that the Board review its 2023 Legislative Priorities (Attachment A) and 2023 Legislative Positions and Policy Statements (Attachment B), and, if they are acceptable, adopt them by motion. Staff further recommends that the Board consider approval of the proposed support letter (Attachment C) concerning the extension of line of duty benefits to private police officers of private police departments.

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Mr. Steve Rosenberg, County Attorney, explained that the work session was the third of three for the Board to develop its 2024 legislative priorities and legislative positions and policy statements. He said that the objective for the work session was to help the Board feel comfortable with approving the 2024 legislative priorities and the 2024 legislative positions and policy statements. He said that they would first examine the revised draft of the legislative priorities, followed by the revised draft of the legislative positions and policy statements. He said that they would discuss a letter of support that had been requested from the Board by Nelson County. He said that they would summarize and review the next steps.

Mr. Rosenberg said that the legislative priorities were specific needs that required legislative action by the General Assembly and the Governor. He said they had revised these based on the discussions at the October 4 meeting and were included in Attachment A of the executive summary. He said the three priorities, in order of importance, were securing state funding for the Rivanna Futures project, granting the County taxing authority for school division capital projects, and expanding the authority to use photo speed monitoring devices. He said they had removed several items from the original list and moved them to the legislative positions and policy statements as instructed by the Board.

Mr. Rosenberg said that these positions and policy statements were broad statements regarding direction and/or support for policy areas, which could be addressed through legislation or other means, including study or funding, and were most often used in such circumstances where they needed to provide a quick response to inquiries about legislation beyond the three priorities that had been identified. He said there had been revisions made to this document. He said that they had taken three of what were formerly legislative priorities and moved them to the positions and policy statements document. He said they were prominently placed at the beginning as priority positions and policy statements. He said these were recognized as the three most important positions and policy statements of the Board.

Mr. Rosenberg said there was a statement on civil penalties and the transition from criminal

penalties for offenses. He said there was a position regarding short-term rentals and the ability to impose certain limitations or conditions in connection with the issuance of permits for short-term rentals or homestays. He said there was a statement concerning the Virginia Freedom of Information Act and the ability of local public bodies to hold all meetings virtually. He said there were other topics addressed in the positions and policy statements document that were carried forward from previous years; however, he noted that there had been minimal revisions to these statements since the last meeting. He said the only changes to mention were a couple of revisions to the statement concerning transportation funding and the addition of a statement concerning fire and emergency medical services on the final page of Attachment B.

Mr. Rosenberg said that the addition of a statement concerning fire and emergency medical services was tied to a study from the Department of Fire Programs, which had not yet been released. He said that the new statement on the last page of Attachment B was phrased broadly enough that it was not connected with the study. He said it simply spoke in terms of legislation that provided for additional state funding for local fire and emergency medical services to ensure adequate staffing levels. He said that there is no mention of the study, and it was not dependent upon its issuance, or the recommendations contained within it.

Mr. Rosenberg said that Attachment C was a letter of support that would be shared with the County's local delegation and provided to Nelson County to use in its efforts to achieve the General Assembly's enactment of the line of duty legislation in the upcoming session. He said this was in response to an incident in Nelson County involving a private police officer on the private force at Wintergreen Resort that resulted in a fatality. He said it came to be understood by the Nelson County law enforcement community and the Nelson County Board of Supervisors that the line of duty coverage did not extend to private officers although they were recognized as such under the State Code. He said that Nelson County was seeking a legislative change to expand the line of duty coverage to include private officers. He said that Nelson County had requested neighboring localities provide a support letter like the one found in their materials as Attachment C.

Mr. Rosenberg said that they were working on scheduling a meeting with members of the local delegation during the first week of December. He said that as soon as they had confirmed the date, they would contact the Board. He said that they were awaiting the results of the elections on November 7 in order to transmit the priorities and positions approved by the Board to members of the local delegation.

Ms. Mallek said that she thought this was very workable, and that they would help both staff and Board members to respond to inquiries quickly.

Ms. LaPisto-Kirtley said she agreed with everything and asked how private police differed from private security.

Mr. Rosenberg said that he did not possess extensive knowledge on the matter, but according to the state code, there were provisions for private police forces consisting of sworn law enforcement officers who underwent the same training as public law enforcement officials. He said that these private forces were empowered to provide law enforcement services within a specified area. He said that the jurisdiction of the private force at Wintergreen extended to the limits of the Wintergreen Resort.

Mr. Andrews said that Rivanna Futures priority required nimbleness in acknowledging that, in seeking support, they were looking at the campus, economic development, and collaboration with the federal government, which could provide them with opportunities in various directions.

Mr. Andrews said that regarding the positions and policy statements, he did not have a strong sense that the top three were sufficiently elevated above important issues such as housing, transportation, and emergency services funding. He said he understood that they had previously been on their priority list and that is how they ended up in this position, although they also aligned with several of the other categories.

Mr. Gallaway said that since they made changes to the staffing piece in transportation funding, they should ensure that they highlighted the point raised by Ms. Price during the previous meeting. He said it was a significant change from the past and could easily be overlooked.

Mr. Gallaway said that Louisa County had recently passed a short-term rental ordinance around Lake Anna. He said Greene County had also been dealing with similar issues. He said there may be opportunities for strategic partnerships with other counties in their region that were facing similar concerns regarding short-term rentals. He said it would be beneficial to explore these possibilities and collaborate with them on finding solutions.

Mr. Gallaway said that he did not think they had quite made it because the County's ordinance had been in place, and they had been dealing with special use permits regarding the point of corporate ownership of property, and the Board's thought about further regulating to change the special use permit going with the owner in that circumstances. He said that this could be of interest to some other counties as well, acknowledging different viewpoints and arguments. He said there was a lot of commonality that could be useful strategically.

Ms. McKeel said she was concerned about using numbers to rank priorities, as it may lead people to think of them as a zero-sum game. She said she believed that these were their top three priorities, which included economic development, schools and education, and safety. She said each

priority was important, they should not be considered exclusive of one another. She said they could address all of them simultaneously. She said she had already had a reporter who asked which was their top priority, but they were all her top priorities. She said she may feel more comfortable speaking to schools, and that was acceptable; but it did not mean that her priority was not Rivanna Station and economic development.

Mr. Rosenberg said that he did not review or listen to their discussions from the September 20 meeting, which he was unable to attend. He said his understanding was that during that meeting, they informally prioritized the three items as reflected in the revised version. He said if he was incorrect, it could be changed before it was adopted.

Ms. McKeel said that their top priority for their community was Rivanna Futures. She stated that when these were considered, they were not a zero-sum game. She said that they could support all three of them. She said when the priorities started to be numbered, people tended to parse them a little bit more. She said she wanted to ensure that the Schools were aware of their second priority, and the funding for school renovations and the referendum. She said she was not certain that they always followed the Board's legislative packet. She said she truly appreciated the inclusion of the Charlottesville-Albemarle Regional Transit Authority establishing a dedicated funding source to support multimodal transportation. She said that addition, along with the language used, was well said and well worded.

Ms. Price said that she concurred with Ms. McKeel's comments that they could support all three, but she believed the items were prioritized appropriately. She said this change to the approach would provide them with a better mechanism for success than having 25 that they were all shooting out there. She said this would allow them to be laser focused. She said that the first priority was to provide state funding for the Rivanna Futures project. She said that it was essential for their community to understand this was distinct from the money the County would use to purchase the property. She said if one considered it from a homeowner's perspective, they went out and bought a lot, but now they had to build a house on it. She said it was a large lot, and they could subdivide it, but there was infrastructure that needed to be in place.

Ms. Price said that usually, if one was in a residential neighborhood, the County or City would provide infrastructure. She said that they required the state's support with the necessary infrastructure. She explained that this was the purpose of their request for \$58 million. She said in order to fully utilize and benefit from acquiring the land at Rivanna Station Futures, she said that they must be able to make it developable. She said that this was a critical component of the overall success of their plan. She said this was part of a comprehensive plan to fully benefit from this opportunity.

Ms. Mallek said that she appreciated the manner in which the wording was presented in the elements of Rivanna Station. She said she initially found it alarming due to its lack of inclusion of acquisition, but upon further examination, she realized that this aspect had been addressed appropriately.

Mr. Andrews said that adding to his previous point regarding nimbleness, this was exactly what he was getting at, that they recognized that there was more than just the acquisition, they needed to keep their eye on opportunities that were appropriate for that development.

Mr. Gallaway said that the Virginia Association of Planning District Commissions (VAPDC) had requested an additional funding allocation for the coming FY25–26 from the Governor. He said that this request was to restore the pre-recession level of funding provided by the state, which had not been met since before the Great Recession in 2008. He said that the VAPDC and individual Planning District Commissions (PDCs) would be writing in support of this request. He said that he had made a note to come before the Board, which he planned to do during the scheduled time for boards and commissions, in order to request that they write a letter of support for this initiative.

