

ACTIONS
Board of Supervisors Meeting of July 17, 2024

July 18, 2024

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The Meeting was called to order at 1:03 p.m. by the Chair, Mr. Andrews. All BOS members were present. Also, present were Jeff Richardson, Steve Rosenberg, Claudette Borgersen, and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Announced that Marta Keane, CEO for the Jefferson Area Board for Aging (JABA), would be retiring. She commented that Ms. Keane had been with JABA since 2013 and that the Board was appreciative of her service. Shared a story about her daughter who helped a utility truck driver who was experiencing a medical emergency on Old Lynchburg Road. She encouraged everyone to be considerate towards other community members. <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> Mentioned that he had the pleasure of attending the 4th of July celebration in Scottsville and noted his concerns regarding the political tensions occurring in our country. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Reported that he and Supervisor Mallek had recently attended the NACo conference. He noted that a research study showed that the U.S. fell from first to last place regarding trust in government and that the study showed better trust at the local level and that local officials served as a firewall against mistrust. <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Announced that the Albemarle County Fire Rescue Foundation would be meeting the following day, and that the Foundation was working towards completing the Memorandum of Agreement (MOA) in August. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Remarked on her attendance at the recent NACo conference. She complimented Roderick Burton and Kelly Spencer on their work for the County. Commented on the White Hall 4th of July parades. Commented on the progress of the historic preservation of the Rosenwald School. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> Mentioned that the Plank Road Through Truck Restriction was approved and VDoT is preparing the signage. Announced that the 2024 National Night Out is scheduled for August 6th from 3:30 p.m. to 6:30 p.m. at the Putt-Putt on Rio Road and encouraged community members to 		

	participate.	
7.	<p>From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • <u>Marta Keane</u>, CEO Jefferson Area Board for Aging (JABA), announced her retirement and shared recent stories about community members that JABA assisted. • <u>The following individuals spoke towards item #10, AC44 Update: Comprehensive Plan Structure and Project Schedule, on the agenda:</u> <ul style="list-style-type: none"> • Rob McGinnis • Randy Fleitman • Jean Hiatt • Peggy Gilges • Christine Putnam • Clay Bowen 	
8.2	<p>FY 2024 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED resolution to approve Appropriation ##2024043; #2024044; and #2024045 for local government and school division projects and programs. 	<p><u>Clerk</u>: Forward copy of the signed resolution to Finance and Budget and the County Attorney's office. (Attachment 1)</p>
8.3	<p>Fiscal Year 2024 Virginia Department of Health (VDH) Local Government Agreement.</p> <ul style="list-style-type: none"> • ADOPTED, Resolution to approve the FY 24 Virginia Department of Health (VDH) Local Government Agreement and AUTHORIZED the County Executive to execute the Agreement after it is approved as to form and substance by the County Attorney. 	<p><u>Clerk</u>: Forward copy of the signed resolution to Finance and Budget and County Attorney's office. (Attachments 2)</p> <p><u>County Executive</u>: Forward executed agreement to the Clerk. (Attachment 3)</p>
8.4	<p>Schedule a Public Hearing for the Cost Recovery Ordinance.</p> <ul style="list-style-type: none"> • SET public hearing to consider an ordinance addition in Chapter 6 to authorize cost recovery for appropriate emergency responses to a terrorism hoax incident, bomb threat, or malicious activation of a fire alarm. 	<p><u>Clerk</u>: Schedule on future agenda and advertise in Daily Progress.</p> <p><u>County Attorney</u>: Notify Clerk when ready to schedule.</p>
8.5	<p>Schedule a Public Hearing for Compensation Increase for Planning Commission and Other Appointed Boards.</p> <ul style="list-style-type: none"> • SET public hearing to consider an increase in compensation for members serving on the Planning Commission and other appointed Boards compensated under the County Code. 	<p><u>Clerk</u>: Schedule on future agenda and advertise in Daily Progress.</p> <p><u>County Attorney</u>: Notify Clerk when ready to schedule.</p>
8.6	<p>Secondary Six-Year Plan Hard-Surfacing Rural Roads Resolution.</p> <ul style="list-style-type: none"> • ADOPTED the resolution to designate a segment of Stony Point Pass as a Rural Rustic Road. 	<p><u>Clerk</u>: Forward copy of the signed resolution to Community Development. (Attachment 4)</p> <p><u>Community Development</u>: Forward a certified copy of the resolution to the Virginia Department of Transportation Resident Engineer. (Attachment 5)</p>
8.7	<p>Proclamation Recognizing the 50th Anniversary of Albemarle High School's Graduation Class of 1974.</p> <ul style="list-style-type: none"> • ADOPTED the proclamation. 	
9.	Work Session: Review of Proposed Changes to	

