

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on January 15, 2025, at 1:02 p.m. in Lane Auditorium, Second Floor, Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia, 22902.

PRESENT: Mr. Jim H. Andrews, Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Mr. Mike O. D. Pruitt.

ABSENT: none.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; Interim County Attorney, Andy Herrick; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:02 p.m., by the Chair, Mr. Jim Andrews.

Mr. Andrews introduced the Albemarle County Police Department Officers present to provide their services at the meeting, Sergeant Matthew Riley and Officer Tayvaun Richardson.

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

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Andrews noted that there was an updated motion related to the Innisfree Village Critical Slopes Special Exception, which had been posted online and did not affect the agenda. He said that if there were no other changes, he was looking for a motion.

Ms. McKeel **moved** to adopt the final agenda. 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 Mr. Pruitt.
NAYS: None.

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

Ms. Mallek said that everyone was well aware that they had experienced a significant amount of winter weather, and extreme weather was expected to continue next week. She said that she would like to remind everyone to be especially cautious about several things.

Ms. Mallek said that if one had a sidewalk in front of their property, particularly commercial owners and landlords, she reminded them to ensure that it was shoveled promptly to allow their neighbors to safely walk. She said that this was especially important for children who walked to school, and for individuals who needed to access their homes without having to walk in the road. She said that the longer one waited to shovel, it became melted and icy and more difficult to shovel.

Ms. Mallek said that for pet owners, it was essential to keep pets indoors when the temperature dropped into the teens or single digits. She said that the County's animal protection officers could provide guidance on this matter. She said that checking on their neighbors was also very important.

Mr. Pruitt said that as he had mentioned previously, he had taken on the role of election announcements person, keeping them all informed about the outcomes of their recent special elections. He said that now, it was time to acknowledge that another election was approaching. He said that this year would be a state and local election year, with a significant number of contests. He said that the governor's race featured candidates Winsome Sears and Abigail Spanberger. He said that the lieutenant governor's race included Pat Herrity, John Curran, and possibly John Reid, competing for the Republican nomination.

Mr. Pruitt said that on the Democratic side, a crowded field of candidates included Levar Stoney, Aaron Rouse, Ghazala Hashmi, Babur Lateef, and Victor Salgado. He said that Attorney General Miyares was seeking re-election. He said that Jay Jones and Shannon Taylor were competing in the Democratic primary. He said that their delegates in the House representing Albemarle County, Katrina Callsen and Amy Laufer, had begun their campaigns for re-election, with no apparent opposition. He said that three of their supervisors, Ms. McKeel, Mr. Gallaway, and Mr. Andrews, would be up for re-election. He said that it was going to be a busy year, and he wanted to remind everyone that this was a time when politics was most proximate to the public.

Mr. Pruitt said that they would have the opportunity to meet and speak with every single one of these individuals, including the governor, in person during this election cycle. He said that this was a great chance to understand how these issues affected their life and community.

Mr. Pruitt said that the General Assembly had reconvened but only briefly due to an emerging crises in Richmond. He said that they were back to doing business and had already reported out three

constitutional amendments that, if passed again next year with similar support, would appear on their ballot in 2026. He said that these amendments included automatic voting rights restoration for former felons, reproductive freedom protections, and Lesbian, Gay, Bisexual, and Transgender (LGBT) marriage protections. He encouraged them to look forward to seeing these on their ballot in 2026.

Mr. Pruitt said that he wanted to highlight the broader community incidents that had reinforced the importance of their work in Albemarle County. He said that the ongoing Los Angeles County fires and the recent Richmond water crisis had highlighted the need for their County's investments in essential services. He said that they often focused on providing clean water, effective sewer, and fire and rescue services, which may not be the most glamorous aspects of their work but were critical to the well-being of their community. He said that this week, in particular, had reminded him of the importance of prioritizing these essential services in their County.

Ms. LaPisto-Kirtley said that she would like to comment on the L.A. fires, which was where she lived for over 40 years. She said that there was a toxic element to the fires as well, and she believed that anything they could do or anything individuals could do to support the American Red Cross would be greatly appreciated. She said that they had lost everything, and she had a personal connection to this issue. She said that a friend of hers had lost her home, and others had been impacted. She said that this was not the end of it; more winds were on the way. She said that during her time in Southern California, L.A. County, they had never experienced 100-mile-an-hour winds. She said that if this was a precursor to what was to come not only in California but across the nation, they were in trouble. She said that this was even more reason to prioritize health and safety, ensuring they had sufficient firefighters and police officers to keep everyone safe.

Ms. McKeel said that she appreciated the points made thus far by supervisors. She said that to follow up on Ms. LaPisto-Kirtley's comment about the fires in Los Angeles, it was clear that their policies and work on water infrastructure have not kept pace with the needs brought about by climate change. She said that this highlighted the importance of infrastructure everywhere. She said that according to the American Society of Civil Engineers, the United States' infrastructure is rated a C-minus. She said that however, individual infrastructures like bridges and roads may receive different ratings, which could be more concerning. She said that Virginia's infrastructure is rated a C, whereas the national rating is a C-minus. She believed it was essential for all of them to consider infrastructure, particularly in areas where it has a significant impact on their daily lives. She said that for example, Richmond had struggled with water issues due to aging pipes, some over 100 years old. She said that she was suggesting that they should be thinking about infrastructure, not just in Albemarle County, but across the country, including their local areas.

Ms. McKeel reminded everyone about the Charlottesville Regional Chamber of Commerce's State of the Community 2025 event. She said that this event, which has been well attended in the past, is an opportunity for their County Executive and City Manager to present updates and hear reports from experts. The event will take place on Friday, February 21, from 8:00 a.m. to 10:00 a.m. at Piedmont Virginia Community College's (PVCC) Advanced Technology and Student Success Center. She said that it was a great chance to visit the new facilities and learn about the latest developments. Registration is requested, and she encouraged everyone to mark their calendars for this event.

Ms. McKeel thanked the Parks and Recreation team in Albemarle County. She said that the Charlotte Humphris Park has excellent walking trails that are highly utilized. She said that they are paved macadam, and she was thrilled to see how well they maintained those trails during the snowstorm. She said that they were just wonderful, beautifully cleaned. She received positive feedback from constituents, saying how great it was that the trails had been kept so clean. She said that she would like to extend her gratitude to those workers.

Mr. Gallaway said that he did not have any announcements today.

Mr. Andrews said that he wanted to express his gratitude to VDOT and the power companies for maintaining power during these storms. He said that he also wanted to caution everyone that single-digit temperatures were forecasted for next week. He said that he hoped that as a County, they would be prepared to provide warming shelters if needed. He said that he agreed that keeping sidewalks clear was important, as they strived to be a pedestrian-friendly community. He said that it was worth considering that their car-centric approach may lead to neglecting sidewalks, which could be revisited at a later time.

Ms. Mallek said that one thing she wanted to add was that she would like to publicly appreciate the coordination that Albemarle County staff had demonstrated interdepartmentally in their emergency preparedness efforts. She said that they had been working together in advance of these storms to discuss and anticipate changes, which had put them significantly ahead in the safety realm compared to prior to five years ago. She said that prior to that, this level of coordination did not occur as frequently. She said that as a result, it had made a substantial difference to their citizens. She said that she would like to extend her gratitude to all of them.

Agenda Item No. 6. Proclamations and Recognitions.
Item No. 6.a. Proclamation Celebrating Martin Luther King Jr. Day.

Ms. Mallek **moved** to adopt the Proclamation Celebrating Martin Luther King Jr. Day, which s/he read aloud.

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

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

Proclamation Celebrating Martin Luther King, Jr. Day

WHEREAS, Just a century after the Emancipation Proclamation, in 1963, Dr. King and allied forces marched on Washington and delivered the revered “I have a Dream” speech, advocating for the end of racial segregation and societal inequality; and,

WHEREAS, Dr. Martin Luther King, Jr. and other civil rights leaders devoted their lives to the expansion of civil rights and public service to *all* Americans; and

WHEREAS, In honoring his legacy, MLK Day is the only federal holiday designated as a National Day of Service to encourage all Americans to volunteer to improve their communities; and,

WHEREAS, Albemarle County has invested in creating a more equitable and inclusive society by centering Community as an organizational value which states that “we expect diversity, equity, and inclusion to be integrated into how we live our mission” to serve all members of our community; and,

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby honor and celebrate January 20, 2025, as Martin Luther King, Jr. Day and encourage our employees and residents to work towards his vision for a more equitable and inclusive society.

Signed this 15th day of January 2025

Mr. Andrews said that he would like to extend a warm welcome to Sue Earhart, Executive Director of the Ivy Creek Natural Area Foundation and Historic Riverview Farm, and Mariah Payne, Descendant and Education Coordinator of the Ivy Creek Natural Area and Historic Riverview Farm, who had joined them to help accept this proclamation.

Ms. Payne said that Mariah could not be there today, so she asked her mother, to read her remarks. She thanked the Albemarle County Board of Supervisors for awarding her the Martin Luther King, Jr. Day Proclamation for her service to their community through the Ivy Creek Foundation. She said that although she was sorry to miss this occasion, she deeply appreciated this recognition. She said that this work was not solely hers; it was built upon the shoulders of remarkable individuals whose legacies had shaped their community. She said that it was a privilege to share and preserve the stories of African Americans in Albemarle County.

Ms. Payne said that she would like to first and foremost acknowledge the Carr-Greer family and their descendants, whose dedication and service had profoundly enriched their community and beyond. She said that as a proud descendant of Riverview Farm herself, with Mrs. Texie Mae Hawkins being her third great aunt, she carried this history personally.

Ms. Payne said that she also wanted to honor her immediate family. She said that her father, James Payne, Jr., who recently celebrated his 80th birthday, had attended the Albemarle Training School and Burley High School. She said that he had graduated from North Carolina A&T in Greensboro, North Carolina, and in 1963, he had joined a group that was arrested for protesting Jim Crow laws at a segregated movie theater. She said that it was because of these individuals that Ivy Creek stood as a place of reflection, learning, and celebration. Their stories reminded them of the not-too-distant past, while also honoring the continued legacy of African Americans in Albemarle County, Charlottesville, and beyond. She again thanked the Albemarle County Board of Supervisors.

Ms. Sue Earhart said that she had the privilege of working at Riverview Farm, a site founded by Hugh Carr, a formerly enslaved man, and his wife, Texie Mae Hawkins, in 1870. She said that together, they built a legacy of hope and opportunity for their children, believing that education could transform lives and open new doors. She said that Riverview Farm, now an African American historic site, preserves the home and barn of the Carr-Greer family. She said that during the Jim Crow era, Riverview Farm served as a safe haven, a place for education, club meetings, and a refuge for African Americans seeking solace and strength.

Ms. Earhart said that Mrs. Mary Carr Greer, the eldest daughter of Mr. and Mrs. Carr, had a profound legacy as an educator, principal, and community leader. She said that in the 1940s, Mrs. Greer played a pivotal role in championing voting rights, helping adults navigate literacy tests, pay poll taxes, and claim their political voice. She said that her husband, Mr. Conley Greer, the first African American extension agent in Albemarle County, was equally pioneering, working tirelessly for African American farmers to improve their agricultural output and achieve economic independence. She said that their extraordinary contributions were formally recognized in November 2023, when Riverview Farm was added to the National Park Service African American Civil Rights Network.

Ms. Earhart said that their other children, including Mr. Marshall Carr, Mrs. Virginia Brown, Mrs. Emma Whitten, Mrs. Peachie Jackson, Mrs. Hazel Agnew, and Mrs. Fannie Washington, were mostly

educators and leaders in civil society groups in their community and beyond.

Ms. Earhart said that today, this beautiful site welcomes visitors from all backgrounds, offering education, reflection, and a tranquil escape from the noise of the world. She said that it is a place where history comes alive and inspires future generations. She said that Dr. Martin Luther King, Jr. once said, "Everybody can be great because anyone can serve; you only need a heart full of grace and a soul generated by love." She said that let them heed his words and recommit themselves to service. She said that their communities need them more than ever.

Ms. Earhart said that as Mrs. Greer would remind her students, "Be something." She said let them continue to be a force for good, dedicating their time, talents, and heart to the work that remains. She said that they are not finished; they are just beginning. She said that on behalf of the Board, staff, and volunteers of the Ivy Creek Natural Area and Historic Riverview Farm, she was deeply honored to accept this proclamation. She said that together, let them carry forward the family's vision of service, education, and community.

Ms. Mallek said that growing up across Ivy Creek from the farm, she had a personal connection to the area. She said that her father, a large animal veterinarian since 1942, often spoke about the significance of Mr. Greer and the extension agents, as they were instrumental in improving livestock care and crop success, as there was limited formal education at the time, which was largely reserved for a select few at Virginia Tech. She said that this emphasis on practical education was truly impactful. She said that in 1982, she moved into the Miller land in Advance Mills, where the family remains actively involved. She said that the brothers and Sarah were particularly dedicated to the Minority Farmers Veterans Organization, working to train young people in middle school and high school across the counties on farming practices and mutual support. She said that she appreciated all that they did.

Mr. Pruitt said that he would like to express his gratitude and appreciation for the work that all of them had been involved in, in preserving Black stories and Black history in their community. He said that as they approached this day, he often reflected on the life and legacy of Dr. King, and the profound impact he had on their community and their country. He said that he believed it was essential to acknowledge the more complex and nuanced aspects of his movement, which was fundamentally intersectional and drew on the needs and demands of labor, pacifist movements, as well as international issues and anti-colonialism.

Mr. Pruitt said that Dr. King was a deeply radical individual who challenged existing laws and social norms, advocating for a moral assessment of the laws and encouraging individuals to take a courageous stance. He said that his movement was rooted in Christian principles, requiring individuals to live in accordance with the Gospels and challenge the status quo. He said that it was remarkable that his legacy had been able to inspire a nation to re-examine its values and social order. He said that he appreciated the work that they had done, and he believed it was essential to remember that the story of the Black community was deeply rooted in a fundamental courage in the day-to-day work that was required to be Black and successful throughout history. He said that he appreciated the work they had done and for the values that that embodied.

Ms. LaPisto-Kirtley said that she was grateful to them for being present to help celebrate this very special day, a celebration for a very special man who walked the earth, who helped them all. She said that he truly helped all of them become better people, regardless of their background, and for that, it was an honor to recognize him. She said that when they mentioned service, education, and community, those were values that meant a great deal to her.

Ms. LaPisto-Kirtley said that for a recent example, she knew of the St. John's Community Center, which was one of seven schools built for African American children by the Rosenwalds. She said that in their community, there were seven such schools, and this one remained standing. She said that this one had been transformed into a community center, where people continued to contribute to education, community service, and the greater good, and she was so proud of that. She said that she was grateful for their presence.

Ms. McKeel said that she would like to thank you for being here, and she said that she would like to encourage anyone who had not had the opportunity to visit Ivy Creek, the Nature Center, and explore these historic areas to do so. She said that it is a truly moving and educational experience, and the facilities have been beautifully maintained. She said that she appreciated their continuation of that work.

Ms. McKeel said that as their proclamation stated today, Martin Luther King Day is their country's only National Day of Service. She said that Martin Luther King said, "The time is always right to do what is right." She said that they have identified Saturday, Sunday, and Monday in this community as a time to honor Martin Luther King's legacy and his work on community service and social justice. She said that she would like to take a moment to point out to those who may not be aware that there are various activities scheduled on these days, both indoors and outdoors, depending on the weather.

Ms. McKeel said that for example, on Saturday, trail work and story walk installation will take place at the Rivanna Trails Foundation property. She said that they can also sign up for spray painting bookshelves at the library. She said that on Monday, invasive plant removal will occur at Ivy Creek Foundation, and they will also be spreading mulch. She said that these events and opportunities can be found on the United Ways of Greater Charlottesville's website, where they can register and find more information. She said that she hoped to see a strong turnout, regardless of the weather, as there are opportunities available both indoors and outdoors. She thanked them very much.

Mr. Gallaway said that he joined his fellow supervisors in echoing their sentiments and expressing appreciation for the work they all were doing. He said that like Mr. Pruitt, he often took time each year to reflect on Dr. King's message and challenge. He said that he had been thinking about what Dr. King challenged them to do, not just in their hearts and minds, but in their actions. He said that this year, he re-read many of Dr. King's speeches, and one that stood out to him was the one he gave on November 17, 1957, titled "Loving Your Enemies." He said that he had a few excerpts that highlighted an important point.

Mr. Gallaway said that according to Dr. King, one of the three things an individual must do to love their enemy was to discover the element of good in the enemy, even when they began to hate them. He said that within every person, there was both good and evil, and that by recognizing the good, they could balance out the bad. He said that Dr. King also suggested that their present nature was out of harmony with their eternal ought-ness, meaning that they all had both good and evil within them. He said that given the current state of their country and the challenges they faced, he believed Dr. King's words were more relevant than ever. He said that he thought they could all benefit from reflecting on their own isness versus their ought-ness.

Mr. Andrews expressed his gratitude for the recipients' presence here. He said that he wanted to acknowledge the great work they were doing at Riverview Farm and elsewhere. He said that their goal was to build a beloved community, as Dr. Martin Luther King, Jr. had referred to. He thanked them for being here.

Ms. Mallek presented the proclamation to Ms. Payne and Ms. Earhart.

Agenda Item No. 7. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).

Ms. Stuart Overbey, Samuel Miller District, said that she was there to discuss the spreading of biosolids in Albemarle County, specifically in relation to AC44 and the language they were asking to insert. She said that she was part of Don't Spread on Me, a group which consists of approximately a dozen farmers, landowners, and residents from southern Albemarle County, along with a few Charlottesville residents.

Ms. Overbey said that she would like to take this opportunity to clarify a few points. She said that first, she wants to emphasize that they were not a well-funded or highly organized group. She said that they were not a 501(c)3 organization, and they were not being paid. She said that they are simply a group of concerned individuals who believe this issue warrants attention. She said that as they have learned more about the application of biosolids onto land and forest in their County, their concerns have grown, and they believe they need to be addressed.

Ms. Overbey said that their first point is that they are not asking the County to ban the practice of applying sewage sludge. She said that they understand that there is an existing state statute that preempts this from the state. Instead, they are asking the County to take a closer look at the issue. Her colleague Sophie will elaborate on this point. She said that their second point is that they are seeking to have the County include language in the AC44 Comprehensive Plan update, recommending that the County establish a biosolids ordinance. She said that they are not asking for the ordinance to be detailed at this time.