Mr. Gallaway said that it was possible that that had already been requested, or he may be misremembering about their meeting. He said that they may have already accomplished that from each locality. He said if they wished to express their support for the VAPDC and the TJPDC (Thomas Jefferson Planning District Commission), then he wanted to bring this issue to the attention of the Board.

David Blount, TJPDC, said that in the last week, he had sent an email with all of the appropriate attachments to Mr. Jeff Richardson, County Executive, and his colleagues across the region, requesting that the County provide a letter or resolution in support of their request. He said that he requested that any such action be taken within the next month, specifically by November 17.

Mr. Gallaway asked to be reminded of the amounts. He said that although it may not be significant within the larger budget, for each PDC, it was important to note that they were not requesting an excessive amount.

Mr. Blount said that it was a significant request considering 18 out of the 21 PDCs were currently below \$90,000. He said that the high from 2008 was \$90,000, and they had not yet reached that level again after 15 years. He said that the request was for an additional \$150,000 per PDC, which amounted to a total of \$3.1 million over the course of a fiscal year and \$6.2 million over two years. He said that given their existing partnerships with state agencies and the need for expanded capacity to assist localities in accessing federal resources, he believed that this was a critical request.

Mr. Gallaway said that he hoped with the Board's consensus, Mr. Richardson and Ms. Price would agree on writing something in support of this matter. He said that apparently, they already had the



necessary materials.

Mr. Blount said that a sample letter and template were included, and any variations would be greatly appreciated. He said that there were talking points to accompany the request for assistance, and that he was available if further support was needed. He said that they would ensure that something was prepared before the November meeting of the TJPDC.

Ms. Price asked if they required a motion or could draft the letter with the Board's consensus.

Mr. Rosenberg said that if they were going to formally act on the support letter for Nelson County, it would likely be appropriate to have the Board formally act on the letter being requested by Mr. Blount, as both letters contained similar requests.

Mr. Gallaway said that it did not need to occur today. He said that the letter could be included on the consent agenda.

Mr. Rosenberg said yes, and that they could do that on a timely basis.

Ms. Price said that it appeared there was consensus among the Board, which she believed was an indication of authorization to proceed with preparing the letter that they could then include on the consent agenda.

Ms. Mallek said that the planning districts provided capacity for very small communities to have a chance to deal with the federal government, or even Albemarle when compared to Fairfax County.

Ms. McKeel said that when there are four pages of priorities, there are really no priorities, and that the new approach would simplify the process.

Ms. Mallek said that for the priorities, they would be requesting the delegation to carry the items in the General Assembly.

Mr. Rosenberg said that that was correct, and that he wanted to provide further information regarding Ms. McKeel's comment about the changes made to the transportation funding language. He said that the team responsible for this modification extended beyond Mr. Blount, Ms. Kilroy, Mr. Douglas, and himself. He said that he would like to acknowledge Mr. Kevin McDermott from CDD (Community Development Department) for his contribution to the formulation of the new language.

Mr. Rosenberg said that it would be appropriate for the Board to consider three different motions.

Ms. Price asked if any Supervisor desired to make a motion.

Ms. McKeel **moved** to adopt the 2023 Legislative Priorities as presented in Attachment A.

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

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

\* \* \* \* \*

## **2024 Legislative Priorities**

1. Provide state funding for Rivanna Futures project
2. Grant the County taxing authority for school division capital projects
3. Expand the authority to use photo speed monitoring devices

### **Priority No. 1: provide state funding for Rivanna Futures project**

**Proposed:** Include \$58 million in funding in the biennial state budget for this economic development project adjacent to the U.S. Army's existing Rivanna Station.

**Elements:** The County has contracted to purchase approximately 462 acres of real property for \$58 million, on which it will develop the Intelligence and National Security Innovation and Acceleration Campus (INSIAC). The County seeks a matching investment from the state of \$58 million to fund site acquisition, road construction, site development to Tier 4 readiness under the Virginia Business Ready Sites program and branding.

**Rationale:** INSIAC will be a center for agencies, and academic and private sector partners, focused on intelligence and national security collaboration and innovation on a 50-acre expansion of the existing Rivanna Station. Phase 1 is estimated to generate 873 new jobs with a median income of \$81,000, \$2.2 million in annual state tax revenue and \$135 million in total economic impact. Future phases will house compatible businesses, non-profits, and education partners and provide food and retail services across 150-180 acres on Route 29 North, the keystone for extending the defense innovation ecosystem in the County.

### **Priority No. 2: grant the County taxing authority for school division capital projects**

**Proposed:** Amend [Title 58.1, Subtitle I, Chapter 6 of the Code of Virginia](#) to make Albemarle County eligible to levy an additional 1% retail sales tax for the purpose of funding school division capital projects.

**Elements:** Either amend [Virginia Code § 58.1-602](#) to designate Albemarle County, in addition to other previously designated cities and counties, as a “qualifying locality” with such authority, or amend [Virginia Code § 58.1-605.1](#) to provide such authority to all cities and counties. In either case, the imposition of such a tax would require approval in a local referendum and would be subject to expiration no more than 20 years after the board's initiation of the referendum.

**Rationale:** The County lacks a dedicated funding mechanism for school construction and renovation projects. Such projects are largely funded presently by existing tax revenues and proceeds of bond issues. Additional taxing authority would generate revenues dedicated solely to school division capital projects, providing further fiscal capacity and flexibility to the County.

**Prior History:** This priority was addressed during the 2023 General Assembly session in [HB 2316 \(Bourne\)](#), which failed in committee and [SB 1287 \(Deeds\)](#), which passed in the Senate before failing in House committee.

### **Priority No. 3: expand the authority to use photo speed monitoring devices**

**Proposed:** Amend [Virginia Code §§ 46.2-882 and 46.2-882.1](#) to enable the use of photo speed monitoring devices on segments of secondary roads where speeding has been identified as a problem.

**Elements:** The enabling authority would be implemented by ordinance and would apply only to segments of secondary roads having posted speeds of 35 miles per hour or higher which are selected based on speeding, crash, and fatality data supporting the need for additional enforcement against speeding. In addition, the selected road segments would be required to have signs posted informing drivers that such devices are being used to monitor speed.

**Rationale:** This initiative would give localities the option to use photo speed monitoring devices as an enforcement tool on designated segments of secondary roads where speeding is prevalent. Using such devices would promote public safety by providing broader enforcement of speed limits and safety of law enforcement officers, who might otherwise be required to make traffic stops on potentially dangerous road segments (e.g., segments without shoulders or with limited sight distance). Additionally, the use of technology where human intervention is unnecessary would allow law enforcement officers to do other critical police work.

**Prior History:** This priority was addressed during the 2023 General Assembly session in [HB2119 \(Hudson\)](#), which failed in committee.

Ms. Mallek **moved** to adopt the 2023 Legislative Positions and Policy Statements as presented in Attachment B.

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

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

\* \* \* \* \*

## 2024 Legislative Positions and Policy Statements

### Priority Positions and Policy Statements

**Civil Penalties:** Support legislation that would enable localities to establish a schedule of civil penalties in lieu of criminal punishment for violations of certain local ordinances.

**Short-Term Rentals:** Support legislation that would allow localities to further regulate short-term rentals by authorizing localities to provide for the expiration of a special exception or a special use permit for a short-term rental upon a change in ownership of the property and in other circumstances.

**Virginia Freedom of Information Act:** Support legislation that would allow local public bodies to hold all meetings virtually.

### Agriculture

**Virginia Agricultural Best Management Practices Cost-Share Program:** Support state funding for the Virginia Agricultural Best Management Practices Cost-Share Program in the amount of \$100,000,000 per year.

### Broadband and the Internet

**Broadband Deployment:** Support legislation by the state and the federal government that would assist localities and provide financial incentives to localities and their communities in deploying universal, affordable access to broadband technology, particularly in unserved and underserved areas, while at the same time preserving local land use authority for siting telecommunications infrastructure. This includes supporting continued and increased funding for the Virginia Telecommunications Initiative (VATI). In addition, support legislation that would: (1) ensure that coverage maps used to determine underserved and unserved areas or census blocks are accurate; (2) amend the definition of “coverage” to mean that service actually exists in a census block or area and the service availability within that census block or area is substantial ; and (3) ensure definition of unserved and/or underserved includes those lacking 100 Mbps download/20 Mbps upload speeds.

**Net Neutrality:** Unless the Congress or the Federal Communications Commission restores net neutrality at the national level, support legislation that would prohibit internet service providers from slowing down or blocking access to websites, charging companies extra to deliver their services faster, and other acts that adversely affect consumers and discourage competition.

