

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on July 19, 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; and Senior 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 said Albemarle County Police Officer Tayvon Richardson and Master Police Officer Andy Muncy were present at the meeting to provide their services.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price pulled Item 8.4 from the agenda. She stated the reason for this was because of a complication in uploading the documents to the public. She asked if there were any other revisions to the agenda. Hearing none, she asked for a motion to adopt the agenda as amended.

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

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.

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

Ms. Mallek stated that the White Hall District had three parades over the weekend to celebrate Independence Day, and the rain that came with it was appreciated. She stated that she listened in to the CAC (Community Advisory Committee) discussion on July 12 regarding the AC44 Comprehensive Plan update, and found that people were very engaged. She stated that she encouraged the public to participate in surveys and upcoming meetings. She stated that she also attended the change of command at NGIC (National Ground Intelligence Center) on July 14, and their new commander was Colonel Eric Haas, who grew up in the area.

Ms. Mallek stated that as of the latest announcement from VDOT, the Route 240 and Route 250 roundabout at the trestle had been folded in by the Commonwealth Transportation Board (CTB) into the design build project #2, which would be going into scoping and preliminary engineering this fall. She stated that in the RWSA (Rivanna Water Sewer Authority) report today, it was noted that precipitation was 14.5 inches down from normal over the last 30 months. She asked the public to be aware of how dangerously quickly the water resources could turn.

Mr. Gallaway stated that on Wednesday this past week, the Regional Housing Partnership (RHP) hosted a work session around developer incentives which was well attended by about 20 people actively participating and about 15 other attendees that included staff. He stated that it was a vigorous discussion, and he appreciated those who were involved.

Mr. Gallaway said he looked forward to when the summary of that conversation came out and the RHP gave a debrief of what the next steps would be. He said that the first step would be if RHP needed to do a round two, and if they did, it would be much shorter than what was necessary the last time, but still on target to bring things back to the Planning Commission and Board of Supervisors this fall.

Ms. Price stated that the Southern Convenience Center opened on July 22, 2023. She stated that she had utilized it three times and had a chance to speak with a number of local residents who were all very appreciative. She stated that she missed the parades this year due to her vacation.

Ms. Price stated that she recently attended a meeting of the Farm Bureau, which she brought up because there was a discussion raised as an area of concern or interest that they always had to deal with, which was specifically comments with regard to the County's discussion of the solar installation ordinance. She stated it was brought up in conversations and writings since then the balancing between individual property rights and the obligation of the County in terms of the Comprehensive Plan and zoning.

Ms. Price stated that there was a wonderful Albemarle County Fire Rescue (ACFR) Recruit Class 2022 Graduation last week. She stated that last week she and Ms. Mallek attended a High Growth Coalition meeting in Culpeper with County staff. She said that they discussed many topics, including that Prince William County had 33 data centers, with eight more under construction, and the data centers took up an extremely large amount of land, electricity, and water. She stated that there was a cost to the convenience of technology, and they had to pay attention to it.

Ms. Price stated that the NGIC change of command event gave the highest recognition to Albemarle County that she had ever seen given to local government at a military event, which spoke well to the leadership of the County and the changing relationship of the military to the public.

Ms. Price stated that yesterday, they had a joint meeting with the Superintendent, Chair and Vice Chair of the School Board, Board of Supervisors, and the County Executive, which they did on a regular basis to ensure the County and the school system were working together and understanding the complexities of things like development.

Ms. Price stated that she wanted to commend the Fire Rescue, Police Department, Schools staff, and County staff for the important exercise last week for emergency operations. She stated that Mr. Jeff Richardson, County Executive, noted that only 1 in 5 communities in the country prepared for those emergency situations, and it was this year-long preparation that helped them be in the best situation possible in the event a calamity befell their community.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Resolution of Appreciation for Douglas C. Walker.

Ms. Mallek **moved** to adopt the resolution of appreciation for Douglas C. Walker, which was read aloud by Ms. Mallek, Ms. McKeel, Mr. Gallaway, Ms. LaPisto-Kirtley, Mr. Andrews, and Ms. Price.

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.

Resolution of Appreciation for Douglas C. Walker

WHEREAS, Doug Walker has been a highly-regarded professional local government manager with more than 33 years of experience in five different localities in the Commonwealth of Virginia; and has faithfully served the County of Albemarle for ten of those years, first as an Assistant County Executive before being promoted to Deputy County Executive, and also serving as the Interim County Executive in 2017; and

WHEREAS, Mr. Walker has provided leadership and management support for a variety of functional areas of community services including police, fire rescue, social services, economic development, housing, community development; he served as the principal liaison for local, regional, and state agencies and nonprofit organizations that provide direct programs and services to the citizens of Albemarle County, including the Albemarle-Charlottesville Regional Jail Board, the Blue Ridge Juvenile Detention Center Commission, the Charlottesville-UVA-Albemarle Emergency Communications Center; and served as past president of the Virginia Local Government Management Association, and an active member of the International City/County Management Association; and

WHEREAS, Mr. Walker recruited and onboarded new leaders in key departments; facilitated the County's role in several public-private partnership agreements for transformative land use projects, including the Woolen Mills/Willow Tree adaptive re-use project, the Southwood Mobile Home Park redevelopment, and the Barnes Lumber mixed-use redevelopment in Crozet; as well as facilitating numerous public policy initiatives, including Housing Albemarle, the Comprehensive Plan, and the Economic Development Strategic Plan; and established Albemarle's first Economic Development Office, local emergency management function, and human services function; and

WHEREAS, Mr. Walker provided leadership during critical public safety incidents, particularly the County's emergency operations during August 2017 and August 2018; the sustained, multi-year response to the COVID-19 pandemic; and the removal of the At Ready Statue at Court Square – by ensuring the incident management team had clear goals and work plans over operational periods that met critical needs while maintaining County operations and ensuring that the Board of Supervisors, the staff, and the community had the information needed to remain safe; and

WHEREAS, as an exceptional local government professional who has consistently provided the highest level of dedicated, ethical, and valuable service, Doug has been indispensable to the County government and the epitome of a true public servant.

NOW THEREFORE BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby honors and commends Doug Walker for his many years of exceptional service to the County of Albemarle, Albemarle County residents, the broader community in which we live, and the entire Commonwealth of Virginia with knowledge that Albemarle County is strengthened and distinguished by

Doug's dedication, commitment, and professionalism in meeting County government and community needs.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting of the Albemarle County Board of Supervisors as a lasting, visible testament to the esteem in which Doug is held by this and previous Boards for his enduring legacy of local government service and the tangible results from his work to make Albemarle County better for future generations.

Mr. Doug Walker, Deputy County Executive, thanked the Board for the honor and privilege of acknowledging the conclusion of his worthwhile and rewarding career in local government, with the capstone being his service in Albemarle County. He stated that he appreciated the resolution acknowledging that this was a part of a longer career, and the work that they did as professional local government managers wherever they were, and trying to work with elected officials, staff, and the community to ultimately effect improvement to the community itself. He stated that his service in Albemarle County was a culmination of experiences he had gained elsewhere, and it afforded him the opportunity for him to come in at the end of his career at a peak.

Mr. Walker stated that he wanted to acknowledge his daughter and his wife for their support, Mr. Richardson for allowing him to be an effective co-leader while serving as a representative of the County Executive. He stated that he had high regard and respect for the work the elected officials such as the Board of Supervisors did on behalf of citizens and the people of the County that enabled staff to focus on the work they did to help make it a better community. He said that there was much that he would miss, most importantly the people.

Ms. LaPisto-Kirtley stated that Mr. Walker's assistance to her when she first joined the Board was of utmost importance to her, especially because of the pandemic at the time. She stated that he had always been there for her, the other Board members, and the community. She said that she appreciated Mr. Walker's dedication, intelligence, and knowledge. She said that he would be missed, but she was very happy for him.

Mr. Andrews stated that Mr. Walker had been welcoming and helpful from the first day they worked together, and his presence gave confidence that the Board would be told what they needed to hear. He said that the words intelligence, clarity, integrity, humor, collegiality, creativity, and dedication only began to scratch the surface. He said that he was grateful, and that he would be missed, but he hoped to see him around in the community.

Ms. Mallek stated that Mr. Walker had taught her the County could have public-private partnerships that helped economic development while not hurting environmental protections, because they could have it all if they worked hard to get it right. She said that she appreciated how he had been able to shepherd that, and they had been able to achieve that with many projects, and that they would continue with the many projects they had to go.

Mr. Gallaway stated that he had great appreciation for Mr. Walker's assistance in teaching him about the extent of the Southwood project so that he could be up to speed before joining the Board. He said that Mr. Walker had such finesse in managing staff and working with elected officials while creatively solving problems, and he would always be grateful for that. He said that when he had worked with other organizations, there was a distinct respect held for Mr. Walker as a contact within the County, because people knew that their concern would be taken seriously.

Ms. McKeel stated that it was impressive to see everything listed in the proclamation for Mr. Walker. She said that they had held a great send-off a few weeks ago, and she wanted to thank Mr. Walker, his family, and staff for the wonderful event. She stated that she appreciated Mr. Walker's friendship, leadership, and professionalism, as well as his humor. She stated that Mr. Walker could sometimes take the edge off of the seriousness of the Board and brought them back down to earth. She thanked Mr. Walker and said they would miss him.

Ms. Price stated that she had the great honor to speak at Mr. Walker's retirement ceremony, and she had asked the Clerk to include those remarks in the minutes because it was so wonderful to be able to speak publicly about Mr. Walker, his family, and all of the things he had done and who he was as a person. She stated that Mr. Walker always left her with confidence in him and in the words he told her, and that was so important for them when facing the challenges of the community.

Mr. Jeff Richardson, County Executive, stated that it was his honor to present Mr. Walker with his recognition of service for 10 years with Albemarle County. He stated that in thinking about Mr. Walker's 33 years spent in local government, where they were as a County, and where they lined up in Mr. Walker's 10 years of service, he knew they were so lucky to have had Mr. Walker between 2013 and 2023 at the end of his career.

Mr. Richardson stated that Mr. Walker was bright and worked hard and came to the County with 23 years of experience in local government in Virginia, and this County needed Mr. Walker's experience, travels, and understanding of Virginia local government law. He stated that Albemarle was a very complex community to do local government in, and Mr. Walker was at his best when working on very complex projects. He stated that Mr. Walker was so adept at being able to know where he needed to spend time and dig in and where he needed to move quickly to get to the complicated parts.

Mr. Richardson stated that he had wondered how they were going to replace people such as Mr. Walker, and if they were doing what they needed to do in local government to build and bring people along that were the next generation. He stated that Mr. Walker was going to be teaching at the UVA Senior Executive Institute over the next two weeks, including information about his experience in emergency management, the council-manager form of government, and the Athenian oath of public service.

Mr. Richardson presented the Proclamation to Mr. Walker.

Mr. Walker stated that he much preferred to be in the background and working behind the scenes, and when the Board was mentioning the successful projects, he had been involved in over the past ten years, he wanted to acknowledge that those were successful because of the staff he worked with. He stated that without the high quality of the staff in Albemarle County, none of the things in the proclamation would have been possible.

Agenda Item No. 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.

Mr. Peter Krebs, Piedmont Environment Council (PEC), stated that today, there would be a presentation by County staff about conceptual approaches to solving the bicycle pedestrian infrastructure gap for walking and biking on Route 20 between the City line, PVCC (Piedmont Virginia Community College), the Saunders Monticello Trail, and the future roundabout at Route 53. He added that the roundabout would include a path further south all the way to Monticello High School, and although the facility would be short, it would accomplish a lot.

Mr. Krebs stated that it would allow people of all ages to walk or bike to the region's premier trail destination and create a meaningful connection between the two halves of the rural heritage site. He said that a significant portion of the hundreds of thousands of users of the Monticello Trail had indicated that they would prefer to walk or bike there if there was a safe way to do so, so they knew it would see a lot of use from day one.

Mr. Krebs said that the facility would also make PVCC accessible to people who could not or chose not to drive there and would link residents of the County's southern neighborhoods to jobs and opportunities in the City. He stated that it would dramatically reduce the parking congestion on the Saunders Monticello Trailhead and potentially add new capacity. He stated that it would also add pedestrian and bike access to the Blue Ridge Hospital site, which could be redeveloped during the lifespan of this project.

Mr. Krebs stated that the process the County was following, and the development of this project was very sound, but he was sure that because it was such a high-profile project that was steered toward so many people, not everyone was going to agree with the final result. He stated that he wanted to commend the Board and the County for being steadfast and committed to solving this crucial gap in infrastructure, and he looked forward to seeing the presentation and hearing discussion.

Agenda Item No. 8. Consent Agenda.

Ms. Price stated that Item 8.4, Personnel Policy Amendments Part 1 would be pulled from the agenda due to an administrative error in the posting of the documentation of the item for the public.

Ms. Price asked whether there were any other items that any Supervisor desired to pull from the consent agenda, and seeing none, said that the floor was open for a motion.

Ms. LaPisto-Kirtley **moved** to approve the consent agenda as amended.

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.

Ms. LaPisto-Kirtley stated that she was extremely happy with the consent calendar, especially because of Stony Point Pass. She stated that they had been trying to get a section of the road paved for decades, and from Route 20 going west VDOT was paving it for 0.9 miles. She said that at the end of winter, if there were additional monies available, she would like to get 0.2 miles done additionally. She said that she would be bringing that forward at that point in time. She clarified that the 0.2 mile length would cover two homes that had houses close to the road and experiencing lots of dust from the roads.

Ms. LaPisto-Kirtley stated that the FES (Facilities Environmental Services) Quarterly Report was fascinating, and what was in there should be published all over the place because of what they were doing with the monies they had in their budget. She said that they had deteriorating pipes because they were 50 to 90 years old, there were holes in pipes, and they were doing the work now to clean that all up.

Item No. 8.1. Approval of Minutes: September 1, October 13, October 19, October 20, and November 3, 2021.

Mr. Gallaway had read the minutes of September 1 and October 13, 2021, and found them to be in order.

Ms. LaPisto-Kirtley had read the minutes of October 19, 2021, and found them to be in order.

Ms. Mallek had read the minutes of October 20, 2021, and found them to be in order.

Ms. Price had read the minutes of November 3, 2021, and found them to be in order.

By the above-recorded vote, the Board approved the minutes of September 1, October 13, October 19, October 20, and November 3, 2021.

Item No. 8.2. FY 2023 Appropriations.

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

The total change to the Fiscal Year 2024 (FY 24) budget due to the appropriations itemized in Attachment A is \$537,940. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to approve the appropriations for County government projects and programs described in Attachment A:

Appropriation #2023054

Sources:	State Revenue	\$39,769
Uses:	General Fund: Clerk of Court	\$39,769
Net Change to Appropriated Budget:		\$39,769

Description: This request is to appropriate \$39,769 from the State Technical Trust Fund to reimburse the Circuit Court Clerk's office for funds spent to digitize land records.

Appropriation #2023055

Sources:	Capital Project: Water Quality Mandated TMDL (currently	\$559,635
	appropriated) State Revenue	\$859,635
	Local Revenue	\$2,149
Uses:	Capital Project: Biscuit Run Stream Restoration	\$1,419,270
	2019 Charlottesville Area Community Foundation (CACF)	\$2,149
	Strengthening Systems Grant Yancy Community Center	

Net Change to Appropriated Budget: **\$861,784**

Description:

This request is to appropriate the following related to grants:
\$859,635 in State revenue for the Stormwater Local Assistance Fund (SLAF) grant and \$559,635 from the Capital Project: Water Quality Mandated TMDL to support the restoration and stabilization of an eroded portion of the stream network within Biscuit Run Park. These amounts plus an already appropriated \$300,000 brings the Stream Restoration Biscuit Run project to \$1,719,270.
\$2,149 in local revenue for the 2019 Charlottesville Area Community Foundation (CACF) Strengthening Systems grant. This increase corrects the budget to match the remaining grant award, is administrative in nature and was discovered during routine reconciliation of the fund.

