

ACTIONS		
Board of Supervisors Meeting of November 20, 2024		
November 21, 2024		
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>The Meeting was called to order at 1:01 p.m. by the Chair, Mr. Andrews. All BOS members were present. Also present were Jeff Richardson, Andy Herrick, and Travis Morris.</li> </ul>		<a href="#">Link to Video</a>
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the final agenda.</li> </ul>		
<p>5. Brief Announcements by Board Members.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Stated that she had the opportunity to attend the conference sponsored by Senator Dave Marsden in Short Pump on Monday, November 18, 2024, which aimed to establish a better understanding of the key issues before the legislative process this year.</li> <li>Remind hunters that there is no going on private property without permission and to not shoot from the roadway. She said that if hunters were reclaiming their hounds, they may not bring their vehicle onto private property, nor may they bring their weapon onto private property, and that it was essential for hunters to be considerate of others.</li> </ul> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> <li>Highlighted the quarterly report by the County's Facilities and Environmental Services team which provided an overview of the work being done in Albemarle County.</li> <li>Acknowledge the upcoming launch of the Albemarle Employee Care Clinic which will have two locations available: one on 29 North and one at Pantops. She noted that clinic would be a valuable resource for their employees and would help the organization become an employer of choice.</li> <li>Mentioned that she had received questions regarding the school speeding zone fines and noted that the County's website had a Q&amp;A document available under the government section.</li> </ul> <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> <li>Mentioned that he recently attended a workday event for invasive species which was organized by the Rivanna Conservation Alliance (RCA) at Darden Towe and that additional workdays could be found on the RCA website.</li> <li>Reminded everyone that this Saturday marked the beginning of regular firearm hunting season for deer in Albemarle County and encouraged hunters to familiarize themselves with regulations.</li> <li>Commented that the president-elect had emphasized the need to address illegal immigration in the United States, and that some of these policies may potentially have significant implications for local government.</li> </ul>		

<p>He asked the Board to proactively consider how they would respond if there were any questions or calls from the federal government regarding their involvement in immigration in Albemarle County.</p> <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> <li>• Stated that he had attended the Virginia Association of Counties (VACo) annual conference and the Virginia Governor's Housing Conference, and that he would share information from the National Association of Counties' Community Workforce and Economic Development Committee.</li> <li>• Brought to the Board's attention the importance of having a homelessness plan in place for disaster and emergency planning, and that he would share additional information with the Board.</li> </ul> <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> <li>• Congratulated Supervisor Mallek, who had served as the president of VACo, and was now the past president.</li> </ul>		
<p>7. 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.</p> <ul style="list-style-type: none"> <li>• <u>Neil Williamson</u>, President of the Free Enterprise Forum, spoke towards item #17 on the agenda.</li> <li>• <u>Emily Dreyfus</u>, Rio Magisterial District resident, spoke regarding the need for more affordable housing in Albemarle County, improving the Albemarle County Emergency Relief (ACER) Program, and strengthening AC44 to address housing needs.</li> </ul>		
<p>8.1 Personnel Policy Amendments.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> resolution to amend personnel policy § P-17, and archive policies § P-02 and § P-41.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources and County Attorney's office. (Attachments 1 and 2)</p>	
<p>9. SE202400022 3065 Gables Run Road Homestay. (<i>Scottsville Magisterial District</i>)</p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> resolution to approve the proposed special exception to authorize the use of an accessory structure for a homestay use at 3065 Gables Run.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 3)</p>	
<p>10. <b>Work Session:</b> Five-Year Financial Plan.</p> <ul style="list-style-type: none"> <li>• <b>HELD.</b></li> </ul>		
<p><b>Recess</b></p> <ul style="list-style-type: none"> <li>• At 3:27 p.m., the Board recessed and reconvened at 3:44 p.m.</li> </ul>		
<p>Ned Gallaway left the meeting at 3:37 and returned at 6:00 p.m.</p>		
<p>11. <b>Action Item:</b> Schedule a Public Hearing to Consider Adoption of an Ordinance to Modify Real Estate Tax Relief for Elderly and Disabled Persons.</p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>SCHEDULED</b> public hearing to consider the adoption of an Ordinance to Modify Real Estate Tax Relief for Elderly and Disabled Persons.</li> </ul>	<p><u>Clerk:</u> Schedule on December 4 agenda, advertise in the Daily Progress and notify appropriate individuals.</p>	
<p>12. From the County Executive: Report on Matters Not</p>		