Ms. Overbey said that their third point is that they have created a website, dentspreadme.org, which serves as a repository for the vast amount of information they have collected. She said that they had sent the Board links to this website and attachments. She said that they understand that it is impractical for them to spend hours reviewing all this information. She said that to facilitate a more productive discussion, they are proposing to meet in small groups. She said that she had already sent an email to Supervisors and Planning Commissioners from the southern Albemarle districts of Samuel Miller and Scottsville, inviting them to meet with their group. She said that they hoped to schedule a meeting with two or three of them, and they appreciated their time and consideration.

Ms. Sophie Massie, Samuel Miller District, said that yesterday, the EPA (Environmental Protection Agency) released a 300-page study acknowledging for the first time that the presence of PFAS (per- and polyfluoroalkyl substances), or forever chemicals in land-applied sewage sludge/biosolids posed significant risks to human health, exceeding the EPA's acceptable thresholds by several orders of magnitude. She said that PFAS contaminated soil and water, and it bioaccumulated in animal tissue and in their bodies, and was linked to various cancers, fertility issues, and developmental delays. She said that this was a pressing concern.

Ms. Massie said that the last time the County examined this issue was in 2011, prior to the public's awareness of the PFAS threats. She said that at that time, the staff presented a report on biosolids at the July 6, 2011, meeting. She said that the staff report explained that the County was permitted to pass an ordinance that allowed for local monitors for land-applied biosolids, but unfortunately, they did not have an ordinance in place. She said that 17 counties in Virginia had a biosolids ordinance, including their neighboring counties of Louisa, Nelson, and Orange, which shared similar topographies and land uses. She said that it was worth noting that they did spread biosolids in their County, particularly in southern Albemarle, which was done as recently as August.

Ms. Massie said that they are requesting the Board to pass a resolution directing staff to conduct a new report, taking into account the recent EPA data highlighting the high risks associated with PFAS and sewage sludge. She said that this report could provide guidance on the role local government could play in regulating biosolids. She said that while their options may be limited, there was not a complete absence of action. She said that other counties were taking more proactive steps, and there were measures they could and should take, particularly in light of these recent developments.

Agenda Item No. 8. Consent Agenda.

Ms. LaPisto-Kirtley **moved** to approve the consent agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Item No. 8.1. Fiscal Year 2025 Appropriations.

The Executive Summary 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 2025 (FY 25) budget due to the appropriations itemized in Attachment A is \$421,210. 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 and Public Schools projects and programs described in Attachment A.

Appropriation #2025021

Sources:	Local Revenue	\$18,388
Uses:	Vehicle Replacement Fund	\$18,388
Net Change to Appropriated Budget:		\$18,388

Description:
This request is to appropriate \$18,388 in insurance recovery revenue to the Vehicle Replacement Fund to be used toward the purchase of replacement vehicles for the Police Department.

Appropriation #2025022

Sources:	Local Revenue	\$10,940
Uses:	Capital Program – School Maintenance/Replacement Program	\$10,940
Net Change to Appropriated Budget:		\$10,940

Description:
The request is to appropriate \$10,940 in insurance recovery revenue to the School Maintenance/Replacement Program to be used for damages at Mountain View Elementary School.

Appropriation #2025023

Sources:	Capital Project – Crozet Elementary School Addition and Renovation	\$450,000
	Capital Project – Red Hill Elementary Phase II	\$107,477
	Capital Program – School Maintenance/Replacement Program	\$2,300,000
Uses:	Capital Project – Southern Feeder Pattern Elementary School	\$1,100,000
	Capital Project – High School Capacity and Improvements – Center II	\$1,757,477
Net Change to Appropriated Budget:		\$0

Description:
This request is to appropriate \$2,857,477 from three capital projects to fund bids received for the

Southern Feeder Pattern Elementary School project and the High School Center II project. This funding will fund bid additives including the construction of three additional classrooms at the elementary school to meet the 500-student capacity goal, installation of a second elevator at each school, and implementation of photovoltaic systems at each school.

This re-appropriation is recommended to be funded by:

- \$450,000 in unused project funds from the Crozet Elementary School Addition and Renovation project.
- \$107,477 in unused project funds from the Red Hill Elementary Phase II project.
- \$2,300,000 from the School Maintenance/Replacement Program. Approximately \$1,700,000 of this funding is available from a recent federal grant reimbursement. The remaining \$600,000 will reduce the Schools’ roof maintenance funding in FY25. After initial design and field investigation efforts this past fall, Albemarle County Public Schools’ Building Services is of the opinion that a one-year delay in replacing these roofs is feasible given the existing conditions of the roofs investigated during the current funding cycle.

After the above changes are approved, these two projects will need an additional \$1,200,000 in FY 26. This will be requested in the upcoming FY 26-30 Capital Improvement Plan.

Appropriation #2025024

Sources:	Emergency Communication Center Fund's Fund Balance	\$154,000
Uses:	Emergency Communications Center Fund	\$154,000
Net Change to Appropriated Budget:		\$154,000

Description:

The Charlottesville-UVA-Albemarle County Emergency Communications Center (ECC), an entity where the County serves as fiscal agent, requests to appropriate \$154,000 from the Emergency Communications Center Fund’s fund balance for various technology purchases, as approved by the ECC Management Board in their FY 25 Adopted budget.

ATTACHMENT A

Appropriation #2025025

Sources:	Capital Program: Fire Rescue Apparatus Replacement Program	\$400,000
Uses:	Capital Project: Fire Rescue Station Renovations	\$400,000
Net Change to Appropriated Budget:		\$0

Description:

This request is to appropriate \$400,000 from Fire Rescue Apparatus Replacement Program savings to the Fire Rescue Station Renovations project. This project is intended to accommodate the additional staff added by FEMA SAFER grants to provide proper working conditions for all staff at this station. As part of this renovation, there is an HVAC replacement occurring simultaneously that is being funded by the County’s Facilities Maintenance/Replacement Program. Combining the renovations and the HVAC work resulted in needing additional funding for the renovations to ensure the most efficient use of the space.

Appropriation #2025026

Sources:	Local Revenue	\$27,480
Uses:	Capital Program: Fire Rescue Apparatus Replacement Program	\$24,850
	Fire Rescue Operations	\$2,630
Net Change to Appropriated Budget:		\$27,480

Description:

The request is to appropriate \$27,480 in local revenue received from Volunteer Fire Rescue stations for the County purchase of thermal-imaging cameras to be supplied on apparatuses and for the purchase of computers to be used by the Volunteer Fire Rescue Stations.

Appropriation #2025027

Sources:	Local Tax Revenue	\$210,402
Uses:	Economic Development Authority Fund	\$210,402
Net Change to Appropriated Budget:		\$210,402

Description:

This request is to appropriate \$210,402 from local tax revenue to be transferred to the Economic Development Authority Fund pursuant to the Habitat Southwood Performance Agreement and the Albemarle Business Campus Agreement. After Board of Supervisors approval, the EDA will transfer the rebates.

By the above-recorded vote, the Board adopted the attached resolution (Attachment B) to approve the appropriations for County government and Public Schools projects and programs described in Attachment A.:

* * *

**RESOLUTION TO APPROVE
ADDITIONAL FY 2025 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 25 Budget is amended to increase it by \$421,210;
- 2) That Appropriations #2025021; #2025022; #2025023; #2025024; #2025025; #2025026; and #2025027 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, 2025.

* * *

APP#	Account String	Description	Amount
APP2025021	3-7200-99000-341000-410800-9999	SA2025021 Insurance Reimbursement for Police Totaled Vehicles	\$18,388.00
APP2025021	4-7200-31100-412560-800500-9999	SA2025021 Insurance Reimbursement for Police Totaled Vehicles	\$18,388.00
APP2025022	4-9000-69980-464600-800949-6599	SA2025022 and SA2025023 Insurance Recovery and HSC2 Transfer	-\$2,289,060.00
APP2025022	3-9000-69980-319000-190800-9007	SA2025022 School Capital Insurance Recovery Mountain View	\$10,940.00
APP2025023	4-9000-69985-466500-800605-6103	SA2025023 Crozet to SFP/HSC2	-\$450,000.00
APP2025023	3-9000-69000-352000-510100-9000	SA2025023 Crozet to SFP/HSC2	-\$450,000.00
APP2025023	4-9000-69985-466500-800605-6107	SA2025023 Red Hill to SFP/HSC2	-\$107,477.00
APP2025023	3-9000-69000-352000-510100-9006	SA2025023 Red Hill to SFP/HSC2	-\$107,477.00
APP2025023	3-9000-69000-351000-512090-9007	SA2025023 School Maint/Repl Roof Future BP to SFP/HSC2	-\$600,000.00
APP2025023	3-9000-69000-352000-510100-9007	SA2025023 School Maint/Repl to SFP/HSC2	-\$1,700,000.00
APP2025023	4-9000-69985-466500-800605-6118	SA2025023 SFP Additional Funding	\$1,100,000.00
APP2025023	3-9000-69000-351000-512090-9138	SA2025023 School Maint/Repl Roof Future BP to SFP/HSC2	\$600,000.00
APP2025023	3-9000-69000-352000-510100-9138	SA2025023 School Maint/Repl Roof to SFP/HSC2	\$500,000.00
APP2025023	4-9000-69985-466500-800605-6307	SA2025023 HSCII Additional Funding	\$1,757,477.00
APP2025023	3-9000-69000-352000-510100-9002	SA2025023 School Maint/Repl Roof to SFP/HSC2	\$1,757,477.00
APP2025024	3-4100-32100-352000-510100-9999	SA 2025024 ECC Fund Balance for Capital Outlay	\$154,000.00
APP2025024	4-4100-32110-435600-800701-9999	SA2025024 ECC Fund Balance for Capital Outlay	\$154,000.00
APP2025025	4-9010-33001-432000-999999-9630	SA2025027 Apparatus program to Station 11 Renovations	-\$400,000.00
APP2025025	3-9010-99000-352000-510100-9630	SA2025027 Apparatus program to Station 11 Renovations	-\$400,000.00
APP2025025	4-9010-33001-432000-800605-9639	SA2025027 Apparatus program to Station 11 Renovations	\$400,000.00
APP2025025	3-9010-99000-352000-510100-9639	SA2025027 Apparatus program to Station 11 Renovations	\$400,000.00
APP2025026	4-9010-33001-432000-800502-9630	SA2025027 Volunteer Contributions to Capital for TICs	\$24,849.79
APP2025026	3-9010-99000-318000-181109-9630	SA2025027 Volunteer Contributions to Capital for TICs	\$24,849.79
APP2025026	4-1000-33100-432000-610700-9999	SA2025027 Volunteer Contributions to Operations for Laptops	\$2,630.06
APP2025026	3-1000-33001-318000-189900-9999	SA2025027 Volunteer Contributions to Operations for Laptops	\$2,630.06
APP2025027	4-1000-99000-493000-934001-9999	SA2025027 Transfer out of GF to EDA	\$210,402.03
APP2025027	3-1000-11000-311000-110155-1000	SA2025027 Local Tax Revenue to EDA - Southwood Rebate + ABC	\$210,402.03
APP2025027	3-4700-91095-351000-512004-9999	SA2025027 Transfer into EDA Fund from GF	\$210,402.03
APP2025027	4-4700-91095-491095-950031-9999	SA2025027 EDA Use of Funds from GF	\$210,402.03

County's Behalf.

The Executive Summary forwarded to the Board states that the Albemarle Broadband Authority (ABBA) was established to facilitate publicly funded broadband expansions throughout the unserved areas of the County. The success of the Authority places the County in the enviable position of having fewer than 400 locations that are either not served or not included in a grant-funded project area. The Commonwealth's Department of Housing and Community Development (DHCD) has been designated as the lead agency responsible for distributing the \$1.4B allocated to Virginia from the federal Broadband Equity, Access, and Deployment (BEAD) program. BEAD establishes Internet Service Providers (ISPs) as the applicants in the program, and DHCD has established that ISPs should obtain Letters of Support from localities for their applications. The application window has now opened, and applications are expected to be due by the end of March 2025.

Past public broadband programs have placed localities or regional bodies as the applicants. The County previously delegated the authority to pursue these grants to ABBA. Over its nearly eight years, ABBA has maintained an awareness of the areas of the County lacking broadband service, facilitated by the work of the Broadband Office. Together, ABBA and the Broadband Office are well-equipped to accept and evaluate requests from ISPs for letters of support.

There is no budget impact.

Staff recommends the Board adopt the proposed resolution (Attachment A) delegating authority to ABBA to issue BEAD letters of support on behalf of the County.

By the above-recorded vote, the Board adopted the proposed resolution (Attachment A) delegating authority to ABBA to issue BEAD letters of support on behalf of the County:

RESOLUTION TO DELEGATE TO ABBA AUTHORITY TO ISSUE BEAD GRANT LETTERS OF SUPPORT FOR INTERNET SERVICE PROVIDER GRANT APPLICATIONS

WHEREAS, the Commonwealth of Virginia has been awarded \$1.48 billion from the federal Broadband Equity, Access, and Deployment (BEAD) Program to finish the job on extending broadband access and make long-term, transformational investments into broadband affordability and adoption; and

WHEREAS, the Commonwealth's Department of Housing and Community Development (DHCD) is administering the application and award process for the BEAD Program; and

WHEREAS, DHCD's application guidelines provide evaluation points for grant applicant internet service providers to submit Letters of Support from a Virginia locality's governing body; and

WHEREAS, DHCD's application process allows a locality's governing body to delegate to a broadband authority; and

WHEREAS, the Albemarle Broadband Authority is an appropriate public body to evaluate internet service providers intending to apply for the BEAD Program and is willing and able to draft and submit Letters of Support as deemed appropriate to DHCD; and

WHEREAS, it serves the best interests of the County for this Board to delegate such authority to ABBA.

NOW, THEREFORE, BE IT RESOLVED, on this date, 15 January 2025, that the County's authority to issue BEAD Program Letters of Support to the Virginia Department of Housing and Community Development is hereby delegated to the Albemarle Broadband Authority.

Item No. 8.3. Rivanna River Bicycle and Pedestrian Crossing Planning Study – RAISE Application.

The Executive Summary forwarded to the Board states that the Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO), staffed by the Thomas Jefferson Planning District Commission, has been working towards the construction of a bicycle and pedestrian bridge across the Rivanna River since 2019. This crossing would provide a vital multi-modal connection between the Pantops growth area in Albemarle County and the rest of the Charlottesville-Albemarle urbanized area. CA-MPO has completed multiple planning phases of the project in coordination with staff and elected officials from two local jurisdictions, the Virginia Department of Transportation (VDOT), and community and public stakeholders.

The proposed bridge location is entirely within Albemarle County, but less than two-tenths of a mile from the City of Charlottesville boundary. On the west side of the river, the bridge landing would likely be located on privately developed property with an existing public use easement and facilitate a direct connection between the bridge landing and downtown Charlottesville via East Market Street and Broadway Street.

On the east side of the river, the bridge landing would likely be located on public property owned by Albemarle County within the established Pantops development area. The project includes the

construction of a shared use path from the eastern landing site through privately owned property, ending at the intersection of State Farm Boulevard and Peter Jefferson Parkway.

The CA-MPO would like Albemarle County's support for its FY25 RAISE Grant Program application for the preliminary engineering phase of the Rivanna River Bike/Ped Bridge. On February 7, 2024, the Board voted to support the CA-MPO's prior application for funding through the U.S. Department of Transportation's FY2024 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program to complete the preliminary engineering phase of this project. Though that application was unsuccessful, a debrief from Federal Highway Administration (FHWA) staff provided valuable information for improving the competitive application.

This bridge would improve the overall connectivity of the Pantops development area to the larger urbanized area, integrate with economic development and revitalization goals for sites close to the Rivanna River, and support Albemarle County's Climate Action Plan recommendations by providing safe and comfortable multi-modal infrastructure as an alternative to single occupancy vehicle use.

This bridge is supported by the Pantops Master Plan and the Urban Rivanna River Corridor Plan, which were both adopted by the Board. The bridge would also support the focus areas identified in Phase 1 of the Broadway Blueprint Economic Development Revitalization Study, completed in 2022.

Support of this application would not incur any County costs. If the application for funding were successful, Albemarle County staff time would be needed to support planning efforts.

Staff recommends that the Board support the CA-MPO's FY25 RAISE Grant Program application for the preliminary engineering phase of the Rivanna River Bike/Ped Bridge by authorizing the Board Chair to sign a letter of support substantially similar to Attachment A.

By the above-recorded vote, the Board supported the CA-MPO's FY25 RAISE Grant Program application for the preliminary engineering phase of the Rivanna River Bike/Ped Bridge by authorizing the Board Chair to sign a letter of support substantially similar to Attachment A:



Beatrice (Bea) J.S. LaPisto-Kirtley
Rivanna

Michael O. D. Pruitt
Scottsville

Ann H. Mallek
White Hall

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

Diantha H. McKeel
Jack Jouett

Jim H. Andrews
Samuel Miller

Ned L. Gallaway
Rio

January 17, 2025

United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

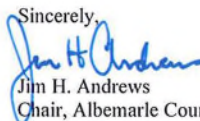
Re: FY2025 RAISE Planning Grant Application
Rivanna River Bicycle and Pedestrian Crossing: Preliminary Engineering Phase

Dear Secretary of Transportation,

On behalf of the Albemarle County Board of Supervisors, I am writing to express support for the Thomas Jefferson Planning District Commission's (TJPD) application for funding through the U.S. Department of Transportation's FY2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program (DTOS59-25-RA-RAISE) to complete the preliminary engineering phase of work for the Rivanna River Bicycle and Pedestrian Crossing, which would provide a vital multi-modal connection between the Pantops development area in Albemarle County and the rest of the Charlottesville-Albemarle urbanized area.

The County of Albemarle has actively contributed to the planning work completed to date on this project through participation in the Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO), staffed by the Thomas Jefferson Planning District Commission. Due to the collaborative regional planning approach taken to advance this project, a bridge location was selected that would support several ongoing County initiatives. The bridge would improve the overall connectivity of the Pantops development area to the larger urbanized area, integrate with economic development and revitalization goals for sites close to the Rivanna River, and support Albemarle County's Climate Action Plan recommendations, all by providing safe and comfortable multi-modal infrastructure as an alternative to single occupancy vehicle use. This bridge is supported by the Board-adopted Pantops Master Plan and the Urban Rivanna River Corridor Plan.

The Albemarle County Board of Supervisors is pleased to offer its ongoing support for this application to complete the preliminary engineering project phase as the next step towards the construction of this bridge.

Sincerely,

Jim H. Andrews
Chair, Albemarle County Board of Supervisors

CC:
Albemarle County Board of Supervisors
Jeffrey B. Richardson, County Executive
Andy Herrick, County Attorney

Item No. 8.4. Resolution to Accept Road(s) in the Village at Chestnut Grove Subdivision into the State Secondary System of Highways. (White Hall Magisterial District).