Appropriation #2023056

Sources: American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds \$4,030
(currently appropriated)

Uses: Emergency Management Continuity of Operations (COOP) Plan \$4,030

Net Change to Appropriated Budget: \$0

Description:
This request is to appropriate an additional \$4,030 in the currently appropriated federal ARPA SLFRF to Fire Rescue Emergency Management for the Continuity of Operations Plan (COOP) based on the updated cost of the project, which was originally estimated to be \$114,000. The COOP is a business continuity plan designed to sustain essential departmental functions until normal operations can be restored following an emergency or other incident (examples might include a pandemic, blizzard, hurricane, or cyber-attack). The COOP Plan ensures that essential public services are not interrupted.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2023 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2023054; #2023055; and #2023056 are approved;
- 2) That the appropriations referenced in Paragraph #1, 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, 2023.

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APP#	Account String	Description	Amount
2023054	3-1000-22100-324000-240800-9999	SA2023054 TTF Land Record Reimbursement	\$39,769.00
2023054	4-1000-22100-421700-345700-9327	SA2023054 TTF Land Record Expense	\$39,769.00
2023055	3-9100-41200-324000-240500-9280	SA2023055 State Revenue - DEQ SLAF Grant Biscuit Run Park	\$859,635.00
2023055	4-9100-41200-494800-342100-9275	SA2023055 Capital Project - TMDL	-\$559,635.00
2023055	3-9100-99000-352000-510100-9275	SA2023055 Capital Project Revenue - TMDL	-\$559,635.00
2023055	3-9100-99000-352000-510100-9280	SA2023055 Capital Project Match Funding - Use of FB	\$559,635.00
2023055	4-9010-41200-494800-342400-9280	SA2023055 EXP - Project Inspection Fees	\$72,160.00
2023055	4-9010-41200-494800-800605-9280	SA2023055 EXP - Stormwater BMP Construction	\$1,292,118.00
2023055	4-9010-41200-494800-999999-9280	SA2023055 EXP - Contingencies	\$54,992.00
2023055	3-5021-12500-318000-181109-9999	SA2023055 CACF Yancy Grant	\$2,149.36
2023055	4-5021-71500-471000-331210-7113	SA2023055 CACF Yancy Grant	\$2,149.36
2023056	4-5121-94000-499000-999999-9999	SA2023056 ARPA COOP	-\$4,030.00
2023056	4-5121-33800-432000-344400-1618	SA2023056 ARPA COOP	\$4,030.00

Item No. 8.3. FY 2024 Appropriations.

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

The total change to the Fiscal Year 2024 (FY 24) budget due to the appropriations itemized in Attachment A is \$537,940. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to approve the appropriations for County government projects and programs described in Attachment A:

Appropriation #2024002

Sources: Reserve for Contingencies – Ongoing (currently appropriated) \$81,000

Uses: Blue Ridge Juvenile Detention Center \$81,000

Net Change to Appropriated Budget: \$0

Description:
This request is to appropriate \$81,000 to the Blue Ridge Juvenile Detention Center (BRJDC) from the Reserve for Contingencies. This change is for the County's share of operating costs for this regional public safety agency and is based on the agency's approved budget.

After approval of the appropriations in this attachment, the FY 24 General Fund Reserve for Contingencies balance will be \$533,231. Of that amount, \$349,646 is for unanticipated expenses that may require ongoing funding and \$183,585 is for expenses that may require one-time funding.

Appropriation #2024003

Sources: Emergency Communications Center (ECC) Fund's Fund Balance \$537,940

Uses: ECC Fund \$537,940

Net Change to Appropriated Budget: \$537,940

Description:
The Charlottesville-UVA-Albemarle County Emergency Communications Center (ECC), an entity where the County serves as fiscal agent, requests to appropriate \$537,940 from the Emergency Communications Center Fund's fund balance to support multiple technology upgrade projects and workforce stabilization measures. The Charlottesville-UVA-Albemarle County Emergency Communications Center Management Board met on May 16, 2023, during which time they approved the ECC's FY2024 budget request, thereby authorizing the use of ECC Fund Balance in the amount of \$537,940.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2024002; and #2024003 are approved;
- 2) That the appropriations referenced in Paragraph #1, 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, 2024.

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APP#	Account String	Description	Amount
2024002	4-1000-39000-433000-710000-0001	SA2024002 Increase in BRJDC Contribution	\$81,000.00
2024002	4-1000-94000-499000-999990-9999	SA2024002 Transfer from Reserve from Contingencies	-\$81,000.00
2024003	4-4100-32120-435600-372200-9999	SA2024003 Public Safety Software Upgrades and Voluntary Community Registry and Event Alerting	\$130,078.00
2024003	4-4100-32110-435600-800201-9999	SA2024003 Workstations and Furniture for Additional Offices	\$25,000.00
2024003	4-4100-32110-435600-800700-9999	SA2024003 Admin Phone System Upgrade and PC Replacement	\$85,000.00
2024003	4-4100-32110-435600-110000-9999	SA2024003 Workforce Stabilization	\$297,862.00
2024003	3-4100-32100-352000-510100-9999	SA2024003 ECC Fund Balance	\$537,940.00

Item No. 8.4. Personnel Policy Amendments - Part 1.

The Executive Summary as forwarded to the Board states that Albemarle County ended the shared service Human Resources (HR) model in Fiscal Year 2023 (FY 23) and approved the formation of a Human Resources Department dedicated to local government operations. Foundational work in establishing a government-focused HR Department includes a full review and revision of all County Personnel Policies. During this review, staff identified opportunities to refine existing Personnel Policies to align with changes in legislation. Under the Code of Ordinances, personnel policies and amendments are

adopted by the Board of Supervisors.

Staff is proposing updates to the following Personnel Policies. The policies have been renumbered, as indicated below, to improve ease of use and accessibility for all County staff.

§P-91 Americans with Disabilities Act= § P-26

§P-12 Fitness for Duty= § P-22

§P-89 Workers' Compensation= § P-23

The following proposed policy amendments are the first of a larger initiative to review and modernize County policies and procedures. Staff will bring forward additional policy updates in future Board meetings.

The updates to the newly numbered policies: § P-26, § P-22, and § P-23, consist of reformatting and standardization of a template that the County will use going forward. Due to the nature of this revision, a markup version of the previous policy is not available. There are no substantive changes recommended, other than where law requires. Below is a summary of the proposed changes for each policy.

§ P-26: Added language regarding accommodations for service animals due to a legislative change in 2011. It also separates procedural instructions from the policy.

§ P-22: Added sections for Roles and Responsibilities and Definitions, and separated procedural instructions.

§ P-23: Added a section for Roles and Responsibilities, and separated procedural instructions.

There is no budget impact associated with the proposed adoption of these amendments.

Staff recommends that the Board adopt the Resolution (Attachment D) to amend personnel policies § P-26, § P-22, and § P-23, as set forth in Attachments A, B, and C.

This item was pulled from the consent agenda.

Item No. 8.5. Schedule a Public Hearing for a Chapter 7 Ordinance Amendment.

The Executive Summary as forwarded to the Board states that on September 1, 2021, an amendment was made to Albemarle County Code Chapter 7, Health & Safety, Article I Noise, Section 105 Specific Acts Prohibited. Since then, a clerical error was found in County Code §7-105(B)4, in which text references "motor vehicle" instead of the appropriate reference to "dwelling unit."

Albemarle County Code Chapter 7, Health & Safety, Article 1, Noise, regulates excessive and or unwanted sound. Section 105 prohibits particular acts and sound levels. Within this section, a clerical error was made and has been remedied in the proposed ordinance (Attachment A).

There is no anticipated budget impact.

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

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

Item No. 8.6. Schedule a Public Hearing for a Chapter 9 Ordinance Amendment Authorizing Photo Speed Monitoring Devices in School Crossing and Highway Work Zones.

The Executive Summary as forwarded to the Board states that in 2020, the Commonwealth of Virginia passed §46.2-882.1 authorizing the use of photo speed monitoring devices in school crossing and highway work zones. The proposed ordinance (Attachment A) would enable the County through its Police Department to install such devices and administer a speed enforcement program in school crossing zones and highway work zones. In addition, adopting the proposed ordinance would authorize County staff to contract with a private vendor to administer some aspects of the program on the County's behalf. The proposed ordinance would also require organizational changes and related amendments to Chapter 9, Article 5.

Albemarle County Code Chapter 9, Motor Vehicles and Traffic, Article 5, Video-Monitoring System, as currently constituted, authorizes and regulates the school division's use of video-monitoring systems on school buses. The proposed ordinance amendment (Attachment A) would create a second division to Article 5-"Photo Speed Monitoring Devices"-authorizing the use of photo speed monitoring devices in school crossing zones and highway work zones. In addition, the proposed ordinance would address the County's contracting for services with a private vendor to administer the logistical components of a speed enforcement program in these zones. If the proposed ordinance is adopted and the new Division 2. is codified, County staff will begin the search for a private vendor to assist in implementing a speed enforcement program in school crossing and highway work zones. Other changes to Article 5 are proposed, reflecting organization into divisions and minor stylistic amendments.

If adopted, there will be costs associated with the procurement and ongoing maintenance of the services by the private vendor. If approved, further Board discussion of potential revenues, related

expenditures, and related policy direction would be held in the context of the County's long-range financial planning or annual budget process.

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

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

Item No. 8.7. Schedule a Public Hearing for a Proposed Lease to Verizon Wireless of a Portion of Walnut Creek Park.

The Executive Summary as forwarded to the Board states that Verizon Wireless, through GDN Holdings, is requesting that the County lease ground space to Verizon Wireless for a possible monopole wireless services tower at Walnut Creek Park, in the location shown on Attachment A. Because the County owns that property, Virginia Code § 15.2-1800 requires an advertised public hearing prior to the approval of a proposed lease.

Concurrent with (but separate from) Community Development's review of Verizon Wireless's special use permit application, staff has negotiated the terms of a proposed land lease (Attachment B) of the tower site on County-owned property. It would provide for the lease of the proposed site for 5-25 years (at the tenant's option) at a rental rate of \$12,000 per year. As presently drafted, the lease does not limit the height of a proposed facility, but simply leases the underlying land. The current item is limited to the proposed lease of County property. If the lease were approved, a proposed facility would still require separate land use approval (s). If the special use permit application were not approved, Verizon would have the right to cancel the lease.

If the special use permit and lease were approved, the County would realize a one-time signing bonus of \$2,000, followed by \$12,000 in rental revenue for 5-25 years.

Staff recommends that the Board authorize the scheduling of a public hearing on a proposed land lease to Verizon Wireless of a portion of Walnut Creek Park.

By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing on a proposed land lease to Verizon Wireless of a portion of Walnut Creek Park.

Item No. 8.8. Rural Rustic Road Designations.

The Executive Summary as forwarded to the Board states that each spring, the Board of Supervisors approves the Secondary Six-Year Plan (SSYP), which includes funds dedicated to paving unpaved roads in the County under the Rural Rustic Road (RRR) paving program. This program is the preferred approach of both Albemarle County and the Virginia Department of Transportation (VDOT) for paving low-volume roads. Its goal is to retain the traditional rural lane ambience, while also improving the road surface within the current right-of-way. A "chip and seal" or asphalt surface is used to pave the existing alignment and width of the road for minimal disturbance.

The process for identifying and prioritizing RRR paving projects in Albemarle is defined in the Unpaved Road Policies and Review Process (see Attachment A). When a paving priority is advanced, funds are allocated to the road and the road becomes a project in the SSYP following the spring public hearing. Adjacent landowners are notified by letter and given an opportunity to comment at the spring public hearing or to County Transportation staff. Following that, the Board may choose to designate the road as RRR by Resolution. Once a road is designated, VDOT will initiate the paving process.

Following the Board's direction at the May 18, 2022 Public Hearing, projects now require two-thirds (2/3) support from directly impacted homeowners along the segment of road to be paved. Following the April 5 Work Session this year, residents were notified by mail of the potential projects on their roads and asked to provide feedback either by email, phone, or in person. For projects that already had demonstrated two-thirds support, impacted homeowners were simply notified and given the opportunity to provide feedback. For projects that still required the two-thirds support, impacted homeowners were directed to reach out to staff to voice their support for, or opposition to, the proposed paving.

The following road segments are fully-funded for RRR paving in FY 24, if designated as Rural Rustic Roads by the Board of Supervisors:

- A 0.27-mile segment of Route 769, Beam Road from Route 1484 to end of road.
- A segment of Route 600, Stony Point Pass - West from Route 20 southward for 0.90 miles.
- A segment of Route 600, Stony Point Pass - East from Route 231 northward for 1.29 miles.
- A 1.12-mile segment of Route 721, Old Dominion Road from Route 6 to Route 630.
- A segment of Route 745, Arrowhead Valley Road, from the intersection with Route 29 continuing for 0.20 miles.
- A segment of Route 795, Blenheim Road, northward from the intersection with Route 713 for 0.37 miles.
- A segment of Route 697, Sutherland Road, starting 0.22 miles west of Route 29 and continuing 1.16 miles.

Before paving these roads under the RRR program, VDOT requires that the governing body

adopt a resolution designating the roads as Rural Rustic Roads.

Notification letters were sent to the affected homeowners following the April 5 Work Session. All of the roads below received more than two-thirds support from impacted homeowners, as follows:

Road	% Supportive	Affected Owners	# Supportive	# Opposed	No Response
Route 769 Beam Road	80%	5	4	0	1
Route 600 Stony Point Pass - West	73%	11	8	0	3
Route 600 Stony Point Pass - East	89%	18	16	1	1
Route 721 Old Dominion Road	80%	10	8	1	1
Route 745 Arrowhead Valley Road	81%	27	22	0	5
Route 795 Blenheim Road	77%	13	10	0	3
Route 697 Sutherland Road	69%	13	9	2	2

Adoption of these Resolutions would have no impact on the County budget. These resolutions authorize VDOT to expend state funds on a project for which the Board has previously recommended state funds be allocated through the SSYP.

Staff recommends that the Board adopt the attached resolutions to designate each of the roads as a Rural Rustic Road.

By the above-recorded vote, the Board adopted resolutions to designate each of the roads as a Rural Rustic Road:

**RESOLUTION TO DESIGNATE ROUTE 745 ARROWHEAD VALLEY ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.20-mile segment of Route 745, Arrowhead Valley Road, eastward from Route 29, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.20-mile segment of Route 745, Arrowhead Valley Road, eastward from Route 29, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.20-mile segment of Route 745, Arrowhead Valley Road, eastward from Route 29, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

* * *

**RESOLUTION TO DESIGNATE ROUTE 769 BEAM ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.27-mile segment of Route 769, Beam Road, from Route 1484 to the end of state maintenance, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.27-mile segment of Route 769, Beam Road, from Route 1484 to the end of state maintenance, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.27-mile segment of Route 769, Beam Road, from Route 1484 to the end of state maintenance, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

* * * * *

**RESOLUTION TO DESIGNATE ROUTE 795 BLENHEIM ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.37-mile segment of Route 795, Blenheim Road, north of Route 713, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.37-mile segment of Route 795, Blenheim Road, north of Route 713, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.37-mile segment of Route 795, Blenheim Road, north of Route 713, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

* * * * *

**RESOLUTION TO DESIGNATE ROUTE 721 OLD DOMINION ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 1.21-mile segment of Route 721, Old Dominion Road, from Route 6 to Route 630, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 1.21-mile segment of Route 721, Old Dominion Road, from Route 6 to Route 630, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 1.21-mile segment of Route 721, Old Dominion Road, from Route 6 to Route 630, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

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**RESOLUTION TO DESIGNATE ROUTE 600
STONY POINT PASS - EAST
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 1.29-mile segment of Route 600, Stony Point Pass - East, northward from Route 231, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 1.29-mile segment of Route 600, Stony Point Pass - East, northward from Route 231, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 1.29-mile segment of Route 600 - East, Stony Point Pass, northward from Route 231, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

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**RESOLUTION TO DESIGNATE
ROUTE 600 STONY POINT PASS - WEST
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.90-mile segment of Route 600, Stony Point Pass - West, southward from Route 20, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.90-mile segment of Route 600, Stony Point Pass - West, southward from Route 20, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.90-mile segment of Route 600, Stony Point Pass - West, southward from Route 20, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

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**RESOLUTION TO DESIGNATE ROUTE 697 SUTHERLAND ROAD
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 1.16-mile segment of Route 697, Sutherland Road, from 0.22 miles west of Route 29 to 1.38 miles west of Route 29, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated as a Rural Rustic Road due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 1.16-mile segment of Route 697, Sutherland Road, from 0.22 miles west of

Route 29 to 1.38 miles west of Route 29, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 1.16-mile segment of Route 697, Sutherland Road, from 0.22 miles west of Route 29 to 1.38 miles west of Route 29, be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditchlines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

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

Item No. 8.9. SE202300022 1739 Avon Street Wireless Special Exception.

