

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of August 6, 2025</p>		
		August 7, 2025
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The Meeting was called to order at 1:01 p.m. by the Vice Chair, Ms. McKeel. All BOS members were present with the exception of Mr. Andrews, who participated remotely and Mr. Gallaway who arrived at 3:00 p.m., and participated remotely. Also present were Jeff Richardson, Andy Herrick, Claudette Borgersen, and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda. <u>Ann Mallek:</u></p> <ul style="list-style-type: none"> ADDED to the end of the agenda: <ul style="list-style-type: none"> Item #21. Earlysville Forest Truck Traffic from Fill Activities. Item #22. Presentation of Petitions from the Crozet Community Association. By a vote of 5:0:1 (Gallaway absent), ADOPTED final agenda as amended. 		
<p>5. Brief Announcements by Board Members. <u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> Addressed the issue of whether he intended to continue serving the County as Supervisor while he was running for Congress. <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Mentioned that she had attended the <i>National Night Out</i> the previous night and the Albemarle County Fair the previous Thursday at Highland. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Mentioned that she had also attended the County Fair, where she visited the Mobile Museum of the VA 250 History Project for the upcoming Semi-quincentennial next year. Commented that she had spoken with Michael Downey from the Forestry Department at the National Night Out, where he discussed wildfire mitigation, and she encouraged community members to reach out to the Department of Forestry for more information. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Reported that Albemarle County had been awarded a \$9.7 million grant from the Virginia Business Ready Sites Program, which would be used to continue the site readiness work at Rivanna Futures. Commented that she had recently attended the 16th Annual Albemarle County Public Schools National Society of Black Engineers Summer Academy graduation. Stated that according to the Council on Criminal Justice, parked cars were the leading source of stolen guns and she emphasized that gun owners needed to ensure that guns were stored appropriately. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Soul of Cville Festival.</p> <ul style="list-style-type: none"> By a vote of 5:0:1 (Gallaway absent), ADOPTED proclamation and presented to Khalilah Jones, Soul of Cville Co-Founder. 	(Attachment 1)	
<p>7. Public Comment on: Matters Previously Considered or Currently Pending Before the Board</p>		

<p>(Other than Scheduled Public Hearings).</p> <ul style="list-style-type: none"> • <u>Peter Krebs</u>, Piedmont Environmental Council and the Albemarle County Parks Foundation, spoke regarding the County making Free Bridge Lane a permanent pedestrian area • <u>Stuart Overbey</u>, Samuel Miller District, and a member of Don't Spread On Me, spoke regarding the harmful effects of spreading sewage sludge (biosolids) on farms and forest land. • <u>Denise Taner-Belfon</u>, Jack Jouett District and Georgetown Green community member, spoke regarding the rat and mice infestation issues and noise disruptions resulting from the Albemarle County High School construction. 		
<p>8.2 Fiscal Year 2025 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED resolution approving appropriations #2025055 and #2025056 for the County government project/program. 	<p><u>Clerk</u>: Forward copy of signed resolution to Finance and Budget and County Attorney's office. (Attachment 2)</p>	
<p>8.3 Fiscal Year 2026 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED resolution approving appropriations #20260002 and #2026003 for the County government project/program. 	<p><u>Clerk</u>: Forward copy of signed resolution to Finance and Budget and County Attorney's office. (Attachment 3)</p>	
<p>8.4 VDOT Revenue Sharing Program Applications.</p> <ul style="list-style-type: none"> • ADOPTED resolutions in support of the submission of the following two Revenue Sharing projects: Hydraulic Road Bicycle and Pedestrian Improvements and Berkmar Drive Bicycle and Pedestrian Improvements. 	<p><u>Clerk</u>: Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 4 and 5)</p>	
<p>8.5 TA-2025-02 Resolution of Intent - Structure Height Regulations in Industrial Districts.</p> <ul style="list-style-type: none"> • ADOPTED Resolution of Intent. 	<p><u>Clerk</u>: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)</p>	
<p>8.6 Strawberry Hill Farm Utility Easement.</p> <ul style="list-style-type: none"> • ADOPTED resolution approving the new utility easement. 	<p><u>Clerk</u>: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)</p>	
<p>8.7 Resolution to Accept Road(s) in the Jarmans Gap Subdivision into the State Secondary System of Highways. (<i>White Hall Magisterial District</i>)</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	<p><u>Clerk</u>: Forward copy of signed resolution to Community Development and VDOT. (Attachment 8)</p>	
<p>9. Recommendations for Use of the Affordable Housing Investment Fund.</p> <ul style="list-style-type: none"> • By a vote of 5:0:1 (Gallaway absent), APPROVED the full amount of funding being requested. 	<p><u>Stacy Pethia</u>: Proceed as approved.</p>	
<p>10. Free Bridge Lane Pilot Program Summary.</p> <ul style="list-style-type: none"> • By a vote of 5:0:1 (Gallaway absent), SUPPORTED the permanent discontinuance of Free Bridge Lane and AUTHORIZED the County Executive to submit a Petition for Discontinuance to the Charlottesville VDOT Residency. 	<p><u>County Executive</u>: Proceed as authorized.</p>	
<p>Recess.</p> <ul style="list-style-type: none"> • At 2:15 p.m., the Board recessed and reconvened at 2:30 p.m. 		
<p>Presentation: Biophilic Cities Network Presentation.</p> <ul style="list-style-type: none"> • RECEIVED. 		
<p>11. Work Session: Data Center Phase 2.</p> <ul style="list-style-type: none"> • HELD. 	<p><u>Community Development</u>: Proceed as discussed.</p>	
<p>12. Closed Meeting.</p> <ul style="list-style-type: none"> • At 5:06 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia: 		