By the above-recorded vote, the Board adopted the Resolution to Accept Road(s) in the Village at Chestnut Grove Subdivision into the State Secondary System of Highways (Attachment A):

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 15th day of January 2025, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **The Village at Chestnut Grove**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests

the Virginia Department of Transportation to add the street(s) in **The Village at Chestnut Grove**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

* * * * *

Form AM 4.3 (Rev 11/26/2024)		ICR ID: 40389255 SSR						
		COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION Form AM 4.3						
In Albemarle County								
by Resolution of the governing body adopted 1/15/2025								
The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.								
A Copy Testee		Signed (County Official): 						
Report of Changes in the Secondary System of State Highways								
Project/Subdivision: The Village at Chestnut Grove								
CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1058 - Sienna Lane	New subdivision street §33.2-705	Rte. 663 Simmons Gap Road	0.25 Mi E to CDS	0.25	2	DB 3449/308	50

Item No. 8.5. Resolution to Accept Road(s) in the Belvedere Phase 2A and 2B Subdivision into the State Secondary System of Highways. (Rio Magisterial District)

By the above-recorded vote, the Board adopted a Resolution to Accept Road(s) in the Belvedere Phase 2A and 2B Subdivision into the State Secondary System of Highways (Attachment A):

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 15th day of January 2025, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Belvedere Phase 2A and 2B Subdivision**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Belvedere Phase 2A and 2B Subdivision**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

* * * * *

Form AM 4.3
(Rev 12/05/2024)

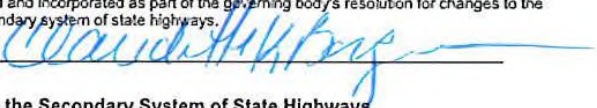
ICR ID: 40324211
SSAR

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In Albemarle County

by Resolution of the governing body adopted 1/15/2025

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): 

Report of Changes in the Secondary System of State Highways

Project/Subdivision: **Belvedere 2A and 2B**

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1920 - Belvedere Drive	New subdivision street §33.2-705	East 110' to end of median	East 713'/0.14mi to Int with Fowler Street Rt 1939	0.14	2	4539/586	71.00
Addition	Rt. 1920 - Belvedere Drive	New subdivision street §33.2-705	Int. with elongated roundAbout	East 110' to end of median	0.02	2	4539/586	81.50
Addition	Rt. 1922 - Farrow Drive	New subdivision street §33.2-705	Existing Int of Butler Lane Rte. 1705 and Farrow Drive Rte. 1922.	East 1560'/0.30Mi, East to Int of Fowler Street Rte. 1939	0.30	2	4539/586	59.00
Addition	Rt. 1935 - Dabney Grove	New subdivision street §33.2-705	Int. Farrow Drive Rte. 1922	North 200'/0.04 Mi, North to Int with Butler Lane and ESM	0.04	2	4538/586	57.00
Addition	Rt. 1936 - Colbert Street	New subdivision street §33.2-705	Int of Farrow Drive Rte. 1922	North 325' to the Int. of Shadrack Alley and ESM	0.06	2	4539/586	53.00
Addition	Rt. 1937 - Barnett Street	New subdivision street §33.2-705	Int. of Farrow Drive Rte. 1922	730'0.14 Mi North to ESM	0.14	2	4539/586	57.00
Addition	Rt. 1938 - Shelton Street	New subdivision street §33.2-705	Int. Farrow Drive Rte. 1922	North 720' to ESM	0.14	2	4539/586	57.00
Addition	Rt. 1939 - Fowler Street	New subdivision street §33.2-705	Int of Belvedere Drive	North 260'/0.05 Mi. to ESM	0.05	2	4539/586	61.00
Addition	Rt. 1939 - Fowler Street	New subdivision street §33.2-705	Int Farrow Drive Rte. 1922.	North 520'/0.10Mi, to Int of Belvedere Drive	0.10	2	4539/586	57.00
Addition	Rt. 1940 - Griffen Grove	New subdivision street §33.2-705	Int. Barnett Street	East 270'/0.05 Mi, Int of Shelton Street	0.05	2	4539/586	57.00

Item No. 8.6. Resolution to Accept Road(s) in Glenbrook Phase 1 Subdivision into the State Secondary System of Highways. (White Hall Magisterial District)

By the above-recorded vote, the Board adopted a Resolution to Accept Road(s) in Glenbrook Phase 1 Subdivision into the State Secondary System of Highways (Attachment A):

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 15th day of January 2025, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Glenbrook Phase 1**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Glenbrook Phase 1**, as described on the attached Additions Form AM-4.3 dated **15th day of January 2025**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

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

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

* * * * *

Form AM 4.3
(Rev 12/05/2024)

ICR ID: 40392002
SSAR

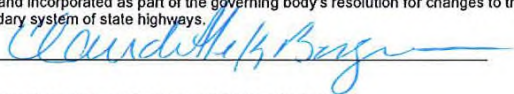


COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In Albemarle County

by Resolution of the governing body adopted 1/15/2025

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): 

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Glenbrook Ph 1

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1360 - Claibourne Road	New subdivision street §33.2-705	Int of Heathfield Lane	0.28 Mi East to CDS	0.28	2	DB 5075/664	54
Addition	Rt. 1361 - Saunders Hill Drive	New subdivision street §33.2-705	Roadway stub South of Dunwood Drive Int.	0.17 Mi North to CDS	0.17	2	DB 5075/664	54
Addition	Rt. 1362 - Bethany Lane	New subdivision street §33.2-705	Int Claibourne Lane	0.07 Mi East to Saunders Hill Drive	0.07	2	DB 5075/664	54
Addition	Rt. 1363 - Heathfield Lane	New subdivision street §33.2-705	Int. Dunwood Drive	0.08 Mi North to Claibourne Road	0.08	2	DB 5075/664	54
Addition	Rt. 1364 - Dunwood Drive	New subdivision street §33.2-705	Heathfield Lane	0.07 Mi East to Saunders Hill Drive	0.07	2	DB 5075/664	54

Item No. 8.7. Transportation Planning Quarterly Report, **was received for information.**

Item No. 8.8. VDOT Quarterly Report, **was received for information.**

Item No. 8.9. Board to Board, January 2025, 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:** Innisfree Village - Private Central Sewerage System and Critical Slopes Waiver (SE2024-34).

The Executive Summary forwarded to the Board states that, as required by County Code § 16-102, Innisfree Incorporated has notified the Clerk of the Board of Supervisors of its intent to replace an onsite conventional sewage systems with a centralized wastewater treatment and disposal system (Attachment A). County Code §§ 16-104 and 16-105 require the Board to consider and either approve or deny this proposal.

In addition, an associated critical slopes waiver (SE202400034) is requested (Attachment F) to allow the installation of two force mains associated with the central system through critical slopes. The central sewerage system would serve 20 existing and one proposed building (21 total connections) within Innisfree Village, on Parcels 14-3, 14-3A, 14-3B, 14-10, 14-10A, 14-10A1, 14-10A2, 14-10A3, 14-10A4, 14-10C, 14-10F, and 14-10F1, while impacting critical slopes (SE2024-34) on Parcels 14-3, 14-10, and 14-3A. The properties are in the Rural Area 1 comprehensive plan area and a water supply protection area and are not in the ACSA jurisdictional areas.

On July 16, 1986, the Board approved Special Use Permit SP-86-25 (with conditions) to allow group residences for handicapped adults, an office addition, a community center, and a machine shed at Innisfree Village, on Parcels 14-3A, 14-10A, 14-10B, 14-10C, and 14-10E, and proposed Parcels 14-10F, 14-10G, and 14-3B. Twenty buildings are currently served by conventional sewage systems. After over 30 years of use, several drainfields have failed and were replaced, and more failures are anticipated in the future. Currently, certain drainfields are not infiltrating as intended and may be contaminating nearby wells. This proposal would allow the replacement and upgrading of the existing systems with a new central sewerage system, which would consist of a gravity main, a centralized wastewater treatment plant, force mains, a drainfield disposal system, and a control system.

This property is not in the ACSA's Jurisdictional Area for public water and sewer and is currently served by individual water wells and conventional septic tanks, distribution, and drainfield systems.

Section 16-101 of the County Code defines a central sewerage system as a system "designed to serve three or more connections". Because this system would have more than three connections, it is considered a "central system" requiring Board approval. The owner proposes 21 total individual connections, which includes 20 existing connections and one proposed connection.

Staff reviews these requests for both technical feasibility and conformity with the Comprehensive Plan. Though the Comprehensive Plan discourages central systems in the Rural Area, the County Engineer has reviewed and recommends approval of this proposal, noting the following findings:

1. Existing septic tanks would remain in service and be retrofitted with effluent filters and access risers to enhance pumping. The existing drainfields, however, would be abandoned in place.
2. Redundancy would be provided for the system, including duplex pumps and backup power. Backup power is currently provided for the residences, water supply wells, etc.
3. The centralized Alternative Onsite Sewage System (AOSS) is considered an advanced treatment system by use of a multi-step biological treatment process. It is designed to meet a Treatment Level 3 (TL-3) with additional polishing, which exceeds VDH's highest level of treatment standards.
4. Effluent would be dispersed in a controlled manner to a subsurface dispersal system.

Though the owner could continue to replace drainfields as each drainfield fails, considering the poor soil conditions on the site, this option is not a long-term solution because of the environmental risks and the risk of displacing residents. Therefore, staff believes that there are no viable options other than a central sewerage system.

Staff further believes that allowing the central system would result in fewer impacts and risks to scenic and natural resources. The Virginia Department of Health (VDH) has reviewed and approved the system design and issued a VDH Construction Permit. For these reasons, staff is supportive of the request and recommends approval of the proposed central sewerage system.

Staff recommends that the Board impose conditions of approval requiring that:

1. The central sewerage system must be constructed in accord with the *Innisfree Village Wastewater Management System Upgrades* plan (Attachment B), the *Innisfree Village AOSS Engineering Report* (Attachment C), and the VDH Construction Permit (Attachment D), each as submitted;
2. Prior to issuance of any certificate of occupancy for the system, the owner must submit at least the following documentation that the system was constructed in accord with the approved construction permit to the satisfaction of the County Engineer :
 - a. the Operations and Maintenance agreement between the owner and operator,
 - b. the final inspection report and completion statement, and
 - c. the VDH Operation Permit.
3. The owner(s) of Parcel ID numbers 01400-00-00-00200, 01400-00-00-00300, 01400-00-00-003A0, 01400-00-00-003B0, 01400-00-00-00600, 01400-00-00-00900, 01400-00-00-009B0, 01400-00-00-01000, 01400-00-00-010A0, 01400-00-00-010A1, 01400-00-00-010A2, 01400-00-00-010A3, 01400-00-00-010A4, 01400-00-00-010C0, 01400-00-00-010F0, and 01400-00-00-010F1 must assume full responsibility for the operation and maintenance of the sewerage system; and
4. If requested by the County Engineer, the owner must annually document compliance with all State operation and maintenance requirements.

In addition, the proposed system would require the installation of a force main on critical slopes in two locations. Therefore, a special exception application to impact critical slopes has also been submitted. Staff also recommends approval of this proposed special exception (Attachment G).

Minimal staff time would be required to review final design documents, completion reports, and to verify that ongoing maintenance is being provided.

- Staff recommends that the Board adopt the attached resolutions approving both:
- the installation of a central sewerage system, subject to the conditions therein (Attachment E), and
 - the special exception to allow impacts to critical slopes, subject to the conditions therein (Attachment H).

Mr. Frank Pohl, County Engineer, said that he was there to present two requests from Innisfree Village for the Board's consideration today. He said that the first item was for a private central sewerage system, and the second was for a critical slope exception request, or critical slopes waiver. He said that he would present both requests together, but there would be two resolutions at the end of this presentation for the Board to decide on. He said that they had the design engineer for the central system and the design engineer for the critical slopes waiver request present today as well.

Mr. Pohl said that the location of the project was in western Albemarle County, in the White Hall District, specifically between Mount Fair and Brown's Cove, north of Crozet, at the foot of the Shenandoah Mountains. He said that this area was zoned Rural Areas (RA) and was located outside of the jurisdictional water and sewer service areas, and within a water supply protection area of the Doyles River. He said that prior approvals on this project included a 1986 Special Use Permit for group residences, as well as several other applications, including site plans, plats, land disturbance applications, and a stream mitigation bank.

Mr. Pohl said that the existing buildings on the property were served by individual conventional sewer systems, which were typical septic drain field type systems. He said that there were currently 20 connections throughout the property. He said that over the past 30 years, several of these drain fields had failed, and more were expected to fail. He said that in response, the owner had hired an engineer specializing in alternative systems to design and permit a new onsite system to replace the failing drain fields. He said that the new system would reuse some of the existing components, such as laterals and septic tanks, but would require the installation of a new treatment plant, pumping stations, force mains, gravity mains, a new combined drain field, and a control system to manage and monitor the system. He said that the system would also be on backup power, as was the rest of the community.

Mr. Pohl said that the engineer had submitted detailed construction drawings and a thorough engineering report, and the Department of Health had issued a construction permit for this project. He said that these documents were included in his staff report. He said that this request was to allow for 21 connections on this property.

Mr. Pohl said that central systems were regulated by Chapter 16 of the County Code, and a central system is generally defined as a water or sewer system designed to serve three or more connections. He said that since this proposed system would serve 21 connections, a hearing and action by the Board is required, which is why they are here today.

Mr. Pohl said that a site plan showing the property with existing conditions, and the proposed system is provided. He said that he understood that this was a busy slide, so he would guide them through it. He said that the property was quite large, with numerous buildings. He said that to begin, they entered on the right-hand lower side of this screen, located on Walnut Level Road. He said that as one entered, Innisfree Lane turned off to the right, leading to the main campus or the campus area on the property.

Mr. Pohl said that there were 16 parcels, which was a significant number. He said that parcel lines were represented by dark dash-dot lines, although the dot itself may not be visible. He said that these dark lines indicated property boundaries. He said that the green line running down the center and up the top represented a stream buffer. He said that the yellow hatching represented critical slopes. He said that he may have missed a few small areas, but these were the key ones to consider for this application. He said that to the right, a mapped floodplain was shown. He said that the gray-hatched areas represented stream nutrient banks.

Mr. Pohl said that the existing building would connect to the system were identified with a number inside a circle, totaling 20, plus one proposed new structure, number 21, which was currently under review. He said that a site plan was currently being reviewed for the additional structure. He said that other buildings without numbers were present, but they were only focusing on those requesting to be served. He said that the property featured several water supply wells, marked with a circle and a dot in the middle, throughout the property.

Mr. Pohl said that notably, the site's contours were not immediately apparent, but it was quite steep, even though most of the site did not exceed 25%. He said that the site was also rocky, which was the primary reason for the failure of existing systems. He said that the proposed system was highlighted in magenta. He said that the proposed system would consist of three connections, with the third connection beginning at this location. He said that the force main and other lines would connect to this, and laterals would extend down to the proposed treatment plant, located at the bottom of the properties. He said that from the treatment plant, there would be a pump station which would pump over to a new combined drain field, and that the engineer could explain why this location was chosen. He said that the septic tanks and laterals were not shown on this plan.

Mr. Pohl said that the favorable factors for this request included the engineered system would reduce the potential for groundwater contamination by replacing the existing failing drain fields. He said that the wastewater treatment would exceed state standards, including the removal of pharmaceuticals. He said that maintenance would be contracted to a licensed third party, and the Virginia Department of Health (VDH) had already issued a construction permit, indicating extensive work had been done on this project.

Mr. Pohl said that unfavorable factors included that the system would be privately maintained, and the complexity of the system may limit the number of available licensed operators in the future. He said with this request, staff recommended the following conditions for approval. He said that first, the system must be constructed in accordance with the submitted plans and the construction permit that was issued by VDH. He said that second, prior to the issuance of the CO (Certificate of Occupancy) for the system, the required documents from VDH must be obtained. He said that third, the parcel owners must assume full responsibility for the operation and maintenance of the system, and fourth, that they document compliance with all state operation and maintenance requirements.

Mr. Pohl said that regarding critical slope impacts, there were two areas where the system would pass through or be located on critical slopes. He said that the one on the left was between the treatment facility and the drain field, with the drain field area surrounded by critical slopes, and they were proposing a maximum impact of approximately 200 square feet. He said that the area on the right was adjacent to an existing alleyway or accessway, and was next to that building, so there were no issues with either one. He said that both impacts would result in a trench required to install the force main and any conduits for the control system. He said that it was relatively narrow and could likely be completed quickly. He said that they were also in pasture grassed areas.

Mr. Pohl said that critical slopes were regulated in Chapter 18, Section 4 of the County Code. He said that the proposed impacts did not meet the criteria for a listed exemption, and therefore, Board approval was required. He said that the requirements from the Board to grant the waiver were shown on the slide, and he believed the applicant had addressed all of these issues, and that each of the listed criteria appeared to be met.

Mr. Pohl said that in addition to his findings, the factors favorable included that an erosion and control plan would be required prior to commencement of land disturbing activities, which the applicant had already submitted. He said that the areas of critical slope disturbances would be linear, with an area of less than 300 square feet, and would occur in well-established pasture grass areas. He said that he did not find any factors unfavorable to this request.

Mr. Pohl said that he did have one condition: the applicant must install perimeter control measures before activities began, which was a regulation in itself. He said that this condition was a bit redundant, but it was his requirement for the critical slopes waiver.

Ms. Mallek thanked Mr. Pohl for all his hard work on this project. She said that this institution had been a valuable resource for residents for decades, and she was glad to see they had been working closely with him to ensure the proper design and had been pleased with the progress. She said that if she understood correctly, the location of the crossing on the critical slope appeared to be the shortest possible route down the steep incline. However, it did not cross the slope but rather followed it.

Mr. Pohl said that that was correct.

Ms. Mallek said that over this distance, there was a significant elevation drop of approximately 10 to 20 feet, which would require careful consideration of weather and other factors before construction began. She said that she was also curious about potential remediation measures that could be taken if issues arose, such as installing steel plates to prevent erosion. She said that given the location near the Doyles River, which had undergone significant restoration after years of pollution, for which she was grateful, asked for help understanding the process for installing the critical area at this location.

Mr. Pohl said that the trench would be dug using a trenching machine, which is a relatively small machine, or a small backhoe with a bucket. He said that a diversion would be placed at the top of the hill to prevent water from above from entering the trench. He said that he anticipated that they would plan to complete this when the weather was clear enough to open the trench and cover it before any weather event arrived. He said that this would prevent the trench from being exposed to the elements. He said that the engineer could likely speak to that a bit more regarding his experience with that process, the site itself, and what he anticipated it would take.