### Growth Management, Environmental Protection, Land Use, and Transportation

**Biosolids:** Support legislation enabling localities, as part of their zoning ordinances, to designate, and/or reasonably restrict the land application of biosolids to, specific areas within the locality based on criteria related to the public safety and welfare of its citizens and the environment. In addition, support legislation regarding the land application of biosolids that protects the environment, public health and safety.

**Environmental:** Support legislation prohibiting businesses from using disposable plastic bags and straws and to require bottle deposits, or enable localities to do so, with exceptions applicable to straws for hospitals and other care facilities. Oppose legislation that reduces local authority to regulate new natural gas infrastructure for development projects.

**Erosion and sediment control standards for agriculture and forestry operations:** Support legislation that would establish minimum statewide erosion and sediment control standards for agriculture and forestry operations. These standards could include those within the Chesapeake Bay Preservation Act's regulations, which include: (1) for agriculture operations, soil and water quality conservation assessments evaluating the effectiveness of existing practices pertaining to soil erosion and sediment control, nutrient management, and management of pesticides, and, where necessary, resulting in plans outlining additional practices needed to ensure that water quality protection is being accomplished; stream buffers are maintained; and best management practices for agricultural ditches are used; and (2) for forestry operations, requiring operations to be conducted using the appropriate best management practices as prescribed by Virginia's Forestry Best Management Practices for Water Quality, and requiring that a full 100-foot buffer be established in woody vegetation when the silvicultural activity ceases within the buffer area on the property and a new land use is proposed.

**Impact Fee Authority:** Support impact fee legislation that: (1) allows for effective implementation through simple locally based formulae and reasonable administrative requirements; and (2) does not cap or limit localities' impact fee updates.

**Open-space Easements:** Support legislation that augments local efforts in natural resource protection through: (1) continued funding of the Virginia Land Conservation Foundation (VLCF) for locally established and funded Purchase of Development Rights programs (e.g., the ACE Program in Albemarle County); (2) continued provision of matching funds to localities for their Purchase of Development Rights programs through the Office of Farmland Preservation; (3) retaining provisions in transient occupancy tax legislation so that funds can continue to be used to protect open-space and resources of historical, cultural, ecological, and scenic value that attract tourism; (4) increased incentives for citizens to create conservation and open-space easements; (5) fully allocating the Land Preservation Tax Credit transfer fee for the stewardship of protected land; and (6) restoring the individual cap on the use of the Land Preservation Tax Credit to \$50,000 per year.

**Proffers:** Support further changes to the current proffer system and, in particular, the proffer legislation approved in 2016 (Virginia Code § 15.2-2303.4) and amended in 2019, which limits the scope of impacts that may be addressed by proffers and establishes specific criteria as to when a proffer is deemed to be unreasonable. Support changes to provide more balanced and practical standards for determining whether a proffer is reasonable and restore a climate where localities and applicants can openly discuss rezoning applications and possible proffers.

**Scenic Protection and Tourist Enhancement:** Support enabling legislation for Albemarle County to provide for a scenic protection and tourist enhancement overlay district. The legislation would provide a method to ensure full consideration of visual resources and scenic areas when the county or state make land use decisions in designated areas.

**Stop Extending the Sunset Provisions for Certain Development Approvals that Would Otherwise Expire:** Support allowing the sunset provisions in Virginia Code § 15.2-2209.1:1 to expire. First established in 2009 when the General Assembly adopted Virginia Code § 15.2-2209.1 to extend the validity of certain land use approvals during the Great Recession, the General Assembly has repeatedly extended the sunset clauses for various land use approvals. Most recently, the General Assembly extended the validity of these approvals in Virginia Code § 15.2-2209.1:1 because of the COVID-19 pandemic. The continued extension of these approvals results in non-vested and undeveloped but approved projects to retain their validity well beyond their otherwise applicable expiration date. Some projects protected by the extension of the sunset provisions were approved as much as 15 years ago. These projects may no longer be consistent with the locality's current planning policies or zoning or site development requirements.

**Stormwater Management:** Support state funding for the Stormwater Local Assistance Fund (SLAF) in the amount of \$80,000,000 per year in Fiscal Years 2023 and 2024. Oppose any legislation that would impact the resource and funding needs of the Virginia Department of Environmental Quality (DEQ) to fully administer,

enforce, and maintain the State Stormwater Management Act, the Erosion and Sediment Control Law, and the Chesapeake Bay Preservation Act.

**Transportation Funding:** Support legislation to: (1) allow a Charlottesville-Albemarle Regional Transit Authority to establish a new dedicated funding source to support multi-modal transportation in the region; (2) establish stable and consistent state revenues for Virginia's long-term transportation infrastructure needs including necessary funding to support both project construction and appropriate staffing needs to administer programs; (3) direct funding efforts to expand transportation choices and engage in multimodal transportation planning; and (4) fund maintenance of rural road systems. Oppose any legislation or regulations that would require the transfer of responsibility to counties for constructing, maintaining, or operating new and existing secondary roads.

**Water Quality and Resources:** Support state funding for the following: (1) agriculture best management practices; (2) stormwater grant initiatives; and (3) wastewater treatment plant upgrades.

### **Health and Human Services**

**Abuse and Neglect:** Support legislation to expand the definition of "abuse and neglect" to include parents who are habitually under the influence of drugs or alcohol while being responsible for children.

**Administrative Appeals and Findings:** Support legislation to amend Virginia Code § 63.2-1526(A) to require that an administrative finding be controlled by a court's civil or criminal finding if those matters involve the same conduct and the same victim and arise under the same operative facts. Support legislation to amend Virginia Code § 63.2-1526(C) to stay child protective services administrative appeals while abuse and neglect proceedings, findings, or both, are pending in juvenile and domestic relations district court or circuit court, or on appeal in any court.

**Child Care for Low Income Working Families:** Support legislation to provide additional funds to localities to assist low-income working families with childcare costs. Funding helps working-class parents pay for supervised day care facilities and supports efforts for families to become self-sufficient.

**Children's Services Act (CSA):** Support: (1) a locality's ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools; (2) maintaining cost shares on a sum sufficient basis by both the state and localities; (3) enhanced state funding for local CSA administrative costs; (4) a cap on local expenditures in order to combat higher costs for serving mandated children; and (5) proactive efforts by the state to make residential facilities and service providers available, especially in rural areas. Oppose changing the funding mechanism to a per-pupil basis of state funding, which would shift the sum sufficient portion fully to localities.

**Increase Funding for Community Services:** Support increased state funding for community services.

**Local Department of Social Services (LDSS):** Support increased state funding for LDSS to match all available federal funding to assist LDSS staffing needs in order to meet state mandated services and workloads.

**Mental Health Services:** Support expanded access to community-based behavioral/mental health services.

**Targeted Grants:** Support improving the state's targeting of grants to businesses that pay higher wages by increasing the minimum wage requirements for eligible grant applicants.

**Workforce Development:** Support legislation addressing workforce pipelines and pathways of credentialed community-based behavioral/mental health service providers, given the retirement-eligibility of the present workforce.

### **Housing**

**Supportive Housing:** Support legislation providing for the creation of permanent supportive housing and other supportive housing.

### **Local Government Administration and Finance**

**Community College Capital Costs:** Support legislation for the state to fund 100% of public funding required for community college capital costs. Currently, localities are required to fund a portion of operating and capital costs.

**Composite Index:** Support legislation to amend the Composite Index Funding Formula by re-defining the local true value of real property component of the formula to include the land use taxation value of real property rather than the fair market assessed value for those properties that have qualified and are being taxed under a land use value taxation program.

**Drones:** Support legislation enabling localities to have authority to regulate the use of unmanned aerial vehicles in their jurisdictions not preempted by federal law.

**Drug Court Funding:** Request full funding for the Drug Court Program, which provides effective treatment and intensive supervision to drug offenders through the circuit courts of several Virginia localities.

**Public Defender Funding:** Request that the state adequately fund compensation for public defenders in localities.

**Regional Library Funding:** Request full funding of State Aid to the Jefferson Madison Regional Library and other regional libraries in the state system.

**Seat Belts:** Support legislation that would make the failure to use a seat belt a primary offense.

**State Mandates Funding:** Request full funding for state mandates in all areas of local government including, but not limited to, the Standards of Quality (SOQs) and other mandates imposed on local school divisions, positions approved by the Compensation Board, costs related to jails and juvenile detention centers and human services positions.

**Taxing Authority:** Support legislation to further enhance county taxing authority so that counties enjoy authority comparable to cities to address capital and operations needs and to reduce over-reliance on the real property tax as a revenue source.

**Virginia Retirement System:** Support continuing restoration of funds to the Virginia Retirement System to maintain the long-term solvency of the system without further devolving the funding responsibility to localities.

### **Public Safety**

**Emergency Management and Community Resilience:** Request expanded direct state support to localities for emergency management and community resilience, including expansion of the Emergency Management Performance Grant Program (EMPG).