<ul style="list-style-type: none"> under subsection (1) to discuss and consider appointments to various boards and commissions including, without limitation: the Crozet Community Advisory Committee, the Places 29 (Hydraulic) Community Advisory Committee, and the Places 29 (North) Community Advisory Committee. 		
13. Certify Closed Meeting. <ul style="list-style-type: none"> At 6:01 p.m., the Board reconvened into an open meeting and certified the closed meeting. 		
14. Boards and Commissions: a. Vacancies and Appointments. <ul style="list-style-type: none"> APPOINTED Mr. Andrew Joyner to the Crozet Community Advisory Committee with said term to expire on March 31, 2027. REAPPOINTED Mr. James Clemenko to the Places 29 (Hydraulic) Community Advisory Committee with said term to expire on August 6, 2027. REAPPOINTED Mr. David Mitchell, Mr. Frank Safertal, Ms. Misty Parsons and Mr. Anthony Pagnucco to the Places 29 (North) Community Advisory Committee with said terms to expire on August 6, 2027. 	<u>Clerk:</u> Prepare appointment/reappointment letters and welcome pamphlet, update Boards and Commissions book, webpage, and notify appropriate persons.	
15. From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u> <ul style="list-style-type: none"> There were none. 		
16. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings). <ul style="list-style-type: none"> The following individuals addressed the Board regarding Data Centers in Albemarle County: <ul style="list-style-type: none"> <u>John Heyrman</u> <u>Sage Bradburn</u> <u>Hugh Meagher</u> <u>Alicia Lenahan</u>, Scottsville District, spoke regarding the access to personal records that Immigration and Customs Enforcement (ICE) had been given, and urged the Board to pass a resolution condemning non-transparent federal immigration enforcement tactics and affirming community safety principles. The following individuals spoke regarding the resolutions that the Crozet Community Association had recently passed. <ul style="list-style-type: none"> <u>Lisa Goehler</u>, <u>Minsu Kim</u> <u>Lee Gale</u>, White Hall District, spoke regarding application of the Water Protection Ordinance at the Mont Clair site and across the County. 		
17. Presentation: Biophilic Cities Network Presentation. <ul style="list-style-type: none"> Moved earlier on the agenda. 		
18. <u>Pb. Hrg.: 2025 Community Development Block Grant (CDBG).</u> <ul style="list-style-type: none"> Held. 		
19. <u>Pb. Hrg.: SP202400023 and SE202400027 Congregation Beth Israel (CBI) Forest School - Dudley.</u> <ul style="list-style-type: none"> By a vote of 5:1 (McKeel) ADOPTED resolution to approve SP202400023. 	<u>Clerk:</u> Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 9 and 10)	

	<ul style="list-style-type: none"> By a vote of 6:0 ADOPTED resolution to approve SE202400027. 	
20.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <ul style="list-style-type: none"> There were none. 	
21.	Earlysville Forest Truck Traffic from Fill Activities. <ul style="list-style-type: none"> Discussed. 	
22.	Presentation of Petitions from the Crozet Community Association. <ul style="list-style-type: none"> The petitions (resolutions) were read into the record. 	
23.	Adjourn to August 13, 2025, 4:00 p.m., Room 241. <ul style="list-style-type: none"> The meeting was adjourned at 11:10 p.m. 	

ckb/tom

Attachment 1 – Proclamation Soul of Cville Festival

Attachment 2 – Resolution to Approve Additional FY 2025 Appropriations

Attachment 3 – Resolution to Approve Additional FY 2026 Appropriations

Attachment 4 – Resolution to Participate in Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2026 - Hydraulic Road Bicycle and Pedestrian Improvements

Attachment 5 – Resolution to Participate in Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2026 - Berkmar Drive Bicycle and Pedestrian Improvements

Attachment 6 – Resolution of Intent Zoning Text Amendment Structure Height Regulations in Industrial Districts