Ms. Mallek said that she would like to know if there would be notification to his office when the project is ready to begin, similar to the procedures for controlled burns or other hazardous activities that require notification to the fire department. She said that she still recalled the incident in Claymont when the construction team created open ditches, and after receiving only six inches of rain, the dirt washed directly into the river, flowing straight down the hill. She said that this experience had left her a bit apprehensive about the process involved in this project.

Mr. Pohl said that yes, they would be issuing a land disturbance permit, and, with their new system, they would set up recurring inspections every two weeks. He said that they could conduct more frequent inspections once this process began to ensure everything was in place. He said that yes, they would be on top of it. He said that the new system would be added to their list to ensure inspections were conducted, which would help them with that.

Ms. Mallek said that she also wanted to propose a modification to Condition #4. She said that she suggested that their condition be revised to require them to send annual reports, rather than waiting until the County requests them. She said that this would ensure that they took ownership of demonstrating their compliance, rather than relying on the County to follow up.

Mr. Pohl said that these conditions had been presented to the Board before and Ms. Mallek had made that comment previously. He said that in the past, he recalled because they had an EPFL system in place now. He said that this was actually a case that was currently being tracked in their system, which would make it easier to manage. He said that in fact, all new central systems would be able to be tracked individually. He said that he would input the information about the systems he was aware of, not because the condition was on those projects, but because it would make their process easier, and he had no issues with adding that, which would allow them to track it more effectively.

Ms. LaPisto-Kirtley said that Mr. Pohl had mentioned earlier that there were 16 dwellings being connected to this project.

Mr. Pohl said that there would be 21 connections. He said that some of those facilities were located in the same building.

Ms. LaPisto-Kirtley asked if those who did not initially sign up would have the opportunity to sign up at a later date.

Mr. Pohl said that he did not believe that the other facilities had running water or any need for it. He said that they were like barns or sheds.

Ms. LaPisto-Kirtley said that she believed the 100-year floodplain had been updated since the previous one. She said that she requested confirmation that the current floodplain was the latest one, or if it was from a previous year.

Mr. Pohl said that 2005 was the currently mapped year.

Ms. LaPisto-Kirtley said that finally, regarding the 21 parcels that they were discussing, those parcels were the ones that would be responsible for maintaining this facility. She said that she was in favor of the request and believed it was necessary, but that she wanted to know if the new owners of those parcels would be obligated to continue maintaining this facility.

Mr. Pohl said that he believed that the information would be included in the operation and maintenance manual that they had yet to receive. He said that they were also requesting easements across the properties to ensure that if the property were to sell, they would have the right to remain on the property. He said that the operation and maintenance manual was a state requirement, so there was a plan that must be followed, and the engineer may be able to provide more insight on this matter.

Ms. McKeel said that she appreciated the effort Mr. Pohl had put into making this presentation easy to understand. She said that having discussed infrastructure earlier today, this fell under that category. She said that she was in full support of this upgrade. She said that at this point, she did not have any questions. She said that she was pleased to hear that their new systems would make notifications and keep a routine, which would help minimize disruptions caused by staff changes and retirements. She said that this was excellent news.

Mr. Gallaway said that he thanked Mr. Pohl and asked him to please go to the slide that listed the favorable and unfavorable factors. He said that regarding the second condition, the fact that the operations and maintenance agreement between the owner and operator must be provided ahead of time, and number four, which Ms. Mallek had discussed, he understood what was here. He said that regarding the length of the maintenance agreement and operations agreement, if there was a concern about a limited number of operators, and they were concerned about having the agreement ahead of time, number four kind of gave blanket protection. He asked if typically, these maintenance agreements were for a period of more than five to ten years. He asked if an operator was not available in the future, and they were concerned about the limited number of operators, how they could protect against that in their conditions.

Mr. Pohl said that he did not believe there was a guarantee that there would be an operator. He said that this was why he had listed it as an unfavorable factor. He said that unlike Glenaire, this was owned by a single entity. He said that as a result, the risk they took was that if they could not find an operator, they may be forced to shut down the facilities or revert to individual tanks and drain fields. He said that he was uncertain about the number of operators available, and he thought this was a risk worth considering. He said that the engineer may have more information on the number of operators, but he thought it was a risk, which was why he included that. He said that he was unclear about the length of the agreements and contracts.

Mr. Gallaway said that it seemed that he was addressing his concern, which was that if there was no operator, they would have to make alternative decisions. He said that this would then continue to protect them, because they would not just want a system that was operated improperly or not correctly in accordance with state guidelines. He said that the owner must demonstrate that they were meeting those requirements, which served as a form of protection. He said that it appeared that his concern in this matter would be mitigated without having to make any changes.

Mr. Gallaway said that, however, he agreed that number four should be revised to state that the owner must annually submit documentation of compliance with state operation and maintenance requirements, without request, perhaps on a County Engineer agreed-upon date. He said that by requiring this documentation upfront, they would know that it was an expectation that must be met, and they could plan accordingly. He said that he would support Ms. Mallek's suggestion to revise number four to include this requirement.

Ms. McKeel asked if Mr. Pohl could clarify that. She said that she had thought that the new system was designed to make it easier to accomplish that.

Mr. Pohl said that they could, but it would still be necessary to clearly state it as a requirement.

Mr. Gallaway said that he would like the applicant to take the initiative to complete the task, rather than the County requesting it.

Mr. Pohl said that they could also set it up as a reminder if they had not received something.

Mr. Gallaway said that he assumed the applicant would not have an issue with the proposed changes, given the state requirement.

Mr. Andrews said that he agreed with that as well. He said that the number four not only included that language, but it did not specify annually, whereas the document in their packet did state annually, and he thought that was an important distinction. He asked if he could review slide five again to clarify something for his own understanding. He said that there was a discussion about the system's ability to remove pharmaceuticals and everything, resulting in a clean system. He said that according to the proposed treatment plant, what then got to the drain field already had that removed.

Mr. Pohl said that he would defer to the engineer of record for that question when the time came, if they did not mind.

Mr. Andrews would appreciate a bit more detail on this matter. He believed it was a good time to discuss it. He said that this was significant because it was the only place where, in his opinion, the issue arose, and it was not far from floodplains and stream beds. He said that he wanted to understand it, if he may.

Mr. David Maciolek said that he was with Aqua Nova Engineering. He said that he was the engineer of record for this system. He said that Mr. Andrews' question was a very good one. He said that one of the concerns raised by the industry, based on a study they conducted, was the potential for pharmaceutical compounds to contaminate the drinking water due to the location of the wells surrounded by drain fields. He said that this was a concern that existed everywhere, but the industry had taken a proactive approach to investigating it. He said that the treatment system had an additional stage beyond what was required by state regulations. He said that this cutting-edge treatment component was designed to remove pharmaceuticals, and it was based on research and pilot-scale systems that had been built. He said that essentially, it utilized bacteria and fungus to capture and metabolize certain pharmaceuticals. He said that the water that passed through this treatment stage was further treated, and the resulting effluent was extremely clean. In fact, the water being pumped to the drain field was as clean as it could be for a system of this size.

Mr. Andrews said that was exactly what he was hoping to hear and seeking assurances on. He said that regarding the documentation of compliance with all state operation and maintenance requirements, he would like to know if the integrity of that system was also part of the process.

Mr. Maciolek said that the State compliance required that the entire system operate as designed. He said that the size and complexity of this system were actually advantages, as they would attract better-quality operators. He said that in contrast, many alternative on-site systems were not operated or were barely operated, while conventional systems, which produced more pollution, often had no maintenance or operation requirements at all.

Ms. Mallek said that given the 21 connections, she assumed the media or filters would need to be removed every year; it could not wait five years for maintenance.

Mr. Maciolek said that the septic tanks would be pumped on a routine basis, which had not necessarily been the case previously. He said that they were capturing the primary solids in the septic tanks near the buildings, making it the most cost-efficient method. He said that as a result, they would be on a regular pumping and hauling schedule. He said that at the treatment plant, minimal residuals were generated, and the pumping cycle was expected to be between three to five years, due to the type of treatment system used. He said that these residuals would be pumped and taken to a treatment plant, similar to the septage from the septic tanks.

Ms. Mallek said that the pre-treatment was by the building, where the tank was.

Mr. Maciolek confirmed that was correct.

Ms. Mallek said that this information was helpful because she believed that the systems had undergone significant improvements since around 2005, when there were numerous failures of AOSS

(Alternative Onsite Sewage Systems) systems in rocky terrain. She said that these failures were particularly severe, resulting in much greater consequences than a typical failure of a leach field. She said that she was relieved to know that the situation had improved. She asked if it was not a granular activated carbon system in place, but rather some type of bacteria.

Mr. Maciolek said that the treatment plant had three stages. He said that the first stage utilized a textile trickling filter called AdvanTex, a system that was widely used and proven to be effective. He said that the second stage involved removing additional nitrate, as nitrogen was a water pollutant. He said that they aimed to remove as much of it as possible. He said that the third stage employed an innovative reactor to capture pharmaceuticals, which could be absorbed onto media. He said that over time, bacteria and fungi would break down these substances. He said that while he could not guarantee 100% removal, this process was a step in the right direction, and they would continue to work towards capturing as many pharmaceuticals as possible.

Mr. Maciolek said that regarding the critical slope crossing, the slope leading down to the drain field was once an old apple orchard that dated back to the 1920s. He said that the presence of terraces on the way down would aid in managing some of the runoff. He said that the soils in this area were exceptional, which is why they were installing a drain field. He said that the soils were highly absorptive, rather than impermeable, which would help with this. He said that at the bottom, there was a large, gently sloped area that would allow any runoff to infiltrate before it reached the stream.

Ms. Mallek asked if there was a berm located nearer the stream setback.

Mr. Maciolek said that they would be installing erosion barriers down the hill of the drain field. He said that while the trench was being dug, a temporary berm may be placed at the bottom of the trench.

Ms. Mallek said that she was generally in favor of permanent berms wherever sheet drainage was, as it helped prevent materials from being washed away.

Mr. Maciolek said that it was a managed pasture, so it was in their best interest. He said that the industry emphasized the importance of the animal management. He said that to achieve this, they should prioritize keeping it well-vegetated, preventing erosion, and avoiding bare spots.

Ms. Mallek said that she had another question for Mr. Pohl. She asked if there was a stipulation that this approval was only for the current user, or whether these approvals would be valid for future owners.

Mr. Pohl said that that may be a matter best addressed by their legal team.

Mr. Andy Herrick, Interim County Attorney, said that this request was tied to the land itself, rather than being dependent on a specific owner.

Mr. Maciolek said that regardless of who owned the buildings and operated them, they would be significantly better off with the centralized sewage system compared to the previous individual drain fields. He said that there were other subdivisions with individual owners and a centralized sewer system were a common arrangement. He said that it was typically a requirement of the deed that the buyer paid for the maintenance of the centralized sewer system.

Ms. Mallek said that the proximity of 50 feet between buildings was significantly different from what was typically found in a neighborhood.

Ms. Andrews said that they were looking for a motion.

Ms. Mallek **moved** that the Board of Supervisors adopt the Resolution attached to the staff report as Attachment E with Condition #4 amended to read "The owner must annually document to the County Engineer compliance with all state operations and maintenance requirements". Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

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

Ms. Mallek **moved** that the Board of Supervisors adopt the revised Resolution to approve SE202400034 Innisfree Village Critical Slopes Special Exception dated January 14, 2025. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

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

Ms. McKeel said that they were just talking about how their new system would allow for this particular project to have specific criteria requested. She asked if going forward, they could automatically do that, so the Board did not have to specify that they had to do that.

Mr. Pohl said that their next request would have it written that way.

RESOLUTION TO APPROVE INNISFREE VILLAGE CENTRAL SEWERAGE SYSTEM

WHEREAS, Innisfree Incorporated is seeking approval of a central sewerage system to serve up to 21 connections on Parcels 01400-00-00-00200, 01400-00-00-00300, 01400-00-00-003A0, 01400-00-00-003B0, 01400-00-00-00600, 01400-00-00-00900, 01400-00-00-009B0, 01400-00-00-01000, 01400-00-00-010A0, 01400-00-00-010A1, 01400-00-00-010A2, 01400-00-00-010A3, 01400-00-00-010A4, 01400-00-00-010C0, 01400-00-00-010F0, and 01400-00-00-010F1 (collectively, “Innisfree Village”).

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, the information presented to the Board of Supervisors, and the factors relevant to central sewerage systems in County Code Chapter 16 and the Albemarle County Comprehensive Plan, the Albemarle County Board of Supervisors hereby approves a new central sewerage system, as proposed in the submitted materials, to serve up to 21 connections on Parcels 01400-00-00-00200, 01400-00-00-00300, 01400-00-00-003A0, 01400-00-00-003B0, 01400-00-00-00600, 01400-00-00-00900, 01400-00-00-009B0, 01400-00-00-01000, 01400-00-00-010A0, 01400-00-00-010A1, 01400-00-00-010A2, 01400-00-00-010A3, 01400-00-00-010A4, 01400-00-00-010C0, 01400-00-00-010F0, and 01400-00-00-010F1, subject to the conditions attached hereto.

* * *

Innisfree Village Central Sewerage System Conditions

1. The central sewerage system must be constructed in accord with the Innisfree Village Wastewater Management System Upgrades plan, the Innisfree Village AOSS Engineering Report, and the VDH Construction Permit, each as submitted;
2. Prior to issuance of any certificate of occupancy for the system, the owner must submit at least the following documentation that the system was constructed in accord with the approved construction permit to the satisfaction of the County Engineer :
 - a. the Operations and Maintenance agreement between the owner and operator,
 - b. the final inspection report and completion statement, and
 - c. the VDH Operation Permit.
3. The owner(s) of Parcel ID numbers 01400-00-00-00200, 01400-00-00-00300, 01400-00-00-003A0, 01400-00-00-003B0, 01400-00-00-00600, 01400-00-00-00900, 01400-00-00-009B0, 01400-00-00-01000, 01400-00-00-010A0, 01400-00-00-010A1, 01400-00-00-010A2, 01400-00-00-010A3, 01400-00-00-010A4, 01400-00-00-010C0, 01400-00-00-010F0, and 01400-00-00-010F1 must assume full responsibility for the operation and maintenance of the sewerage system; and
4. The owner must annually document compliance with all State operation and maintenance requirements.

**RESOLUTION TO APPROVE SE202400034
INNISFREE VILLAGE - CRITICAL SLOPES SPECIAL EXCEPTION**

WHEREAS, upon consideration of the staff report prepared for SE202400034 Innisfree Village - Critical Slopes Special Exception, the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code § 18-4.2.5 and § 18-33.9, the Albemarle County Board of Supervisors hereby finds that:

1. The proposed special exception would not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to adjacent properties;
2. The proposed special exception would not be contrary to sound engineering practices; and
3. Strict application of the requirements of Albemarle County Code § 18-4.2 would not forward the purposes of the Zoning Ordinance or otherwise serve the public health, safety or welfare;
4. Alternatives proposed by the developer or subdivider would satisfy the intent and purposes of Albemarle County Code § 18-4.2 to at least an equivalent degree;
5. Due to the property's unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties; and
6. Granting the modification or waiver would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SE202400034 Innisfree Village - Critical Slopes Special Exception to allow disturbance of a maximum of 300 square feet of critical slopes on those portions of Parcels 01400-00-00-00300, 01400-00-00-003A0, and 01400-00-00-01000 shown as Areas A and B on the applicant's “Special Exception Request (SE202400034)” by Line and Grade Civil Engineering, dated December 16, 2024, provided that an erosion and stormwater management application must be approved and all erosion control perimeter measures must be installed prior to commencing land disturbing activities.

Agenda Item No. 10. **Presentation:** Calendar Year 2025 Real Estate Reassessment Update.

The Executive Summary forwarded to the Board states that Albemarle County Code §15-700 requires all real estate in the county to be assessed annually as of January 1st each year and requires the County Assessor's Office to conduct a new reassessment. The Constitution of Virginia, Article X, Taxation and Finance, Section 2, Assessments dictates that "all assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law." Also, State Code §58.1-3201 requires all real estate assessments to be made at 100% of fair market value.

The Real Estate Assessor's Office has completed the annual reassessment process for CY 2025 and notices are scheduled to be mailed to property owners on or before January 24, 2025. Property owners who have signed up for e-statements should receive their notice through email as long as no change has been made to their information such as their mailing address. Information traditionally provided by the County Assessor's Office includes the average overall change in assessed value and average change for different property classes. Additional details are provided regarding single family residential properties, which make up the vast majority of properties in the county.

Property owners who wish to request a review of their annual reassessment to the County Assessor must do so by February 28, 2025; this level of appeal is referred to as an Assessor's Review and is allowed by County Code §15-702. Appeals may also be made to the Board of Equalization, if filed by March 31, 2025, or 30 days after the County Assessor has rendered his decision on a previously requested Assessor's Review, whichever is later.

Preparation of mass appraisals that result in fair and equitable assessments requires the work of competent, well-trained personnel in the Real Estate Office in their application of assessment principles and best practices, adherence to Virginia Code and Albemarle County Code, compliance with regulations promulgated by the Virginia Department of Taxation and guidelines established by the International Association of Assessing Officers (IAAO). The focus of the Assessor's office in preparation for the 2025 reassessment was to continue the individual review of as many properties as possible, updating property descriptions as needed, to create more accurate assessed values. The more accurate the property data in the County's records, the better the valuation model and assessment results. This action reduces the chance that a change will need to be made on review. The goal of assessment tax policy in Virginia is to fairly spread the tax burden across the population of the county.

The presentation will include an overview of the reassessment process and outcome for CY 2025 and highlight statistical information about reassessment results by magisterial districts and the change in value for the "average" homeowner, as well as other information. A Frequently Asked Questions (FAQs) document (Attachment A) and a flyer titled 'Why is this notice Important' (Attachment B) have been prepared by the Assessor's staff for distribution to property owners and will be included in the mailing of assessment notices. These inserts have been included as attachments for the Board's reference. This presentation will provide detailed results to the Board in advance of the results being provided to taxpayers through notices of assessment being mailed January 24, 2025.

While there is no direct budgetary impact specifically related to this information, the results of the 2025 reassessment will provide important information for the current (FY 25) Budget and the upcoming (FY 26) budget development process.

Staff recommend that the Board receive the CY 2025 Real Estate Reassessment report as presented.

Mr. Peter Lynch, County Assessor, said that he and his staff had prepared the reassessment for the year and wished to share the results with the Board today. He said that generally, they would be discussing the assessment process and the results. He said that he would provide additional breakdowns of the values in different ways, and he wanted to assure them that the numbers he would be sharing were overall numbers, and that every property would experience a different result. He noted that when they discussed ratios or results, they were overall and not specific to individual properties.