**Fire and Emergency Medical Services:** Support legislation that provides for additional state funding for local fire and emergency medical services to ensure adequate staffing levels consistent with high levels of public safety and health.

**Private Police Departments/Line of Duty Benefits:** Support legislation extending line of duty benefits to private police officers of private police departments recognized by the Commonwealth of Virginia.

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Ms. McKeel **moved** to approve a letter of support concerning the extension of line of duty benefits to private police officers of private police departments as presented in Attachment C.

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

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

\* \* \* \* \*





Beatrice (Bea) LaPisto-Kirtley  
Rivanna

Donna P. Price  
Scottsville

Ann H. Mallek  
White Hall

**COUNTY OF ALBEMARLE**  
Office of Board of Supervisors  
401 McIntire Road  
Charlottesville, Virginia 22902-4596  
(434) 296-5843

Diantha H. McKeel  
Jack Jouett

Jim H. Andrews  
Samuel Miller

Ned L. Galloway  
Rio

October 18, 2023

Honorable Members of the General Assembly,

Officer Mark Christopher Wagner, II served the Wintergreen community as a private police officer, as recognized by the Commonwealth of Virginia, and while responding to a disturbance call in his capacity as a law enforcement officer, was shot and killed in the line of duty on June 16, 2023. Under the Code of Virginia, Officer Wagner and all the other officers serving in private police departments are not eligible for Line of Duty benefits.

By definition under the Code of Virginia private police officers are law enforcement officers subject to the same training and statutory standards as a deputy sheriff or police officer of any city, county, or town of the Commonwealth. The Line of Duty Act, Virginia Code § 9.1-400 et seq., excludes private Police Officers from the benefits of that Act. Private Police Officers, just as their counterparts employed by a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof, are responsible for the prevention and detection of crime and the enforcement of penal laws and are exposed to the same risks of injury or death.

Albemarle County joins other localities in requesting that the Line of Duty Act be amended to afford private police officers the benefits available under this Act.

Respectfully,

A handwritten signature in blue ink, appearing to read "Donna P. Price".

Donna P. Price  
Chair, Albemarle County Board of Supervisors

CC:  
Albemarle County Board of Supervisors  
Jeffrey B. Richardson, County Executive  
Steve Rosenberg, County Attorney

**Recess.** The Board recessed its meeting at 2:12 p.m. and reconvened at 2:23 p.m.

Agenda Item No. 10. **Presentation:** Zoning Modernization Phase I Report.

The Executive Summary as forwarded to the Board states that in early 2022, staff engaged a consulting firm, the Berkeley Group, to assist with a multiyear effort to modernize the County's zoning and subdivision ordinances. This work has been planned in coordination with the update of the County's Comprehensive Plan, AC44, underway. The proposed amendments are intended to establish more efficient administrative procedures, provide a clear and user-friendly format, and create an adaptive, modern ordinance that meets the current needs of Albemarle County. By addressing the zoning modernization process in a comprehensive manner, staff will be able to involve multiple levels of stakeholders, including staff, residents, developers, and landowners.

Over the past year, staff has worked with consultants from the Berkley Group to develop a framework for the Zoning Modernization project and to begin drafting the ordinance for Phase I of the project. Following a period of public engagement, staff worked with the consultants to draft the proposed Articles 1 and 2, covering the general authority for a zoning ordinance and zoning map and the appointment and powers of bodies such as the Planning Commission and Architectural Review Board, and the powers and responsibilities of the Zoning Administrator.

After these two articles were discussed at a Planning Commission work session, staff began work on Article 3, covering application types and procedures, and Article 10, covering nonconformities. Staff's presentation will cover a broad overview of this initial work, ordinance best practices, and a detailed description of expected future phases.

The Zoning Modernization project is fully funded through the end of Phase I and no additional



funding is requested currently.

Staff recommends the Board receive the presentation as a project update.

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Ms. Lea Brumfield, Senior Planner II, said that she had a short presentation on the work and the progress on Phase 1 of the zoning modernization project. She said that Phase 1 was focused on the foundational groundwork of the Zoning Ordinance, specifically the administrative and procedural sections of the ordinance. She said that they might go over on some sections and speed through others. She said that she would provide a brief overview of their schedule and progress to date, go a little into their current work and give examples of the ordinance changes they were considering, discuss best practices learned throughout the project, then give a little information on next steps and describe future phases.

Ms. Brumfield said that she would be referring to the article numbers of the new proposed ordinance and noted that these did not correspond with their current ordinance. She said that for example, Article 1 in their current ordinance was General Provisions, while in the new proposed ordinance it was still General Provisions, but Article 2 in the current ordinance was Basic Regulations, and it was Administration in the proposed ordinance, which were different sections. She said that if they looked at the ordinance numbers and wondered why they were moving certain ones around, they should ignore those, because they were just current names for what they were using those for.

Ms. Brumfield said that she would provide a quick recap of their process to date. She said the initial reset and kickoff was conducted at the Planning Commission (PC) on August 22, 2022, and at this time, they expanded the project looking at it from a piecemeal approach to updating the ordinance to trying to look at it as a holistic view of the ordinance. She said that this was recommended by their consultants, the Berkeley Group, and as staff started working on the project, it became apparent that this was really the only way that they could achieve an ordinance that matched the current goals of the community today.

Ms. Brumfield said that from September to November of last year, staff and the Berkeley Group conducted interviews with development staff and Planning Commissioners discussing the strengths and weaknesses of the current ordinance and permitting processes, as well as aspects that should be retained or modified. She said that in November, they held a listening session with the Charlottesville Area Development Roundtable (CADRE), during which key stakeholders in the development community provided their input on the current ordinance and permitting process, sharing which sections they found most useful, confusing, or unnecessary for retention or removal.

Ms. Brumfield said that in December, they held a work session with the PC to share the initial findings of this first round of public engagement and also present the zoning evaluation report prepared by the Berkeley Group. She said that the report suggested a crosswalk of ordinance sections, different phases that have been adopted, and general best practices and overall suggestions for the ordinance. She said that the report was still available on their engagement website. In January of this year, 2023, they held a public open house to share information about project goals and the general phases with the overall public. She said that there was an informal question-and-answer session, and over 40 members of the community attended. She said that due to the large turnout, they had to spill out of the room.

Ms. Brumfield said that in March of this year, they held a work session with the PC to review the drafts of Article 1 and 2 of the proposed ordinance. She said that Article 1 was General Provisions, as she noted earlier. She said that it established the enabling legislation for the Zoning Ordinance, the zoning map, and how to interpret the ordinance. She said that Article 2 established the powers and responsibilities of the Zoning Administrator, Board of Zoning Appeals, Architectural Review Board, and how they should be enforcing the ordinance if it contradicted itself. She said that it also referenced the PC and pulled in the relevant sections from Chapter 2, Article 4 of their current code.

Ms. Brumfield said that currently, staff in the Berkeley Group were working on drafting Articles 3 and 10 of the Zoning Ordinance. She said that Article 3 described procedures and requirements for applications, while Article 10 went into nonconformities. She said that in July of this year, a similar presentation was made to the PC, providing an update on the drafts and looking toward future phases. She said that as a reminder, they were currently in Phase 1, and this phase relied solely on established practice, Virginia law, best practices, and clarifying language for updating purposes.

Ms. Brumfield said that however, as they progressed through later phases, including their next phase, which would focus on community design standards, they would increasingly rely on the goals and strategies of the Comprehensive Plan to determine the shape of their regulations. She said that the Board may be aware that Community Development was currently working on the AC44 Comprehensive Plan. She said that she wanted to bring attention to the fact that they were actively avoiding leapfrogging the Comprehensive Plan on these regulations. She said that they hoped to let the Comprehensive Plan figure out the engagement with stakeholders, work with the general public, and work with the actual Comprehensive Plan to bring strategies and action goals forward so that they could then incorporate those into the zoning modernization project.

Ms. Brumfield said that in examining the specific changes they were proposing for the ordinance in this phase, they were generally simplifying language and the layout of the ordinance. She said that as she would demonstrate in the following slides, they were removing overly verbose language and making the ordinance as easy to read as possible. She said that by changing the format, the increased white space on the page would be combined with graphical references wherever possible, making it more user-

friendly. She said that on the slide were two examples of the graphical reference they were basing these changes on; on the left was a blue flowchart was from the Henrico County adopted Zoning Ordinance, and the colorful flowchart on the right was from the proposed City of Charlottesville Zoning Ordinance, which had not yet been adopted, but it demonstrated the kind of graphical interplay they were looking for where people could see a process from start to finish, and this was an example of how those would be easier to read, and how they were incorporating it into the draft.