<p>the Outside Agency Funding Process.</p> <ul style="list-style-type: none"> • HELD. 		
<p>10. Work Session: AC44 Update: Comprehensive Plan Structure and Project Schedule.</p> <ul style="list-style-type: none"> • HELD. 		
<p>Recess: At 3:15 p.m. the Board recessed and reconvened at 3:22 p.m.</p>		
<p>11. Discussion: Disposable Plastic Bag Tax Litter Collection Program Update.</p> <ul style="list-style-type: none"> • HELD. 		
<p>12. Closed Meeting.</p> <ul style="list-style-type: none"> • At 4:09 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia: • under subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation, Agricultural and Forestal District Advisory Committee, Crozet Community Advisory Committee, Economic Development Authority, Historic Preservation Committee, Jefferson Area Board for Aging Advisory Council, Pantops Community Advisory Committee, Piedmont Virginia Community College Board, and Solid Waste Alternatives Advisory Committee; • under subsection (1), to discuss and consider appointment of an interim county attorney; • under subsection (5), to discuss the expansion of an existing industry in the southern part of the county in the Scottsville Magisterial District, where no previous announcement has been made of the business's interest in expanding its facilities in the community; • under subsection (8), to consult with legal counsel regarding specific legal matters requiring legal advice relating to the possible exercise of authority under Virginia Code § 40.1-57.2 to implement collective bargaining; and • under subsection (39), to discuss or consider information subject to the exclusion in subsection (3) of § 2.2-3705.6 related to business development in the Rio Magisterial District. 		
<p>13. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:06 p.m., the Board reconvened into an open meeting and certified the closed meeting. 		
<p>15. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Mr. Bart Svoboda provided an update on SE202200068 Fill Area. 		
<p>16. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • <u>The following individuals spoke towards Earlysville Forest Clean Earth Fill:</u> <ul style="list-style-type: none"> • Kathy Erskine • William Erskine 		

<ul style="list-style-type: none"> • Samantha Giannangeli • Gary Green • James Asher • Jacob Thadathil • Genevieve Blair • Edwin Mortlock 		
<p>17. <u>Pb. Hrg.: SP202400005 Tandem Friends School Increased Enrollment.</u></p> <ul style="list-style-type: none"> • ADOPTED the resolution to approve SP202400005 Tandem Friends School Increased Enrollment, with the amended Condition 5 as recommended. 	<p>Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)</p>	
<p>18. <u>Pb. Hrg.: SP202400003 Olivet Preschool Increased Enrollment.</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED the resolution to approve SP202400003 Olivet Preschool Increased Enrollment with conditions. 	<p>Clerk: Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)</p>	
<p>19. <u>Pb. Hrg.: Public Hearing to Consider Easements Adjacent to 999 Rio Road East.</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED the resolution to authorize conveyance of the proposed easements, once approved as to form and substance by the County Attorney. 	<p>Clerk: Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)</p>	
<p>20. <u>Pb. Hrg.: ZTA202300002 Personal Wireless Service Facilities.</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, DEFERRED to September 4, 2024. 	<p>Clerk: Schedule on September 4, 2024 agenda and advertise in Daily Progress.</p>	
<p>21. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> • Mentioned that his attendance at the NACo Conference was his first, and made comments about the high-level, in-depth information that was shared at the conference. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Shared her experiences regarding the NACo staff and mentioned that she would continue to look for federal resources as they pertain to the County's work at Rivanna. 		
<p>22. Closed Meeting.</p> <ul style="list-style-type: none"> • At 9:50 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia: • under subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation, Agricultural and Forestal District Advisory Committee, Crozet Community Advisory Committee, Economic Development Authority, Historic Preservation Committee, Jefferson Area Board for Aging Advisory Council, Pantops Community Advisory Committee, Piedmont Virginia Community College Board, and Solid Waste Alternatives Advisory Committee. 		
<p>13. Certify Closed Meeting. At 9:59 p.m., the Board reconvened into an open meeting and certified the closed meeting.</p>		