Mr. Lynch said that he believed it was important to understand how they conducted their work, so he would explain the mass appraisal process. He said that he would like to provide an explanation of how they did their job, so the public could understand that they were following proper procedures. He said that he would also discuss the land use program, provide an overview of the review and appeal process, and introduce a pilot program for inspections that they would be implementing.

Mr. Lynch said that the reassessment overall this year showed that the tax basis had increased by 5.09%, or approximately 5.1%. He said that as they could see from this historical graph, from 2009 to 2013, values had been declining due to the financial crisis, but then they had started to climb steadily until the period after the pandemic, when values had increased significantly.

Mr. Lynch said that he attributed this increase to the displacement of people who were going to places where they could not normally live because they could work remotely. He said that he thought that increased demand quite a bit in Albemarle County. He said that it was a nice place to live, and if he did not have to work somewhere else to work, then they would work here. He said that that was what he thought happened during those years.

Mr. Lynch said that the demand for housing in their area had remained strong, despite the recent increase in mortgage rates. The values had not increased as much as they had in 2022 and 2023, but they were still rising. He said it was essential to note that their market remained strong despite the impact of mortgage rates.

Mr. Lynch said that he typically provided the breakdowns by magisterial district. He said that as they could see, the percent or average changes varied depending on the district. These changes also differed depending on the neighborhood within those districts. They had seen neighborhoods within districts that had experienced significant increases, while others had declined. Overall, these were the averages.

Mr. Lynch said that he would also provide breakdowns by property class, which were state property classes. He said that for urban residential properties, which are defined as having water and sewer, there was a 6.9% increase in assessed values. He said that they then moved down to larger properties without water and sewer, rural area properties, multifamily properties, and commercial properties. He said that this year, commercial properties had faced challenges in their valuations, with more stress due to economic conditions than residential properties, because they were influenced by different factors.

Mr. Lynch said that the next slide was data based on the sales they had over the past seven years, which supported their work and where they ended up. He said that he had also included information on how the state sales study related to his presentation. He said that this was his 10th year presenting reassessment results, and he consistently reported that they were at 100% of market value. When he said 100% of market value, he meant that the median ratio was 100%, which meant that half of the sales resulted in lower ratios and half resulted in higher ratios. He said that a high ratio indicated that the assessment was higher than the sale price. While they could not avoid variance in their mass appraisal process, they strived to minimize it.

Mr. Lynch said that the variance was represented by a coefficient of dispersion (COD), which was the third column of data. He said that the IAAO (International Association of Assessing Officers) had guidelines that specified a ratio range of 5% to 15% and 5% to 25%, depending on the type of property. He said that the fact that they were currently in the 5% range was very favorable. This indicated that the variance above and below the median ratio was very tight, which was what they were looking for.

Mr. Lynch said that the final column was the state-published percentage for all jurisdictions in the state, which was calculated by the State Department of Taxation. He said that the reason their percentage may have appeared lower than the 100% he reported was that his office had only considered the 2024 sales, which included 1,849 good sales in the County. He said that the median ratio of this group was 100%, or 99.9%. He said that when the state reviewed their assessments and compared the 2025 sales to the value they had just set for 2025 based on the previous year's sales, the ratio would likely decrease due to inflation, which caused sale prices to rise.

Mr. Lynch said that this was a normal phenomenon, and the ratios after the fact would be lower than the ratios when looking back at sales. He said that to illustrate this, their frequently asked questions (FAQs), which were attached to the packet, stated that the State Department of Taxation served as a guide to evaluate their performance. He said that they determined their ratio for 2023, which was 93.5%. He said that in comparison, all jurisdictions had a range of 56% to 98%, placing them toward the top of that range.

Mr. Lynch said that some jurisdictions reassessed every six years, which could impact their percentages. He said that when examining the low percentages, it was possible that these jurisdictions had not reassessed in a number of years. He said that their average COD was 19%, compared to the County's 9.3%. He said that if they focused on the 33 jurisdictions that conducted annual reassessments, the range was narrower, at 61% to 93%. He said that they were still at the top of this range. He believed they did a good job, and this data supported their performance in terms of statistics.

Mr. Lynch said that he may be breaking some rules with the next slide, as it contained a lot of information, but he thought it was important to present all these different aspects to explain how they conducted their assessments and how well they had done. He said that one concern was whether they were assessing low-end properties at a higher percentage than higher-end properties, an issue in the assessment world. He said that this slide was divided into eight value categories, ranging from up to \$150,000 to over \$2 million.

Mr. Lynch said that when comparing sales in these ranges to their assessments, they found median ratios around 100%, regardless of the property's valuation. He said that he also provided counts within each range, showing that the majority of properties fell in the \$450,000 to \$650,000 value range. He said that the average increase in each price range was also shown, along with the number of sales used to support each valuation. He said that he observed that in Albemarle County, the number of properties over \$1 million in value was equal to or very close to the number of properties less than \$250,000. He said that as values continued to rise, this trend was likely to persist.

Mr. Lynch said that the note at the bottom of the slide highlighted this point of interest. He said that the effect of the increase in value this year would have on the average person in terms of their property taxes was a question of interest. For example, taking the median home value in Albemarle County, which is now \$486,600, and assuming a 7.3% increase, which would be the average for that price range, would result in approximately \$283 more in taxes, assuming the tax rate remains unchanged.

This was just one piece of information to consider.

Mr. Lynch said that as he had mentioned earlier, everyone's assessment was affected differently. He said that their office was constantly updating information, and his staff had worked diligently this year, visiting approximately 10,000 properties in person. He said that this effort had been highly effective in helping them update their property data. He said that it was important to note that new information could adjust the value of a property, potentially leading to higher or lower assessments.

Mr. Lynch said that staff also visited properties that had sold, whether they could get out to see other properties or not, and often discovered new information that was previously unknown. He said that this was particularly true for the larger-changed properties, which they discovered were in much better condition than they thought, or that they had certain aspects that his office was unaware of. While developing a valuation model was very important as part of the assessment process, updating their data and ensuring it remained current was equally important in the assessment process.

Mr. Lynch said that mass appraisal was a different approach from individual appraisals, where they considered multiple properties when valuing them, rather than valuing each one individually. They continued to evaluate properties based on what they had and their characteristics, such as style, grade, square footage, and number of bathrooms. When valuing these properties, they created a model that encompassed a wide range of properties, from average homes with one bedroom and one bathroom to mansions with 10 bedrooms and 10,000 square feet and ensured that the values were accurately reflected. The success of this model was evident in the ratios they had seen earlier, which showed that their adjustments for each grade were appropriate.

Mr. Lynch said that they then took that model and applied to all of the properties in the County, then they ran sales reports to determine, based on all of the mentioned criteria, how well they had done. He said that the slide showed some of the grades they had in the County and how many properties had the grades that sold in 2024, and what the median ratio and the COD, or variance was on those properties. He said that they used this to grade themselves, and whether the adjustment amount made for a grade was appropriate. He said that based on these ratios, it was.

Mr. Lynch said that the next slide was based on their year built, and the results showed that their model was accurately valuing homes of all ages. He said that similarly, they evaluated properties based on their size, and based on the next slide, the ratios indicated that their model was properly valuing both smaller and larger homes. He said that by analyzing these results, they could identify any issues with their model.

Mr. Lynch said that they also examined properties by neighborhood, and as shown on the next slide, the ratios were consistent with their expectations, indicating that their model was effective in valuing properties across the County. He said that this concluded the model reassessment.

Mr. Lynch said that now he would move on to land use, which he had several points to discuss. He said that the most important aspect of the land use program was that it could not be passive; it had to be an active program. He said that the Board knew the importance of the program and the cost of the program in terms of deferred value.

Mr. Lynch said that currently, the deferred value in 2025 was \$1.7 billion, representing the reduction in market value due to land use qualification. He said that deferred taxes amounted to approximately \$14.9 million in 2025. He said that there were approximately 190,000 acres in the County that were currently qualified for land use. He said that the number of parcels had decreased from 4,500 in 2019 to 3,700, as shown in this graph. He said that while the numbers fluctuated, they generally trended downward as more attention was paid to the program.

Mr. Lynch said that the County utilized State Land Evaluation Advisory Council (SLEAC) values to value these properties based on the acreage qualified. He said that as demonstrated, SLEAC values for agriculture and forestry had decreased slightly. He said that these decreases were relatively small compared to market value.

Mr. Lynch said that the next slide aimed to illustrate the importance of not being passive in the application and administration of the land use program. He said that they had previously discussed deferred value, which was recaptured through rollback taxes. He said that rollback taxes captured current and five previous years' taxes, totaling a six-year period, when a property or part of a property no longer qualified. He said that this was why the numbers on the right side of the graph were significantly higher than those on the left. He said that the line graph represented the amount of money, while the bar graph represented the number of rollbacks they had worked on.

Mr. Lynch said that the period spanned from 2015 to 2025 as indicated by 1 through 10 on the graph, with the first year actually being 2016. He said that in 2018, they experienced a significant rollback amount of \$1.3 million, primarily due to the Brookhill development. He said that although this was a large rollback, it was not a result of their increased attention to the program, but rather that it was one big rollback. He said that otherwise, their numbers were relatively low each year, and they were not actively working to recapture land use that should have been.

Mr. Lynch said that thanks to the Board and the County Executive's Office, they were able to add a Land Use Administrator in 2019, which enabling them to shift from a passive to an active administration of this program. He said that this change has allowed them to properly capture land use rollbacks on

properties as they change their uses and ensure that qualified properties continue to be qualified appropriately.

Mr. Lynch said that this current year marked a significant shift in their understanding of the code, and he worked with the County Attorney's office to ensure they understood it correctly. He said that as they may recall, the deadline to file for land use was 30 days after notice, followed by an additional 60 days with a late fee. He said that specifically, notices would be sent out on January 24, with applications due by February 24 for a \$125 fee, and April 24 for a total of \$250 fee per parcel.

Mr. Lynch said that they had discovered that there are two separate periods for deadlines. He said that the deadline to file for land use in 2025 was November 1, 2024, with a late filing period until January 1. Since both of these periods had passed, as of January 2, they were no longer eligible to apply for land use. He said that there was a contingent deadline, which was dependent on an increase in their land assessment for 2025, specifically related to their land assessment for 2025.

Mr. Lynch said that if they received a notice that was mailed on January 24, indicating no increase in their land assessment, they were not eligible to apply for land use for 2025 at this point. He said that on the other hand, if the notice showed an increase in their land assessment, they were able to apply. He said that the main change this year was the introduction of this contingent deadline, and the time periods for those who qualified for the second group remained the same. He said that it took him a couple of days to fully comprehend this.

Ms. McKeel asked if Mr. Lynch could explain that point again.

Mr. Lynch said that to clarify, two different groups; everyone could apply prior to the tax year. Anyone could apply, but once the new tax year began, it was dependent on whether there was an increase in assessment. He said that the County Code had always said that they had that first period. He said that they had always understood the second part to mean that if there was an annual reassessment, then the later period was used. He said that it actually specifically stated that one had to experience an increase in assessment for that second period to apply. This was what they had done incorrectly in the past. He said that this was only for people who were not currently in the program but wanted to get into the program.

Mr. Lynch said that this was a revalidation year, and he would come back in May or June to talk to the Board about the revalidation, so he would not get into that.

Mr. Lynch said that he also wanted to provide some general information. Through the recordation of plats, they had created 386 new parcels, bringing the total to almost 50,000. They would be mailing notices on January 24, and, like tax bills, they offered the option for e-billing or e-statement. Those who had already signed up for e-billing through their tax bill would receive their notice via email instead of the mail, which was a great option. They hoped this would increase the number of people signing up for e-billing.

Mr. Lynch said that they also with their notice, just as they had in the past, included their FAQ, and as they had started last year, they were including information regarding why the notice was important. He said that they included this because they received calls after the tax bills were mailed in May about the assessment, and by that time, it was often too late, and it had passed the deadline to appeal or address any issues with the Board of Equalization. The land book was created in May, after the tax rate was set at the end of the budget season.

Mr. Lynch said that they typically did not discuss this in the notice, but it was sent to properties that had undergone reassessment. He said that the reassessment could be due to various reasons, including 100% new construction, partial new construction, a new parcel due to division of property, changes in acreage created by plats, or enrollments or removals from land use. He said that they use different categories to separate the mount of changes due to reassessment from those due to other reasons.

Mr. Lynch said that the review and appeal processes are also explained. He said that he knew Board members received calls after those notices went out, and that the best thing for them to do was to send them to his staff for an explanation. He said that taxpayers can contact his office to receive an explanation for any specific value increase, whether it was due to changes to their parcel, property, or neighborhood, as well as sales data that have caused those changes. He said that by contacting his office, taxpayers can give his office any information they want to, and can then fill out a review form, if needed, and they will conduct a formal review within his office, then will send a response to the taxpayer. He said that sometimes changes are necessary, and it was just that they didn't have all the information about a property at the time. He said that they were not able to see them all.

Mr. Lynch said that if that did not work for the property owner, they can then go to the Board of Equalization. He said that the process with the Board of Equalization is more controlled, and the request for review can be found on their website and submitted to them. He said that the Board of Equalization applications are controlled, with numbers assigned to each one to ensure they know who received them and that they have been provided when they get them back. He said that they expect to start holding hearings with the Board of Equalization in April of this year, which is a bit sooner than in the past. He said that their goal is to expedite this process and complete it more quickly, so they can then focus on updating their data.

Ms. Mallek said that she wanted to confirm that the appeal process was only applicable to residential assessments, and it did not involve any land use qualifications.

Mr. Lynch said that was correct. He said that it was residential or commercial, and that it was marked valuation.

Ms. Mallek said that she was not certain if this information was already available on the website, which can be quite dense and difficult to navigate. She said that there had been some confusion about this, so she would pass that along to him. She said that she would like to clarify a point she was a bit unclear on. She said that earlier, she thought she understood the deadline for applying for land use, but then she became confused again when she saw a slide. She said that it appeared there was a November deadline, but then it was mentioned that the actual deadline was January 1.

Mr. Lynch said that this was the initial deadline and the late filing deadline. He said that the initial deadline was November 1, with an application fee of \$125. He said that if they missed this deadline, they could still file between November 2 and January 1, provided they paid a late fee of an additional \$125.

Ms. Mallek asked if that applied only to new participants.

Mr. Lynch confirmed that was correct.

Ms. Mallek said that the revalidation process was something entirely different. She said that the e-billing and e-contact features had been a game-changer for people who traveled or who were getting older. She said that the postal service was still a mess and that she was truly grateful for all the work that had been done to make this electronic connection possible.

Mr. Pruitt said that he appreciated the detailed explanation that he had received on how they arrived at these numbers every year. He said that it had been immensely helpful. He said that he would like to briefly discuss a point that had occurred during the previous year. He said that the Town of Scottsville had experienced significantly higher assessment value increases compared to other magisterial districts, and even more so than the Scottsville District itself.

Mr. Pruitt said that Mr. Lynch had worked with him and members of the Town Council to understand the underlying factors contributing to these increases. He said that specifically, two key factors stood out: the small size of the town, which limited the number of parcels, and an interesting phenomenon that he had uncovered, which was an echo of market trends from previous years. He said that it appeared that the market was lagging, and they had seen the increases in Scottsville's assessments two to three years after they occurred in other parts of the County.

Mr. Pruitt said that this may seem like an unfair question, but he was curious to know if there were other market echoes that they had not yet fully realized in certain parts of the community. He said that they had seen sharp increases in assessments over the past few years, and he was wondering if there were areas that had not yet experienced the same spike in assessment value, and if they might still expect to see that in the future.

Mr. Lynch said that he was sure that there were. He said that there were always changes happening throughout the County that were not captured in a specific year. He said that they only based their assessments when they had sales, that their assessments changed when they had sales. He said that he could make educated guesses about the cause of these changes, but he did not know for certain. He said that when there was an improvement in broadband in the southern part of the County, it was only when those sales started showing a higher value in the southern part of the County that exceeded other places. He said that they suspected that this improvement was the cause of the change, but they did not know for certain. He said that the Town of Scottsville was just one example of a neighborhood that would show up on their list of large changes. He said that in one year, they had more support for an increase than in other years, or the sales actually showed an increase, as opposed to not.

Ms. LaPisto-Kirtley said that she wanted to clarify that they were including both the land and the actual home in the calculations, or if it was just the price of the land.

Mr. Lynch said that when they assessed a property under the land use program, if a property had a home on it, they would be assessing the home and the 2-acre typical home site it sits on, in the same manner as any other property in the rural area. He said that that part of it was not affected at all by the land use qualification. He said that the land that qualified for forestry, agriculture, or horticulture would be assessed at a reduced value. He said that if the entire parcel was under land use, it would be assessed at that reduced value, but if there was a home or any other non-qualifying area, they would assess it at its full market value.

Ms. LaPisto-Kirtley said that regarding Mr. Pruitt's question, she knew that they could not visit every home in Albemarle County every year, as she believed he conducted an assessment approximately every two years.

Mr. Lynch said that they alternated assessments and attempted to look at properties every five years.

Ms. LaPisto-Kirtley said that they assessed a certain number of homes every year, and she believed this year they visited 10,000 homes.

Mr. Lynch said that was correct, which was approximately 20%.

Ms. LaPisto-Kirtley said that they aimed to conduct 20% of assessments annually by visiting homes. She said that in response to Mr. Pruitt's question, the factor that determines an area's impact is the amount of sales in that area. She asked what the impact would be if there were more sales in the Scottsville District compared to Rio.

Mr. Lynch said that the number of sales only affected what they were doing was when there was only one or two. He said that they did not know what the data was telling them. He said that a single sale could be significantly less or more, and they would not use that to affect the entire neighborhood. He said that what they were looking for was a minimum of five, ten, or even more sales within a neighborhood. He said that the number of sales in that neighborhood could change. He said that it simply indicated the level of support for the amount of change.

Mr. Lynch said that he would like to add that he had mentioned earlier that they reviewed 10,000 properties this year, which included in-person visits to those properties. He said that they were launching a pilot program starting this month, where they would begin examining properties using aerial photographs. He said that this photography program allowed them to view properties from all four directions and straight down, ensuring accurate measurements.

Mr. Lynch said that although rural areas may not have the same level of resolution as urban areas, they could still verify the properties. He said that in some cases, they may not be able to see a property due to trees or other issues, and they would still conduct on-site visits to assess the property. He said that they would continue to visit properties for permit work, sales, and land use issues. He said that their goal was to examine a lot more than 10,000 properties this year by utilizing aerial photographs to update their data.

Ms. LaPisto-Kirtley said that he had previously discussed using drones for aerial surveillance, which was the same concept they were exploring now.