The Executive Summary as forwarded to the Board states that the applicant has requested a special exception to modify County Code §18-5.1.40(b)(2)(b), which requires that wireless antenna size not exceed 1,400 square inches. This special exception would increase the antenna size from 1,400 square inches to 1,623 square inches for a proposed antenna array at an existing wireless facility at 1739 Avon Street Ext. The applicant's special exception request (Attachment A) and Staff's Analysis (Attachment B) are attached.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve the special exception, provided that no antenna exceed 1,623 square inches in size.

By the above-recorded vote, the Board adopted the resolution (Attachment E) to approve the special exception, provided that no antenna exceed 1,623 square inches in size:

**RESOLUTION TO APPROVE
SE 2023-00022 1739 AVON STREET WIRELESS**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2023-00022 1739 Avon Street Wireless application and the attachments thereto, including staff's supporting analysis, any comments received, all of the relevant factors in County Code §§ 18-5.1.40 and 18-33.9, and the information provided at the Board of Supervisors meeting, 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 proposed special exception would not have adverse visual impacts.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(b) as to Parcel ID 09100-00-00-00100, provided that no antenna authorized hereby may exceed 1,623 square inches in size.

Item No. 8.10. Facilities and Environmental Services Quarterly Report, **was received for information.**

Item No. 8.11. Rivanna Water and Sewer Authority (RWSA) Quarterly Report, **was received for information.**

Item No. 8.12. Albemarle County Service Authority (ACSA) Quarterly Report, **was received for information.**

Item No. 8.13. VDOT Monthly Report (July) 2023, **was received for information.**

Item No. 8.14. Albemarle County Service Authority Fiscal Year 2024 Annual Operating and Capital Improvement Budget, **was received for information.**

Item No. 8.15. Board to Board, June 2023, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Action Item:** FY 25 Budget Process: Community Non-Profit Process Modifications.

The Executive Summary as forwarded to the Board states that in the most recent budget development process for FY 24, there were three opportunities available to community non-profits to request funding: a Community Non-Profit Capital Request Process (new in FY 24), an Agency Budget Review Team (ABRT) process, and a Cultural, Arts, and Festivals Review Process. The background on each process is available in Attachments A, B, and C.

The intent of this agenda item is to summarize the existing processes, proposed modifications, and receive Board feedback and direction in order to ensure a process that is more understandable to community nonprofits and the Board as staff develops the FY 25 Recommended Budget and FY 25 - 29 CIP.

The discussion of the proposed modifications in each process are available in Attachments A, B, and C. Staff requests feedback and approval of these modifications to inform FY 25 budget process applications and recommendations.

Direction received from the Board will be incorporated into the FY 25 annual budget and FY 25 - 29 CIP development processes. Approval and appropriation of budgets after staff recommendations would continue to be determined by the Board in the annual budget process subject to total budget considerations including, but not limited to County mandates and obligations, investment in the Strategic Plan, and available revenues.

Staff recommends the Board:

1. Community Non-Profit Capital Request Process: approve this updated framework to guide FY 25 funding applications and recommendations and provide feedback on any desired modifications.
2. Agency Budget Review Team (ABRT) Process: approve this updated framework to guide FY 25 funding recommendations or provide feedback on how to best prioritize funding in

- this area.
3. Cultural, Arts, and Festivals Process: provide direction to move forward with this modified process or to continue with the previous process.
-

Mr. Andy Bowman, Interim Assistant Chief Financial Officer for Policy and Partnerships, stated that this was an action item regarding the FY25 budget process, which was the upcoming fiscal year. He stated that this was a process-focused conversation about Board intent to help guide and improve the budget process. He stated that each year, after the budget was adopted, staff considered how they could improve on the budget process they had done in the past. He stated that topics may be brought to the Board in the summer and early fall and may vary, and this year they focused on improvements they could make in the County's community nonprofit processes.

Mr. Bowman said that in the most recent budget process for FY24, there were three opportunities available for community nonprofits to apply. He stated that the process would be implemented in August and early September with those community partners, so the direction received by the Board today would be a part of the budget process at that point.

Mr. Bowman stated that the goal of this action item was to receive Board direction and feedback in order to ensure a process that was more understandable to community nonprofits and the Board. He stated that this would improve applications from community partners and thus would allow County staff to improve dialogue with those agencies and shape the funding recommendations presented to the Board of Supervisors. He stated that this would also give the Board a clear understanding of the context of how that fit into the budget and how those decisions were worked through.

Mr. Bowman stated that the first process he would discuss was the Community Nonprofit Capital Request process (Attachment A). He stated that in September 2022, the Board approved the creation of this process with the intent of requests to be considered in the context of the total budget process. He stated that this was the first year in the most recent budget that that process was included as part of the Capital Improvements Program (CIP), and staff had reflected on what additional guidance could be given to agencies as a part of this process.

Mr. Bowman stated that the continued expectations for the process framework were that projects must be eligible to be capital expenses, that the projects aligned with objectives identified in the Strategic Plan, and that projects would be evaluated in the context of the CIP that had just been approved.

Mr. Bowman stated that the recommended additions to the framework of the process was that the project should leverage funding from other sources, and if the project served a significant portion of another locality, the community nonprofit should seek a commitment from those localities. He stated that there was also an addition that the community nonprofit should have the capacity to administratively manage the project, meaning that the County would not have obligation to manage the project.

Mr. Bowman stated that the next additions included that projects should have documentation that they were far enough along to provide confidence that it would succeed, projects should increase services, not only maintain existing facilities, and projects from community nonprofits where the County may have a long-standing obligation to continue to provide services if the entity did not exist would be prioritized over those where such an obligation did not exist.

He stated that staff recommended the Board approve the updated framework of items 1 – 8 to guide FY25 funding applications and provide feedback on any desired modifications.

Ms. LaPisto-Kirtley asked if there was any other criteria for a volunteer board for Attachments A or B.

Mr. Bowman stated that there were certain state requirements for some 501(c)3 nonprofits to be in existence for a certain amount of time and were audited through that. He said that he would take as a follow up the exact language in the volunteer board, but they tried to have consistency in all of their processes.

Ms. LaPisto-Kirtley asked if they were going to be giving money for them to be able to do something but not pay for a board, so it was a volunteer board.

Mr. Bowman said yes, the intent was that this funding needed to go into the project itself rather than the administrative process.

Ms. LaPisto-Kirtley stated that she did not want taxpayer money being used to pay salaries of board members.

Mr. Bowman stated that yes, that was the intent.

Mr. Andrews stated that he was very supportive of the changes and was glad to see the language related to performance agreements and milestones continued with this. He stated that this was replacing a more ad hoc process that had taken place in the past, including the senior center.

Mr. Bowman stated that some of the past requests came through the budget process and some did not. He stated that the Center at Belvedere was an example of one. He stated that long ago, the

County provided funding to the YMCA in the City, there was funding for PVCC (Piedmont Virginia Community College) provided through this process, and the Boys & Girls Club received ARPA (America Rescue Plan Act) funding through that process as well.

Mr. Andrews asked if this was the process that a project such as Southwood would go through.

Mr. Bowman stated that depending on the nature of the specific request, if there was a large housing agency they could apply through that process for some sort of capital investment.

Ms. Mallek stated that she supported the concept but had some questions. She asked how the public safety volunteer fire station was separated from this.

Mr. Bowman stated that they had a meeting scheduled with the Earlysville Fire Company next week to have further dialogue around the request. He stated that the volunteers would likely apply to Item #8 in the framework. He stated that they had volunteer stations but were so intertwined in their operations in the public safety system and how they provided services. He stated that based on the actions of the Board of Supervisors, as those stations had requested supplemental staffing, the County had provided that. He stated that there was a stronger County relationship there than with some of the other existing agencies.

Ms. Mallek asked if the guidance in #4 would include established benchmarks about what was expected for whoever the applicant was, rather than no guidance on the number, so that people were prepared and knew what they were supposed to generate before they came in and were denied.

Mr. Bowman stated that for the purposes of this framework and guiding principles, with the various array of agencies that could apply from there, they were trying not to be so technical that they inadvertently limited something. He stated that they would have dialogue with agencies to see how this process was benchmarking with others and see what success looked like. He stated that they did not create a line for a certain percentage amount of funding, because that was one piece of many that may go into a decision.

Ms. Mallek stated that she appreciated as much formality be written down so that people could have a hard copy to take away and plan with rather than an oral presentation. She stated that she appreciated Ms. LaPisto-Kirtley's question about the boards, because they needed to be submitting 990s as well, because there were a lot of boards that operated well and others who had bad behavior. She stated that having the demand at the beginning of supplying last year's auditing and doing the 990 would save the staff a lot of time tracking information.

Mr. Bowman stated that with all of the capital investments in the past, they had performance agreements in place with other measures of financial stewardship to make sure they were releasing funding at the right time for the right reasons and allowing that service to be provided in the community. He stated that for anyone funded, that would be a part of the process.

Mr. Gallaway stated that he was supportive. He stated that this removed the last-minute political and public advocacy that happened at budget time, and in defining it they made it better for everyone. He asked if the County had managed projects in the past.

Mr. Bowman stated that it was more of a proactive statement that clarified that the County was not looking to take on that management rather than correcting past projects. He stated that there were no requests last year for the County to do that, but it also spoke to whether the organization was established and had the structure to be able to succeed.

Mr. Gallaway stated that he would not imagine the County could manage a large-scale project such as the Center or the YMCA, but if it was a small-scale project, perhaps the management of the project could be the contribution. He stated that he would not want to eliminate that, but it seemed there was enough flexibility that they could discuss that option.

Mr. Bowman stated that as they went through the second year, if they needed to refine the guidance or if they did not have alignment in the recommendation of agencies, it would be a fair question to consider how they created a transparent process in which everyone understood how the decisions were made, while weighing all the different criteria for each application.

Mr. Gallaway stated that having the process defined like this would allow some who may not think they could apply and get funding but have services that meet the criteria may be something the Board would want to consider for funding. He stated that he supported Item #8 in the framework, because if these nonprofits did not exist, the County would have to step in and fill the gap, which would probably be a lot more expensive in the contribution, especially in an ongoing one.

Ms. McKeel stated that she was supportive of the proposed process. She asked what a capital project was and how it had to meet a financial threshold.

Mr. Bowman stated that capital projects must be a facility or physical item with a minimum expenditure of \$20,000 and have a useful lifespan of 10 years or more. He stated that projects that would be eligible included acquisition of construction of a physical facility for the community, acquisition of land or interest for the community, and these requirements were listed on page 261 of the budget document. He stated that certain technology systems also applied if it were for large investments.

Ms. McKeel clarified that these projects began at a certain level of financial need. She stated that it was true that the community often reached out to Board members regarding projects. She asked who those community members would be referred to.

Mr. Bowman stated that they could be referred to Mr. Jacob Sumner or himself, and if it was forwarded to the County Executive, they would ensure they received it. He stated that they maintained a fairly large distribution list of those who had requested to be aware when the process came out, so even if someone had not requested it in a while, they would continue to communicate with them.

Ms. McKeel stated that it was helpful to know who they were sending folks to. She asked if some sort of audit was required as a part of this process.

Mr. Bowman stated that yes, in the Board's Resolution of Appropriations approved annually, there was a statement for expectations of funding of agencies. He stated that if there were times in which that was not provided in a timely manner, there was a mechanism in place to hold that agency's funding until they got in compliance with that reporting.

Ms. McKeel stated that it was important that the County had that assurance. She stated that regarding Mr. Gallaway's earlier suggestion, she would be very concerned about taking over the management of projects due to the strain on staff.

Mr. Gallaway stated that he was referring to the project management of the capital project and not the fiscal agency. He stated that if a small organization needed an addition to a building put in place, rather than donating the money to cover that cost, perhaps the contribution could be doing the project management of the addition.

Ms. McKeel stated that she remained very concerned about that as well. She stated that the bandwidth of the staff was very important to consider when they had many projects going on.

Mr. Bowman stated that if they were to serve as a fiscal agent or engage in any sort of support there, it would be in the County's interest to have an agreement to spell out what those terms were. He stated that that would need to come back to the Board before anything was committed to, and the budget process would be the first point at which it would be discussed.

Ms. McKeel stated that she saw that as a way for many opportunities for the County to become managers for projects. She stated that there had been several instances in which it was brought to the Board's attention that they needed a policy such as this in place.

Ms. Price stated that she supported this item dealing with capital projects. She stated that she appreciated the objective criteria being established for professional review, removing it from the more subjective and political influence of coming to individual Supervisors.

Ms. Mallek stated that she knew that they would retain flexibility in case the state funding changed, such as the case when PVCC was stopped from the construction of their new building and the County was able to secure the money to allow it to proceed. She stated that this was different than allowing every single entity to come to them. She stated that perhaps there was a way for them to consider if there was a question about an agency's skill at managing projects, there could be a requirement for the agency to hire someone skilled to oversee the County dollars being used expeditiously.

Mr. Bowman stated that Ms. Mallek's feedback was helpful. He stated that this was a matter of dialogue with the agency, and as their staff worked with them they could engage in that discussion.

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

Ms. Mallek **moved** to adopt the updated framework to guide FY25 funding applications and recommendations for community non-profit capital requests (Attachment A).

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.

* * * * *

Attachment A – Community Non-Profit Capital Request Process

BACKGROUND

On September 7, 2022, the Board approved the creation of a community non-profit capital request process. The intent of this process was to create a process similar to those in place for operating budget reviews so that all requests may be considered at the same time when developing the Capital Improvement Plan (CIP), rather than outside the annual budget process. Requests would be required to have alignment with the priorities identified in the Strategic Plan and evaluated with County Government and Public School priorities in the context of the Fiscal Year (FY) 24 – 28 (CIP). Community Non-Profits were informed of this request process, the above intent, what was eligible for a capital project, the adopted balanced FY 23-27 CIP, and the approach to developing the FY 24-28 CIP staff shared with the Board of Supervisors on November 2, 2022. In the first year of this process, 15 applications were received and one was included as funded in the FY 24 – 28 Adopted CIP. After the first year of this process, staff has identified recommendations to provide greater clarity on expectations to community non-profits and the guidance for funding recommendations made to the Board.

DISCUSSION

Staff intends to provide additional expectations to community non-profits in the initial application process, to provide increased clarity to applicants as they prepare requests so that the information may be used as staff prepares recommendations for the Board of Supervisor's consideration during the budget process.

These expectations include continuing:

1. Projects must meet the County's definition of a capital project, as applied to County Government and Public School requests.
2. Prioritized projects will align with objectives identified in the FY 24-28 Strategic Plan.
3. Projects will be evaluated in the context of the total FY 25 -29 Capital Improvement Plan. For example, the first four years of the upcoming CIP will use the adopted FY 24-28 CIP as a starting point for updating the plan.

Additionally, the following are recommended to be stated at the initial application process:

4. The project should leverage funding from other sources, meaning that the County should not be requested to fund 100% of a project.
 - a. Related, if the project serves a significant portion of another locality or localities, the community non-profit should seek a commitment from those localities.
5. The community non-profit should have the capacity to administratively manage the project, meaning this should not be work assumed to be done by County staff.
6. Projects should have documentation that they are far enough along to provide confidence that it will succeed, and the request timeline should reflect that status. For example, a project with completed design and substantial fundraising support in-hand would be considered sooner in the CIP than a project that was at a more conceptual stage with fundraising in earlier stages.
7. Projects should increase services, not only maintain existing facilities. For example, projects are not intended be prioritized for items such as replacing water heaters or other projects that

would normally be contemplated by the County as a maintenance/replacement project for its own facilities.