Attachment 7 – Resolution Approving Conveyance of a Utility Easement Across Parcel 05000-00-00-04500

Attachment 8 – VDOT Resolution - Jarmans Gap Subdivision

Attachment 9 – Resolution to Approve SP202400023 Congregation Beth Israel (CBI) Forest School-Dudley

Attachment 10 – Resolution to Approve SE202400027 Congregation Beth Israel (CBI) Forest School-Dudley

**PROCLAMATION
SOUL OF CVILLE FESTIVAL**

WHEREAS, Soul of Cville is a celebration that honors the rich cultural heritage, vibrant arts, and community spirit that make Albemarle County unique; and

WHEREAS, Soul of Cville serves as a platform for fostering unity, promoting diversity, and supporting local businesses — the 2025 theme being “Firmly Planted, Fiercely Flourishing”; and

WHEREAS, the low cost to free, family-friendly Soul of Cville festival returns to IX Art Park from August 10–17, 2025, uniting residents and visitors from all backgrounds and walks of life to enjoy a diverse array of performances, food, award recognition, scholarship giveaway and activities; and

WHEREAS, the 2025 celebration marks the fifth anniversary of Soul of Cville, a collaborative effort with the IX Art Park and various Black-owned businesses that seek to amplify the voices of local artists, musicians, entrepreneurs, and engaged community members and contribute to the economic development of the city and county.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, endorse the values of inclusivity and cultural appreciation and encourage community members to participate in the wide range of Soul of Cville festival activities from August 10 through August 17.

Signed this 6th day of August 2025.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2025 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 25 Budget is amended to increase it by \$422,165;
- 2) That Appropriations #2025055 and #2025056 are approved;
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2025.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2026 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 26 Budget is amended to increase it by \$1,926,891;
- 2) That Appropriations #2026002 and #2026003 are approved;
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2026.

**RESOLUTION TO PARTICIPATE IN
VIRGINIA DEPARTMENT OF TRANSPORTATION
REVENUE SHARING PROGRAM FOR FISCAL YEAR 2026
Hydraulic Road Bicycle and Pedestrian Improvements**

WHEREAS, the County of Albemarle desires to submit an application for the allocation of funds through the Virginia Department of Transportation Fiscal Year 2026 Revenue Sharing Program; and

WHEREAS, the County is willing to commit local funds of a minimum of fifty percent (50%) of the total project cost in order to compete for a Revenue Sharing Program award; and

WHEREAS, these funds are requested to implement the Hydraulic Road Bicycle and Pedestrian Improvements project, which proposes multimodal improvements along Hydraulic Road from Whitewood/Lambs Road to Georgetown Road. Main components include continuous Green T at Georgetown Green, and improvement to substandard shared-use path; and

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby commits to provide local funds of a minimum of fifty percent (50%) of the total project cost in its application for revenue sharing funds from the FY 2026 Virginia Department of Transportation Revenue Sharing Program and requests that the Virginia Department of Transportation approve the County's application.

BE IT FURTHER RESOLVED THAT the Board of Supervisors hereby grants authority to the County Executive to execute project administration agreements for any approved Fiscal Year 2026 and 2027 Revenue Sharing Program projects.

**RESOLUTION TO PARTICIPATE IN
VIRGINIA DEPARTMENT OF TRANSPORTATION
REVENUE SHARING PROGRAM FOR FISCAL YEAR 2026
Berkmar Drive Bicycle and Pedestrian Improvements**

WHEREAS, the County of Albemarle desires to submit an application for the allocation of funds through the Virginia Department of Transportation Fiscal Year 2026 Revenue Sharing Program; and

WHEREAS, the County is willing to commit local funds of a minimum of fifty percent (50%) of the total project cost in order to compete for a Revenue Sharing Program award; and

WHEREAS, these funds are requested to implement the Berkmar Drive Bicycle and Pedestrian Improvements project, which proposes to construct a shared-use path or enhanced sidewalk from Hilton Heights Road to the first intersection south of Woodbrook Drive to connect to the new Shared-Use Path on Berkmar Extended; and

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby commits to provide local funds of a minimum of fifty percent (50%) of the total project cost in its application for revenue sharing funds from the FY 2026 Virginia Department of Transportation Revenue Sharing Program and requests that the Virginia Department of Transportation approve the County's application.

BE IT FURTHER RESOLVED THAT the Board of Supervisors hereby grants authority to the County Executive to execute project administration agreements for any approved Fiscal Year 2026 and 2027 Revenue Sharing Program projects.