<p>14. Boards and Commissions:</p> <p>a. Vacancies and Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Ms. Christen Bird to the Crozet Community Advisory Committee, with said term to expire on March 31, 2026. • APPOINTED Mr. Lewis Nelson to the Historic Preservation Committee with said term to expire on June 4, 2026. • APPOINTED Ms. Elizabeth Boyd to the Jefferson Area Board for Aging Advisory Council to fill an unexpired term ending on May 31, 2025. • REAPPOINTED Ms. Kate Kaminski to the Pantops Community Advisory Committee with said term to expire on June 30, 2026. • REAPPOINTED Ms. Patricia Rooney-Knowlton and Mr. Russell Madison Cummings to the Piedmont Virginia Community College Board, with said terms to expire on June 30, 2028. • APPOINTED Ms. Kristy Shifflett to the Piedmont Virginia Community College Board, with said term to expire on June 30, 2028. • APPOINTED Ms. Jane Mills and Mr. Zackary Landsman to the Solid Waste Alternatives Advisory Committee, with said terms to expire on May 31, 2028. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	
<p>23. Adjourn to August 7, 2024, 1:00 p.m. Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 10:02 p.m. 		

ckb/tom

Attachment 1 – Resolution to Approve Additional FY 2024 Appropriations

Attachment 2 – Resolution to Approve the FY 24 Agreement Between the County and VDH

Attachment 3 – Proposed Agreement Between the VDH and the County for Funding and Services of the Charlottesville-Albemarle Health Department

Attachment 4 – Resolution to Designate Route 600, Stony Point Pass, as a Rural Rustic Road

Attachment 5 – Proclamation Recognizing the 50th Anniversary of Albemarle High School’s Graduation Class of 1974

Attachment 5 – Resolution to Approve SP202400005 Tandem Friends School Increased Enrollment

Attachment 6 – Resolution to Approve SP202400003 Olivet Preschool Increased Enrollment

Attachment 7 – Resolution Approving the Proposed Conveyance of Easements across County-Owned Parcel 062F0-00-00-000E2

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 24 Budget is amended to increase it by \$168,350;
- 2) That Appropriations #2024043; #2024044; and #2024045 are approved;
- 3) 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.

**RESOLUTION TO APPROVE THE FY 24 AGREEMENT BETWEEN THE
COUNTY OF ALBEMARLE AND THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH**

WHEREAS, the Board finds it is in the best interest of the County to enter into Agreements with the Commonwealth of Virginia Department of Health for the operation of the local Blue Ridge Health District Health Department.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Virginia Code § 32.1-31, the Board of Supervisors of Albemarle County, Virginia hereby approves the FY 24 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Health and authorizes the County Executive to execute both agreements on behalf of the County after they are approved as to form and substance by the County Attorney.

Electronic Signature Agreement Page

**STATEMENT OF AGREEMENT TO
PROCESS NEEDED SIGNATURES OF
THE VIRGINIA DEPARTMENT OF
HEALTH (VDH) LOCAL
GOVERNMENT AGREEMENT
ELECTRONICALLY**

VDH and The Albemarle County Board of Supervisors agree to use electronic signatures, as authorized in Title 59.1, Chapter 42.1 Uniform Electronic Transactions Act of the Code of Virginia.

Authorizing officer printed name and title

Authorizing officer signature

Robert W. Hicks
Acting Deputy Commissioner, Community Health Services
Virginia Department of Health

Robert W. Hicks
Authorizing signature

**AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF HEALTH AND
THE COUNTY OF ALBEMARLE BOARD OF SUPERVISORS FOR FUNDING
AND SERVICES OF THE CHARLOTTESVILLE-ALBEMARLE HEALTH
DEPARTMENT**

This agreement (“Agreement”) for the services to be provided by the Charlottesville-Albemarle Health Department and the funding therefore is by and between the Virginia Department of Health (“VDH”) and Albemarle County Board of Supervisors (collectively “the Parties”).

The Agreement is created in satisfaction of the requirements of § 32.1-31 of the Code of Virginia (1950), as amended, in order to operate the Charlottesville-Albemarle Health Department under the terms of this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements in this Agreement, the sufficiency of which is acknowledged, the Parties agree as follows.

§ 1. VDH, over the course of one fiscal year, will pay an amount not to exceed \$1,088,621.00, from the state general fund to support the cooperative budget in accordance with, and dependent upon, appropriations by the General Assembly, and in like time frame, the Board of Supervisors of Albemarle County will provide by appropriation and in equal quarterly payments a sum of \$888,984.00 local matching funds and \$0.00 one-hundred percent local funds for a total of \$888,984.00 local funds for this fiscal year.

CWK
03.20.24

In addition, the Board of Supervisors has approved the Charlottesville-Albemarle Health Department to carry forward \$1,706.00 in local matching funds for a total of \$890,690.00 matching funds and an additional \$31,644.00 in one-hundred percent local funds from the prior fiscal year closing locality balance.