8. Projects from community non-profits where the County may have a long-standing obligation to continue to provide services if the entity did not exist will be prioritized over those where such as obligation does exist.

RECOMMENDATION

Staff recommends the Board approve the updated Community Non-Profit Capital Request Process framework to guide FY 25 funding applications and recommendations and provide feedback on any desired modifications.

Mr. Bowman stated that the second process was regarding the ABRT (Attachment B). He stated that the ABRT was composed of volunteer community members and County staff who reviewed human services community nonprofit agency requests. He stated that the process had been in place for several years, and the purpose of the team was for the evaluation programs, where they had certain metrics and criteria, and rated agencies as exemplary, solid, fair, or poor.

Mr. Bowman stated that after those evaluations were complete, they would turn it over to the Department of Finance and Budget where they worked with the County Executive's Office and the Board to develop a budget based on those evaluations. He clarified that the ABRT did not determine funding decisions but were evaluating programs.

Mr. Bowman stated that they discussed this process with the Board on June 21, 2023 when Ms. Kaki Dimock, Director of Human Services, presented the Albemarle Human Services Needs Assessment, which built upon a lot of data and reports available and presented the emerging needs areas of family homelessness, adolescent mental health, community safety, and navigation for seniors. He stated that now that they had this information that was different than in years past, they must find how to use that in the ABRT process to consider something different as they incorporated that into FY25.

Mr. Bowman stated that this process was not about changing criteria, but about taking a look at how they developed funding recommendations as those programs were identified. He stated that in FY23 and FY24, the framework for funding recommendations were that existing agencies were funded based

on their program ratings and that new programs that received an exemplary rating and showed direct alignment with County Human Service goals as funding allowed at 50% of their funding request.

Mr. Bowman stated that for FY25, staff recommended revising the framework so that funding was prioritized for programs most directly aligned with the four emerging needs areas in the Human Services Needs Assessment, with a potentially higher level of funding intended to include performance agreements or contracts, and staff would no longer consider the 50% of the funding request precedent for new County-funded programs, and then the other existing programs would be recommended to receive funding based on program ratings.

Mr. Bowman stated that the intent was to allocate new funding toward programs that would most likely align with those outcomes that would drive the Strategic Plan, prioritizing the four areas of focus. He stated that the recommendation was to approve the updated framework.

Mr. Bowman stated that they would bring this back to the Board if they were comfortable with this, and this would be used to guide and communicate with agencies as they prepared for their funding request in order to tie them to those four needs assessment areas as best as possible, as well as creating clarity as to what the County was requesting.

Ms. LaPisto-Kirtley asked Mr. Bowman to explain the 50% rule.

Mr. Bowman stated that it had been in place from when the County and City participated in this program together. He stated that if there was a program in the community that requested County funding and received the highest possible exemplary score and requested \$30,000 in operating funding, the precedent had capped their funding at \$15,000, so this would state that there must be stewardship through the performance agreements and to make sure they were making the impact in the community, they would try to address the \$30,000 in order make the difference this time.

Ms. LaPisto-Kirtley stated that she was supportive of this item.

Mr. Andrews stated that he was supportive. He stated that it was important that they not cut off the existing agencies, but he felt the 50% had not made sense because it was arbitrary. He stated that the performance agreement milestones were an important part of this process as well.

Ms. Mallek stated that she supported the concept of the four categories, which helped the money get where it needed to be most. She stated that she was satisfied with the answer that they were only funding well-established agencies. She stated that there were multiple new agencies funded last year that had never been funded before. She asked how operating funding differed from programmatic funding.

Mr. Bowman clarified that he was referring to capital funding for one-time construction funding versus operational or ongoing funding.

Ms. Mallek asked if operating a daycare program with extra hours was included as operating.

Mr. Bowman said yes. He stated that a lot of the human services-oriented agencies such as the Boys & Girls Club and the Free Clinic.

Mr. Gallaway stated that he was good with the 50% funding approach, and he understood and appreciated the intent to focus on the four areas from the needs assessment. He stated that with the ABRT, there must be a line drawn to the Strategic Plan, and it sounded like there would be wider lines drawn to the four categories. He asked if this categorization had been analyzed regarding its impacts on funding other things.

Mr. Bowman stated that part of this was formed from collaborating with Ms. Dimock, the Director of Human Services, in which they discussed how to utilize their existing partners to advance the initiatives in the community needs assessment, because the County could not process or engineer its way to success and required additional resources. He stated that as they thought about the expanding human services focus in the County, they must identify strategies to make a difference in the Strategic Plan, and this leverage of existing partners was near the top.

Mr. Bowman stated there was a chance where those agencies received the funding first and there was not as much left over for those in the second category, or depending on the priorities of the Board and the other issues in the budget, they continued to provide everyone funding and the new agencies were more focused than in the past.

Mr. Gallaway stated that if there were four identified areas they definitely needed to focus on, they should not lose sight of providing resources to that not just within the monies put aside for ABRT.

Mr. Bowman stated that there may be ways other than ABRT to address those four things.

Mr. Gallaway stated that squeezing out other organizations they had supported that did not address those four perhaps they would have to carve aside or widen their budget for ABRT in total.

Mr. Bowman said that was an option.

Ms. McKeel stated that she agreed they should not squeeze out some of the meaningful

organizations in the community, while recognizing the four priorities. She asked if Mr. Bowman would return to the Board if that was an issue.

Mr. Bowman said yes. He clarified that the intent was not to do mass defunding of agencies that did not fit those four criteria, but was to first address the areas, and ensure that for all of the other programs in the human services network they were doing their due diligence and financial stewardship to understand impacts.

Ms. McKeel said that she was supportive of the item and the removal of the 50% and clarification that new organizations must still be at least two years old.

Ms. Price stated that she also was supportive of the removal of the 50% funding, because otherwise entities may double their request and it was related to the verification the County must undertake to ensure the request was legitimate. She stated that she was supportive of the item and agreed with the comments that they should ensure they were not mass defunding other entities as they focused more attention to the critical subject areas.

Ms. Price asked if there were other comments, and seeing none, said that the floor was open for a motion.

Ms. Mallek **moved** to approve the updated Agency Budget Review Team (ABRT) Process framework (Attachment B).

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.

* * * * *

Attachment B – Agency Budget Review Team Process

BACKGROUND

The Agency Budget Review Team (ABRT) consists of volunteer citizens and County staff members whose charge is to review funding requests from community non-profit agencies using a team approach to reach consensus on rating each program. Funding recommendations are not made by the ABRT, whose role is to review and rate the applications. Recommendations for funding amounts are made in the context of the overall County budget development process, while taking ABRT inputs into account and subject to the availability of funds.

At the June 21, 2023 Board meeting, staff presented an initial Albemarle County Human Services Needs Assessment and discussed opportunities to address the identified needs through an expanded ABRT process. This initial human services needs assessment presented data and contextual information from the areas of homelessness, housing, criminal justice, food insecurity, behavioral health and financial need. Emerging needs in the areas of family homelessness, adolescent mental health, community safety, and navigation for seniors were identified based on data and analysis of current community capacity and context. Staff recommended a long-term funding component be added to the annual ABRT process that would provide performance agreements or contracts for activities specifically intended to address the concerns or gaps in service for these four areas.

It is common for there to be annual modifications to this process that are more procedural, such as improving technical assistance to applicants. This item is before the Board because it contemplates a recommended change for the Board's feedback to update how funding recommendations are prioritized in the annual budget process.

DISCUSSION

In the two most recent budgets, FY 23 and FY 24, funding has been allocated to ABRT agencies in most situations as follows:

1. First, providing funding for existing agencies based on their program ratings, such as an incremental increase for agencies rated "exemplary," level funding for agencies rated "solid," and decreases and/or contingencies with conditions agencies must meet for those rated "fair" or below.
2. Funding new programs that received an "exemplary" rating and showed direct alignment with County Human Service goals at 50% of their funding request.

For FY 25, staff recommends revising this so that:

1. Funding is first prioritized for programs that most directly align with the four emerging needs areas identified in the Albemarle County Human Services Needs Assessment (family homelessness, adolescent mental health, community safety, and navigation for seniors). This potentially higher level of funding is intended to include performance agreements or contracts, that could be renewed for additional years based on measured impact, for activities specifically intended to address the concerns or gaps in service for these four areas.

- a. Additionally, staff would no longer consider the “50% of the funding request” historical precedent when making funding recommendations for new programs, new programs would be considered for full funding of their request, in the context of the total budget recommendation.
2. Funding for existing agencies and programs that do not as closely align with the four emerging needs areas would receiving funding recommendations based on their program ratings.

The intent of this change is allocating new funding towards programs that will most likely drive outcomes and impacts of the Board's FY 24 –28 Strategic Plan Objective 1.2: *Enhance and develop human services initiatives to assist community in accessing existing resources.*

RECOMMENDATION

Staff recommends the Board approve the updated Agency Budget Review Team (ABRT) Process framework to guide FY 25 funding recommendations or provide feedback on how to best prioritize funding in this area.

Mr. Bowman stated that the third process item was in the General Fund Operating Budget, related to community agencies who were smaller and was separate from the ABRT. He stated that this was because the criteria used for the human services agencies did not fit well with the Cultural, Arts, and Festivals process.

Mr. Bowman stated that the applications were reviewed by staff from five County departments using 13 criteria, and the current process had high administrative impact for County staff relative to the amount of funding. He stated that funding recommendations had historically been prioritized to first support existing programs and providing new programs on a limited basis. He stated that there were more questions than usual received in the previous budget year about this process, and that they were analyzing all of this to see how a new process that was simpler, that provided more clarity, and that had comparable results may be formed.

Mr. Bowman stated that for FY25, staff proposed a modified process in which programs must meet the current existing eligibility requirements and the evaluation process would focus on qualification as an eligible program request such as contributions to economic development, diversity and inclusion, or recreational and educational opportunities, rather than program prioritization based on the 13 criteria. He stated that they would then reclassify agencies into one of four categories, which were larger programs that brought visitors and supported the local economy, smaller local cultural programs, arts-focused agencies, and recreational or educational opportunities.

Mr. Bowman stated that funding recommendations would create tiers by category, considering prior funding decisions, and there would be less emphasis on existing versus new County funding. He stated that this would achieve predictability for agencies by creating the tiers and would alleviate the burden in the application process and review by being focused on qualification of minimum standards rather than a complex rubric.

Mr. Bowman stated that this was a different process than Attachment A and Attachment B and was focused on what guidance they could give to people on the front end of the process that was more understandable and predictable as they proceeded. He said that it was acceptable for the Board to retain the current process or proceed with the proposed new process.

Ms. LaPisto-Kirtley reiterated that it was best to give to organizations with a volunteer board and not use the monies for their salaries. She stated that she was supportive of the item.

Mr. Andrews stated that some of the revenue for this was transferred from the Tourism Fund, and he was trying to understand how the two were related and would be in the future. He stated that there was overlap between recreational and educational opportunities, so he was unsure of how that fit in the process. He asked how other support was considered. He stated that one of the concerns listed was the amount of time spent by staff in vetting this process and making the decisions.

Mr. Bowman stated that the hours of those five staff working through the criteria of the agencies may be able to redeploy their time to focus on other concepts, but if the Board appreciated the current process, they would continue it.

Mr. Andrews stated that the ABRT process involved a lot of volunteer input in the initial review. He asked how much of that happened in this context.

Mr. Bowman stated that the distinction was that the total funding of ABRT was approximately \$2 million, and for the cultural agencies the total amount of funding was \$75 thousand. He stated that the relative effort as part of the budget was the distinction staff had.

Mr. Andrews asked if Mr. Bowman could address the other questions he had raised about the relevance of the tourism funding and overlap.

Mr. Bowman stated that in the current year, the Tourism Fund had supported the Virginia Festival of the Book and the Virginia Film Festival over the years, and there was a distinct effort in advertising, and people were coming in and booking hotels for a long period. He stated that they could perhaps combine the arts-focused and recreational educational opportunities and still meet the intent of something different.

Ms. Mallek stated that she was very much in favor of changing the process to deter large festivals from taking large amounts of the County budget while having outside funding and then smaller agencies were unable to receive funding. She stated that this was a huge step forward in process and she was glad about that. She stated that there could be direction from the County about the way that their tourism dollars they sent to the CACVB (Charlottesville-Albemarle Convention and Visitors Bureau) to make it very clear what they expected to have funded.

Ms. Mallek stated that it was important to support these smaller agencies, and she hoped they would be considered over items that took place in the City and could be supported by the City. She stated that she appreciated the separation of the arts and recreational for now to see how things come in and if criteria made themselves obvious then that was something she would look forward to their recommendation.

Mr. Gallaway stated that he was supportive of the new approach. He stated that during the presentation of the community needs assessment, Ms. Dimock presented information related to the Surgeon General's report on the epidemic of loneliness and isolation in the country, and having cultural arts festivals could help combat that. He stated that the fact that they were dedicating 0.02% or \$73,500 to help was a discussion they needed to have in the next budget cycle about whether they were doing their part to address the major need highlighted during the presentation.

Mr. Gallaway stated that the Board had also agreed that high impact was as important as quantity, meaning that some experiences were worth providing because of their high impact on individuals, even if they impacted a small group of the population. He stated that they must be mindful that this could not just be about checking boxes, and that a program was not necessarily unsuccessful if it had only 20 people showing up if those people left having had a high-impact experience. He stated that during the next budget cycle, he would like to have a conversation of what they were doing investment-wise in this particular area and take it up at budget time when all monies were being used.

Ms. McKeel stated that she was supportive of looking at this differently and appreciated the work. She stated that she highlighted in the packet the high administrative impact, and she appreciated trying to make the process simpler for staff. She stated that they could make it better for the community as well as not being such an impact on their staff. She stated that Mr. Gallaway made a good point about social isolation in the community, and she wanted them to be cognizant that the people who most needed these programs often did not have transportation to get to the events.

Ms. McKeel stated that they must think about this in the context of how they worked together,

because it would be vital for the community. She stated that she liked the predictability, but if Mr. Bowman needed to change the process again, she encouraged him to bring it back to the Board again if the process could be improved again.

Ms. LaPisto-Kirtley stated that regarding the arts focus for social isolation, it was extremely important for the Board to address this. She stated that the Crozet community was very arts-focused, and it would be important to focus on programs in the eastern end of the County and in the urban ring. She stated that with the greenway promenade on Free Bridge Lane, they hopefully could host events along that path that would also impact the other districts.

Ms. Price stated that there were many complexities and challenges in this area, and she appreciated the work that staff had done. She stated that they must continue to support the Virginia Film Festival and Festival of the Book as well as any other large tourist-drawing enterprises because it was an opportunity for the County to have their name out there, and people realized it was not just Charlottesville, even if many if not most of the activities took place within the City limits.

Ms. Price stated that the things that they could do to support bringing tourists and visitors and their dollars in was very helpful, but she remained very concerned as a result of the pandemic and the financial impact that a lot of these smaller community entities had faced, and was constantly seeing in the news that they were shutting down, because those larger enterprises had the ability to raise funds from two areas that the smaller ones did not, which were ticket sales and large donors.

Ms. Price stated the smaller community organizations, cultural programs, and parks and recreation were ones that if the local government did not support them, they may not be able to survive, and those were the local experiences that they did not need the transportation to be able to get to. She stated that she could not say specifically what they should recommend but could say that they should not forget the smaller local enterprises that supported their local community members where they excluded them by focusing on the tourist dollars that came in.

Ms. Mallek stated that she agreed that the neighborhood-focused activities needed to happen, and she invited any of the Board members to join the NACo (National Association of Counties) arts commission, which had monthly meetings full of great ideas being done all over the place. She stated that other states applied the ARPA (American Rescue Plan Act) funds in huge amounts to arts and culture for community-based wellness, building sense of surviving and providing hope for people. She stated that North Carolina did this four or five times more than Virginia, and small local governments were given as much as \$5 million to support their arts centers and to keep programming happening, and it was very inspiring.

Ms. Mallek stated that Arts in the Parks by trailer was a possibility, because the ACPD had an incident command trailer that could very easily be a pop-up arts booth in which different people could come staff it. She stated that with the difficulty of managing, she understood it was very challenging to use the same rubrics all the way along, and she was excited about the possibilities. She stated that the County once had a funding program for neighborhood organizations, and all neighborhood representatives in the County met to communicate and get things going.