Mr. Lynch said that this was not with drones; he was not aware of any previous discussion on that topic. He said that he was referring to fixed-wing aircraft that flew over the County, which was a collaborative effort between the County and City. He said that they created a set of overlapping pictures that helped with this identification process.

Ms. McKeel said that she appreciated technology helping out, but she understood it had drawbacks, too. She said that she appreciated the thorough and informative reports he consistently provided, Mr. Lynch. She asked if he would send out the specific magisterial district information as he had done in the past.

He Mr. Lynch asked if she was referring to the change by neighborhood.

Ms. McKeel said yes.

Mr. Lynch said that yes, he would.

Mr. Gallaway said that he was going to inquire about the neighborhood data as well. He said that he was seeking to know whether it was available within the next couple of weeks, a month, or this week.

Mr. Lynch said that they had the data, but he had not yet broken it down by magisterial district. He said that he would send it out this week.

Mr. Gallaway said that regarding the rollback taxes, he was wondering if the net amount they did not have in their coffers would be \$14.9 million minus the rollback taxes.

Mr. Lynch said yes.

Mr. Gallaway asked what the number would be for 2025.

Mr. Lynch said that they did not have the rollback for 2025 yet.

Mr. Gallaway said that they used the previous year, so \$936,000 was for 2024.

Mr. Lynch confirmed that was correct.

Mr. Gallaway said that in that case, it would be \$14 million to \$13 million.

Mr. Lynch said yes.

Mr. Gallaway said that he understood the rules about the contingent deadline when the assessment increased. He asked for the reason behind this contingency.

Mr. Lynch said that it was what the state law said.

Mr. Gallaway asked if that was a change that occurred at some point.

Mr. Lynch said that it was not a change in the text itself, but rather a change in their understanding of what it actually meant. He said that sometimes, the language was very literal, and it literally stated an increase in assessment.

Mr. Gallaway said that he wanted to know why. He said that he understood that if the assessment went up, but he would like to know the underlying rationale for this change.

Mr. Lynch said that he could explain his interpretation of the situation. He said that it appeared that the state had intended to provide an additional opportunity for individuals whose assessment increased after the original deadline. He said that in essence, it would have allowed people to apply for land use changes if they had known their property value was going to rise, thus giving them another period to apply. He said that that was his guess.

Mr. Andrews said that he had a quick question regarding the 5.09%. He asked if that percentage included new construction or was it exclusive to existing structures.

Mr. Lynch said that it was for reassessment only.

Mr. Andrews asked if this was also true of the 6.9% on single-family homes.

Mr. Lynch said that that was correct. The percentages he provided were for reassessment purposes only. He said that some were specific to single-family residential areas, while others were general, but all were reassessments.

Mr. Andrews said that at some point, they would have a better understanding of the additional value that was anticipated.

Mr. Lynch said that if he was referring to the new construction, he typically provided that information to the Budget Office, which would be included in the budget.

Mr. Andrews said that he wanted to follow up on the inspection process. He said that this was purely out of curiosity. He said that during the inspection process, Mr. Lynch had mentioned that sometimes he was surprised by how things had changed from what he initially thought they were. He said that he wondered if there was a connection between the inspection process and whether a permit was filed for those changes.

Mr. Lynch said that yes, sometimes, a permit was not filed. He said that other times, a permit was filed, but it was overlooked in their process, which involved thousands of permits between the Community Development Department (CDD) and his office. He said that the issue was a problem around 2018, which they fixed when they improved their interface between their two offices. He said that it was not a common issue. He said that sometimes a permit was not taken out; they may discover that a basement had been finished 15 years ago, but they never knew due to the lack of permit. He said that they did not know until it sold and saw there was a finished basement there.

Mr. Andrews said that he was unsure if they would revisit the other side to collect fees that were not collected for the permit.

Mr. Lynch said that it was not the case for the majority of instances. He said that it was more of things such as the grade of the property was actually better than initially thought. He said that this was not a matter of anyone intentionally avoiding permits or hiding information; it simply reflected a better property condition than anticipated.

Mr. Andrews said that he appreciated the confirmation regarding the use of aerial photography. He said that there had been a concern regarding the GIS system's images, specifically that the aerial images of Albemarle County had not been updated since 2018.

Mr. Lynch said that that was correct. He said that they did not utilize the GIS system for this purpose. He said that the pictometry system was a separate system, and they conducted a flyover every two years. He said that the most recent one took place in January 2024, with the next scheduled for January 2026. He said that these flyovers were relatively recent, and while they could not use the system for new construction, it proved to be very useful for everything else.

Ms. Mallek asked if the new EPNL (Enterprise Permitting and Licensing) software would help them get better connections with the permits that are issued, or if they had already solved the problem of the gap between CDD and Finance.

Mr. Lynch said that they had solved that issue, but it was changing with the new system. He said that the new Community Development system required them to ensure they were extracting the necessary data from it. He said that the Assessor's Office was not part of the new financial system, and that they used a system that was not being replaced in that new financial system.

Ms. Mallek said that that was partly intentional to maintain complete privacy and security. She said that she recalled trying to encourage people to apply for the real estate waiver program in 2008, and she had to take photographs of locked file cabinets to alleviate concerns that sensitive data would be compromised in the County Office Building. She said that the pictometry would also be highly beneficial.

She said that he had previously mentioned that if someone had a house site larger or smaller than 2 acres, they would take that detail involved, so that if they had a 15-acre yard, they were not getting credit. She said that this was all part of the taxable residential building site as opposed to just 2 acres and a whole lot of other stuff.

Mr. Lynch said that was correct, and they had been utilizing pictometry for land use checks for years, and that it was very effective to determine what Ms. Mallek had just said.

Mr. Jeff Richardson, County Executive, asked Mr. Lynch to elaborate on e-billing. He said that he had previously discussed this with the Board, and he knew they had not had a chance to discuss it today yet. He asked Mr. Lynch to provide some information on the percentage of the community using e-billing, as well as how it was going in his office and the effort. He asked if he had any data on the usage of e-billing, and whether he needed to come back with that.

Mr. Lynch said that he would have to defer to Jennifer Matheny, as this was the first time his office had adopted e-billing. He said that the billing office had been using e-billing for billing statements since 2024, but this was their first reassessment since they began using it.

Mr. Richardson said that his question may be premature, and they may need some time to consider it. He said that Ms. Mallek's comment initially brought it to his attention as a way to address the issues that may occur with the U.S. Postal Service or other variables.

Mr. Lynch said yes, and Ms. Matheny had shared some numbers with him, but he believed it would be more accurate if those numbers came directly from her.

Mr. Richardson said that he wanted to bring to the Board's attention a point that may have been overlooked. He said that Mr. Lynch had 24 slides to present, and he was moving through them at a pace. He said that he wanted to reference a slide that highlighted the fact that several years ago, they had requested an additional position to proactively manage the program. He said that it was worth noting that a cost-benefit analysis could be done to compare the cost of that additional resource with the revenue the organization had generated as a result. He said that he was not trying to put Mr. Lynch on the spot, but he thought it was worth mentioning that the Finance Department's advice was sound, and it had indeed paid off well for the organization.

Mr. Lynch said absolutely. He said that he was nervous about his numbers, and at the time, he estimated that they could potentially gain \$250,000 more by adding this position. He said that the total rollback taxes for the program were approximately \$7 million to \$8 million. He said that he could refer to the slide he had mentioned earlier, which provided a more detailed idea of the potential savings.

Mr. Lynch said that the solid line or graph line represented the amount of rollback taxes billed and collected each year. He said that the bars showed the number of rollbacks processed. He said that for 2024, the most recent data showed \$936,000, \$1.6 million the previous year, and \$1.8 million the year before that. He said that the numbers they experienced were largely due to processing a high volume of rollbacks on smaller items. He said that in contrast, the 1.3 million from Brookhill was not a typical annual figure. He said that it was essential to process any other types of changes that affected rollback and caused people to drop out of the program. He said that this was not intended to be a permanent reduction in taxes, but rather a temporary adjustment experienced while qualifying for the program, which was the previously missing component.

Ms. Mallek said that it was interesting to note that revalidation began a couple of years prior to the graph, and the first year it was approximately \$5 million in rollbacks.

Mr. Lynch said yes. He said that the revalidation process was an important first step, but it was also necessary to have someone who could actively monitor and track the changes, so they would not inadvertently send people from farming to open space areas that could cause problems. He said that it was essential to maintain this process on a regular basis and have someone dedicated to it.

Mr. Andrews said that he appreciated the clarification. He said that he would like to understand the extent to which the rollback was due to the discovery that the property was not being used as it had been certified, versus what he would have expected to be a change in use that would have caused the rollback anyway.

Mr. Lynch said that to determine the exact cost, he would need to delve into the numbers, which would be a more complex task.

Mr. Richardson said that he had one final point to make, acknowledging their limited time and the need to stay on track. He said that he believed it was essential to acknowledge that every department within this organization was not currently connected to state performance data. He said that he wished they could easily track performance tied to state data and metrics. He said that Mr. Lynch had presented some slides that highlighted the performance of this division, and he recognized the hard work of the individuals in attendance, including Mr. Lynch. He said he wanted to emphasize that they were at the top, and that their success was not just due to their efforts, but also the numbers, which showed they were excelling in real estate assessment and outperforming other counties. He said that he appreciated the Board's support for their staff, and that the public supported them. He thanked Mr. Lynch and their team for their good work.

Ms. Mallek said that several years ago, he had discussed a re-dividing approach that differed from the traditional neighborhood-by-neighborhood method. She said that instead, it involved dividing properties into like properties in various areas, which allowed for more accurate comparisons with similar houses in other locations, such as Scottsville, where sales were relatively low. She said that she may not have described it accurately, but she wanted to know if that was finished and in operation or if it was still evolving.

Mr. Lynch said that one of the things he was excited about over the last few years was that they had made great improvements to the data in the process they used to assess properties. He said that they had tackled more information in their system, which previously lacked support or explanation. He said that they had to review and address these issues, and that it had taken them years to do that. He said that several years ago, they had reorganized their neighborhood groupings to eliminate the five parcel neighborhoods that were not generating sales on their own. He said that instead, they grouped them in larger market areas, particularly in rural areas. He said that he believed this was what she had been referring to.

Recess. The Board adjourned its meeting at 3:13 p.m. and reconvened at 3:24 p.m.

Agenda Item No. 11. Presentation: Lambs Lane Loop Road Study Update Presentation.

The Executive Summary forwarded to the Board states that in Spring 2022, Albemarle County Public Schools undertook a master plan study of facilities located along Lambs Lane; the master plan identified the need for a loop road within the campus. In FY23, the Board of Supervisors used funding from the Board's strategic reserve to fund an alternatives analysis for a Lambs Lane campus loop road, as well as to identify multimodal safety improvements along the Hydraulic corridor between Lambs Road and Georgetown Road. This study was administered by Facilities & Environmental Services Department (FES) staff from January 2024 to Fall 2024.

In Summer 2023, Albemarle County Community Development Department (CDD) staff submitted five pre-applications for Revenue Sharing funds, including an application for the construction of a portion of the Lambs Lane campus loop road and improvements along the Hydraulic Corridor. Ultimately, it was determined that a final application for Lambs Lane and Hydraulic would not be pursued in that round because the project warranted additional study and only qualified as a "Tier 4" priority within the Revenue Sharing guidelines, among other reasons.

At the January 15, 2025 meeting, FES staff will present on the study-identified improvements to the Lambs Lane campus loop road and Hydraulic corridor. CDD staff will describe a proposal to fund a subset of the proposed improvements using Revenue Sharing.

Staff request that the Board of Supervisors share feedback regarding the following items:

- 1) Does the Board agree with the proposed campus loop road alignment, the possibility of constructing the loop road as a private road maintained by ACPS, and the recommendation to not include design and construction of any portion of the loop road in the upcoming round of Revenue Sharing?
- 2) Does the Board approve of the recommended improvements for the Hydraulic corridor between Lambs Road and Georgetown Road?
- 3) Does the Board support an application to fund the Hydraulic corridor improvements in the coming round of Revenue Sharing?

The alternatives analysis and corridor study funded by the Board's strategic reserve is complete and will have no additional impact on the budget. Should a Revenue Sharing application to fund improvements along the Hydraulic corridor be successful, Albemarle County would be required to provide 50% local match for the project, which is currently estimated to cost approximately \$8 million; all project costs beyond \$20 million would be the sole responsibility of Albemarle County. It is expected that work funded through Revenue Sharing would begin in FY29; this is also the first year that local matching funds would need to be available.

Staff recommend that the Board provide feedback on the items outlined in the Discussion section.

Mr. Michael Stumbaugh, Deputy Chief of Transportation Projects, said that after his introduction, he would be handing the presentation over to Thomas Ruff. Mr. Ruff was a Senior Project Manager for the Timmons Group, specializing in transportation analysis and design. He said that Mr. Ruff would explain the key aspects of the study, discussing the processes, outcomes, and executive summary. He said that Ms. Jessica Hersh-Ballering of Community Development would follow Mr. Ruff, leading the discussion and seeking Board feedback on the questions they would cover during this presentation.

Mr. Stumbaugh said that this study came after the Lambs Lane Campus Master Plan of 2022. He said that FES (Facilities and Environmental Services) initiated a project to review the options to review the options to complete Lambs Lane Loop Road connector as recommended in the Master Plan, which was a key part of this study. He said that this study was extended and took a little longer to include the High School Center II development, which impacted the loop road alignment and affected the traffic analysis. He said that this report has an extensive analysis of the intersections between Lambs Road and Georgetown Road.

Ms. Stumbaugh said that they would not ask for a vote but were requesting feedback, comments, and questions. He said that Ms. Hersh-Ballering would raise the three questions on the screen again, but he wanted to bring them to their attention as they listened to the presentation.

Mr. Stumbaugh said that Mr. Matt Wertman from Albemarle County Public Schools (ACPS) was present. They had previously discussed this with him, so it was not unexpected. He said that the Schools were integrated with their presentation, although they would not be presenting. He said that with that in mind, he would now turn the main focus of the study over to Thomas Ruff.

Mr. Thomas Ruff, Timmons Group, said that he was a resident of the Samuel Miller District. He said that he was happy to be there today to discuss this project. He said that they had been working on it for about a year now, examining the intersections in the area. He said that the focus was primarily on Hydraulic Road, the Lambs Road intersection, starting there and working south towards the Georgetown Road intersection. He said that this area included the Lambs Lane and Lambs Road intersection, as well as one of the other entrances to the high school. He said that this focus area was developed through conversations with County staff, taking into account the potential growth from the high school campus and the loop road.

Mr. Ruff said that they also examined intersection spacing, safety, and access management, considering all the relevant factors. He said that safety was a top priority for the public, and it was an important consideration as they moved forward. He said that they analyzed the five-year crash history from 2018 through 2023, excluding 2024, which showed that there were no fatalities in the study area and no serious injuries. However, there were several property damage only crashes in the area.

Mr. Ruff said that most of these crashes occurred at signalized intersections and the high school intersections. He noted that 40% of the crashes happened in the school zone, but only 12% occurred while the school zone was active, so many of the crashes happening after hours, when speeds tend to be lower. He said that he wanted to mention that the data on speed zone cameras did not cover this time period, as they were a relatively recent installation.

Mr. Ruff said that he had analyzed the types of crashes at each intersection, and the majority were angle crashes, which was the most common type of crash for a four-lane, undivided roadway with 45-mile-an-hour speeds. He said that this was consistent with the Safe Streets for All discussions he had with the Thomas Jefferson Planning District Commission (TJPD). He said that undivided roadways, such as this one, often exhibited this type of crash pattern.

Mr. Ruff said that at the intersection of Lambs Road and Whitewood Road, he observed a number of rear-end crashes that were often caused by traffic signals. He said that signalized intersections tended to have a higher incidence of rear-end accidents. In addition to rear-end crashes, there were also angle crashes occurring at this intersection.

Mr. Ruff said that at Georgetown Green, near one of the main entrances to the high school, there were a significant number of angle crashes as vehicles tried to enter or exit the school property. He said that at Georgetown Road, which is located on the southern end of the study area, they found that this intersection had the highest number of crashes within the study area, with a wide variety of crash types, partly due to the skew of the intersection. He said that this had been taken into account in some of their recommendations.

Mr. Ruff said that a significant part of what they did next involved data collection during school peak hours and reviewing the operations of the corridor. He said that overall, the Hydraulic Road and signalized intersections were operating at a good level of service under existing conditions. He said that for some of the unsignalized traffic exiting the school, there was a delay during the 15 to 30 minutes of getting the students out. He said that in general, the traffic on Hydraulic Road, Lambs Road, and Georgetown was handled by the existing traffic operations equipment. He said that this was something they wanted to bring up. He said that there were queuing issues in certain locations, and they had some recommendations to address these issues.

Mr. Ruff said that looking ahead to the future, they analyzed the traffic growth pattern using a 2.2% growth rate based on historical averages in the area. He said that he also confirmed with County staff that there were no major developments along the Hydraulic Road corridor that would change this growth pattern within the next 10 years. He said that one of the key points to note was that there were over 300 pedestrians crossing Hydraulic Road at the Lambs Road signal, which he believed was the largest pedestrian crossing in the County other than at UVA. He said that this was something to focus on as they moved forward with their recommendations.

Mr. Ruff said that their next few slides presented their recommendations for the corridor, based on operational and safety considerations. Starting at the north end of Hydraulic Road and Lambs Road, they had made a significant effort to reduce the radius of two corners, resulting in extra asphalt. He said that this meant pedestrians were in the roadway longer, and the crossing was longer. He said that this also presented an opportunity for a two-for-one solution: by making the crossing shorter, they could also reduce the amount of time cars had to stop, allowing for increased green time and shorter red time for that crossing.

Mr. Ruff said that secondarily, they had also made improvements across the Albemarle High School campus frontage to create a 10-foot shared-use path with a buffer area, meeting current VDOT

and American Disability Act (ADA) standards.

Mr. Ruff said that moving further down, the central northern entrance, currently a full-access entrance, would be converted to a right-in, right-out entrance. He said that this change was primarily due to the interaction between traffic and the signal, resulting in some vehicles not making timely decisions to turn left. He said that some individuals mistakenly believed they were in the signal left-turn lane, while others made left turns too early, creating friction. He said that changing this pattern allowed the middle entrance to be narrowed, which helped with crossings.

Mr. Ruff said that at the Georgetown Green entrance, they planned to install an unsignalized continuous T intersection with a concrete median in Hydraulic Road, which would channelize traffic. He said that this would provide a slight acceleration lane for people leaving the high school property. He said that a similar installation had been recently implemented on Route 250, just across from Birdwood, in a temporary capacity. He said that he was not sure if anyone had driven past that location, but VDOT had reported good success with this type of intersection treatment. He said that this would be a permanent installation, not a temporary one.