These joint funds will be distributed in timely installments, as services are rendered in the operation of the Charlottesville-Albemarle Health Department, which shall perform public health services in County Of Albemarle as indicated in Attachment A(1.), and will perform services required by local ordinances as indicated in Attachment A(2.). Payments from the local government are due on the third Monday of each fiscal quarter.

§ 2. The term of the agreement begins July 1,2023. This Agreement will be automatically extended on a state fiscal year to year renewal basis under the existing terms and conditions of the Agreement unless timely written notice of termination is provided by either party. Such written notice shall be given at least 60 days prior to the beginning of the fiscal year in which the termination is to be effective.

§ 3. The Commonwealth of Virginia (“Commonwealth”) and VDH shall be responsible for providing liability insurance coverage and will provide legal defense for state employees of the local health department for acts or occurrences arising from performance of activities conducted pursuant to state statutes and regulations.

- A. The responsibility of the Commonwealth and VDH to provide liability insurance coverage shall be limited to and governed by the Commonwealth of Virginia Public Liability Risk Management Plan, established under § 2.2-1837 of the Code of Virginia (1950), as amended. Such insurance coverage shall extend to the services specified in Attachments A(1.) and A(2.), unless the locality has opted to provide coverage for the employee under the Public Officials Liability Self-Insurance Plan, established under § 2.2-1839 of the Code of Virginia (1950), as amended, or under a policy procured by the locality.
- B. The Commonwealth and VDH will be responsible for providing legal defense for those acts or occurrences arising from the performance of those services listed in Attachment A(1.), conducted in the performance of this contract, as provided for

under the Code of Virginia and as provided for under the terms and conditions of the Commonwealth of Virginia Public Liability Risk Management Plan.

- C. Services listed in Attachment A(2.), any services performed pursuant to a local ordinance, and any services authorized solely by Title 15.2 of the Code of Virginia (1950), as amended, when performed by a state employee, are herewith expressly exempted from any requirements of legal defense or representation by the Attorney General or the Commonwealth. For purposes of assuring the eligibility of a state employee performing such services for liability coverage under the Commonwealth of Virginia Public Liability Risk Management Plan, the Attorney General has approved, pursuant to § 2.2-507 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia Public Liability Risk Management Plan, the legal representation of said employee by the city or county attorney, and, the Board of Supervisors of County Of Albemarle hereby expressly agrees to provide the legal defense or representation at its sole expense in such cases by its local attorney.
- D. In no event shall the Commonwealth or VDH be responsible for providing legal defense or insurance coverage for local government employees.

§ 4. Title to equipment purchased with funds appropriated by the local government and transferred to the Commonwealth, either as match for state dollars or as a purchase under appropriated funds expressly allocated to support the activities of the local health department, will be retained by the Commonwealth and will be entered into the Virginia Fixed Asset Accounting and Control System. Local appropriations for equipment to be locally owned and controlled should not be remitted to the Commonwealth, and the local government's procurement procedures shall apply in the purchase. The locality assumes the responsibility to maintain the equipment and all records thereon.

§ 5. This Agreement may only be amended or otherwise modified by an instrument in writing signed by the Parties.

Robert W. Hicks
Acting Deputy Commissioner
Community Health Services
Virginia Department of Health

Date

Ryan L. McKay
District Health Director
Blue Ridge Health District

Date

Local authorizing officer signature

Jeffery B. Richardson
Authorizing officer printed name

County Executive
Authorizing officer title

Date

Approved as to form by the Office of the Attorney General on July 23, 2018

Attachments: Local Government Agreement, Attachment A(1.)
Local Government Agreement, Attachment A(2.)

LGA-Revised December 2022

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS
INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT (32.1-11)

For Each Service Provided, Check Block for Highest Income Level Served			
COLLABORATIVE COMMUNITY HEALTH IMPROVEMENT PROCESS	Income A only	Defined by Federal Regulations	All (specify income level if not ALL)
Assure that ongoing collaborative community health assessment and strategic health improvement planning processes are established. To include public health, health care systems and community partners. As provided for in §32.1-122.03 Code Link 32.1-122.03 ; State Health Plan Link Virginia Plan for Well-Being 2016-2020			X
COMMUNICABLE DISEASE SERVICES	Income A only	Defined by Federal Regulations	All (specify income level if not ALL)
Immunization of patients against certain diseases, including Childhood Immunizations As provided for in 32.1-46 Code Link 32.1-46			X
Sexually transmitted disease screening, diagnosis, treatment, and surveillance 32.1-57, Districts may provide counseling Code Link 32.1-57			X
Surveillance and investigation of disease 32.1-35 and 32.1-39 Code Links 32.1-35 , 32.1-39 , 32.1-43			X
HIV/AIDS surveillance, investigation, and sero prevalence survey 32.1-36, 32.1-36.1, 32.1-39 Code Links 32.1-36 , 32.1-36.1 , 32.1-39			X
Tuberculosis control screening, diagnosis, treatment, and surveillance 32.1-49, 32.1-50.1, and 32.1-54 Code Links 32.1-49 , 32.1-50 , 32.1-50.1			X
FAMILY PLANNING SERVICES	Income A only	Defined by Federal Regulations	All
Clinic services including drugs and Contraceptive supplies Family Planning Population Research Act of 1970, Title X Code Link 32.1-77 , 42 U.S.C 300 et seq., and 42 CFR Part 59		X	
Pregnancy testing and counseling Family Planning Population Research Act of 1970, Title X Code Link 32.1-77 , 42 U.S.C. 300 et seq., and 42 CFR Part 59\		X	