Ms. Mallek stated that it was through this program that the Earlysville community was able to get their event tent that was still in use today. She stated that if CACVB events did not adequately represent Albemarle County and if all of the tourism was focused in the City, it did not benefit them and they must recognize that. She reiterated the support for the smaller agencies, as well as her support for the proposal.

Ms. McKeel stated that Albemarle County had provided a NIFI (Neighborhood Improvements Funding Initiative) grant to her neighborhood to improve cul-de-sacs. She said they had to provide an in-kind service match, and the process could easily apply to arts events.

Ms. LaPisto-Kirtley clarified that while it had been an issue in the past, the CACVB would include representation of Albemarle County in its materials.

Mr. Bowman stated that there were many areas that were physically located within the City, but staff made sure when evaluating these agencies that they served both the City and the County.

Ms. Mallek stated that a tiered category may be needed for that as well.

Ms. Price stated that they should be cautious about relying too much on a geographic location, because it could serve both the County and the City.

Mr. Bowman stated that there was a scale regarding how many people an event could impact.

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

Ms. McKeel **moved** to approve the updated Cultural, Arts, and Festivals Process framework (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.

* * * * *

Attachment C – Cultural, Arts, and Festivals Review Process

BACKGROUND

The County has historically funded contributions to cultural, arts, and festival community non-profits and because the criteria used for Agency Budget Review Team (ABRT) agencies does not align well for evaluating these agencies, a separate process exists for evaluating these agencies. Applications are reviewed by staff representatives from the County Executive’s Office, Office of Equity and Inclusion, Economic Development Office, Parks and Recreation Department, and Communications and Public Engagement. This team is selected because the departments represent a diverse group of perspectives of services that engage directly with the community. Staff has prepared a modification for the Board’s feedback.

DISCUSSION

Because this process received several more questions than usual during the FY 24 budget development process, staff has prepared an option to modify the process if the Board desires. Currently:

- Cultural, Arts, and Festivals agencies are eligible if they meet the following criteria:
 - o 501(c)3 organizations or Incorporated and registered with Virginia Department of Agriculture and Consumer Services (VDACS)’s Office of Charitable and Regulatory Programs
 - o With a volunteer board
 - o That has been in existence for 2 years
 - o If awarded funding, an audit must be submitted
- These agencies are all evaluated using the same 13 criteria, as follows, that were developed by the Office of Equity and Inclusion in 2020. These criteria reflect that these programs create value in the community in different ways, from larger programs that bring visitors to the community and support the local economy, to those that are smaller local cultural programs, to those that are arts-focused, to those that may provide recreational or educational opportunities.
 - o Service to a Broad Population
 - o Service to Youth
 - o Quantity of citizens served
 - o Quantity of Albemarle County Residents Served
 - o Measurability of Populations Served
 - o Contribution to Economic Development
 - o Contribution to Cultural Infrastructure and/or Heritage
 - o Contribution to Creative Place Making
 - o Contribution to Diversity, Equity, and Inclusion
 - o Financial Benefit to Albemarle County
 - o Social Benefit to Albemarle County
 - o Extent to Which the Program Meets the Needs of the Community
 - o Extent to Which the Program Meets the Needs of Specific Beneficiaries
- The current process has a high administrative impact relative to the amount of funding, as the total time spent by five staff evaluating 13 criteria for 18 applications in FY 24 was proportionally

high compared to other areas of the budget. For perspective, total funding for these community non-profits is \$73,500 or 0.02% of the FY 24 adopted General Fund budget.

- Funding recommendations have been recently prioritized to first support existing programs and providing new programs on a limited basis. This creates a framework where new programs that are comparable in mission may receive different funding levels than existing funded programs, and larger amounts of funding are provided to fewer agencies, rather than smaller amounts of funding to more agencies.

For FY 25, if the Board desires a different approach from the status quo, staff proposes:

- Programs must meet the same existing eligibility criteria, described above.
- The process would be revised to reclassify these community non-profit agencies into one of four categories:
 - larger programs that bring visitors to the community and support the local economy
 - smaller local cultural programs,
 - those that are arts-focused,
 - those that may provide recreational or educational opportunities
- The evaluation process would focus on qualification as an eligible program request, rather than a prioritization of the program based on the 13 criteria, which would streamline the administrative review.
- Funding recommendations would create tiers by category that consider prior funding decisions by category, e.g. larger programs that bring visitors to the community and support the local economy are currently funded greater than smaller local cultural programs.
- Funding recommendations would intend to provide funding among agencies regardless of whether they were new or existing in the FY 24 budget. Depending on the context of the total recommended budget, staff may recommend funding more agencies at a lower amount per agency rather than a greater amount of funding for fewer agencies.
- Funding will continue to be subject to total budget considerations including, but not limited to: County mandates and obligations, investment in the Strategic Plan, and available revenues.

RECOMMENDATION

Staff requests Board direction to move forward with a modified process, or retain the previous process, for the Cultural, Arts, and Festivals Process.

Agenda Item No. 10. **Action Item:** SE2023-00018 6925 Jarmans Gap Road Homestay.

The Executive Summary as forwarded to the Board states that the applicant is requesting a special exception for a homestay at 6925 Jarmans Gap Road.

Resident Manager. Pursuant to County Code § 18-5.1.48(d), the applicant is requesting to modify County Code § 18-5.1.48(b)(2) to permit a resident agent to fulfill the residency requirements for a homestay use.

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

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

Mr. Bart Svoboda, Zoning Administrator, stated that this special exception was for a resident manager, and was focused on the owner occupancy of the homestay, because an LLC could not occupy property. He stated that the primary beneficiary of the LLC resided on the property, so this was the most ideal situation for an LLC requesting the resident manager exception of the parcel. He stated that all other aspects of this special exception met the ordinance requirements for the Rural Areas (RA) and for

homestays.

Mr. Svoboda stated that this was a 103-acre parcel, and as noted, the primary beneficiary resided on the parcel. He stated that the special exception factors to consider were listed on the screen.

Mr. Svoboda stated that staff did not identify any adverse impacts in this particular case. He stated that Attachment E showed the parking structures and the location of the residences. He stated that the homestay was located a little over 270 feet from the nearest property line, and everything else was over 600 feet to the nearest adjacent residence. He stated that staff recommended the Board approve the special exception.

Ms. LaPisto-Kirtley asked if the property was currently in violation.

Mr. Svoboda answered yes. He stated that the property owner got out of the box early and that this was the piece that would bring them into compliance. He stated that because of the LLC, this would bring them into compliance, and without that it would be a by-right use.

Ms. LaPisto-Kirtley asked if the property owner had been paying all of the fees and taxes associated with the homestay since it began operation.

Mr. Svoboda answered yes. He stated that his office operated in concert with the Finance Department so that any concerns were communicated between them and the applicants or owners made adjustments.

Ms. LaPisto-Kirtley stated that as long as they made those adjustments, she was supportive.

Ms. Mallek **moved** to adopt the resolution as presented in Attachment F to approve the special exception.

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.

* * * * *

**RESOLUTION TO APPROVE
SE2023-00018 6925 JARMANS GAP ROAD HOMESTAY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE2023-00018 6925 Jarmans Gap Road 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 6925 Jarmans Gap Road Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to permit a resident agent to fulfill the residency requirements for a homestay use.

Non-Agenda Item. **Recess.** The Board recessed its meeting at 3:05 p.m. and reconvened at 3:21 p.m.

Agenda Item No.11. **Action Item:** Resolution To Authorize the Site of The Northern Convenience Center.

The Executive Summary as forwarded to the Board states that at its meeting on July 17, 2019, the Board of Supervisors approved the Brookhill Proffer Amendment (ZMA 2018-00011 - Attachment A), which amended the proffers initially approved with ZMA 201500007. Proffer 8 provided for future dedication to the County of approximately 50 acres of land, comprised of portions of two parcels located west of Berkmar Drive and north and east of Rio Mills Road, "for a public high school, and/or such other use as the County may determine suitable." Shown on page 18 of Attachment A, this site is the portion of Parcels 46-18B and 46-18D lying west of Berkmar Drive. Staff has since coordinated a study of potential public school and local government functions that could be located on these parcels, including the use of one parcel as the site of a future solid waste convenience center. The Board's adopted Fiscal Year 2024 Budget includes funding in the Capital Improvements Plan for the design and construction of a Northern

Convenience Center.

In 2022, staff engaged a consulting firm to consider potential uses of the proffered parcels. The resultant study included preliminary conceptual design and placement of a solid waste convenience center on the approximately 20-acre Parcel 46-18B, based on the final design of the recently opened Southern Albemarle Convenience Center. The study confirmed the suitability of that parcel for a convenience center. The conceptual design assumes that the center's entrance would be located on the Rio Mills Road connector, a short distance from Berkmar Drive. The parcel is in the Rural Area, but is easily accessible to both the northern Albemarle Rural Area and the most densely populated and growing Development Areas in the County.

Approval of the proposed resolution would enable staff to initiate design of a Northern Convenience Center with the funding included in the approved FY24 Budget.

Staff recommends that the Board approve the proposed resolution (Attachment B) to authorize staff to pursue the use of the proffered portion of Parcel 46-18B for a solid waste convenience center.

Mr. Lance Stewart, Director of Facilities and Environmental Services (FES), stated that the purpose of the presentation and the resolution before the Board for consideration was for a specific site staff recommended for the location of a future northern convenience center, which would allow them to take the steps necessary toward design and construction. He stated that in Albemarle County, a convenience center was a place to take bagged household waste, a mix of recyclables, all of which were recycled. He stated that they offered special waste collection days for hazardous waste, e-waste, and compostable food waste.

Mr. Stewart stated that Albemarle County had been looking to increase their solid wastes services provision for a number of years. He stated that the Long-Range Solid Waste Solutions Advisory Committee, formed of citizens and representatives of the industry, generated a substantial report in 2015 that served as the guide for staff to develop plans. He stated that the map displayed on the slide showed the convenience centers in the County and surrounding counties, which were indicated by dots.

Mr. Stewart stated that they were primarily a rural service but also served people who did not live in rural areas, and they could see from the standpoint of service provision, the majority of surrounding counties were serving their citizens much better than Albemarle County was in 2015. He stated that if they updated that map, they would see the Southern Convenience Center and an expanded convenience center at Ivy. He stated that they had made considerable investments in replacing and upgrading the Ivy Transfer Station, opening the Ivy Convenience Center, and the opening of the Southern Convenience Center.

Mr. Stewart stated that the northern convenience center was part of the FY24-FY28 CIP, with design in FY25 and construction the following year. He stated that the request did not include a specific site, but it also did not include property acquisition costs, which was likely because they had a place in mind they thought would be well-suited. He stated that today he would discuss the desired site traits they would look for, which were easy access, central location within the service area, and limited impact to surrounding properties. He stated that displayed on the slide was a map of the service area of the convenience centers, and the red dots indicated the locations of the sites.

Mr. Stewart stated that the Brookhill Development included a number of proffers, some of land for explicit uses. He stated that Proffer #8 detailed a site considered for school uses or other governmental uses, and was actually two parcels zoned RA.

Mr. Stewart displayed a map of the site, with north oriented to the righthand side of the screen, and on the lefthand side was the Rivanna River. He stated that Berkmar Drive Extended ran from south to north along the site. He stated that the image was generated as part of a study the County had done to look at potential uses of the site, and the left showed the footprint of a Schools Building Services facility, parking, and a vehicle maintenance facility. He stated that this was based on a study that included engaging with the Schools on building services, vehicle maintenance facilities, and leadership to identify the current and long-term needs based on the growth in the community.

Mr. Stewart stated that the number of parking spaces shown on the map was considerable, and this was not the plan for anything that would be built there, but was a safe plan in terms of the size of the facility that was possible to grow on, but they did share this with the schools as the final result and had continuing discussions about that.

Mr. Stewart stated that on the right of the screen was a road, the Rio Mills Connector that was recently constructed, which divided 1/8 of the property on the far right side. He stated that there was an image depicting the placement of the convenience center there as well as a potential other site for a future government function such as a public works yard.

Mr. Stewart displayed an image of the site without the vehicle maintenance facilities and building services functions there. He stated that the footprint shown was based generally on the design of the Southern Convenience Center. He displayed the conceptual image of the convenience center and stated that the entrance would be off of the Rio Mills Connector.

Mr. Stewart stated that this was beneficial as opposed to coming off of Berkmar Drive, which had higher traffic and higher speeds on the road. He stated that preliminary discussions with the Virginia Department of Transportation suggested they may need to add turn lanes and acceleration lanes and very expensive roadwork in order to safely provide access to and from the site. He stated that the Rio Mills Connector would allow for installation of a standard commercial entrance, in theory similar to what was at the Southern Convenience Center.

Mr. Stewart stated that it was confirmed that the site was appropriately constructable because there were no steep slopes, no water buffers, no utility conflicts, and the environmental phase 1 assessment confirmed there were no significant concerns with this portion of the site. He stated that the access from Rio Mills Connector was a strong point, and the convenience centers did not require public water or sewer, so the fact that it was not in the ACSA (Albemarle County Service Authority) jurisdictional district was not a problem.

Mr. Stewart stated that the construction costs were estimated to be similar to that of the Keene site, but if the site were located in any sloped area or near stream buffers, the cost would increase significantly.

Mr. Stewart stated that the resolution was requesting the Board to formally designate this parcel as the target for a convenience center site, which would allow staff to take next steps to begin moving forward the process of acquiring and designing of the proffered parcel for that use.

Mr. Andrews asked if this project would be approximately the same size in acreage as the Southern Convenience Center.

Mr. Stewart stated that staff had not undertaken that process, and worked under the assumption the design at the Southern Convenience Center was appropriate and well-received, so that was the basis of the design at this point.

Mr. Andrews stated that he was supportive of the project and details provided thus far.

Ms. Mallek stated that this use fit well in this section of land. She noted that residents from the area had requested there be some sort of signage southbound on Berkmar due to the hill and turning vehicles, and this must be taken into consideration if more people would be using roads in the area.

Mr. Gallaway asked if staff had also considered the other proposed uses of the site in regard to adding the use of the convenience center.

Mr. Stewart stated that staff had discussed the matter. He stated that as they designed this, they would ensure the parcel was designed in such a way that they had access that did not impact the operations of the convenience center in order to build more in the future. He stated that they would have access to the southern side, which was slightly steeper and had more limitations but could possibly be built upon.

Ms. McKeel stated that she was glad that they were able to utilize this proffer, which was written in such a way that the Schools and the County Government could use the proffered land. She stated that the proffer was designed in order to create capacity for both the Schools and Government. She stated that going forward, she suggested they look at proffered land to make it more available for Schools and County Government in partnership, because there had been a lot of proffers that had been proffered for Schools and the land was never used, but if the language was corrected, another use could be made of it. She stated that she appreciated the design of the parcel. She noted that she had heard from the community that there was a growing need for a police substation on Route 29, and this land may be able to hold that use.

Mr. Jeff Richardson, County Executive, stated that regarding the police substation, the JC Penney site was about 13,000 square feet, and included in that footprint was a satellite office for the Albemarle County Police Department (ACPD). He stated that it was different than a substation in that the office was designated administrative space for the sworn police officers and patrol to use for convenience and efficiency for work. He stated that there would be operational foot traffic from the police in and out of that facility on a regular basis, but the purpose of the space was a satellite office.

Mr. Richardson stated that a substation was a smaller version of a police department and had a lot to consider but would have the ability take walk-ins from the public, visitor seating area, a design element for safety, the ability to store evidence, and have the ability to hold interviews of victims and suspects. He stated that they were not far enough along in the current police administration and the CIP (Capital Improvements Plan) to be thinking with that level of depth in any part of the County, but he looked forward to the satellite office, which was a very busy area. He stated that the idea of a substation could be addressed in their planning over the next few years.

Ms. McKeel clarified that she was relaying comments from prior police chiefs and thinking of the growth that was happening on 29.