<p>Listed on the Agenda.  <u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> <li>Presented the November Progress Albemarle report.</li> </ul>		
<p>13. From the Board: Committee Reports and Matters Not Listed on the Agenda.  <u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> <li>Reported that the newly formed Albemarle County Fire Rescue Foundation had recently submitted their Articles of Incorporation to the SCC (State Corporation Commission), and after that, they would obtain an EIN (Employer Identification Number) and complete the necessary steps to establish the 501(c)3 organization.</li> <li>Mentioned that, she had recently learned that the top Fire Rescue team recruit was a woman. She said that she wanted to highlight this achievement as part of their celebration of women in government.</li> <li>Commented on her attendance at the recent Solid Waste Advisory Committee meeting where there was a strong emphasis on recycling. She noted that convenience centers were a great benefit but that in urban areas there was a lack of recycling bins that were commonly found in other regions.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Reported that she had sent out an email to Board members with the links to sign up for steering committees at VACo (Virginia Association of Counties), and she encouraged Board members to indicate their continued interest.</li> <li>Commented that the National Association of Counties was offering free attendance for the legislative steering committees on Saturday and Sunday, March 1 and 2, 2025, and if Board members were interested, they should let her know.</li> </ul> <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> <li>Commented that a report from the Thomas Jefferson Planning District Commission had shed light on how various localities were weighing their options for energy and highlighted an emerging trend between "blue energy" and "red energy."</li> <li>Noted that the Village of Rivanna Community Advisory Committee had recently reached a quorum, and they were now in the early stages of discussing their initial meeting and key topics.</li> <li>Acknowledge Transgender Day of Remembrance (November 20), and said there would be a vigil at 6:00 p.m. at The Beautiful Idea bookstore and art space, and at 7:00 p.m. there would be potluck dinner specifically for members of the trans community.</li> </ul> <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> <li>Reported that the VACo conference was very</li> </ul>		

<p>informative and expressed his gratitude to Ms. Mallek for her efforts in the agricultural and rural affairs department.</p> <ul style="list-style-type: none"> <li>• Mentioned that a JLARC (Joint Legislative Audit and Review Commission) study on data centers is scheduled to be released on December 9.</li> <li>• Commented that at the Rivanna Solid Waste Authority meeting that was held the previous day, he received a report on the Henrico Old Dominion landfill, which Albemarle County used, that showed it had a limited remaining capacity of 7 billion tons and was expected to have a permitted life of 17 years. He said that there were discussions about ongoing issues with leachate and per- and polyfluoroalkyl substances (PFAS), which affected their ability to store and dispose of waste.</li> </ul>		
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 4:45 p.m., the Board went into Closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia:</li> <li>• under subsection (8) to consult with legal counsel regarding specific legal matters requiring legal advice relating to the decision of the Board of Zoning Appeals in Case No. VA2024-00002.</li> </ul>		
<p>15. Certify Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 6:01 p.m., the Board reconvened into an open meeting and certified the closed meeting.</li> </ul>		
<p>16. 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.</p> <ul style="list-style-type: none"> <li>• <u>Susan Friedman</u>, Rio Magisterial District and representing the Charlottesville Area Alliance (CAA), introduced Brooke Hughes, who was currently participating in a UVA internship program with CAA for the semester. She thanked the Board for their support and said she would send the Board their annual report for review.</li> </ul>		
<p>17. <b>Work Session:</b> AC44: Development Areas Land Use – Draft Actions.</p> <ul style="list-style-type: none"> <li>• <b>HELD.</b></li> </ul>		
<p>Non-Agenda:</p> <ul style="list-style-type: none"> <li>• Andy Muncy, Master Police Officer, said that the following day, eight recruits would graduate from the Central Shenandoah Criminal Justice Academy, and they would be sworn in that Friday. He said that the Albemarle County Police Department had been working to increase their full staffing. He noted that on January 6, six more recruits would attend the academy.</li> <li>• Mr. Trevor Henry, Deputy County Executive, presented an Albemarle County challenge coin to Master Police Officer Andy Muncy and extend gratitude to him for his dedication and service to the County over the past 12 years.</li> </ul>		