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS
INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT ([32.1-11](#))

CHILD HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Children Specialty Services; diagnosis, treatment, follow-up, and parent teaching 32.1-77 , 32.1-89 and 32.1-90 Code Links- 32.1-77 , 32.1-89 , 32.1-90			X
Screening for genetic traits and inborn errors of metabolism, and provision of dietary supplements Code Links- 32.1-65 , 32.1-67 , 32.1-68			X
Well child care up to age 18 Board of Health Code Link- 32.1-77	X		
WIC : Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link42 U.S.C. § 1786; 7 C.F.R. Part 26		X	
EPSDT: DMAS MOA Social Security Act section 1905(r) (5) Code Link- 32.1-11			X
Blood lead level testing Code Link- 32.1-46.1 , 32.1-46.2			X
Outreach, Patient and Community Health Education Code Link- 32.1-11 , 32.1-11.3 ,			X
Community Education Code Link- 32.1-11 , 32.1-23			X
Pre-school Physicals for school entry Code Link- 22.1-270			X
Services for Children with Special health care needs Title V, Social Security Act Code Link- 32.1-77			X
Child restraints in motor vehicles Code Link- 46.2-1095 , 46.2-1097			X
Babycare, Child : DMAS MOA			X
MATERNAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Prenatal and post partum care for low risk and intermediate risk women, Title V, Social Security Act Code Link- 32.1-77		X	
Babycare, Maternal : DMAS MOA		X	
WIC: Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link 42 U.S.C §1786 and 7CFR Part 26		X	

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS

<p>The following services performed in accordance with the provisions of the Code of Virginia, the regulation of the Board of Health and/or VDH agreements with other state or federal agencies and VDH policies. Data regarding the below services shall be entered in, or exported to, the statewide environmental health database for all available data fields. Local health department staff shall be responsible for responding to all complaints, constituent responses, media inquiries, and Freedom of Information Act request related to the following services.</p>	
<p>Investigation of communicable diseases: Pursuant to §§ 32.1-35 and 32.1-39 of the Code of the Code of Virginia, the local health director and local staff are responsible for investigating any outbreak or unusual occurrence of a preventable disease that the Board of Health requires to be reported. Code Links-32.1-35, 32.1-39</p>	X
<p>Marinas: Pursuant to § 32.1-246 of the Code of Virginia, local health department staff are responsible for permitting marinas and other places where boats are moored and is responsible for inspecting them to ensure that their sanitary fixtures and sewage disposal facilities are in compliance with the Marina Regulations (12VAC5-570-10 et seq.) Code Link-32.1-246</p>	X
<p>Migrant labor camps: Pursuant to §§ 32.1-203-32.1-211 of the Code of Virginia, local health departments are responsible for issuing, denying, suspending and revoking permits to operate migrant labor camps. Local health departments also must inspect migrant labor camps and ensure that the construction, operation and maintenance of such camps are in compliance with the Rules and Regulations Governing Migrant Labor Camps (12VAC5-501-10 et seq.). Code Links-32.1 Chapter 6 Article 6</p>	X
<p>Milk: Pursuant to §§ 3.2-5206, 3.2-5208 of the Code of Virginia and the agency's MOA with VDACS, the local health department is responsible for issuing, denying, suspending and revoking permits for Grade "A" milk processing plants which offer milk and or milk products for sale in Virginia. Local health departments are also responsible for the inspection of Grade "A" milk plants for compliance with the Regulations Governing Grade "A" Milk (2VAC5-490-10). Code Links- 3.2-5206, 3.2-5208</p>	X
<p>Alternative discharging sewage systems: Pursuant to § 32.1-164(A) of the Code of Virginia, local health departments are responsible for issuing, denying and revoking construction and operation permits for alternative discharging systems serving individual family dwellings with flows less than or equal to 1,000 gallons per day on a monthly average. Local health departments are also required to conduct regular inspections of alternative discharging systems in order to ensure that their construction and operation are in compliance with the Alternative Discharging Sewage Treatment Regulations for Individual Family Dwellings (12VAC5-640-10 et seq.). Code Link-32.1-164</p>	X
<p>Onsite sewage systems: Pursuant to § 32.1-163 et seq. of the Code of Virginia, local health department staff is responsible for reviewing and processing site evaluations and designs of onsite sewage systems in accordance with applicable state regulations and may perform such evaluations and designs as allowed. Local health department staff is also responsible for issuing, denying and revoking construction and operation permits for conventional and alternative onsite sewage systems. Local health department staff are responsible for assuring that onsite sewage systems are inspected at time of construction for compliance with the Sewage Handling and Disposal Regulations (12VAC5-610-20 et seq.; "SHDR") and the Alternative Onsite Sewage System Regulations (12VAC5-613-10 et seq.; "AOSS Regulations"); local health department staff may perform such inspections as required. Local health department staff is also responsible for assuring the performance, operation, and maintenance of onsite sewage systems are in compliance with the SHDR and AOSS Regulations. Code Link-32.1-163</p>	X
<p>Rabies: Pursuant to § 3.2-6500 et seq. of the Code of Virginia, the local health department is responsible for investigating complaints and reports of suspected rabid animals exposing a person, companion animal, or livestock to rabies. Code Link- 3.2-6500</p>	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS

<p>Restaurants/eating establishments: Pursuant to § 35.1-14 of the Code of Virginia, local health departments are responsible for issuing, denying, renewing, revoking and suspending permits to operate food establishments. In addition, local health departments are required to conduct at least one annual inspection of each food establishment to ensure compliance with the requirements of the Food Regulations (12VAC5-421-10 et seq.). These regulations include requirements and standards for the safe preparation, handling, protection, and preservation of food; the sanitary maintenance and use of equipment and physical facilities; the safe and sanitary supply of water and disposal of waste and employee hygiene standards. Code Link- 35.1-14</p>	<p>X</p>
<p>Hotels/Motels: In accordance with § 35.1-13 of the Code of Virginia, local health department staff is responsible for issuing, denying, revoking and suspending permits to operate hotels. The local health department is responsible for conducting inspections of hotels to ensure compliance with the Hotel Regulations (12VAC5-431-10 et seq.). These regulations include requirements and standards for physical plant sanitation; safe and sanitary housekeeping and maintenance practices; safe and sanitary water supply and sewage disposal and vector and pest control. Code Link-35.1-13</p>	<p>X</p>
<p>Wells: Pursuant to § 32.1-176.4, and the resulting authority provided by the Board, local health departments are responsible for issuing, denying and revoking construction permits and inspection statements for private wells. Local health departments are also responsible for inspecting private wells to ensure that their construction and location are in compliance with the Private Well Regulations. (12VAC5-630-10 et seq.) Code Link-32.1-176.4</p>	<p>X</p>
<p>Homes for adults: The local health department, at the request of the Department of Social Services (DSS), will inspect DSS-permitted homes for adults to evaluate their food safety operations, wastewater disposal and general environmental health conditions. (22VAC40-80-160(B)(3))</p>	<p>X</p>
<p>Juvenile Justice Institutions: Pursuant to § 35.1-23 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of juvenile justice institutions in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-35.1-23</p>	<p>X</p>
<p>Jail inspections: Pursuant to § 53.1-68 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of correction facilities in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-53.1-68</p>	<p>X</p>
<p>Daycare centers: At the request of DSS will inspect DSS-permitted daycare centers to evaluate their food safety operations, wastewater disposal and general environmental health conditions. (22VAC40-80-160(B)(3))</p>	<p>X</p>
<p>Radon Pursuant to § 32.1-229, local health department may assist VDH Central Office with Radon testing and analysis. Code Link-32.1-229.</p>	<p>X</p>
<p>Summer camps/ Campgrounds: Pursuant to §§ 35.1-16 and 35.1-17 of the Code of Virginia and the corresponding regulations, local health departments are responsible for issuing, denying, and revoking permits to operate summer camps and campgrounds. The local health department is responsible for conducting inspections of summer camps and campgrounds not less than annually to ensure that their construction, operation and maintenance are in compliance with the Regulations for Summer Camps (12VAC5-440-10 et seq.) and the Rules and Regulations Governing Campgrounds (12VAC5-450-10 et seq.). Code Links-35.1-16, 35.1-17</p>	<p>X</p>