Mr. Richardson stated that it was an important distinction to make, and the satellite office was not a long-term solution, but a mid-term interim step to address some of their space and service needs. He stated that it was important to understand how the space at JC Penney's would be utilized.

Ms. McKeel stated that North Fork and North Point were also experiencing growth, and she wanted to keep in mind the land that the County had control of.

Ms. LaPisto-Kirtley stated that a substation would have to have a holding cell and would be similar to a police department. She asked if it was possible for the County to be able to use land proffered to the Schools if the land was unused.

Mr. Steve Rosenberg, County Attorney, stated that it would be a property-specific issue, depending on how the School Board acquired title to a particular property. He stated that there were some specific provisions of the state code that could potentially provide for an ownership interest on the part of the County, even when the instrument by which the School Board had acquired the property was silent on that issue.

Mr. Rosenberg stated that they could not say on a wholesale basis what the status of each property would be, and it would require a review of a specific property in order to determine whether the County had an interest or a right. He stated that with regard to the proffers, it would have to determine whether a conveyance of a property from the School Board to the County would be permissible given the language of the proffer.

Ms. LaPisto-Kirtley reiterated that it could be within the realm of possibility depending on the proffer and situation.

Ms. Price stated that it was comparable to the decision by the Board regarding the Rivanna Station Futures project before the titling changed the utilization of that property after its acquisition.

Ms. Mallek stated that there was a successful satellite office near Old Trail, which was appreciated by the officers who otherwise would have to commute 25 minutes to the station.

Ms. Price stated that she was supportive and happy to see the proposal. She stated that she was thrilled with the Southern Convenience Center and appreciated all of the work done by staff to fulfill that project.

Ms. Price, seeing no other questions or comments from the Board, said that the floor was open for a Supervisor to make a motion.

Mr. Gallaway **moved** to adopt the resolution (Attachment B) to authorize staff to pursue the use of the proffered portion of Parcel 46-18B for a solid waste convenience center.

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.

**RESOLUTION TO AUTHORIZE PURSUIT OF BROOKHILL PROFFERED PARCEL FOR
USE AS A SOLID WASTE CONVENIENCE CENTER**

WHEREAS, at its meeting on July 17, 2019, the Board of Supervisors approved the Brookhill Proffer Amendment (ZMA 2018-00011), which amended the proffers initially approved with ZMA 201500007; and

WHEREAS, the approved proffers require dedication of a specified parcel of land (the "Proffered Parcel") "for a public high school and/or such other use as the County may determine suitable"; and

WHEREAS, the Proffered Parcel's nature and geographic location are suitable for a solid waste convenience center; and

WHEREAS, the Board of Supervisors' adopted Fiscal Year 2024 Budget includes funding in the Capital Improvements Plan for the design and construction of a solid waste convenience center.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, hereby determines the Proffered Parcel to be suitable for use as a solid waste convenience center, and authorizes and directs County staff to proceed with the acquisition and design of the Proffered Parcel for that use.

In follow-up to the agenda item, Ms. Price asked Mr. Richardson if staff could provide a report to the Board on the various counties shown on Slide 4 of the presentation and what their cost structure for the community members may be. She said that in Nelson County, their convenience centers did not charge for household waste. She stated that the one question she had been asked at the Southern Convenience Center was with regard to the \$2 tag-a-bag, and while she was not in a position to offer whether or not that should continue, she would like to know what the surrounding counties may charge in comparison. She asked if they could know what revenues were actually generated and if that was

something that may be able to offset, rather than the \$2 tag-a-bag.

Ms. Price stated that, regarding the Southern Convenience Center, she remained concerned about the safety of the intersection of Scottsville Road, Route 20, and Plank Road, and Coles Rolling Road. She stated that she recently noticed that the property of the northwest corner of that intersection, which was the veterinary office, the bushes on the side of the property at the VDOT right-of-way on the west side of northbound Route 20 somewhat obstructed the view. She requested that the County and VDOT research whether any improvements could be made with that visibility, and particularly if a larger or lit stop sign at Plank Road and Route 20 may be considered for installation as a safety measure.

Mr. Stewart stated that the next steps would be to begin the proffer acceptance process, to initiate the project engineering phase, some prework to advance the conceptual design, a public meeting to seek input, and Comprehensive Plan compliance review. He stated that these were the steps to be taken over the course of the calendar year before design was initiated in FY 25.

Mr. Richardson stated that the first time the Board could see this analysis would be in the budget process early next year.

Mr. Andrews stated that it was appropriate for the Rivanna Solid Waste Authority (RSWA) to be a part of this initiative.

Mr. Richardson stated that was correct, and the RSWA personnel may be able to provide more clarity and detail.

Ms. Mallek stated that the 2015 Long-Range Solutions report may have information regarding surrounding localities' convenience center structures.

Ms. McKeel left the meeting at 3:58 p.m. and returned at 4:01 p.m.

Agenda Item No.12. **Discussion Item:** Route 20 Shared Use Path.

The Executive Summary as forwarded to the Board states that Albemarle County's Southern and Western Neighborhoods Master Plan (2015) and the regional Jefferson Area Bike and Pedestrian Plan (2019) identify Route 20 as a priority bike and pedestrian connection. Currently, City of Charlottesville sidewalks do not continue south of Druid Avenue and a bike lane on the east side does not continue south of Quarry Road. Albemarle County successfully applied for Smart Scale funding to construct a roundabout at the intersection of Route 20 and Route 53; the proposed design for this roundabout includes a shared use path along the east side of Route 20.

Once the roundabout is constructed, there will be an approximately one-mile gap in bike and pedestrian infrastructure along this corridor, between Quarry Road and Route 53. Completing this gap with a shared use path would facilitate multimodal access for bicyclists and pedestrians of all ages and abilities. Specifically, it would improve access to educational, cultural, recreational, and employment opportunities at Piedmont Virginia Community College (PVCC) and Thomas Jefferson's Monticello.

Constructing a shared use path along Route 20 from Quarry Road to Route 53 is technically challenging due to free-flow on- and off-ramps for Interstate 64 on both the east and west sides of this segment, width limitations at both the I-64 underpass and the bridge over Moore's Creek, and topography that slopes towards the Cow Branch stream on the east side of Route 20. A previous feasibility study led by the Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO) suggested locating a shared use path along the center median, but there was public resistance to that design, as it would have required the relocation of several of the native trees planted there as part of the Monticello Gateway tree project. There were also safety concerns related to placing pedestrians and bicyclists between two-way, high-speed traffic in a somewhat narrow center median.

Albemarle County staff have engaged consultants from Line + Grade to develop conceptual designs for a shared use path along Route 20 from Quarry Road to Route 53 as part of a Route 20 Conceptual Design Study. These two designs are included as Attachment A.

Prior to the development of these designs, the consultants met with a stakeholder group to gather additional information. Invitees to the stakeholder group included staff from Albemarle County, City of Charlottesville, CAMPO, VDOT, Monticello, and PVCC; representatives from the Charlottesville Area Tree Stewards were also invited.

Following the development of these designs, County staff shared the designs with the public at the June meeting of the 5th and Avon CAC; the designs were also shared on the County website with directions to comment on the designs. The consulting team will have met with the stakeholder group a second and final time in early July.

At this time, County staff would like to present the two conceptual designs to the Board of Supervisors, answer any questions, and gather feedback regarding elements of the two designs. This feedback will guide the consultants to prepare a final preferred design to conclude the conceptual design study.

The Route 20 Conceptual Design Study has a budget of \$20,000, which is sufficient for this conceptual design work. This study results in a final conceptual design; additional funding would need to be identified to complete further design, engineering, and construction.

Staff recommends the Board receive the conceptual designs and provide feedback on the two designs. This feedback will guide the consultants to prepare a final preferred design to conclude the conceptual design study.

Ms. Jessica Hersh-Ballering, Principal Planner, stated that she was joined by Alberic Karina-Plun and Ryan Cheney from Line + Grade, the consultant for this project. She stated that this conceptual design study was similar to the Free Bridge Lane study in many ways. She explained that two conceptual designs were created by consultants to imagine improved bicycle and pedestrian infrastructure along a segment of roadway, and those designs would be presented today.

Ms. Hersh-Ballering said the feedback from the public, staff, and this Board on the designs would guide the consultants in the development of a final preferred design and cost estimate. She emphasized that the completion of this study still left them a long way off from construction, and the County would need to identify additional funding for further design and construction, and where this project ranked on the updated transportation priorities list would determine how soon they could seek that additional funding.

Ms. Hersh-Ballering stated the conceptual design study focused on a segment of Route 20 between Quarry Road and Route 53, or Thomas Jefferson Parkway. She stated that the intersection of Route 20 and Quarry Road was identified by the blue circle at the top of the slide, and the intersection of Route 20 and Route 53 was identified by the blue circle at the bottom of the slide. She stated that overall, this segment was less than a mile in length, and some important destinations along this segment included PVCC (Piedmont Virginia Community College), the City's Quarry Park, and the Saunders Monticello Trailhead.

Ms. Hersh-Ballering displayed on the slide an aerial view of the southern end of the study area, with north oriented to the right of the screen. She stated that this was not what the intersection looked like now but what it would look like in the near future, as this proposed roundabout received funding in a previous round of SMART SCALE. She stated that the proposed roundabout would include shared use path along the north and south sides of Route 53 and on the east side of Route 20.

Ms. Hersh-Ballering stated that zooming in on the northern end of the study area, the north was at the top of the screen. She said that on the west side of Route 20, which turned into Monticello heading toward the City, both the sidewalk and the southbound bike lane ended at Druid Avenue, which was identified by the red circle on the slide. She stated that on the east side, the sidewalk coming from the City ended at the other Druid Avenue, identified by the other orange circle, and the northbound bike lane into the City began at Quarry Road, identified by the yellow circle.

Ms. Hersh-Ballering stated that the reason this particular area was being investigated as a possible shared use path was because they wanted to address the gap between the City's bicycle and pedestrian infrastructure and the new shared use path going in as a part of their SMART SCALE roundabout project. She stated that when they created that infrastructure, they would want to do it for road users of all ages and abilities, and a shared use path fit that description.

Ms. Hersh-Ballering stated that doing so would improve access to educational, cultural, and employment opportunities regardless of vehicle ownership or ability to drive, which aligned with the big picture identified in local and regional plans. She stated that this was identified as a high priority connection in the Jefferson Area Bike and Pedestrian Plan and the Southern and Western Urban neighborhoods Master Plan.

Mr. Alberic Karina-Plun, Planner I, stated that Route 20 today was a 45-mph speed limit road in the County that dropped to 35 mph in the City, with Moores Creek being the border between the City and the County. He stated that the road saw 17,000 vehicles per day and was classified as a minor arterial. He stated that there was a crash history, and the map on the slide had a red dot indicating the site of a fatal pedestrian crash in 2016 that happened just south of where the sidewalk ended. He stated that along with the scope of the project, there were multiple segments from the PSI or Potential Safety Improvement list from VDOT that meant that there was a precedent of safety projects for this area already being identified.

Mr. Karina-Plun stated that some of the engineering challenges were indicated on the screen. He stated that the interchange to Interstate 64 was here and there was lots of movement on either sides of the road that were on the alignment of the shared use path. He stated that there were width limitations imposed by I-64, including the highway pylons, and by the bridge over Moores Creek. He stated that the next image indicated looking north, and the guardrail had a steep drop-off with a stream, which would require more engineering challenges and environmental review due to the stream.

Mr. Karina-Plun stated that there were engineering challenges due to the median that went down the center of Route 20, including that it was a relatively narrow median with fast-moving traffic on either side. He stated that drainage issues were present, as the median sloped down toward the middle, so water would pool there as well as under the highway. He stated that most notably, the Tree Stewards planted 73 native trees along the median, and adding a shared use path along the median would require

removal of some of the trees.

Mr. Karina-Plun stated that shared use path basics typically included a curb and gutter, an 8-foot buffer, a 10-foot path, and a 3-foot behind the trail edge. He stated that the buffer and the path could be reduced depending upon conditions. He stated that following all of the numbers for the standards, they would need 23.5 feet to have all of the components of the design.

Ms. Hersh-Ballering stated that she would review both of the conceptual designs developed by the consultant. She stated that one design was exclusively on the east side of the road and the other was mostly on the west side of the roadway. She stated that the full east side design, as indicated on the slide, proposed to add a curb and gutter to the outside of the rightmost north bound travel lane and repurpose that existing wide paved shoulder and some additional right-of-way into the buffer and shared use path.

Ms. Hersh-Ballering stated that then the shared use path would cross one off-ramp, go under I-64, cross an on-ramp, and then cross another off-ramp. She displayed an aerial view of the subject area and stated the VDOT staff who attended the stakeholder meetings for the study noted that to do anything on a highway ramp required a lengthy approval process with the FHWA (Federal Highway Administration). She said that, however, approval was not impossible, and there was precedent for having these types of crossings on on- and off-ramps in Virginia and in other states.

Ms. Hersh-Ballering stated that the width limitations under Interstate 64 meant that there was not enough room for a shared use path and a buffer under I-64 along with all of the vehicle lanes, so this design used a vertical barrier between the shared use path users and vehicle traffic.

Ms. Hersh-Ballering stated that heading north of I-64, the path crossed Moores Creek, and this path would use the same bridge currently used by northbound vehicle traffic. She stated that the northbound bridge currently had two vehicle travel lanes, and this design removed vehicles from the rightmost lane and repurposed that lane along with the existing sidewalk to create a buffer and shared use path. She noted that this lane removal made sense as Route 20 shifted to a single lane just north of here.

Ms. Hersh-Ballering stated that lastly, the concept showed a crossing at Quarry Road, so that southbound users coming from the City could cross Route 20 to get to the shared use path on the east side. She stated that it also created an access point to the City's Quarry Park, and further, this design would extend the sidewalk from its current endpoints at both Druid Avenues to connect to this point on both the east and west sides of Route 20.

Ms. Hersh-Ballering stated that the west side design would have the same southern end as the east side design, and heading north to I-64, the shared use path would cross Route 20 and continue onto the west side of Route 20 north from there. She stated that they would have to identify signage or signal for this mid-block crossing, but one possibility was a pedestrian hybrid beacon, which she would discuss later. She stated that once on the west side of Route 20, the shared use path would cross one on-ramp, go under I-64, then cross another on-ramp.

Ms. Hersh-Ballering stated that the section going under I-64 functioned very similarly to the one that went under I-64 in the east side design, where the buffer was replaced with a vertical concrete barrier due to space limitations. She stated that continuing north, the path went over Moores Creek and noted that the westbound I-64 off-ramp was just south of the bridge, and traffic from the off-ramp that wanted to head southbound crossed northbound traffic and made a left turn to join southbound traffic.

Ms. Hersh-Ballering stated that in order to improve safety, VDOT created a receiving lane for that left-turning southbound traffic, limiting vehicle traffic over Moore's Bridge to the outside lane only. She stated that there was still space for two lanes, but the inside lane was striped out of use, so like the east side design, this design relied on having only one vehicle lane on Moores Creek Bridge and repurposed the space from the second lane as the buffer and shared use path.

Ms. Hersh-Ballering stated that the conflict was that the shared use path needed to be on the outside of the bridge, so they needed to move the single vehicle travel lane from the outside where it was right now to the inside of the bridge. She stated that this was not an issue at the northern end of the bridge where Route 20 was already one lane coming from the City, but it was a problem at the southern end where they needed to protect the receiving lane for left-turning southbound vehicles coming off of I-64 west.

Ms. Hersh-Ballering stated that this design achieved that by shifting vehicles from the inside lane of the bridge to the outside lane using the minimum allowed distance, and this would need to be investigated further in future iterations of this design. She stated that this concept had a crossing at Quarry Road so northbound users could cross Route 20 here to use the bike lane or the sidewalk on the east side of Route 20 or Monticello.

Ms. Hersh-Ballering noted that in the public and stakeholder meetings, there was some pushback regarding this crossing location as southbound vehicles were going down a steep hill and around a curve. She stated that it would be possible to move the crossing up to Druid Avenue before vehicles gained as much downhill speed, but there may be topographical challenges that would make it very expensive to continue the shared use path from Quarry Road to Druid Avenue even though it was a very small segment.