18. Adjourn to December 4, 2024, 1:00 p.m., Room 241. • The meeting was adjourned at 8:20 p.m.		
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ckb/tom

Attachment 1 – Resolution – Personnel Policies

Attachment 2 – Personnel Policy (P - §17.0)


Attachment 3 – Resolution to Approve SE2024-00022

**RESOLUTION**

**WHEREAS**, the Board of Supervisors may adopt Personnel Policies under Albemarle County Code §2-901; and

**WHEREAS**, the Board desires to amend and re-number Policy §P-60 Salary Administration and Position Classification as §P-17 Classification and Compensation, and repeal Policies §P-02 Definition of Employee Status and §P-41 Release Time for Advanced Study.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Supervisors of Albemarle County, Virginia, hereby approves the renumbering and amendment to the County's Personnel Policies as set forth in the proposed policy, and the repeal of Policies §P-02 Definition of Employee Status and §P-41 Release Time for Advanced Study.

	P - §17.0	<u>Policy Name:</u> Classification and Compensation	<u>Approved Date:</u> November 20, 2024
	<u>Prepared By:</u> Human Resources		<u>Adopted Date:</u> July 1, 1993
	<u>Amended Date:</u> September 13, 1993; June 19, 1995; July 8, 1996; December 8, 1997; September 3, 2008; May 3, 2017; February 6, 2019		

### A. PURPOSE

Classification and compensation serve as a critical component in the County's total rewards strategy that encompasses not only a competitive market-based approach to pay, but also opportunities for career growth and development for our exceptional employees.

The purpose of this policy is to establish a compensation philosophy and methodology for categorizing jobs within the organization, ensuring fair and equitable compensation for employees while aligning with market wages.

### B. DEFINITIONS

"At- Will" Employee - an employment arrangement where either the employer or employee can terminate the employment at any time, for any reason, without legal consequences, as long as the reason isn't unlawful

FLSA Status - an employee's classification as either exempt or nonexempt under the Fair Labor Standards Act (FLSA).

Job Description – A formal document that outlines essential duties, qualifications, and expectations for a specific role within the organization.

Seasonal Employee – Employee who is hired for a position that is used for a cyclical assignment that recurs annually. Examples include, but are not limited to Parks and Recreation summer program staff and lifeguards, early voting election workers, etc.

Temporary Employee – Employee who is hired for a set period of time to cover a short-term absence or vacancy, or to work on a time-bound project. Employees can be full-time or part-time.

### C. ROLES AND RESPONSIBILITIES

**Employees** – Employees are responsible for staying updated on County employment and compensation policies and procedures. They should raise any classification or compensation-related concerns with their managers, supervisors, or Human Resources. Additionally, employees may

participate in committees to offer structured feedback and assist in the review of classification actions as needed.

**Managers and Supervisors** – Managers and Supervisors are responsible for managing budgets, assessing and prioritizing staffing needs in alignment with department and organizational objectives, and maintaining accurate job descriptions within their areas.

**Finance & Budget** – Finance & Budget assesses the financial impact of classification and compensation actions, provides projections for future personnel costs, and allocates funds for Board-approved position changes and pay adjustments.

**Human Resources (HR)** – HR in collaboration with relevant stakeholders, develops, administers, and interprets policies, guidelines, and procedures. HR determines appropriate job titles, pay classifications, and FLSA status for positions, develops and maintains the County's compensation structures, and conducts research and analysis of compensation strategies, and market wages.

#### **D. POLICY**

##### **1) Employment Types**

The County maintains standard types of employment and classifies employees in accordance with the types of employment authorized by the Board of Supervisors, notwithstanding immediate changes required by Federal or State law.