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OTHER PUBLIC HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS

The following services performed in accordance with the provisions of the Code of Virginia, the regulations of the Board of Health and/or the policies and procedures of the State Department of Health	
Pre-Admission Screenings (PAS) DMAS MOA Code Link- 32.1-330	X
Comprehensive Services Act Community Policy and Management Teams (CPMT) 2.2-5201-2.2-5211 Code Link- 2.2-5201 , 2.2-5211	X
Interagency Coordinating Council (Infants/Toddlers) Early Intervention Services Code Link- 2.2-5305 , 2.2-5306	X
Vital Records Code Link- 32.1-254 , 32.1-255 , 32.1-272	X
Immunizations for maternity and post-partum patients Code Link- 32.1-11 , 32.1-325 , 54.1-3408 .	X
AIDS Drug Assistance Program (ADAP) Code Link- 32.1-11 ,	X
Emergency Preparedness and Response Code Link- 32.1-42 , 32.1-43 et seq., 32.1-229 ,	X
HIV Counseling, Testing and Referral Code Link- 32.1-37.2	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served			
COMMUNICABLE DISEASE SERVICES	Income A only	Defined by Federal Regulations	All
Foreign Travel Immunizations			
Other:			
CHILD HEALTH SERVICES			
Disabled disability Waiver Screenings DMAS MOA Code Link-32.1-330Other:			
Other			
MATERNAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Other:			
FAMILY PLANNING SERVICES	Income A only	Defined by Federal Regulations	All
Nutrition Education			
Preventive Health Services			
Pre-Conception Health Care			
Other:			
MEDICAL SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All
Community Education			X
Other			

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served
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SPECIALTY CLINIC SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All
DENTAL HEALTH SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(2.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

PUBLIC HEALTH ENVIRONMENTAL SERVICES PROVIDED
UNDER LOCAL ORDINANCE OR CONTRACT

Neither the <i>Code of Virginia</i> nor Regulations of the Board of Health requires the following services to be provided by the local health department	Place an X in this column if service is provided for locality	Local ordinance code cite	Provide a brief description of local ordinance requirements
Water supply sanitation- Inspection of Water Supplies. Code Link- 15.2-2144 on local regulation			
Other Environmental – identify services below			
Smoking Ordinances	X	Albemarle Code §7-308 Charlottesville Code § 24.1-11	Enforcement

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(2.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

PUBLIC HEALTH SERVICES PROVIDED UNDER
LOCAL ORDINANCES OR CONTRACT WITH LOCAL GOVERNMENTS

OPTIONAL PUBLIC HEALTH MEDICAL SERVICES

For Each Service Provided, Check Block for Highest Income Level Served			
Neither the <i>Code of Virginia</i> nor Regulations of the Board of Health requires the following services to be provided by the local health department. (identify services below)	Income A only	Local ordinance code cite, or contract number	All

RESOLUTION TO DESIGNATE ROUTE 600, STONY POINT PASS, 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 the 0.22-mile segment of Route 600, Stony Point Pass, starting 0.90 miles south of Route 20, should be designated 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 so designated 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 the 0.22-mile segment of Route 600, Stony Point Pass, starting 0.90 miles south of 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 the 0.22-mile segment of Route 600, Stony Point Pass, starting 0.90 miles south of 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.

**Proclamation Recognizing the 50th Anniversary
of Albemarle High School’s Graduation Class of 1974**

WHEREAS, in 1974, fifty years ago, over 500 students graduated from Albemarle High School eager and excited to make their mark upon this world; and

WHEREAS, many of these students fulfilled their dreams of becoming nurses, teachers, doctors, pastors, bankers, lawyers, chefs, farmers, builders, and entrepreneurs, many never got to fulfill their dreams and aspirations; and

WHEREAS, the fellow classmates of those that left us too soon would like to remember and honor the following:

**Huey Sanford “Skeet” Brock
Maureen Gilbert Brubeck
Michael Thomas Butler
Bryant Stuart Carptenter
Hilda Aistrop Carter
Daniel Casey
Ned Clausen
James Arthur Clements
Ronald Edward Critzer
Susan Diane Critzer
Bonnie Sue “Beep” Cutright
William Joseph Enyeart
Carl Edward Frazier
Timothy Graydon Fredrickson
Lewis Wesley “Buck” Gentry
Cynthia Ann Glosser
Jerome Lawrence Gray
Thomas R. Grinde
Janet Lynn Grinstead**