Ms. Hersh-Ballering stated that staff heard positive feedback from the public and stakeholders that this continued to be a desired connection, and staff heard concerns that Route 20 was uncomfortable and unpleasant place to walk and bike. She stated that staff agreed that Route 20 was not currently a pleasant place to walk and bike, but that did not mean that people were not doing it, and the changes proposed in either design would change the feel of the corridor and how drivers drove down the corridor. She stated that taking away the wide paved shoulder and adding a curb and gutter on the southern end would narrow everything down and encourage drivers to slow down. She stated that ultimately, the fully built-out version would not feel the same as walking or biking along the edge of the road today.

Ms. Hersh-Ballering stated that people were also concerned about the ramp crossings and the crossings of Route 20. She stated that a safer crossing option would be a pedestrian hybrid beacon, or high-intensity activated crosswalk (HAWK). She stated that these were activated by the bicyclist or pedestrian when they wanted to cross, usually at a mid-block crossing. She stated that they were in use in multiple states around the country and were approved by VDOT and USDOT. She stated that staff would have to do analysis to determine if it was the right conclusion to those mid-block crossings, but it was very possibly a great solution and safer option. She stated that FHWA and VDOT stated that these were used when vehicle volumes exceed 9,000 vehicles per day and speeds were equal to or exceeded 40 mph, making this potentially the right thing for this corridor.

Mr. Andrews asked if there were any possibilities of using the bridge underneath Moores Creek or other access points that could be altered to get across I-64.

Ms. Hersh-Ballering stated that the study area was included in the Southern and Western Neighborhoods Master Plan as a connector to the fully-built-out, fully-connected multimodal network. She stated that they would like to continue down Route 20, then connect to Mill Creek, which connected to Monticello High School, then connects to Avon, and ultimately connect to 5th Street Station.

Ms. Hersh-Ballering stated that it was recognized that this was a difficult section to connect but was important in creating the fully functional multimodal network. She stated that going under Moores Creek where there was an existing Rivanna Trail did not currently seem like a cost-effective solution because the cost and work to bring it up to standards for a transportation trail would be intensive.

Mr. Andrews stated that in looking at what they were trying to do with the lanes on Route 20, he assumed this was to partially serve as a traffic-calming measure that would take place because the lane would be taken away.

Ms. Hersh-Ballering stated that traffic calming was an unintended but happy consequence of providing multimodal infrastructure.

Ms. Mallek stated that she was supportive of the east side design, because there were many fewer crossings. She stated that she was terrified of the speed of traffic coming down the hill going southbound, and she did not know how they solved that unless they got tremendous buy-in from the City to do some sort of control there. She stated that she would be happy if it were 35 mph from the roundabout onward, because that at least would help with northbound, but it was unclear how to deal with southbound. She stated that ideas such as a giant box culvert that took the trail under Eastern Avenue may have already been discarded, but she loved the idea of removing the lanes to slow people down, because that was working at Harris Teeter.

Mr. Gallaway asked if VDOT had discussed any type of redesign such as at the intersection at Route 118, which had a similar on- and off-ramp structure.

Ms. Hersh-Ballering stated that VDOT staff was among the stakeholders in the stakeholders' group, and they had been a part of the discussions from the beginning. She stated that there was some recognition that this interchange would need to be addressed, but doing so was in the far, far future.

Mr. Gallaway stated that he understood why people wanted a bicycle and pedestrian path, but the road conditions were concerning. He stated that he was deferring to the east side just because there were so many cars trying to do different things that were traveling north from the City, and when they hit with the eastbound traffic taking the exit there, people were trying to do many different movements. He stated that the roundabout may organize it in some way, but he was not at the point of being able to understand pedestrian crossings where there were on- and off-ramps to an interstate.

Mr. Gallaway stated that the east side design had more conflict points but seemed to be a bit better organized with how the traffic moved going into the City than out of the City. He said that it was difficult to introduce the multimodal elements they wanted successfully. He stated that the traffic calming needed to be in the southbound lane. He stated that he knew there was a lot of support for getting this in, and he looked forward to seeing what the advocates and safety experts would say in terms of keeping this safe.

Ms. McKeel stated that this was a complicated problem to solve. She stated that the speed limits were often based on what people felt comfortable driving, and lowering the speed limit would not necessarily be a solution. She stated that she supported the east side design. She asked if the roundabout was a two-lane roundabout.

Ms. Hersh-Ballering stated that it was a hybrid roundabout, so portions of it were two lanes and

portions of it were one lane.

Ms. McKeel asked if reducing it to one lane would be beneficial in reducing speeds or would interfere with the function.

Mr. Gallaway stated that reducing it may interfere with the traffic flow.

Ms. McKeel stated that she was also concerned about the speed going down the hill that had previously been referenced. She stated that she understood the need for the connection. She asked if the barriers would be concrete barriers.

Ms. Hersh-Ballering stated that that was correct.

Ms. McKeel stated that she was concerned about the crossing on Route 20. She stated that it was a conundrum as to how to keep people safe here.

Ms. LaPisto-Kirtley asked to see the presentation slide regarding the crossing going under I-64.

Ms. Hersh-Ballering displayed the aerial view of the I-64 shared use path crossing. She stated that the path going north along the east side of Route 20 had a crossing at an off-ramp, then would go under I-64, then the shared use path would continue across an on-ramp and then another off-ramp.

Ms. LaPisto-Kirtley stated that it was frightening to have pedestrian crossings at one on-ramp and two off-ramps, and she was not confident about how they would keep people safe in that aspect.

Ms. Hersh-Ballering stated that the concern had been voiced by the public and the stakeholders and was something that she would personally be nervous about. She stated that there were precedents of this being done in Virginia, such as in Fairfax County, Virginia, at the intersection of Fairfax County Parkway and Ox Road, which saw over 30,000 vehicles per day.

Mr. Andrews stated that he was also more supportive of the east side design, and avoiding the hill coming south helped by being on the east side. He stated that he hoped the design would limit speeding rather than changing the actual speed limits, but he was concerned about how they were going to set up good crossing of on- and off-ramps. He stated that he would be more comfortable if it was a T-intersection in which the cars exiting had to come to a complete stop rather than merging directly into traffic.

Ms. Hersh-Ballering stated that Mr. Andrews was correct in that neither of these designs changed the posted speed limit, and the physical changes to the roadway would change driver behavior. She stated that in response to the concern voiced by Supervisors about the cars gaining speed down the hill heading southbound, in both versions of the designs there was a crossing at Quarry Road. She stated that a crossing must be there in order to allow people on one side of the roadway to access the shared use path on the other side of the roadway.

Mr. Gallaway stated that his concern was about the area south of the interstate due to the speed and movements of traffic. He stated that it would be helpful to know what Fairfax County did in terms of signage to notify drivers of the upcoming pedestrian crossing.

Ms. LaPisto-Kirtley asked if flashing lights could be used at the crosswalk in order to notify drivers.

Ms. Price stated that those were different pedestrian crossings in that they required cars to stop, while the subject crossings at the interstate should notify drivers while not requiring them to stop at the pedestrian crossing.

Ms. LaPisto-Kirtley asked who had the right-of-way if someone stepped into the crosswalk.

Ms. Price stated that the pedestrian always did.

Mr. Gallaway stated that the lane divider had been installed on the westbound side because the traffic was backing up onto the interstate; cars could not move because they were stopped and did not have any way to make a safe left, and that got rid of the southbound conflict. He stated that they had already solved the issue of the cars backing up and did not want to recreate that issue, but there had to be a way it could be done safely that had been achieved somewhere else.

Ms. Price stated that there were multiple complications with the connection between Avon Street, PVCC, and Route 20, and the concentration of traffic for people trying to walk or ride to get over to the Saunders Monticello Trail and Monticello was not coming down Avon Street but were coming down Monticello toward I-64. She stated that Moores Creek substantially complicated any of the redesign of that interchange, and that was one of the problems. She stated that they also looked at a tunnel going under I-64 but thinking of the distance they would have to walk, as well as the expense of digging a tunnel, as well as the comfort of people walking in a tunnel of that length, made it an untenable concept.

Ms. Price stated that they also looked at trying to find a connector on the south side of I-64 east that would eventually connect to the Rivanna River, but it posed special difficulties with regard to the security at Monticello and the extremely hilly terrain. She stated that Route 20 was the only plausible

option that worked. She stated that she was ultimately in support of the east side design, which was the safest option. She stated that she appreciated the HAWK crossing mentioned in one of the previous slides, but having to cross in the high flow of traffic coming across Route 20 north and south made the west side untenable.

Ms. Price stated that her only concern with using the westbound would be that there would be vehicles moving left to cross Moores Creek immediately to the right because of the left turn, and that seemed to be an inconsistency. She stated that of the three options she had reviewed for a shared pedestrian use path on Route 20, the one in the median and the one on the west were simply not tenable. She stated that while there was some risk on the two crossings on the merge lanes east or west coming on or off of Interstate 64, she believed that under the totality of the circumstances it could be done in a reasonable fashion to make it safe enough for people to use.

Ms. Price stated that she was in support of the County getting this connection, and her only concern was that they allowed perfect to be the enemy of good. She stated that this was the route that would connect the City of Charlottesville with Monticello and eventually the trail that they would have the bridge across the Rivanna River, and it was reasonably safe.

Ms. LaPisto-Kirtley stated that the east side was the way to go, but she worried that they must find a way for people crossing at night or at any time to safely cross by notifying cars ahead of time that someone was crossing.

Ms. Price stated that the issue would have to be resolved in collaboration with VDOT. She stated that the consensus of the Board indicated the preferred option was the east side design.

Agenda Item No.13. Closed Meeting.

At 4:43 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:

- under subsection (1), to discuss and consider (1) appointments to various boards and commissions including, without limitation, the Community Policy and Management Team and the Crozet Community Advisory Committee, and (2) appointment of the county's director of human resources;
- under subsection (7), to consult with legal counsel and receive briefings by staff members pertaining to actual litigation concerning a decision of the Board of Zoning Appeals in the case styled In re June 6, 2023 Decision of the Board of Zoning Appeals of the County of Albemarle, Virginia where consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County and the Board; and
- under subsection (8) to consult with legal counsel regarding specific legal matters requiring legal advice related to land use applications and a decision of the Board of Zoning Appeals.

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.

Agenda Item No.14. Certify Closed Meeting.

At 6:02 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.

Agenda Item No. 15. Boards and Commissions.

Item No. 15. a. Vacancies and Appointments.

Mr. Andrews **moved** that the Board appoint the following individuals to boards, committees and commissions:

- **APPOINT** Mr. Venkat Manguntato the Crozet Community Advisory Committee to fill a partial term ending March 31, 2024.

- **APPOINT** Mr. Michael Geisert to the Places 29 (Rio) Community Advisory Committee with said term to expire September 30, 2025.

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.

Item No. 15. b. Appointment.

Mr. Andrews **moved** to appoint Jessica Rice as Albemarle County Human Resources Director.

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.

* * * * *

**RESOLUTION
APPOINTING JESSICA RICE AS THE
DIRECTOR OF HUMAN RESOURCES**

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia ("Board") that, upon the recommendation of the County Executive, Jessica Rice ("Rice") is hereby appointed the Director of Human Resources for the County of Albemarle, Virginia, pursuant to Virginia Code § 15.2-512; and

BE IT FURTHER RESOLVED that this appointment will be effective on and after July 29, 2023; and

BE IT FURTHER RESOLVED that Rice will serve as Director of Human Resources at the pleasure of the Board and for an indefinite term pursuant to Virginia Code § 15.2-513; and

BE IT FURTHER RESOLVED that Rice will serve as the head of the County's Department of Human Resources;

BE IT FURTHER RESOLVED that Rice will act under the supervision of the County Executive.

* * * * *

Mr. Jeff Richardson, County Executive, stated that Ms. Jessica Rice would give an introduction regarding her new role in the organization. He stated that Ms. Rice began working for Albemarle County 18 months ago as part of the first wave of employees hired when the County decided to stand up its own Human Resources (HR) function, beginning with her specialty in classification and compensation work.

Mr. Richardson stated that Ms. Rice continued with leadership in the Gallagher Study, the County-wide study for classification and pay, and Ms. Rice and her team had been implementing the findings of that. He stated that they were proud that they were able to implement those findings in year 1 in the budget process the Board adopted, and now she was ready to take on more leadership responsibilities.

Ms. Jessica Rice, Human Resources Director, stated that she was humbled and excited for this opportunity to serve as the next Director of Human Resources for Albemarle County. She stated that the Government's HR Department was established in March 2022, and as Mr. Richardson alluded to, she was one of the first staff on board in establishing the foundation for the department. She stated that over the past 16 months, she had watched the department hit its stride in day-to-day operations, and during that time she had also been a part of the personal and professional development of the HR staff.

Ms. Rice stated that she was ready to help lead the transition from a transactional HR Department to a transformational HR Department as they continued their focus on workforce stabilization and the County's Strategic Plan. She thanked the Board for entrusting her with this responsibility, and she stated she looked forward to serving with staff and the community in this role.

Ms. LaPisto-Kirtley stated that she looked forward to continuing to work with Ms. Rice.

Mr. Andrews thanked Ms. Rice for her service.

Ms. Mallek thanked Ms. Rice for her service in helping 900 employees.

Mr. Gallaway stated that he was impressed with Ms. Rice's work and looked forward to her leadership.

Ms. McKeel stated that the description Ms. Rice gave of the transition from transactional to transformational was a good summary of where they were going. She stated that prior to March 2022, the County had a combined School and County Government HR Department, so based on the work that those two parts of Government did, they decided to separate out the Schools and County Government. She stated that Ms. Rice would be leading the County Government's HR Department.

Ms. Price stated that it was important for the public to know that the County HR Department had to be started over when they decided to separate the two entities of Government and Schools, so what Ms. Rice and her colleagues had done to improve the manner in which compensation was done to reduce errors, the benefits package, and the other work they did was critical.

Agenda Item No. 16. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson, County Executive, stated that for his report this month, he would offer the Board and the community the opportunity to look at the performance section a little more closely with some interesting metrics sourced by the CAPE Division (Office of Community and Public Engagement). He stated that he would then introduce the upcoming Strategic Plan metric reporting to the Board and to the community.

Mr. Richardson stated that over the past year, usage at the electric vehicle charging stations at the County Office Building at McIntire saw increases in monthly usage from 448 sessions in July to 1,273 sessions in June, which was almost triple. He stated that the electrical vehicle charging stations had resulted in a reduction of 190,983,000 kg of greenhouse gas emissions since July 2022. He stated that the monthly utility cost to provide this service was about \$2,800 per month.

Mr. Richardson stated that middle management played a vital role in ensuring their organization ran smoothly and effectively, and it was imperative that they gave people the tools and resources they needed to do their jobs. He stated that in the fall of 2022, 17 middle managers participated in ICMA (International City/County Management Association) supervisory training, in spring of 2023, 18 middle managers attended the Albemarle County Management and Leadership Development Program, and 12 County managers attended the University of Virginia LEAD (Leading, Educating and Developing) Program. He stated that it was an evolutionary process in which the supervisors and managers would be fully prepared to lead, and he was very proud of the program's participants.

Mr. Richardson stated that the North Garden Volunteer Fire response times had improved since career staff were assigned to daytime service. He stated that the Board helped to figure out a way for them to pay for Monday through Friday daytime service at 6 a.m. to 6 p.m. He stated that in November 2022, North Garden Volunteer Fire Company became the County's newest combination career and volunteer fire station, when ACFR (Albemarle County Fire Rescue) began supplementing emergency response with career personnel during the daytime hours Monday through Friday. He stated that in the time they had been there, the daytime career staffing at North Garden had reduced the engine response times Monday through Friday by 21%, and reduced the ambulance response time Monday through Friday by 19%, which was significant.

Mr. Richardson stated that the FY23 Housing Report highlighted the prioritized work. He stated that a key priority of their organization was the commitment to safe, quality housing opportunities regardless of income or age. He stated that in FY 23, more than \$4.1 million in funding supported the construction or preservation of 241 new and 227 existing affordable rental units, and in addition to that, 133 affordable owner-occupied units received housing rehabilitation services.