Ms. Brumfield said that they were extracting standards from the ordinance, which was a best practice for application types. She said that this was one of the things she wished to emphasize as an example. She said that as displayed on the slide, they could see that this was the current text for a ZMA (Zoning Map Amendment) or SP (Special Use Permit) application. She said that each application type had its own standards within the ordinance, and whenever a requirement was updated or rephrased due to technology developments or changes in VDOT requirements or realizing that they had not been adhering to best practices, they must change the ordinance in a zoning text amendment (ZTA), which was a lengthy process. She said that the application standards wording was repeated in each section, making the ordinance longer and unnecessarily bloated. She said that the newly recommended minimum submission standards for a ZMA or SP application was as depicted on the slide. She said that she chose the example for effect because the contrast between the current and proposed was quite stark.

Ms. Brumfield said that, however, she wanted to emphasize that the application requirements would not be eliminated, and instead, they were adhering to best practices by removing them from the ordinance and placing them within the application forms, where they currently existed. She said that this was being done in conjunction with their ongoing software update project, which would clearly and explicitly list the requirements for each application and guide applicants through the process of applying for each type of application. She said that this would eliminate the need to decipher the ordinance to determine what was required. She said that all one needed to do was fill out the form provided.

Ms. Brumfield said that this change would streamline the application process, reduce confusion, and enable them to amend a standard for an application without having to modify the ordinance again. She said that allowing the requirements to reside outside of the ordinance and within the forms was actually enabled by a proposed requirement that would be included in this ordinance, which stated that all applications must be submitted on forms provided by the County, and that forms must be fully completed to be accepted. She said that this would become the legal requirement for the application to be considered valid. She said that if it stated on the application that they needed to provide it, then it was legally required for the completeness of the application.

Ms. Brumfield said that another example of a change they were making, which was in the process for a pre-application meeting was the current text on the left of the slide and the proposed form on the right both had no significant changes in procedure; however, she pointed out that the right version was much easier to read. She said that they were creating lists so that when people were reading through things, they did not need to figure out which sections of the sentence applied to them. She said they were also removing unnecessary jargon and repetitive unnecessary legal wording to make the ordinance more understandable without a law degree. She said that as they went through the ordinance, they were changing some procedures to codify current practices or to bring in best practices. She said that for instance, here they actually required a five-day lead time for pre-application meetings.

Ms. Brumfield said that additionally, there were several changes in terminology throughout the document that had been fully vetted as part of their general best practice and ordinance review. She said that in Albemarle County, there was an application type called a special exception, which did not require public hearing or general advertising but was more accurately described as a legislative modification.

Ms. Brumfield said that the Code of Virginia and many other jurisdictions in the Commonwealth describe a "special exception" as what they called a "special use permit." She said that in the Code of Virginia, a special exception is actually exactly what they called a special use permit. She said that this terminology could be confusing. She said that to clarify that, staff proposed that special exceptions be renamed "legislative modifications," even though the process remained unchanged. She said that a legislative modification was simply a modification to an ordinance that the Board made a determination on.

Ms. Brumfield said that they also reviewed their available special exceptions and were looking at how many types of special exceptions they had, with the goal of reducing the number of special exceptions that came before the Board. She said that most of them were routine and had conditions that were the same every time, so it would be best legal practice to codify these as supplementary regulations rather than taking up the Board's valuable time. She said that they had not yet reached the stage where they had thoroughly considered this matter, but they would collaborate with the Board in future phases to determine how they could maintain their high standards of excellence while utilizing County resources wisely.

Ms. Brumfield said that she would like to bring up the last naming convention, which was that ZMAs with proffers would be referred to as conditional zoning. She said that this practice was widespread throughout the state and consistent with the Code of Virginia.

Ms. Brumfield said that their current phase one was nearing completion, and their remaining work included creating graphic designs for the flowcharts previously presented. She said that they were working with skilled CDD staff to create these graphics. She said that they were looking at legal review of the drafted ordinance to date, and that their legal team would conduct a thorough review of all aspects of

the ordinance before it was presented to the Board. She said that additionally, they were finalizing their standards for site plan applications and entrance corridor applications in order to update them, make them clearer, and more user-friendly. They were working closely with specialty staff on this matter.

Ms. Brumfield said that future phases of the project would rely heavily on community feedback from the Comprehensive Plan project. She said that as the AC44 team was updating their goals and action steps, they would pull from those to create a Zoning Ordinance reflecting their current Comprehensive Plan and the current County.

Ms. Brumfield said that phase two of this project, which they were about to commence, would focus on community design standards such as lighting, landscaping, streets and sidewalks, open space, and other aspects that contributed to the overall fabric of the community.

Ms. Brumfield said that phase three would involve updating and modernizing their districts with use and performance standards reflective of the Comprehensive Plan goals.

Ms. Brumfield said that phase four would update and streamline their use permissions by incorporating best practices, tables instead of long lists, and action steps as outlined in the Comprehensive Plan.

Ms. Brumfield said that phase five brought all these efforts together for adoption, extensive public information sessions, and preparing the community for the new ordinance.

Ms. Brumfield said that immediately, they would continue their work on Articles 3 and 10, which pertained to application standards and nonconformities, and once those were completed, they would hold a work session with the PC before bringing all of phase one, including Articles 1, 2, 3, and 10, to the Board for review. She said that at that time, they hoped the Board would approve those sections to be formally adopted upon completion of the project.

Ms. Brumfield said that although the timing may be inconvenient, they could not adopt these sections piecemeal, as it would be cutting and pasting the entire ordinance. She said that as they completed phase one, she said they were commencing work on phase two. She said that they were starting to conduct research to identify benchmark best practices for their community design standards, as they did not wish to merely replicate what they had been doing or just copy others. She said that they really wanted to find out what the best standards were for these various types of community design.

Ms. Brumfield said that throughout this process, they continued coordination with AC44 to avoid duplicating efforts. She said that they were posing relevant questions to their community services to prevent engagement burnout from the public, and as they drafted their action steps, they would coordinate with them to determine which outcomes were feasible within the current ordinance and how many objectives could be achieved as they drafted this zoning modernization project. She said that staff was very enthusiastic about this project, particularly the upcoming phases, and they hoped the community shared their excitement.

Ms. Mallek said that it was essential to ensure that the conditions they established were enforceable. She asked if the conditions would be enforceable if they were placed somewhere else.

Ms. Brumfield said that that was something that they would carefully consider as they worked on the future phases. She said that they had not yet drafted any language regarding removing special exceptions that were in the current ordinance. She said that it would be during the uses phase, when they would evaluate whether certain uses were appropriate for various districts. She said that one section of the current ordinance that they relied on heavily for uses that were by right but not necessarily by right in all cases was their supplementary regulations in Section 5 of the current ordinance. She said that this section included additional information such as the maximum allowable size of a farm stand or the amount of land required for weddings at a farm winery. She said that was where those conditions would end up. She said that any additional information that would be required for all permitted uses would be codified in these supplementary regulations. She said that any conditions removed from the special exception process would be included in this section and applied to all relevant uses.

Ms. Mallek said that the giant matrix lived, and she was glad it was there because when they were working on the farm uses and farmers' markets, there were boxes that allowed for all that detail. She said that she did not remember when she was looking at surveys for AC44, but she recalled this information might be helpful for zoning modification because that kind of notice could inspire more people to participate and not miss out on important chapters.

Ms. LaPisto-Kirtley said that she was truly delighted to have this presentation and that they were all eagerly anticipating this modernization as they had been dealing with zoning concerns for so many years. She asked if the landscaping mentioned by Ms. Brumfield included their updated native plant list.

Ms. Brumfield said that the native plant list was not adopted into the ordinance and does not go to the Board to be changed. She said that it was referenced in their ordinance, and that section would likely remain unchanged regarding the use of plants from the approved native plant list for landscaping requirements. She said that it would be continued to be referenced in that landscaping requirements must have a tree coverage percentage using plants from the approved native plant list.

Ms. LaPisto-Kirtley asked if there was an approved updated plant list.

Ms. Brumfield said that she believed there was, but she was unsure of the exact date it was approved. She said that it may be last year or the year before.

Ms. LaPisto-Kirtley asked if they would have plants from that list.

Ms. Brumfield said yes.

Ms. LaPisto-Kirtley said that was what she had thought. She said that the reduction of the number of special exceptions saved a significant amount of time not only for staff but also for developers. She said that this was something positive that they were doing. She said that they had something on page 11 regarding Rural Area uses. She said that she did not quite understand what they meant by that because she knew in the Comprehensive Plan, they were discussing whether or not to remove a chapter regarding the Rural Area. She said that this was part of the Comprehensive Plan, whether they had that chapter or not have that chapter. She said that she was wondering how the Rural Area uses tied into that if it did.

Ms. Brumfield said that they would rely on the recommendations of the Comprehensive Plan when drafting their ordinance, as the uses in their Rural Area were typically distinct from those in their Development Areas due to the nature of these zones. She said that at present, she was unable to predict what these recommendations may be; however, if they suggested expanding or restricting certain uses, they would consider incorporating them into their draft. She said that they would collaborate with AC44 to ensure that the goals of the Comprehensive Plan were reflected in their ordinance.