Mr. Ruff said that they had considered installing a traffic signal at this location, but it would only meet the warrants with the volume for only one hour out of the day. He said that while this technically met the warrants for discussing with VDOT, the challenge lay in VDOT's preference for signals that were only useful for a short period, resulting in the signal remaining green for the remainder of the day.

Mr. Ruff said that there would be traffic that saw the signal as green, green, green, and as a result, they often missed the time and created challenges with the rest of the signal. He said that that was a potential for the future.

Mr. Ruff said that this installation, with the concrete median, offered an alternative intersection style, which they may have heard of with VDOT discussions in the past. He said that this alternative style was easier to install, as it was not a traditional signal. However, this was a future discussion that could be had once High School Center II was constructed or potentially at other access points off the loop road.

Mr. Ruff said that looking at the intersection of Georgetown Road, from a safety perspective, they could not fix the skew of the intersection without significant impacts to the right-of-way, and they did not feel that was appropriate for where they were with the project. He said that however, given the volume of traffic, there were less than 10 vehicles traveling straight through from Georgetown Road into the dental practice on the east side. As a result, they could implement a through-cut intersection, which allowed left turns from both sides of the side streets to occur simultaneously, reducing the amount of green time given to the side streets and increasing the green time for Georgetown and Hydraulic. He said that this should help avoid drivers potentially running lights or trying to get through the intersection during peak hours.

Mr. Ruff said that to summarize, they had priced this out to around \$3 million to \$6 million in 2030 dollars, which was the Revenue Sharing timeline, and included inflationary numbers required by VDOT as part of the cost estimation process. This cost did not include any improvements for High School Center II or other projects on the high school campus.

Mr. Ruff said that they also explored the potential location for the Lambs Lane loop road as part of the master planning process. They could see the various options they considered, marked in blue, green, red, and cyan-colored lines. He said that at the beginning of this process, the high school center's exact location was still in flux, but in collaboration with Schools and FES staff, they found that the cyan line option would allow the loop road to be implemented with the high school center. He said that they could see this connection on the map. He said that with the construction of High School Center II, it still allowed the possibility of constructing that loop road in the future, and it would be built between the baseball field and football field areas.

Mr. Ruff said that the goal of this connection, as stated in the master plan, was to provide additional routing options for the high school, middle school, and elementary schools that currently used Lambs Lane and Hydraulic and Lambs Road. This goal was also reflected in the ongoing project to add connectivity to the High School Center II site, which would connect to Lambs Lane.

Mr. Ruff said that as previously mentioned, the Alignment 1 option was selected for High School Center II, which led the discussion on this topic. He said that when they initially analyzed the full road from Hydraulic Road to Lambs Lane, the estimated cost was between \$9 million and \$12 million.

Mr. Ruff said that with High School Center II constructing a portion of the road, the cost would decrease. He said that however, as they had discussed with staff, they had recommended not pursuing the loop road in addition to Hydraulic improvements at this time, primarily due to the scoring process within Revenue Sharing, which they could discuss in more detail. He said that the higher the cost, the less likely it was to be selected, and so, they aimed to keep the cost in something that would be funded.

Mr. Ruff said that they had previously discussed the potential cost savings if the road were to be privately maintained, publicly maintained, or maintained by VDOT. He said that as a result, their current goal was to design the portion being built for High School Center II to be VDOT acceptable, thereby keeping that option open to pursue the loop road next year or in the future, and not have to fight VDOT down the road.

Ms. Mallek said that as someone who regularly drove through this area from the country, she

appreciated the suggestions that had been made to bring less chaos to the area. She said that she did notice that they were removing the right turn lane in both Georgetown and Whitewood. She said that in the case of the right turn lane on Hydraulic from Whitewood, the current configuration was quite short, only allowing one car length of space.

Ms. Mallek said that this lane did serve to accommodate more people during the short light period. She said that the right turn lane on Georgetown also played an important role in managing the flow of traffic, particularly for those heading south into town. She said that many individuals who had previously used the far-right lane to make a right turn to head south into town would now be forced to merge into the single lane, which would likely lead to increased congestion and queue buildup behind.

Mr. Ruff said that he had a copy of the report, and he could provide them with the exact details of it. He said that they examined the queue lengths and the number of vehicles. He said that based on the number of pedestrian crossings, they determined that the additional couple of car lengths of delay was worth the enhanced pedestrian safety, given the high volume of pedestrians.

Ms. Mallek said that she completely agreed with that assessment, especially at Whitewood. She said that at both locations, they saw children attempting to walk to school at those intersections. She said that in one of his earlier slides, an aerial view was shown, and she wondered if they had to consider the approved development across the street from where Georgetown Green Road exits. She said that it appeared that the two developments would need to meet up with theirs.

Mr. Ruff said that was correct.

Ms. Mallek asked if the loop road was intended to be a vehicle-only route, rather than a fully sidewalked path, given that Lambs Road already lacked sidewalks in many areas.

Mr. Ruff said that as part of the design, a shared use path was included along the alignment, which matched the alignment in the master plan. He said that a typical section was included, but they had modified it slightly while working with School staff on the High School Center II project. He said that there was a pedestrian path. To answer the question, yes, there were two lanes of traffic for buses, delivery vehicles for schools, parents, teachers, and others. He said that along the north side of the screen, they could see a shared use path, which was represented by this lighter gray line. He said that they had worked to ensure that this path was continuous, providing a connection between Hydraulic Road and Lambs Lane along this roadway.

Ms. Mallek said that getting to Journey would be significantly shorter, which would be safer. She said that the main challenge would be keeping parents from parking on the shared use path to attend games, as they currently parked on the grass everywhere, making it difficult to control.

Mr. Ruff said that they would have to go over a curb, but yes, she was correct.

Ms. LaPisto-Kirtley clarified that a raised concrete barrier would be installed on the proposed loop road, separating the shared use path from the regular road.

Mr. Ruff said that was correct. He said that because of the slopes in the area, and they were probably aware of some of the area behind there, that they would need to use curb, and there were some smaller portions of retaining walls, and they would need to incorporate curb to protect the shared path.

Ms. LaPisto-Kirtley said that was a great idea. She said that she had seen that approach implemented elsewhere and it was effective.

Ms. McKeel said that she was trying her best to understand the content provided. She said that she had to google what "through-cut" meant.

Mr. Ruff said that if they needed anything, VDOT now had a video available that showcased alternative styles of intersections. He said that the video was approximately 30 seconds long and could be shared with them. He said that he could send it out, and he was sure it would be helpful to see what each of the different styles looked like.

Ms. McKeel said that would be great. She said that she should start by stating that this was a campus she represented, and she lived in the area, having lived off of Barracks Road near Georgetown for 50 years. She said that as a result, she had a deep connection to this community. She said that she would like to begin by sharing some of the problems she had observed and asking if they could address how they were addressing these issues, as that might be the most effective way for her to bring this to their attention.

Ms. McKeel said that she was excited about the prospect of having 25% of ACPS students on this campus but having one egress was not sufficient for her. She said that she found it very concerning. She said that this area was already congested. She said that she would like to ask a couple of questions. Specifically, she would like to know if their traffic studies were conducted during the pandemic.

Mr. Ruff said that he could double-check the date, which he believed was February or March of last year.

Ms. McKeel said that she had been reviewing some dates that appeared to include traffic studies.

She said that she was a bit confused, as she could not determine when they were conducted. She said that she assumed they were done during the university's academic session, as that would make a huge difference in this area.

Mr. Ruff said that yes, that he had conducted sufficient traffic studies in the county to be familiar with them.

Ms. McKeel said that Georgetown Road experienced significant congestion at the beginning and end of school days, as well as when the university was in session. She said that the traffic on Georgetown Road backed up all the way to Barracks Road due to congestion on Hydraulic Road. She said that in fact, VDOT had planned to install a roundabout at Barracks Road and Georgetown Road to address this issue, along with other problems. She said that she sought clarification on how Georgetown Road was expected to flow towards Hydraulic Road.

Mr. Ruff said that with the through-cut improvement, today, if one was on Georgetown, they would have a dual left lane, and one of those lefts can be used to go through. He said that since one of the lanes can go through into the dental property, and there was an equivalent signal on the other side, allowing both green movements to occur at the same time is not feasible. He said that the VDOT does not allow this because it could create a situation where a vehicle gets a green light that allows it to go straight or left, and other vehicles are also moving at the same time. He said that this would lead to an unsafe situation.

Mr. Ruff said that to address this, separate green, yellow, and red times would be given to each lane, even if there was only one vehicle at the property on the east side. He said that this means that even with a minimum of 10 seconds of lost time, every red light is lost time for getting traffic through. He said that by implementing the through-cut, no one from the dental property can go straight; they would have to go right or left on Hydraulic and then make a different maneuver.

Mr. Ruff said that during data collection, they found that less than 10 vehicles were doing this. He said that as a result, they could remove a phase of the signal, which is a goal that VDOT emphasizes. He said that for example, at the Route 29 and Hydraulic intersection, removing left turns was one of the goals to speed up the intersection, and by doing so, they were able to remove a phase, allowing more time to be allocated to the other phases. He said that this was the same issue. He said that they would be taking away that time and giving it to Georgetown or Hydraulic to move more vehicles through.

Ms. McKeel said that made sense to her. She said that she appreciated that. She said that this would help. She said that they would have a barrier and asked for more information about the concrete.

Mr. Ruff said that he was trying to locate an example in the County, but there was not a pre-existing one. He said that this style of intersection had been implemented at several schools, including one at Hanover High School on Route 301 in Hanover. He said that he recalled sharing some examples with County staff. He said that the school's intersection featured a left turn in with an acceleration for a left turn out. He said that there was room in the median within the two left-turn lane to convert that to the space for the median, the concrete He said that that would channel vehicles towards the school and provide a safe area for vehicles. He said that from the driver's perspective, the approach to making a left turn was straightforward: look to the left, make a move into the middle, and then have the concrete median protect the driver as they accelerated to speed and headed north on Hydraulic Road.

Ms. McKeel said that this was similar to what was on Ivy Road, but those were terrible temporary structures.

Mr. Ruff said that this would be a permanent solution.

Ms. McKeel said that she could see that would make it much safer. She said that she understood that. She said that one of the problems was that for 40 years, she had been observing students leaving Albemarle High School coming out of the Georgetown Green intersection taking a right, then doing a big U-turn. She said that they would often enter one of the apartment complexes, which alarmed the older residents, then they make a big loop before exiting and heading in the opposite direction. She asked if they would not be able to do that.

Mr. Ruff said that was correct; they would either come down to Georgetown, or this new system would hopefully make them feel safer to come out that way.

Ms. McKeel said that it was a significant concern for the apartment complex, and it was a safety issue. She said that in fact, it was likely a contributing factor to some of the fender benders that had been reported.

Mr. Ruff said that was correct. He said that having a bird's eye view of every crash would likely provide some insight into the congestion issues.

Ms. McKeel said that she had been called to the apartment complex on multiple occasions to address complaints about the high school students because they were being used as a turnaround, which was not an acceptable solution.

Mr. Ruff said that this was intended to provide a safer egress for those students. He said that he could not confidently say that no one would do it, but this would provide a safer route for students to get

onto Hydraulic Road northbound.

Ms. McKeel said that she would like to briefly clarify a point that he had mentioned earlier. She said that he was discussing the differences between private and VDOT roads. She said that she would appreciate it if he could please clarify that for her. She said that she understood that VDOT Required a lot more, and that it was a lot more expensive because they had to bring it up to VDOT standards, and that she understood that.

Mr. Ruff said that was right. He said that when they began this process, their goal was to lay out the costs to provide a VDOT-style road, as any Revenue Sharing or SMART SCALE program would require the roadway to meet VDOT standards. He said that this was where they started discussing with staff the potential cost savings if the maintenance were taken on privately. He said that as they walked through the numbers, they began conversations about what could be drawn back on if the maintenance were to be handled in-house.

Mr. Ruff said that he believed one of the other valuable aspects of doing it privately was the ability to complete the project more quickly, which would require the Board to make a decision. However, if completed quickly, it mitigated the increased costs of the future. He said that he thought they had all seen this from VDOT projects, and that was the challenge. He said that any time they were competing for VDOT dollars, it was a six-plus year process, and costs would be six-plus years of inflation further along. He said that this was another rationale for the potential private side. He said that if they were working on the high school center now, they could use the same contractor and utilize some of the work being done to get ahead and potentially build the road today. He said that today's dollars were cheaper than future dollars.

Ms. McKeel clarified that the VDOT standards would be to the high school center.

Mr. Ruff said that it would be to connect Lambs Lane to Hydraulic. He said that that entire section would require VDOT standards because Lambs Lane was part of the VDOT system.

Ms. McKeel said that it made sense.

Mr. Gallaway said that he was reacting to the technical aspect of this. He said that regarding the proposed loop road and improvements along Hydraulic, he had a question. He asked if they had studied the potential consequences of only making the improvements without the loop road. He said that for him, this would go to the timing of the loop road.

Mr. Ruff said that the main difference was that with the loop road, there was potential to improve the Georgetown Green intersection with a signal. He said that the improvements to Hydraulic Road were focused on safety and operational improvements of each of those intersections, so they were two separate pieces. He said that the High School Center II traffic was factored into that, in conversations with staff about potential changes to parking areas and certain things. He said that that would move a little more traffic onto Lambs Road and into other areas. He said that he believed the Hydraulic Road improvements were necessary from a safety and pedestrian connectivity perspective, while the loop road improvements were more operational and focused on the future success of the campus.

Mr. Gallaway said that the pedestrian activity at pickup in the afternoon differed from the morning, largely due to people picking up their kids across the street and visiting nearby businesses. He said that if there was a pickup option that they would need the proposed loop road for, would reduce the number of pedestrians crossing the road in the afternoon. He said that he had experienced this firsthand with his third child at Albemarle. He said that the current principal, Mr. Barfield, had effectively managed the internal site control of drop-off and pick-up, and he commended him for his efforts.

Mr. Gallaway said that, however, the internal parking lot management would have a significant impact on the improvements being made in other areas. He said that he could not leave that out of this. He said that he could look at this and determine several alternatives that would get rid of the queuing issues at the main pickup and drop-off areas. He said that without the loop road they would still have that issue, and while the improvements would improve safety, they would not necessarily fix the bigger issues.

Mr. Gallaway said that he found it amusing to review the engineering studies with their C grades. He said that he was not disrespecting the engineering studies and that he understood them, but then the reality of watching people contend with it. He said that although an engineering study over a period of time says that it is a C, the actual experience could vary greatly depending on the day, with an F on Mondays and a C on Thursdays. He said that factors like seniors' schedules in May, which could result in A's, needed to be taken into account.

Mr. Gallaway said that this meant that a significant amount of coordination would be necessary, particularly based on decisions made on the main roadway. He said that the person in charge would need to figure out the internal site movement for pick-up, as well as consider the impact on Journey and Greer as they started to figure out they had an additional way to get to Hydraulic. He said that without the proposed loop road, the issue of traffic from multiple pick-up and drop-off locations converging would persist, especially during morning hours, and the impact on residents would also need to be addressed.

Mr. Ruff said that he had conducted sufficient traffic studies to know that listing all the letters of the alphabet did not help with the conversation, and if they were on the same page, their ultimate goal was to facilitate students' safe entry and exit from the school. He said that one topic they frequently

discussed, outside of the vehicular discussions, was the level of stress experienced by pedestrians and cyclists. He said that the improvements on Hydraulic planned for High School Center II, including the sections in orange on the map, would reduce stress by enhancing pedestrian options and providing more space.

Mr. Ruff said that this study did not include the full layout of improvements at High School Center II, which would feature a much larger scope of internal changes addressing various issues. He said that they had been working with Schools staff, and the project encompassed a significant number of improvements. He said that while they were aware of the larger project, the details presented in this study were limited.

Mr. Gallaway said that he would imagine that the principal was utilizing a significant amount of personnel to manage the situation at the facility. He said that if that personnel could be freed up, he could potentially use them for other purposes. He said that he believed that staff would be more interested in using that staff for other purposes, rather than just directing traffic through the parking lots. He said that he was still confused about the concrete medians, specifically where they were located.

Mr. Ruff highlighted the locations on the screen and said that the space within Hydraulic Road was not large enough to make it landscaped. He said that the area shown in green at the entrance was large enough to be landscaped.

Mr. Gallaway said that where the painted yellow lines where they could currently turn left, he strongly advocated for eliminating that left turn. He said that once they turned left, the traffic coming from the other direction must yield to the left turns entering the site, which created a problem, as it backed up into the intersection. He asked if that left turn would be painted yellow.

Mr. Ruff said that the primary reason to not have that was that, as he had mentioned, certain days the left turn lane at Lambs Road extended a little further. He said that to preserve this ability, if a median were to be installed, it would likely cause traffic to be stopped in the through movement of Hydraulic, potentially leading to weaving and increased safety concerns. He said that the main safety issue was the speed differential, with zero versus 45 miles per hour being significantly more hazardous than even 45 versus 45 miles per hour.

Mr. Gallaway said that the concrete barrier would be designed in a way to. He said that over on Pantops, when heading east at Wawa, people were turning left into Wawa, even though they were not supposed to. He said that it would take a wall to stop them, which he thinks they will eventually do. He said that to address this issue, it would take education.

Mr. Ruff said that he believed that the median going in on 250 was intended to help with future traffic, but the median island for the right in right out could be designed to be more pronounced. He said that the one Mr. Gallaway mentioned was a relatively small one. He said that it could be made more challenging for vehicles to make that left turn, which was something they would take into consideration during the design process.

Mr. Gallaway said that he was pleased to hear that the data was collected more recently than he had anticipated. He said that the link to the crash data was available, and he believed it was embedded in the packet. He said that the data was not captured during the study period but rather was current and live. He said that this meant that the data was not from the time of the study, but rather from the present.

Mr. Ruff said that he could double-check. He said that it should take them to today's version of the document.

Mr. Gallaway said that it was less of a concern now that he had knowledge of the data that they had collected, which was actually gathered later than he initially thought when he reviewed the packet material.

Mr. Ruff said that VDOT typically updated that data roughly, which was usually about a quarter behind, so they likely had the most recent data available until sometime in the fall. He said that they may have had the complete data available for 2024.

Mr. Gallaway said that he had one final clarifying question regarding slide 13, where they had provided some numbers. He asked if they did not indicate that the \$3 million to \$6 million range included inflationary numbers.

Mr. Ruff said that it did include them, as they were looking to the year 2030, which was the target year for the Revenue Sharing application. He said that if it was successful, they would be in the position to receive that revenue for the next six years.