**RESOLUTION OF INTENT
ZONING TEXT AMENDMENT
STRUCTURE HEIGHT REGULATIONS IN INDUSTRIAL DISTRICTS**

WHEREAS, the Albemarle County Code limits structure height in Industrial Districts to 65 feet;
and

WHEREAS, the Albemarle County Code allows for limited exceptions to the structure height; and

WHEREAS, the Albemarle County Code does not permit consideration for increases in structure height; and

WHEREAS, certain industrial activities may require or benefit from structure heights in excess of current regulations.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-4.10.3.2, § 18-26.4, and any other section(s) of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein.

**RESOLUTION APPROVING CONVEYANCE OF A UTILITY EASEMENT
ACROSS PARCEL 05000-00-00-04500**

WHEREAS, the County and the Virginia Outdoors Foundation (VOF) co-hold a conservation easement on Parcel 05000-00-00-04500 ("the Property");

WHEREAS, Parcel 05000-00-00-04500 is owned by Strawberry Hill Farm, LLC ("the Owner");

WHEREAS, Virginia Electric and Power Company, operating as Dominion Energy, has a 100-foot wide utility easement across the property, and has proposed acquiring a new 15-foot wide utility easement in the same location to permit the undergrounding of existing power and telecommunications lines; and

WHEREAS, both the VOF and the Owner consent to a new utility easement across parcel 05000-00-00-04500 ; and

WHEREAS, the Albemarle County Board of Supervisors finds that this utility easement will not impair the conservation values of the Property protected by the existing conservation easement;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the proposed utility easement across Parcel 05000-00-00-04500 with the attached VOF Consent and authorizes the County Executive to sign any documents needed to effect this conveyance as proposed once those documents have been approved as to form and substance by the County Attorney.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6th day of August, 2025, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Jarmans Gap Subdivision**, as described on the attached Additions Form AM-4.3 dated **August 6th, 2025**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Jarmans Gap Subdivision**, as described on the attached Additions Form AM-4.3 dated **August 6th, 2025**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**RESOLUTION TO APPROVE SP202400023
CONGREGATION BETH ISRAEL (CBI) FOREST SCHOOL-DUDLEY**

WHEREAS, upon consideration of the staff report prepared for SP202400023 Congregation Beth Israel (CBI) Forest School, Dudley, the recommendation of the Planning Commission and the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.2.2(5) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the zoning district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400023 Congregation Beth Israel (CBI) Forest School - Dudley, subject to the conditions attached hereto.

* * *

SP202400023 Congregation Beth Israel (CBI) Forest School, Dudley – Conditions

1. Development of the use must be in general accord with the conceptual plan titled, “Concept Plan: CBI Forest School Special Use Permit SP202400023” drawn by Line and Grade Civil Engineering dated September 16, 2024, last revised June 23, 2025. To be in general accord with the Conceptual Plan, development must reflect the following major elements essential to the design of the development:
 - a. Location of proposed buildings;
 - b. Location of proposed parking areas;
 - c. Limits of disturbance;
 - d. Maximum building footprint of the admin/base camp building of 8,000 square feet;
 - e. Maximum building footprint of each classroom cabin of 1,200 square feet;
 - f. Establishment of a 50-foot side building setback;
 - g. Additional screening must be provided along the property’s boundary where vegetation does not exist to meet the requirements of Section 32.7.9

Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The maximum student enrollment must not exceed one hundred and forty-four (144) students.
3. Classroom instruction must not begin before eight o’clock a.m. (8:00 a.m.) and must not continue later than five o’clock p.m. (5:00 p.m.). Classes shall not be held on Saturday or Sunday.
4. The school morning drop off period must be between eight o’clock a.m. (8:00 a.m.) and nine o’clock a.m. (9:00 a.m.).
5. The maximum height of structures must not exceed 35 feet in height.
6. Upon demand of the County, the owners must dedicate to public use the right-of-way shown on the Concept Plan as “Proposed 50’ ROW Dedication.”
7. The applicant must improve Dudley Mountain Road within the bounds of their property to a minimum width of 20 feet with a graded shoulder that is a minimum 3’ wide, to the extent practicable and subject to the Agent’s final approval.
8. Stream buffers of 100 feet must be established and maintained consistent with section 17-601 of the Albemarle County Code along all streams.

**RESOLUTION TO APPROVE SE202400027
CONGREGATION BETH ISRAEL (CBI) FOREST SCHOOL-DUDLEY**

WHEREAS that, upon consideration of the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the proposed special exception in Albemarle County Code §§ 18-4.12.15(g) and 18-33.9(A), the Albemarle County Board of Supervisors finds that modifications to the curb and gutter requirements in the parking areas are not contrary to the purpose and intent of the Zoning Ordinance to at least an equivalent degree as the applicable requirements.

NOW, THEREFORE, BE IT RESOLVED, the Albemarle County Board of Supervisors hereby approves SE202400027 the Congregation Beth Israel (CBI) Forest School – Dudley special exception application.