- a. Appointees – Any officers, directors, and department heads appointed by and directly reporting to the Board of Supervisors and serving under a contract of employment.
- b. Classified Employees – County employees, and partner agency staff identified by agreement as following the County's pay plan, who hold full or part-time positions included in one of the County's pay structures.
  - i. Classified employees occupy an approved, budgeted, non-temporary, full-time or part-time position that is approved by the Board of Supervisors.
  - ii. Full-Time Status: Employment in a classified position that is Board approved to work an average of 40 hours per week or more.
  - iii. Part-Time Status: Employment in a classified position that is Board approved to work an average of less than 40 hours per week. All part-time classified positions will be FLSA non-exempt.
  - iv. Probationary Status: Probationary employees are "at will" and ineligible to

use grievance procedures. The County's standard probation period is 6 months. Safety sensitive positions and other positions required by the commonwealth may have probation periods of up to one year. Employees must be informed of the length of probation at the time of job offer.

- c. Temporary and Seasonal Employees - Employees hired for a specified period of time, not to overlap fiscal years without approval through the budget development process, or for the duration of a specific project or program.
- i. Temporary employees, both direct hire and through a temp agency, will be screened and hired through the County's Human Resources Department processes.
  - ii. Temporary/Seasonal employees are "at-will" employees.
  - iii. Temporary/Seasonal employees are not placed into positions in one of the County's pay structures, but will receive pay in alignment with similar County classified positions or a competitive market rate as determined by Human Resources.
  - iv. Temporary employees, other than seasonal employees, will receive Cost of Living Adjustments in alignment with movement of the County's pay structures.
- d. Unclassified Positions — Unclassified positions, for the purpose of compensation, are not subject to the County Pay Plan, unless otherwise specifically indicated by resolution of the Board of Supervisors. The following positions are unclassified:
- All elected officials, including constitutional officers
  - Members of boards, authorities, commissions, and committees appointed by the Board of Supervisors
  - Volunteer and internship personnel, to include those receiving honorarium payments
  - Consultants and counsel rendering professional services
  - Positions involving seasonal or temporary employment
  - The County Attorney
  - The County Executive
  - Such other positions as may be designated by the Board of Supervisors
- e. FLSA Status — All classified County positions are covered under the Fair Labor Standards Act (FLSA), which has two basic categories of jobs:

- a. Exempt – Those positions not covered by the overtime provisions of the FLSA and are ineligible to earn overtime; or
- b. Non-Exempt – Those positions covered by the overtime provisions of the FLSA and eligible to earn overtime at a rate of one and one-half times the regular rate for all hours worked over the allowable maximum within a pay period.

FLSA status is determined by Human Resources and is based on the essential functions and base salary of the position in accordance with the criteria established in the Fair Labor Standards Act.

## 2) Compensation Structure

The purpose of the Compensation Structure is to provide a consistent, equitable, and transparent system for establishing competitive market-based wages. The County utilizes traditional and public safety pay scales to meet these criteria. The Department of Human Resources is responsible for developing and maintaining the compensation structure which includes grades or bands with a salary range minimum and maximum.

The County Pay Plan, consisting of the compensation structure(s), approved Cost of Living Adjustments, merit pay, bonuses, recognition pay, and other pay types, is adopted by the Board of Supervisors annually and applied on a per fiscal year basis.

## 3) Position Classification

The County maintains a classification process which includes developing a job description for each position, assessment, and placement within the County's compensation structure. The essential functions of the position are used to benchmark against the County's competitive market, as established by the Board of Supervisors, for categorization and salary range determination.

## 4) Pay Determination

Each position is assigned a salary range on the compensation structure based on the essential functions of the position, the prevailing rates of pay in the competitive market, employee turnover, the essential functions of the position, the prevailing rates of pay in the competitive market, employee turnover, the County's adopted compensation philosophy, and economic considerations.

**RESOLUTION TO APPROVE SE2024-00022  
3065 GABLES RUN HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE2024-00022 3065 Gables Run Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exception:

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

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the SE2024-00022 3065 Gables Run Homestay application, the Albemarle County Board of Supervisors hereby grants a special exception to authorize the use of an accessory structure for a homestay use on Parcel 09300-00-00-06500.