Mr. Andrews said that he was excited about the proposed changes in simplifying and clarifying the County ordinances. He said that he had also found it daunting to go through them in the past. He said that he would like to clarify one point regarding the application forms versus the ordinance. He asked if the form was part of the ordinance.

Ms. Brumfield said that it would be similar to the native plants list, which was approved by County staff and was binding, so there was no room for deviation. She said that the application form itself would not be replicated in the ordinance but would be referenced within it. She said that applicants would need to fill out the application form provided by Community Development, which could be obtained from their website or by visiting their office.

Ms. Brumfield said that the current ordinance included a list of requirements such as a narrative describing the impacts of the project based on five specific factors in the Comprehensive Plan, along with other detailed information. She said that all of that information was currently on their application form, so they were now going to say one must apply using the application form, and that would be a complete application. She said that previously, the information was duplicated in multiple locations.

Mr. Andrews said that he appreciated the importance of preventing duplication. He said that he would like to ensure that he understood whether this constituted a change in the level of Board review and the action on the ordinance and what was on the form compared to what was in the ordinance.

Ms. Brumfield said that this was merely an administrative modification, and it involved removing those provisions from the ordinance so that if they needed to update them in the future, for instance, when they had to clarify that they did not only require a fax number but also an email address, that would be something that they could easily alter on the form without having to amend the ordinance.

Mr. Andrews said that he was grateful for that. He said that clearly, as these changes came forward, he would also appreciate the County Attorney's review to provide them with guidance on the substantive effects of these changes. He said that there was no one-to-one correspondence between the old and new anymore, it appeared that there had been significant rearranging. He said that it was essential to ensure that any unintended consequences were avoided. He said that he was somewhat concerned about the possibility of things being able to slip through, but he believed that this was a necessary step forward.

Mr. Gallaway asked whether all the applications required physical submission. He asked if these documents needed to be submitted in person, or if it was possible to complete the entire process electronically.

Ms. Brumfield said that they would provide printouts of necessary materials for individuals who may not have access to a computer. She said that their new application process aimed for them to primarily be submitted online. She said that the form consisted of multiple sections, and if one was not completed, the applicant could not proceed to the next section.

Mr. Gallaway said that that was great, because it would streamline the process. He said that he thought about the issues they had heard from staff that when an application was submitted but it was not fully complete, they received remarks and received complaints that they were doing too many rounds of remarks. He said that the reason for this was that they did not have all the necessary information, so now the process should be very clear. He reiterated that applications moving forward would not be considered unless the application was complete and accurate for what the requirements were.

Ms. Brumfield said that yes, it did not necessarily have to meet their standards, as one could submit a hand-drawn plan and indicate that it was what they required. She said that staff would respond by saying that it did not meet their criteria. She said that however, they were extremely enthusiastic about

the simplification of their procedures.

Mr. Gallaway confirmed that if one needed to upload something for the online application, that it would not let the applicant move on.

Ms. Brumfield said that was correct.

Mr. Gallaway said that he had noticed that the County's special use permit and legislative modification language were not in alignment with the language of other localities.

Ms. McKeel said that evidently all of them were pleased with the simplification. She agreed with Mr. Andrews' opinion about legal review and examining this through a lens. She said that however, they did not wish to transform what was currently readable into attorney jargon. She said that if they could just update the application forms as needed, it saved a lot of time on the front end.

Ms. Brumfield said yes, it did. She said that it made the ordinance more straightforward and easier to understand. She said that the necessary information was presented clearly, allowing for a smoother process. She said that then, when reviewing the actual form, one could easily identify the required elements. She said that they needed four items listed in the ordinance as necessary for approval, which were ownership, proof of ownership, a completed application, and an approved plan as shown. She said then, going to the application, specific details that needed to be included with the application regarding items such as landscaping, parking, and lighting would be addressed, and that level of detail did not need to be included in the ordinance itself.

Ms. Jody Filardo, Director of Community Development (CDD), said that she would like to clarify some exciting developments regarding their applications. She said that they had taken an intermediate step in their application process by requiring that all applications received after July 1 be electronic. She said that this meant that if someone came to the front lobby and presented them with a paper copy, staff would upload it into an electronic form for them. She said that this had greatly benefited staff as it eliminated the need to track a physical document among other papers on their desks. She said that additionally, it allowed them to monitor the progress of each application more effectively.

Ms. Filardo said that as the Board may recall, they went to Camino, which currently served as a front end for County View. She said that the purpose of Camino was to guide applicants through their applications by asking them questions and prompting them to provide necessary information. She said that Camino asked the applicant to specify the address and parcel number they were referring to, and once the applicant entered this information, the system retrieved relevant data and provided instructions on what needed to be taken next. She said that if an individual wished to construct a single-family detached home, Camino would inform them of the required documents and procedures.

Ms. Filardo said that that was how the next system would be strung together as they transitioned to their new Tyler Technologies Enterprise Permitting and Licensing System, which they were actively working on. She said that they had already implemented a system where their applications were scanned in electronically as soon as they arrived. She said that what Ms. Brumfield referred to was the fact that their current ordinance specified all of the required fields. She said that in the new system, each field would be driven by questions, so as the County continued to improve their processes and make them more efficient and effective, they would be able to customize the questions asked and request additional or less information as needed. She said that they would no longer require changes to their Zoning Ordinance, which they believed would be more effective and efficient for their customers. She said that staff would be available to help everyone transition to the new process.

Ms. Price said that she strongly supported the streamlining of the ordinance by removing unnecessary elements, as nimbleness was crucial in today's era. She said that it would enable the department to make changes more efficiently without having to modify an existing ordinance. She said that her primary objective was to express gratitude and acknowledgment for the complexity of their work. She said that it was one thing to go in and modify some language, but going in and restructuring something like this was substantially complex. She gave her appreciation to staff for undertaking such difficult work and for the way they were simplifying it for everyone.

Ms. Mallek said that in previous answers, that they had mentioned expanding certain uses and something that was coming from the Comprehensive Plan process. She asked if feedback would be taken into account from the Board before those things were written in the matrix. She said that she thought about some of the suggestions she had seen for country crossroads communities, like having dry cleaners. She said that without sewer, it was not possible to have dry cleaners. She said that she believed that it would be helpful to have the ability to interact with things at the draft level earlier in the process, as they had done successfully 12 years ago with revalidation forms and finance forms.

Ms. Mallek said that people who were well-versed in finance possessed a distinct understanding of words compared to civilians like herself. She said that the same went for planners and those working on this process. She said that having non-experts review the forms to identify unclear or ambiguous language would be beneficial. She said that she would volunteer for such a task, and she believed that the Board members would also contribute their insights, as they may uncover mysteries that those familiar with the subject matter may overlook due to their extensive knowledge.

Mr. Jeff Richardson, County Executive, said that this was the October County Executive's Report, and he wanted to acknowledge Abby Stumpf, the CAPE (Community and Public Engagement) team, and department heads for being responsive in thinking through the report with alignment to their Strategic Plan. He said that it was an opportunity to elevate staff work and connect with the community while keeping their strategic objectives in mind. He said that there would be several things discussed today that Board members had already mentioned or attended. He said he would try to recognize where they overlapped with their work.

Mr. Richardson introduced the first slide, which aligned with their partnerships in the community. He said that it was the Emerging Leaders in Architecture (ELA), Climate-Resilient Hub presentation. He said that it supported Goal 2 in their Strategic Plan, which was designing programs and services that promote an equitably engaged and climate-resilient community. He said that the photograph depicted a group of 15 young architecture professionals undertaking a project to examine climate resilience hubs and their role in supporting the community within Albemarle County. He said that with the support and input of County staff, the group spent 10 months studying how to enrich existing community gathering facilities in Albemarle County.

Mr. Richardson said that they developed what programs and resources should be available at a climate resilience hub and created a kit for the County to use to establish such hubs. He said that they provided specific recommendations on how the County could invest in existing community gathering places to create climate-resilient centers. He said that the group presented their project to local partners and County staff in Lane Auditorium last Friday.

Mr. Richardson said that the next photograph represented Pathway Exploration Day, which was a partnership with the Albemarle County Public School System and supported Goal 2, which he had just covered, as well as Goal 6, which had to do with recruiting and retaining engaged public servants who provide quality government services to advance their mission. He said that it showed that children were never too young to reach out to them in their community and show them the work that existed in their community related to public service. He said that on October 10, students from Monticello High School visited two locations to learn more about career options in local government. He said that this involved staff from their Economic Development Office, Community Development Department, Fire Rescue, and Police Department who shared their expertise about career opportunities with 78 students. He said that the students visited Woolen Mills to speak with Community Development staff, Economic Development staff, and their CAPE, Community and Public Outreach Division, and Monticello Fire Station to learn more about Fire Rescue and Police Department services. He said that the staff have a lot of energy for this outreach to their youth and community. He said that it was fun and enriching work that was necessary for how they work with their public schools, and that he appreciated staff's effort on this.