Mr. Richardson stated that they provided safe shelter from domestic violence for approximately 200 individuals in the community, provided services for 200 individuals experiencing homelessness, and provided housing counseling services for approximately 295 households. He stated that the \$4.1 million was a combination of \$3.3 million from the FY23 Housing Fund Reserve, \$527 thousand from ABRT (Agency Budget Review Team), and \$273 thousand from ARPA (American Rescue Plan Act) funds.

Mr. Richardson stated that police calls for service in the County had increased over the past year by 23%. He stated that during that same time, official complaints filed on the Albemarle County Police Department (ACPD) went down 1%. He stated that the Chief of Police told him that all complaints were investigated by Internal Affairs, and 12% of complaints were found to necessitate corrective action. He stated that it was important to know that formal complaints may be filed and that all were investigated thoroughly by Internal Affairs. He stated that it was notable that the calls for service had gone up 23%, while the quality of the ACPD continued to improve.

Mr. Richardson stated that the County had a rented street sweeper for six weeks earlier in the spring, and in total 101 tons of debris was collected while sweeping 100 miles of Albemarle County roads in the Development Area. He stated that they were now awaiting the arrival of their street sweeper, which was anticipated to be in early August. He stated that they had routes determined, staff who had been hired and trained, and were fully prepared to put it into operation as soon as the street sweeper was delivered. He stated that community input was requested to name the equipment, and voting was happening currently at www.engage.albemarle.org.

Mr. Richardson stated that more than 200 people from across the Local Government and Schools attended a full-scale exercise to test and demonstrate response to an active threat incident at a public school. He stated that this drill was the first of its kind ever in Albemarle County and culminated after 10 months of work. He stated that a few months ago, local, state, and federal leaders gathered for a tabletop exercise to train, and this past Friday they were in the field to emulate six different scenarios by putting people to the test and raising the stress level as high as they could to prepare for high-threat scenarios.

Mr. Richardson stated that from January to April, they had a vast majority of frontline public safety personnel do virtual training and in-person practical exercises. He stated that they had evaluators on the scene, they evaluated their work last week, and they would do a post-action review of mistakes and great decisions that were made. He stated that the collaboration with the Albemarle County Public Schools (ACPS) and other County agencies was at its highest efficiency, and this was a prime example of the training work where they should be spending their resources.

Mr. Richardson stated that last week in Lane Auditorium there was the ACFR Recruit School Graduation. He stated that there were 20 graduates, and staff estimated there were 200 attendees. He stated that it was a 24-week training program, and the Chief of ACFR thinks that they are their strongest class. He stated the metrics they measured students on included training on emergency medical technician skills, firefighter survival, car seat installation, emergency vehicle operation, and a variety of other essential knowledge for success. He stated that their ACFR Training Division was doing an exceptional job with onboarding these folks with an emphasis on safety and professionalism, with a high level of customer service.

Mr. Richardson stated that looking ahead to the FY 24-28 Strategic Plan, the Office of Performance and Strategic Planning was currently working with County departments to map the connections between the adopted Strategic Plan and annual department goals. He stated that organizational and departmental metrics were being developed to measure progress and success for individual department goals, and the metric values would be collected and evaluated internally on an ongoing basis to see where they were with their progress.

Mr. Richardson stated that additionally, staff would provide intermittent reports to the Board of Supervisors. He stated that this was a comprehensive evaluation to translate their goals into results. He stated that they recognized the importance of measurable metrics and would provide a clear roadmap to staff to implement efficient and impactful services to the people of Albemarle County. He stated that he looked forward to sharing the progress with the Board in the near future.

Mr. Richardson stated that the organizational performance began with the County vision, then the mission statement, then the Board developed the multi-year FY 24 – 28 Strategic Plan, which must then be aligned with the budget to show the Board they aligned the discretionary capacity to the Board's goals. He stated that now, they were drilling it into the department business plans, the executive leadership work plans, and the employee work plans. He stated that the organizational performance structure was based on the High-Performance Workbook from the University of Virginia, and the County was committed to high-performance governance.

Mr. Andrews stated that the public safety information was very impressive, and he was grateful for the critical work.

Mr. Gallaway stated that the amount of debris picked up by the streetsweeper was amazing, and the impact of getting the 101 tons of debris out of gutters and roadways had a greater impact than just on the aesthetics of the travelways.

Ms. McKeel stated that she agreed that getting the debris off of the streets also kept it out of the waterways. She stated that it was also somewhat about safety, because there were a lot of people riding bicycles and walking, and cleaning the streets made a safer pathway for those travelers. She asked if the data shared in the presentation was fiscal year data from July 1 to the end of June.

Mr. Richardson answered yes, it was from last July 1 through June 30 of FY23, and Ms. Stumpf had worked with departments to benchmark over the past year.

Ms. McKeel stated that she talked with one of the County firefighters recently, and he discussed how exciting the work on Friday was, and how important the work was. She stated that it was good work for their crews and the community.

Ms. Price stated that the streetsweeper had picked up 1 ton of debris per mile that it traveled, or 2,000 pounds per mile, and none of that debris would be going into the waterways. She stated that hopefully in the future the ton per mileage would be reduced, but the community must make efforts to reduce littering. She stated that in regard to the emergency training exercise held last Friday, 18% of local governments in the country, or less than one in five, conducted that type of training exercise. She stated that they knew the importance of training to be prepared for a mass casualty event, because if they did not practice and train, they did not know what to do.

Ms. Price asked to see Slide #11 again and said that that was what the County leadership staff and all staff had been doing. She said that she appreciated the candor regarding the complaints and acknowledged that there were ways in which County staff could improve.

Ms. Mallek stated that regarding the streetsweeper, the smoke from the wildfires in Canada along with local problems had impacts on people's respiratory health that were exacerbated by the dust coming off of the road. She stated that there were health benefits associated with the cleaning they were doing.

Ms. McKeel stated that it was important to get the school buses off of the Lambs Lane campus because of the children in the area who had a high incidence of asthma.

Mr. Richardson stated that he would forward the presentation materials to the Board for their review.

Agenda Item No. 17. 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.

Mr. Tom Olivier, Samuel Miller District, stated that a recent Washington Post headline read "alarms for a planet on the edge." He stated that flooding, fires, and lethal heat were events that were merely a part of the leading edge of human-caused climate change and were merely the beginning of a new climate normal, one that would undoubtedly present vast challenges to them in the next two decades and beyond. He stated that the 2018 1.5 degree report by the Intergovernmental Panel on Climate Change was blunt in its warning that to limit climate change, they must cut greenhouse gas emissions quickly, and they must draw down greenhouse gases already in the atmosphere quickly.

Mr. Olivier stated that computer models employed in the report showed that continuing to live as they did now would lead to new, worse disasters, and the same model showed their best climate future lay in reducing sizes of their populations and economies and restoring green spaces, and international cooperation on climate action. He stated that like it or not, effective climate action required that modern societies undertake the broad transformations needed to achieve ecological sustainability. He stated that ready or not, governments must adopt policies that supported required transformations, starting yesterday.

Mr. Olivier stated that if governments failed to act, today's young people would face dashed prospects for good lives, and surely they owed their young people something better. He stated that humans often resisted urgently needed changes, and the global greenhouse gas emissions were rising, not declining.

Mr. Olivier stated that locally, they were over a year into the update of the County Comprehensive Plan, absurdly, draft plan documents produced by the AC44 team hardly addressed the projected consequences of climate change. He stated that without a course correction, they were headed for a new Comprehensive Plan that could not guide them through the turmoil that lay ahead. He stated that merrily, they rolled along.

Mr. Olivier stated that a ray of hope existed; the Planning Commission recently asserted that it would lead development of the remainder of the Comprehensive Plan as called for in the Code of Virginia. He stated that the Commission also stated its intention to schedule multiple public work sessions to consider complex plan issues. He stated that their best plans had come from such deliberative, open update processes with ample, early opportunities for public comment. He stated that he urged the Board to fully support these intentions of the Planning Commission.

Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Andrews stated that he wanted to bring up the concept of ranked choice voting (RCV) for discussion. He stated that it had been in the news in regard to Daily Progress and Associated Press News article that stated 49% of Americans did not think that democracy was working well. He stated that the General Assembly had authorized the County to utilize RCV for their local election, and it had been a slow start for that adoption in the Commonwealth, with Arlington adopting it but after using it in the primaries, they had chosen to step back. He stated that Arlington was doing RCV in a very complicated situation in which they were electing multiple people in one ballot, and the rules became much trickier when implementing that.

Mr. Andrews stated that if they were to do this in the elections in Albemarle, it was a simple ranking of choices, and as the lowest vote-getters were dropped out, the other choices moved up. He stated that it would typically first involve three viable candidates, and one of the concerns represented that should be acknowledged was that as RCV was implemented in Virginia, a third-place candidate out of three candidates was eliminated, and their votes were reallocated to the second choice of the voter. He stated that this was equivalent to an instant run-off, which saved on time associated with holding another election between the two top candidates. He stated that just as in a run-off, the third-place candidate was not on the ballot.

Mr. Andrews stated that there had been a Washington Post article that was critical of RCV because there was another scenario in which a third place candidate could beat either of the first two candidates in a head-to-head match, and there were legitimate arguments that that was a more consensus candidate than would be produced in the run-off, but it was not what they had ever had in their elections. He stated that they had either done plurality wins or majority wins, and a majority in a run-off situation meant that only the first two candidates moved forward. He stated that he hoped the County

acted toward educating and getting feedback from the public about RCV in the future.

Ms. Mallek asked if there was any plan to pursue public outreach related to RCV in the future.

Ms. McKeel asked if they had a certain amount of money in the budget to use toward RCV, potentially to be used for education of the community.

Mr. Jeff Richardson, County Executive, stated that he was unsure. He stated that staff would follow up with the Board as to whether there was funding available for RCV.

Ms. Price stated that her recollection was that there was funding available to cover any costs associated with RCV, including education, software, and other materials. She stated that she recalled that the Board, while having made the decision not to implement RCV during the Calendar Year 2023 election, was wanting to make a decision in time that if it were to be implemented, that decision could be implemented before the 2025 election, which was the next election in Albemarle County that would be eligible for RCV.

Ms. McKeel stated that she hoped that at some point they would have the discussion, because one of the problems Arlington had was that the community did not understand, and the County and the community needed time to understand the subject prior to the next election.

Ms. Mallek stated that at the High Growth Coalition, there were several different presentations, one from the Virginia Housing Commission that discussed past and current housing bills in the legislature. She stated that she would forward the document to the Board that detailed the current bills which were defeated in the General Assembly that were sent to the Commission to see if there was any reason to resurrect it.

Ms. Mallek stated that on topics such as rent stabilization, risk of eviction, income tax for manufactured homes, tax exemption questions, affordable tax housing credits, affordable workforce housing, and industrial development were all topics which would come back again. She stated that they also offered assistance with any kind of questions local governments had regarding housing.

Ms. Mallek stated that another topic was from an Arlington County Supervisor who described what they had recently adopted for what they called their missing middle housing, which was not income-based but housing type-based, because they did not have much duplex and triplex units, and proposals of up to eight by-right did not pass, so they adopted 3 and 4 units as a possibility. She stated that they had a goal to increase the number of units because their cost overall was shockingly high.

Ms. Mallek stated that the third was from the High Growth Coalition's David Bailey Associates and Jim Tubman discussing the 30% turnover in the General Assembly going forward and how five of the committees had no experienced chair. She stated that they reported on the fact that the Board had taken a step back to wait and see what happened while watching carefully to see what else was out there to rely on, but several communities talked about how they were going to make a great effort to help the newly-elected officials get up to speed quickly on the highest priorities of the localities.

Ms. Mallek stated that when reviewing the ACSA (Albemarle County Service Authority) report, she saw that because of their use of reserves, they were able to turn a 13% increase into a 9% increase for water going forward. She stated that RWSA (Rivanna Water and Sewer Authority) had to increase due to their increasing costs of operation chemicals and testing for emerging chemicals, but ACSA was able to reduce the cost pass-through to ratepayers.

Mr. Gallaway stated that at his CAC (Community Advisory Committee) meeting, the subject of signs came up again, but he could not remember nor find notes related to the context of the last discussion the Board had about the signs. He asked if any relevant information could be provided to him so he could learn more about the direction of that issue.

Mr. Gallaway stated that they had the median manager as well as the streetsweeper, and he would like to have more information about the timing of the positions.

Mr. Gallaway stated that on John Warner Parkway, driving north past Melbourne, the right side was City-owned property, and the tree overgrowth was an issue for the roadway. He stated that he was unsure if there were other parts of the County that the issue existed in, but he wanted to know when or if it became an issue for VDOT when the overgrowth grew into the VDOT right-of-way.

Ms. McKeel stated that Sam Saunders, the newly appointed City Manager, had been helpful in clearing the illegal signage on the border with the City and the County. She stated that the City had the same sign ordinance as the County, which was helpful. She stated that Mr. Saunders may be aware of the current sign issues raised by Mr. Gallaway, and they could possibly work together on the borders to share the effort of getting rid of the signs. She stated that when she had run for public office in the past, she had received notification from the Electoral Board that she only had a certain amount of time to remove all of her signs.

Mr. Gallaway stated that he had not seen a lot of campaign signs, but the ones he had seen were similar in construction.

Ms. McKeel stated that someone such as the Electoral Board should send notification out to

remind campaigns that the signs must come up after the election, and they were not supposed to be on public right-of-way.

Ms. LaPisto-Kirtley stated that she had been asked by a few constituents about assessments being done every two years or one year, and she would like more information.

Ms. McKeel stated that it was done every two years but was changed.

Ms. Mallek stated that the annual assessment was preferable because the change was less dramatic and became more predictable and manageable.

Ms. Price stated that it would be nice to see the old primary campaign signs removed from the roadways. She stated that regarding the High Growth Coalition, the disparity or distinctions between the counties in the High Growth Coalition was almost as significant as the differences between the rural counties and the counties in the High Growth Coalition. She stated that Arlington County gave a presentation about housing, but it was important to recognize that Arlington County was the smallest self-governing County in the United States, with the second-densest population in the Commonwealth of Virginia, where the average single-family detached home price was \$1.2 million. She stated that the density and small geographic area posed a challenge for housing that Albemarle County had not yet reached, but it was an informative presentation.

Ms. Price stated that regarding legislative priorities, there was a presentation given based on data at the end of June that the state Senate would likely come down to two races, and if the Republicans won both of those races, there would be a tie in the state Senate, meaning that the Lieutenant Governor, who was a Republican, would be able to cast the deciding vote.

Ms. Price stated that if Democrats won one of the two, they would have a one-seat, a 120 to 119 difference, and the House of Delegates would come down to eight races. She stated that the outcome of the control of the General Assembly should be anticipated to have an impact on some areas of legislative priorities, because depending on how that went, it may make it easier for some things to be passed but may make some things more difficult to get through the General Assembly and the Governor's Office.

Ms. Price stated that she had received a number of emails over the past few weeks regarding the Southwood and Biscuit Run connector, and she appreciated the members of the community who reached out to Board members. She stated that almost all of the emails came from a third-party group called everyactionadvocacy.com, and she attempted to respond to those inquiries of those constituents in the Scottsville District.

Ms. Price noted that none of her responses were able to be delivered because it was through a third party, and each response returned a message that it could not be delivered. She stated that for several dozen people to click yes to send the email on their behalf did not provide the personal context that was valuable. She stated that while she paid attention to the first form letter to understand what it said, if they wanted to get attention of elected officials, they should take the time to make it a personal note.

Ms. LaPisto-Kirtley stated that it was important for communications from constituents to include their address and phone number so the Supervisor of their district could respond.

Ms. McKeel stated that there was no state budget passed at this point, and she was concerned about where the School Division monies stood at the moment. She asked if Mr. Richardson could provide updated information regarding the issue so that they could anticipate a problem if it was coming. She stated that the JLARC (Joint Legislative Audit and Review Commission) report regarding schools was very informative and helpful.

Agenda Item No. 19. Adjourn to August 2, 2023, 1:00 p.m. Lane Auditorium.

At 7:04 p.m., the Board adjourned its meeting to August 2, 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.

Chair

Approved by Board
Date: 04/02/2025
Initials: CKB