**Mark Stephen “Jude” Hall
Olie Martin Harris
Lawrence Wright Hartman
Arthur Giles Henderson
Tina Lynn Hunt
Lillian “Lil” Lucille Jordan
Ashton Lee Kingrea
Chet Lang
Jonathan Franklin Leathers, III
Charles Michael “Mike” Lewis
Jodi Ann Marston
Thomas Philip Mathews, III
C.G. Maupin
William Joseph Maupin
Vincent Lewis Monroe
Alton Monroe Morris
Ronald Craig Morris
Alfon Bernard Mosca, III
Suzanne Mathews Nelson
James Colvin Pitts**

**Robert Vance “Butch” Pugh
Matthew Charles Rexrode
Jennifer Ann Riffe
William Daniel “Dan” Roberts
Michael Earl Scruggs
Ruby Lee Seale
Bennie Millard Shifflett, Jr.
Deborah C. Sites
David Lee Spradlin
Horace Wayne Stephens
Michael Carl Sutphin
Terry Michael Tate
Richard Lee Thompson
Craig Garrett Van de Castle
Stephen Allen Van Fossen
Patricia Ann Washington
Beatrice Ann “Bea” White
David Ross Wood
Douglas “Sonny” Woodson**

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize Saturday, August 3, 2024, on the 50th anniversary of the graduation of the Class of 1974 as the AHS Renegade Reunion Remembrance Day.

Signed this 17th day of July 2024

**RESOLUTION TO APPROVE
SP202400005 TANDEM FRIENDS SCHOOL
INCREASED ENROLLMENT**

WHEREAS, upon consideration of the staff reports prepared for SP202400005 Tandem Friends School Increased Enrollment and all of their attachments, including staff’s supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-13.2.2(5) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the R-1 Residential zoning district, with the applicable provisions of *County Code* § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400005 Tandem Friends School Increased Enrollment, subject to the conditions attached hereto.

* * * *

**SP202400005 Tandem Friends School Increased Enrollment
Special Use Permit Conditions**

1. The development of the use must be in general accord with the concept plan entitled “SUP Amendment Concept Plan – Resubmission,” prepared by Train Architects, dated 09 December 2019, and last revised 10 December 2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the specific plan, development and use must reflect the following major elements as shown on the plan:
 - a. Building orientation
 - b. Building size (including height)
 - c. Location of buildings, with the exception of the Middle School, which may be shifted to allow for a second means of access.
 - d. Limits of disturbance
 - e. Parking lot layout and landscaping

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

2. Additional buildings may be authorized only by a new special use permit.
3. Total school enrollment may not exceed four hundred (400) students.
4. Amplified sound from the pavilion will be subject to maximum sound level regulations as provided in County Code § 18-4.18.04. Amplified sound is prohibited between 10:00 p.m. each Sunday through Thursday night and 7:00 a.m. the following morning, and between 11:00 p.m. each Friday and Saturday night and 7:00 a.m. the following morning. Unamplified sound will be subject to the maximum sound level regulations, as provided in County Code § 18-4.18.05(N).
5. At such time as student enrollment equals or exceeds 350, student pick-up and drop-off times must be staggered by 15 minutes or more with pick-up and drop-off times at Monticello High School.

**RESOLUTION TO APPROVE
SP202400003 OLIVET PRESCHOOL INCREASED ENROLLMENT**

WHEREAS, upon consideration of the staff reports prepared for SP202400003 Olivet Preschool Increased Enrollment and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.2.2(7) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas zoning district, with the applicable provisions of *County Code* § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400003 Olivet Preschool Increased Enrollment, subject to the conditions attached hereto.

* * *

**SP202400003 Olivet Preschool Increased Enrollment
Special Use Permit Conditions**

1. Enrollment may not exceed forty-eight (48) children/students or the number of children/students approved by the Health Department or Department of Social Services; whichever is less.
2. The hours of operation for the preschool may not exceed 8:00 a.m.-2:00 p.m. Monday through Friday.

RESOLUTION APPROVING THE PROPOSED CONVEYANCE OF EASEMENTS ACROSS COUNTY-OWNED PARCEL 062F0-00-00-000E2

WHEREAS, the County owns Parcel 062F0-00-00-000E2 between Rio Road East and Shepherds Ridge Road;

WHEREAS, the developer of 999 Rio Road has requested that the County grant grading and public utility easements across this County-owned Parcel; and

WHEREAS, the requested easements are necessary for the development of the neighborhood model development at 999 Rio Road East.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the granting of the proposed easements across Parcel 062F0-00-00-000E2 in exchange for their fair market value, and authorizes the County Executive to sign any necessary or related deed or document, once approved as to form and substance by the County Attorney.