Mr. Richardson said that the next slide supported Goal 1. He said that it was the Human Services Family Support Program, which was nurturing a safe and healthy community, enhancing and developing human service initiatives to assist the community and assisting existing resources. He said that family support workers had been busy meeting with new students and families, as well as building connections with community partners and School staff. He said that they were actively seeking out ways to support families who face a variety of challenges, such as food insecurity, housing challenges, and poverty, which could impact a student's ability to be stable and succeed in school.

Mr. Richardson said that this was a successful outreach story, and he expressed his gratitude to their family support worker team sharing it. He said that Fran Clark had recently been able to secure a wheelchair for a 14-year-old student with muscular dystrophy through a collaboration with a local non-profit organization and community donations. He said that this work happened every day, not just in Social Services, but across County Government. He said that he was proud of the efforts being made by their staff to continuously improve the quality of life for those they served, and he appreciated the opportunity to share this success story with their Board and community.

Mr. Richardson said that the next photograph depicted the ICMA (International City/County Management Association) conference in Austin, Texas, and they attended annually. He thanked the Board for allowing staff to seek continuing education. He said that there were approximately three days of continuing education provided, with typically 5,000 cities and counties represented through their manager's office and various executive team members. He said that in this picture, you could see not only himself but also Kristy Shifflett, their Chief Operating Officer, and Jodie Filardo, their Community Development Director. He said that Emily Kilroy was in attendance as well as Ruairi Vaughan, their ICMA Fellow. He said that the annual conference attracted thousands of local government professionals, allowing them to learn about best practices, strategies, resources, and solutions across the United States and in other council-manager form of governments around the world.

Mr. Richardson said that the ICMA did an excellent job discussing the future of local government, and he had noticed for quite some time that their data suggested 87% of city manager positions were occupied by men, while only 13% of senior leadership roles were held by women in their industry. He said it was their responsibility to continue to urge women executives to seek these positions out, and he appreciated the strong women executive leaders who took time to represent the County so well at the event.

Mr. Richardson said that the next item was about the appreciation lunch, which was about recruiting and retaining public servants, providing good quality services. He said that on the far left, they had J.T. Newberry, the Interim Economic Development Director, and Cheryl Skeen from the County

Executive's Office. He said that Ms. Skeen had recently won an employee appreciation lunch from 99.7 WCYK radio station and chose to gift her prize to the staff of their CAPE group for their ongoing work in supporting community events. He said that pictured were two local stars from the radio station who came last week and served lunch to the CAPE team, which attended and participated in events nights and weekends, acting as liaisons during CAC (Community Advisory Committee) meetings, covering 24/7 on-call public information duty for public service and safety staff. He said that they were in the middle of doing bond rating agency meetings when they got to come out and be a part of this. He said that they could see just how many people appreciated the recognition and the opportunity to support their staff.

Mr. Richardson then said that he would discuss Fire Prevention Week, which was nurturing a safe and healthy community, which was a basic foundation of local government. He said that their Fire Department launched a Countywide campaign to share prevention tips and engage with community members. He said that both career and volunteer members visited various events that were organized throughout the week, including visits to football games, open houses at fire stations, pop-up tables at retail locations, and two large community events at Fifth Street Station and Hollymead Town Center. He said that these events marked the 100th anniversary of Fire Prevention Week, with their Fire Department members connecting with over 2,500 community members. He said that a scavenger hunt contest and social media posts promoting fire prevention tips were disseminated. He said that the outreach was well-received by the community.

Mr. Richardson said that yesterday, outside of Lane Auditorium, their Human Resources Department hosted an Employee Benefits and Wellness Fair. He said that pictured here were Bessie Bracey, India Page, and Nicole Marshall from the Human Resources Department. He said that this was a key part of the team, and that every County vendor was present for an entire day to visit with their County employees and talk about the benefits and how they work. He said that Human Resources hosted a day-long event, during which vendors gave presentations all day long in all of their rooms throughout the building.

Mr. Richardson said that various wellness activities were available, including yoga, meditation sessions, presentations on their Employee Assistance Program (EAP), healthy eating, financial resources, safety at work, flu shot and vaccination clinics, which were there for the entire day. He said that this was step one of putting the flag in the ground and stating that they would continue to work through their workforce stabilization efforts to better connect their employees with a higher level of education and understanding about how all of the benefits worked as an employee of Albemarle County. He said that these three individuals were exceptional yesterday, and he received a lot of positive feedback on their level of customer service. He said that the vendors took a day out of their work to be there, and he appreciated it very much.

Mr. Richardson said that he had mentioned the bond rating agency presentations that supported goal number three, which was investing in infrastructure and amenities to create connection, opportunity, and well-being. He said that Jacob Sumner, their Interim Chief Financial Officer, was there today. He said that Mr. Sumner's team led a full day of meetings with all three rating agencies: Fitch, Moody's, and Standard & Poor's, seeking to reaffirm the County's Triple Triple A bond rating. He said that he shared the presentation with the Board late last week, and Mr. Sumner and his team were available to answer any questions the Board may have. He said that the rating supported the County's upcoming bond issuance of \$118 million for CIP (Capital Improvement Plan) projects, that included three new schools in the next five years and \$60 million for the Rivanna Futures property acquisition.

Mr. Richardson said that the summer swim recap was supporting Goal 4, encouraging a vibrant community and economic and recreational opportunities that support all community members. He said that the slide he presented was a wonderful picture in Albemarle County. He said that with lifeguard staffing levels employing 29 lifeguards for the entire summer, they were able to fully staff all three lakes. He thanked their Parks and Recreation management team, collaboration with Human Resources Department, and the Board support for providing hiring incentives to solidify service to their community. He said that beach access increased from four days a week last year to five days a week this year, with over 19,000 visitors visiting their swimming beaches.

Mr. Richardson said that this data was helpful for them to know how their tax dollars were spent and the amenities offered to citizens and community members. He said that adjustments had been made in 2023 based on community input obtained during the 2022 summer feedback survey. He said that Mr. Bob Crickenberger, Parks and Recreation Director, and his team were responsive to feedback, moving hours of operation forward by one hour earlier than last year. He said that they operated from 10:00 a.m. to 6:00 p.m. this year, adding rentable paddle boards at Chris Green Lake and installing additional shade shelters to the beaches. He said that the summer 2023 community survey was currently in progress and would remain open until October 21 at [www.engage.albemarle.org](http://www.engage.albemarle.org). He said that this was the survey for this year's work.

Mr. Richardson said that mentioned earlier with Board reports was the historical marker unveiling, supporting Goal 3, which was investment in infrastructure, amenities, creating connection, opportunity, and well-being. He said that a historical marker installed at the location of Saint John School to commemorate Virginia Lee Murray. He said that the Community Remembrance Project was about increasing the number of roadside markers in the County recognizing women and people of color whose stories and contributions had historically been excluded from County markers. He said that these markers served as a reminder of Albemarle County's ongoing commitment to acknowledge and confront its history, and to continue promoting diversity, equity, and inclusion in their community.

Mr. Richardson said that the next item was a presentation by the Albemarle County Police Department (ACPD) to the Scottsville PTO (Parent Teacher Organization), supporting Goal 2, designing programs and services that promote an equitable, engaged, and climate-resilient community. He said that one of their ACPD detectives, Michael Schneider, had visited the Scottsville Elementary PTO recently to provide tips and prevention measures for online safety.

Mr. Richardson said that the next slide represented Community Day at Simpson Park, which supported Goal 1, a safe and healthy community, Goal 2, and Goal 4, encouraging a vibrant community with economic and recreational opportunities to serve all of their community. He said that the Police, Parks and Recreation, CAPE, and Fire Rescue collaborated for the third year in a row for Community Day at Simpson Park.

Mr. Richardson said that the Community Day was designed to build stronger relationships among the people who live, work, and serve in southern Albemarle County. He said that recreational games and activities were provided, along with opportunities to engage in conversations. He said that 500 people made their way to the event, including volunteers, partners, staff, and attendees. He said that over 40 organizations, County departments, and businesses, contributed to the event in some way. He said that 425 ice cream scoops were handed out.

Mr. Richardson said that concluded the October report. He said that in summary, the report emphasized community outreach and connecting with the community they served, which involved partnerships but also staff going the extra mile.

Ms. Mallek said that during her visit to Station 4 during Fire Prevention Week there was a steady stream of families, ranging from small children to middle and high school students, who came to visit the station. She said that the experience was beneficial for both the young recruits, some recent graduates of the Firefighters I and II program, as well as Captain Felton from the day staff, who stayed longer than his shift ended to ensure that all the younger folks were squared away. She said that it was a valuable opportunity for the young ones to learn about their responsibilities as frontline community representatives. She said that they improved throughout the evening, and it was impressive to see how they handled various stations.

Ms. Mallek said that the kids also participated in a kitchen safety demonstration, which included candy to attract visitors. She noted that the inherent shyness of three-year-olds was overcome fairly quickly, and they were able to identify several potential safety hazards, such as handles protruding from the stove and pizza boxes in the oven. She said that it was great to observe how the children identified them.

Ms. Mallek expressed gratitude for the additional effort put forth by their Parks and Recreation staff to provide more training opportunities for people in lifeguarding. She said that without this extra push from the County Government, it would have been challenging for so many individuals to receive the necessary training to be prepared for their first day on duty. She said that she considered this a great step and thanked everyone involved.

Mr. Andrews said that he consistently enjoyed this aspect of the work and appreciated the presentation. He said that he was grateful for details such as hearing about the successful swimming lifeguards, that it went well, that it was staffed. He said that sometimes they took it for granted that things were going to work, and now they knew that this was not always trivial, and that when it worked well, it was great to hear.

Mr. Gallaway said that he appreciated Mr. Richardson noting the ICMA conference, not only as it related to staff who attended, but also as a part of Mr. Jefferson's continuing education as a County Executive. He asked if there were specific topics or takeaways that he had hoped to receive.

Mr. Richardson said he would ask Ms. Kilroy to assist him with this as it could be quite challenging to decide which session to attend from among several that they may be discussing during a conference. He said that they often divided and conquered in order to attend all of the sessions that interested them. He said that the theme of the conference was undoubtedly affordable housing, which was a major topic of discussion, and workforce stabilization was also a significant issue that was addressed. He said that many communities across the United States were grappling with the question of what affordable housing looked like in their community and how it related to workforce housing. He said that this was particularly relevant for those who worked in the community but could not afford to live there.

Mr. Richardson said that they shared a map from several years ago that showed affordable housing pockets across the United States. In other words, based on data that was sound and reliable, they could identify the most affordable places to live in all 50 states. He said that these pockets were shrinking significantly, to the point where they almost no longer existed. He said that he spent some time during various sessions learning about federal, state, and local efforts related to this issue. He said that he was interested in understanding what effective recruitment and retention of the workforce looked like in 2023 at the local government level.

Ms. Emily Kilroy, Assistant to the County Executive, said that there was a vast range of topics available for attendees to explore. She said that she spent a significant amount of time attending sessions related to building strong team cultures across different departments. She said that the challenges facing local governments in the modern era did not fit neatly into traditional organizational charts. She said the challenges of the five generations in the workplace had diverse communication styles and expectations,



making it crucial for teams to work effectively together. She said that there was a lot of emphasis on emerging technologies in public engagement and agenda management. She said that she found the conference to be extremely rich, and that they were hearing from people working in the field across the country, and it was interesting to hear about the similarities, as well as the different challenges faced.

Ms. Jodie Filardo, Community Development Department Director, said that the conference provided valuable insights and interesting information about transit. She said that she took the transit route and had the opportunity to meet individuals who were implementing innovative ideas in Utah's transit system. She said that Utah had a fully integrated microtransit program, and that she got some great ideas from them on that. She said that she learned about a program called "Sustainovation," which was aligned with their value of innovation at Albemarle County. She said that getting innovation into a County bureaucratic type of environment is a challenge, and the presenter had been running all kinds of ideas through local governments across the United States. She said that she was hopeful they could implement some of the presenter's ideas in the coming months, as they had some new innovative ideas on ways to do fun things for their community.

Ms. McKeel said that she appreciated Mr. Gallaway's question, as it had provided them with valuable insight into the meetings. She said that attending national conferences could be an excellent source of information, enabling them to interact with their peers who were implementing innovative ideas in different parts of the country. She said that it was definitely worth the expense to send representatives, and was an essential aspect of staff development and education. She said that the report provided them with a comprehensive overview of recent developments, which had been beneficial for their organization. She expressed her gratitude for the opportunity to learn more about what others are doing and what the community was benefiting from.

Ms. Price said that one of the major topics they had discussed for some time was workforce stabilization. She said that only a few months ago, they had high school students visiting them, and Mr. Richardson's slide today showed Monticello High School students learning about local government, another area in which they had been successful was with the SAFER (Staffing for Adequate Firefighters and Emergency Response) grants.

Ms. Mallek said that the "Sustainovation" may be a topic for the next Countypalooza event.

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Agenda Item No. 16. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. LaPisto-Kirtley said that last night, there was a very successful all-CAC (Community Advisory Committee) meeting on transportation. She said that MicroCat was coming, as mentioned by Ms. McKeel.

Mr. Andrews said that they held their Solid Waste Alternatives Advisory Committee (SWAAC) meeting last week. He said that a presentation was given by Jane Mills on Loaves and Fishes Food Pantry and their work. He said that in August, they fed 9,436 people, with an average of 130 families per day. He said that the presentation was both eye-opening and informative about food pantries in their community and the importance of what they did. He said that Ms. Mills also shared some notable quotes, such as "there's no shortage of food, just a lack of access." He said that a lot of what they were trying to do was get cooperation from local grocery stores to donate food and distribute it to those in need. He said that the presentation also considered the solid waste perspective by acknowledging what would happen if this food was not redistributed.

Ms. Price said that it was not related to committee reports but believed they should consider recent events in the Middle East over the past 10 days from the perspective of extremism. She said that supporting extremism could lead to such consequences, and there were many communities and individuals who discussed woke ideology and were against diversity, equity, and inclusion. She said that however, when people were excluded or extreme in their views, they were essentially plowing the field, and this is what they sowed. She said that it was essential to avoid extremism and always consider that the other person is someone's child, as per the golden rule of treating others as you would like to be treated. She said that during this election period, they must all be mindful of this principle.

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Agenda Item No.11. Closed Meeting.

At 3:33 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- to consult with legal counsel and receive briefings by staff members pertaining to actual litigation concerning the assessment of real property, in the case styled *Westminster Canterbury of the Blue Ridge v. Board of Supervisors of Albemarle County*, where consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County and the Board.

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

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

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Agenda Item No.12. Certify Closed Meeting.

At 4:13 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

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

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

Non-Agenda Item. **Recess.** The Board recessed its meeting at 4:14 p.m. and reconvened at 6:00 p.m.

Agenda Item No. 14. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Wanda Bruce, White Hall District, said that she was a lifelong resident of the County, and that she had graduated from Stone Robinson, Jack Jouett, Albemarle, and Piedmont. She said she had prepared for retirement fairly well with their lifelong jobs, which there had been many kinds, however, the current tax rate was exorbitant. She said that they had not been given anything from their family in terms of inheritance or any such thing, but they had worked very hard throughout their lifetime. She said that they had two daughters who also attended the Albemarle County schools, so they felt that they had deep roots in this community.

Ms. Bruce said that they believed that tax relief should not be based on one’s net worth because what they had built over their lifetime was their savings, property, and other assets. She said with the tax rate, they may be forced to leave the County if they did not have some type of tax relief. She said that her husband and she were both 69 and 72 years old, respectively, so they were at an age where they would like to travel and volunteer, but that time would be very limited because they may not be able to stay in the County based on the current tax rate. She said she requested that the tax relief be reconsidered.

Ms. Bruce said that she was aware of numerous individuals in the community who would be in support. She said that previously, it had been stated that there were petitions signed by 400 people, but she believed that there may be thousands who did not have the opportunity to sign the petition for various reasons but would support a tax relief for the elderly and disabled. She said that this should not be based on net worth as this is what they retired with, and if it went against them, it was counteractive. She said it should be based on their income, as they lived on limited income, they lived on Social Security, and that was it, it was very limiting. She said she requested that they reconsider the net worth being part of the decision, and allow just one’s salary, just one’s income, to be how the County would determine whether or not they qualify for tax relief.

Agenda Item No. 15. **Public Hearing: Pathways to Removing Obstacles to Housing (PRO Housing) Grant Application.** To receive public comment on a proposed Pathways to Removing Obstacles to Housing (PRO Housing) grant application in the amount of approximately \$6.2 million. The County proposes to utilize the grant funds to develop and implement the following programs: \$5 million dollars to capitalize an Affordable Rental Housing Revolving Loan Fund to support the construction and preservation of affordable rental units, and \$1 million to capitalize a Small Landlord Loan fund to support the preservation of affordable rental units. The remaining grant funds will support program administration.

This item was removed from the agenda at staff’s request.

Agenda Item No. 17. Adjourn to November 1, 2023, 1:00 p.m. Lane Auditorium.

At 6:06 p.m., the Board adjourned its meeting to November 1, 2023, 1:00 p.m. Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902. Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

Approved by Board
Date: 05/07/2025
Initials: CKB

Chair