Mr. Gallaway said that he concurred with the idea of considering any potential signals down the road. He said that it was essential to ensure they were prepared. He said that he was pleased to hear that it was easier to obtain a warrant for a signal at a green-T. He said that, just as they had found at Belvedere, where a green-T was initially planned but later decided to be signalized, it should be assumed that any future green-T's would be signalized and built with signalization in mind, regardless of whether it was implemented initially or later.

Mr. Ruff said that was correct; it was easier to install the conduit when excavation of the asphalt

was being done today.

Mr. Gallaway said that he would be in favor of incorporating that from the outset.

Mr. Ruff said that was a relatively inexpensive installation to prepare for the future.

Ms. Jessica Hersh-Ballering, Principal Planner, said that she would like to thank Mr. Stumbaugh and Mr. Ruff for their thorough explanation of the study process and outcomes, as well as for addressing the Board's questions. She said that now, they would like to move forward by seeking the Board's input on the following three questions, which were outlined in the executive summary and previously presented. Although these questions are connected, they would address them individually.

Ms. Hersh-Ballering said that first, she would like to ask: Does the Board support the recommended improvements for the Hydraulic corridor between Lambs Road and Georgetown Road? She said that she had a brief summary of the recommended improvements outlined on the right-hand side of this slide. For the sake of time, she would not read them aloud, but they were available for their reference. She said that she would now like to invite the Board to provide their feedback and response to this question.

Ms. Mallek said yes, she was in favor of this.

Mr. Pruitt said yes.

Ms. LaPisto-Kirtley said yes.

Ms. McKeel said yes.

Mr. Gallaway said yes.

Mr. Andrews said that he was as well.

Ms. Hersh-Ballering said that the next question was whether the Board supported an application to fund the Hydraulic corridor improvements in the upcoming round of Revenue Sharing. On the right of the slide, reminders about the Revenue Sharing program could be seen. To clarify, Albemarle County was required to provide a 50% local match for all funding requests, meaning for every dollar they requested through Revenue Sharing, the County must also provide a dollar. Additionally, Albemarle County could request up to \$10 million over the lifetime of the project. This meant that if they requested \$10 million, the County must also provide \$10 million, resulting in a total project cost of no more than \$20 million.

Ms. Hersh-Ballering said that the improvements along Hydraulic were likely to cost between \$3 and \$6 million, and Mr. Ruff had included inflation in his estimate. However, it was worth noting that Revenue Sharing applications typically included significant contingencies and escalation for inflation, so the total project cost may increase from there but was not expected to exceed \$20 million. If awarded, funding would be available in FY29 and FY30. She said that it was also important to note that total requests across all project applications submitted in a year could not exceed \$10 million. Staff anticipated that only one other project, a previously funded project that may need additional funding, would be requested funding for in this round of revenue sharing. She said that together, both projects should not exceed the \$10 million request limit. She said that staff would return to the Board in the spring with a resolution of support for this and any other project applications.

Ms. Hersh-Ballering said that answering today's question affirmatively simply allowed staff to continue investigating this project as a potential Revenue Sharing submission and prepare the pre-application due in the spring. She said that lastly, the local match for this project must be added to the Capital Improvement Program (CIP) to make it competitive.

Ms. Hersh-Ballering said that the Revenue Sharing program ranked projects by tiers, with Tier 1 projects receiving funding first, Tier 2 projects receiving funding second, and so on, until funding for that year ran out. Tier 1 projects were those that had already received funding through the Revenue Sharing program, while Tier 2 projects were those that were already in the locality's CIP and receiving Revenue Sharing funds would allow the project to be completed more quickly. She said that if the Board supported an application for these improvements, the Board should also be prepared to include this project in the upcoming CIP for FY29 and FY30.

Ms. Mallek said that to her, the difference between \$3 million and \$20 million was difficult to comprehend. She said that it was reminiscent of the Eastern Avenue Bridge project, which was a substantial undertaking.

Mr. Andrews said that the \$20 million was merely a maximum amount for any project; it was not the specific price in question.

Ms. Mallek said that she understood, but she was having trouble grasping this concept. She said that staff had mentioned that this and whatever the other project was that needed topping off would take care of 2025 applications for Revenue Sharing.

Ms. Hersh-Ballering said that was correct.

Mr. Andrews said that the question being asked was whether they would support the application, and this support was limited to asking staff to continue pursuing this project as if they intended to move forward with it, with the spring resolution providing the opportunity to decide which projects would advance.

Ms. Mallek said that there may be additional details at that point that will provide clarity on the scope of the cost. She said that she wanted to emphasize that the effort and dedication of staff over the years on the bridge was substantial, and it was disheartening to see it ultimately fail when no one was paying attention. She said that she was trying to avoid a similar outcome in the future. She said that she was willing to move forward to the next step.

Mr. Pruitt said that he had a few quick questions regarding this matter. He said that if they all endorsed Statement 1, was there an alternative approach to addressing this issue without also endorsing Statement 2.

Ms. Hersh-Ballering said that they could explore alternative funding options.

Mr. Pruitt said that this led him to his second question, which was, they had brought this to the Board as a request for an application for Revenue Sharing. He said that given the experience of everyone on this dais with these types of funding mechanisms, he might ask, why not explore other options. He said that he wondered if this was precluded from other funding mechanisms. He asked if this project was eligible for SMART SCALE funding, and if they did not think it would score well in this process. He said that if he could be provided more insight into the calculations that occurred before it came to the Board, he would appreciate it.

Ms. Hersh-Ballering said that she was inviting anyone else from her department to contribute to this discussion. She said that what she would like to emphasize is that they were presenting this as a Revenue Sharing option because they believed it was the most viable option. She said that this project was likely to be the most competitive for such a program. She said that however, if the Board decided not to move forward with this, they could explore alternative options. She said that in her opinion, SMART SCALE may not be the best fit for this particular project.

Mr. Pruitt asked if there was a summary of the key points, or a simplified version of the factors that contribute to that conclusion. He said that based on his understanding of SMART SCALE, he believed it scored better when there were multiuse paths, evidence of high crash history, and high throughput in urban, congested areas. He said that looking at this, he saw that these were indeed the types of factors they typically looked for in a SMART SCALE designation. He said that therefore, he was unclear about what specific aspects being considered here.

Ms. Hersh-Ballering said that historically, Mr. Pruitt's assumptions were accurate. She said that in the most recent round of SMART SCALE scoring rubric changes, the state was now looking to fund larger projects, which could cost significantly more than this project. She said that the state had deprioritized land use as a scoring factor, meaning that having a school nearby, businesses, and retail would not be beneficial for this project's success in the SMART SCALE scoring rubric. She said that in contrast, they believed that Revenue Sharing would be a better fit.

Mr. Pruitt said that because he supported the first question, he would support this second one as well.

Ms. LaPisto-Kirtley said yes.

Ms. McKeel said yes.

Mr. Gallaway asked if the smaller project was the Berkmar Extended project.

Ms. Hersh-Ballering said that it was the Berkmar Shared Use Path.

Mr. Gallaway asked where the Commonwealth sidewalks and all of that fell.

Ms. Hersh-Ballering said that for Commonwealth, they had requested additional funds in the last round of Revenue Sharing to complete that project. She said that they were awarded their full request, and she said that they anticipated that this was now fully taken care of.

Mr. Gallaway said that was good to hear. He said that he thought he had missed something when she had mentioned transportation leveraging in the CIP and their needed to add in the funding here. He said that this may not be the best time to discuss it, as they could potentially table it for the budget, but he was having trouble understanding the tiering and transportation leveraging concepts.

Ms. Hersh-Ballering said that to summarize, the Revenue Sharing program categorizes its project applications into four tiers. She said that the first tier consists of projects that have already received funding through Revenue Sharing, which are prioritized for completion. She said that the program aims to finish these projects first. She said that the second tier is designated for projects identified in a locality's CIP, where the locality has expressed a desire to undertake the project but requires additional time or funding. She said that this tier allows the program to leverage funding that a locality has already put toward a project. She said that tiers three and four follow, with tier four being reserved for projects not

included in the locality's CIP. She said that historically, Revenue Sharing funds had depleted before reaching tier four.

Mr. Gallaway said so the leveraging dollars that were in there were just programmed, and they needed to add the dollars to program for this.

Ms. Hersh-Ballering confirmed that was correct.

Mr. Andrews said that he was a yes as well.

Ms. Mallek said that one question she should have asked before was whether the Public Private Transportation Act (PPTA) would be a possibility if they decided to go on their own, or if it could be considered after or in parallel with the application, or even before the application was submitted.

Ms. Hersh-Ballering said that she would look to their PPTA experts, and confirmed that technically, yes, was what she heard.

Mr. Gallaway said that part of the answer was that they had to consider with the third question.

Ms. Hersh-Ballering said that the third question was whether the Board supported the recommendations regarding the proposed campus loop road. She said that specifically, does the Board support the proposed alignment, continuing to evaluate the possibility of constructing the loop road as a private road to be maintained by ACPS, and to not to include the design or construction of any portion of the loop road in the upcoming Revenue Sharing application. She said that this was to say that they could still revisit a Revenue Sharing application for the loop road in whole or in part, for the 2027 round of Revenue Sharing.

Ms. Mallek said yes to all three questions.

Mr. Pruitt said yes.

Ms. LaPisto-Kirtley said yes.

Ms. McKeel said yes but wanted to confirm that ACPS had weighed in on all of this.

Ms. Hersh-Ballering said that they had.

Mr. Gallaway said that he supported it, but he did not know if it was critical to say yes at this point. He said that he believed the road should be built to public standards, so that if they decided to put it into VDOT's system, it would meet those standards. He said that unless there was a strong rationale for deviating from those standards, he would be open to alternative approaches, such as cost or timing considerations.

Mr. Gallaway said that he did not want to commit to anything at this point that may not be feasible. He said that he was eager to see the loop road completed as soon as possible relative to the other improvements because he knew they played into one another. He said that he understood how these things could sometimes play out, whether it was the private-public partnerships or some other maneuver that could happen. He said that he encouraged staff to explore all options to get this done sooner rather than later. He responded yes to the question.

Mr. Andrews said that he was a yes, continuing to evaluate the possibility.

Agenda Item No. 12. **Presentation:** MicroCAT Update.

The Executive Summary forwarded to the Board states that the Albemarle County Transit Expansion Plan, completed in early 2022, was a planning exercise funded through a Department of Rail and Public Transit (DRPT) Grant and managed by the Thomas Jefferson Planning District (TJPD) to evaluate opportunities to expand and improve transit throughout much of the Albemarle County Urban Development Areas. The result of that study was a recommendation to implement a micro-transit service to serve the Pantops and Places 29 - North Development Areas through a pilot program to determine the feasibility of this type of service to address transit needs in those areas. Micro-transit is a relatively new transit mode being implemented across the country. The service is an on-demand, technology-enabled solution that offers real-time trip requests and dynamically routed vehicles.

In 2023 Charlottesville Area Transit (CAT) applied for and received a \$1.94 M demonstration grant to implement micro-transit in the Pantops and Places 29 - North Development Areas. The County committed to a local match for this grant of \$388K. An evaluation was performed by CAT and Albemarle County to determine the operating model and release a Request for Proposals to contract with a micro-transit service provider to operate the service. Following a competitive procurement process, the contract was awarded to VIA to operate the service. This contract was for one year of service with up to three years of possible renewals. During the contracting and planning phase, the County, CAT, and VIA were able to realize additional service areas and operations to enhance the service beyond the initial proposals and provide added value to the County's residents. This included a significant expansion of the service area to cover all of the County's Development Area adjacent to US 29 from Hydraulic to Piney Mountain (Attachment A). The service began operating in late-October 2023 and has been a tremendous success.

The presentation is focused on providing the Board an update on the service as it enters its second year of operations. Albemarle County staff, the Director of CAT, and members of the VIA team will present on operation aspects of the service including ridership, customer feedback, and the financial overview. The presentation will also open the conversation about the future of the service. This portion will cover the 2nd year of service currently underway, options for after the two-years of service of that has been agreed on in the DRPT Demonstration Grant, potential expansion opportunities that have been discussed with the City and VIA, and the opportunities for additional grants to continue the service into the future.

The Board of Supervisors previously committed funding to support this micro-transit demonstration grant. No additional funding from Albemarle County is requested at this time.

Staff recommends the Board receive the update and provide feedback to the presentation team.

Mr. Kevin McDermott, Deputy Director of Planning, said that he was here today to introduce the discussion for the MicroCAT update presentation. He said that he was joined by Ryan Davidson, the Deputy Chief of Office of Management and Budget, Garland Williams, the Director of Charlottesville Area Transit (CAT), and Selah Hampton and Joe Pietrek of their contractor for MicroCAT, VIA. As a quick reminder before he brought them up for the presentation, he would like to briefly review where they came from.

Mr. McDermott said that this project began when they conducted the Albemarle County Transit Expansion Plan, which was funded by the Department of Rail and Public Transit (DRPT), performed by the Thomas Jefferson Planning District Commission (TJPDC), and completed in 2022. He said that the plan recommended exploring microtransit to serve the Places 29 North and Pantops Development Areas. Following that, CAT submitted a successful demonstration grant to DRPT, which funded a MicroCAT service that operated for two years. He said that there was a local match to that, and the County was also required to cover any costs to fulfill anything beyond the two years of the grant.

Mr. McDermott said that after evaluating their options and conducting a competitive Request for Proposal (RFP), they hired VIA, the contractor for this service. He said that the MicroCAT service began in October 2023 and was set to continue until October 2025, following a successful first year and the renewal of their contract. He said that he would now like to introduce Selah Hampton from VIA, who would walk the Board through the highlights of this year of service.

Ms. Selah Hampton, Partner Success Manager for the VIA team, and she was joined by Joe Pietrek, General Manager of MicroCAT. She said that they were here to provide an overview of MicroCAT's background, highlights, and opportunities and next steps.

Ms. Hampton said that VIA was the world's leading provider of advanced public mobility solutions, with over 750 partners serving over 140 million rides globally. She said that they had a strong presence in Virginia, with over 40 partners in the state and four years of experience working on microtransit partnerships with DRPT. She said that she would like to extend a special thank you to her team, the VIA Schools team, who recently launched a partnership with Albemarle County Public Schools (ACPS). She said that they were excited to see the growth and continuation of this service. Now, they would take a look at MicroCAT's progress.

Ms. Hampton said that they were celebrating just over their one-year anniversary. She said that in 2024, they had completed over 51,000 rides, over 4,000 accounts were created, and achieved an average ride rating of 4.9. She said that over 7,000 rides had received five-star ratings, placing them within the top 10% of all VIA-powered services. She said that MicroCAT was a natural extension of the public transit ecosystem, with a fleet of 100% private vehicles and a fare-free model consistent with the rest of the network. She said that there were wheelchair-accessible vehicles in the fleet, making their service accessible to everyone.

Ms. Hampton said that they would like to extend their gratitude to both VIA and the CAT team for their hard work in achieving these impressive results. She said that in their first full month of ridership, they saw 500 rides. She said that in December 2024, their ridership exceeded 6,400, with an average of 3.5 passengers per revenue hour. This meant that in each revenue hour that a vehicle was in service, there were typically three to four riders on an individual van. She said that as a public transit service, the more ridership grew, the more efficient the service became, and the cost per ride had been steadily decreasing from \$30 at the beginning of Quarter 1 (Q1) of 2024 to \$17 by the end of Quarter 4 (Q4) of 2024. She said that they expected this trend to continue as ridership grew.

Ms. Hampton said that this meant that residents of Albemarle County and their access to transit would be impacted. She said that on the left, they would see an image of their fixed route lines, and on the right, an image from VIA's Remix tool, which showed how long it took for a rider, Jane, to travel from her starting point. According to the tool, Jane's travel time on the left was about 15 within a tight locality and on the right with the introduction of MicroCAT, Jane could get up and down the zoned area outlined on the screen within 15 to 45 minutes.

Ms. Hampton said that they valued the feedback from their riders. She said that 70% of their riders reported that they did not have access to a personal car, 30% had an annual household income of \$25,000 or less, and 40% had a long-term disability. This data highlighted the importance of their service,

which was not only stable and reliable but also a vital part of the community, providing access to essential services such as commuting, shopping, and groceries.

Ms. Hampton said that this would not have been accomplished without the help of their contacts here at the County and City. She said that they had had strong marketing pushes, including screens at the airport that highlighted the convenience of MicroCAT, as well as flyers distributed at local organizations throughout the County. The VIA also supported with digital assets, resulting in advertisements across social media. They ran a six-month radio ad campaign and had seen continued strong ridership growth attributed to those advertising materials.

Ms. Hampton said that next she would discuss opportunities and next steps. She said that when considering the future of transit, especially in a place with a strong microtransit program and fixed route that continued to improve, it was about integrating that network. She said that on the left, they would see an example of what fixed routes looked like within the City. She said that on the right, they would see their vision for microtransit, where virtual bus stops were created, making every destination a pick-up or drop-off point. She said that VIA's approach to the future of transit was to maintain fixed routes as the most efficient mode of transportation, while exploring cost-efficient options and rider-friendly solutions.

Ms. Hampton said that they had several options to consider integrating these modes into a one-app solution, which they called integrated transit. She said that this would allow riders to take a MicroCAT to a nearest fixed-route bus line and then take that fixed-route bus line to their final destination, with real-time connection information displayed. She said that their conversations with the team were ongoing, and the team at VIA was excited to be there today to discuss the highlights of the MicroCAT service.

Ms. Mallek said that the ridership was truly astonishing, and she commended the communication plan for effectively spreading the word. She said that although she resided outside the zone, she had flyers at the Earlysville Post Office in the hopes that they would reach people who had used the service to travel to Hollymead Town Center and get to other destinations via MicroCAT, thereby reducing the burden on their neighborhood drivers and making it easier for them to use the system. She said that she was particularly impressed by the positive impact on low-income riders, and they would need to determine how to sustain this going forward.

Mr. Pruitt said that when projecting out the data, he thought the graphic was helpful in showing how the individual cost per ride decreased as ridership improved. He said that he could also imagine a hypothetical plateau that they would approach, where costs would asymptotically increase due to the need to hire more staff to accommodate the additional demand. He asked if they have a sense of where that plateau would be.

Ms. Hampton said that it was a great question. She said that they could consider it from various perspectives, and Mr. Pruitt was correct that it would fluctuate as ridership grows, and as they add more vehicles and increase the number of hours they are on the road, they are able to serve more riders. She said that one of the key metrics they use to measure efficiency is utilization, which looks at the number of riders per vehicle per hour.

Ms. Hampton said that as long as this metric remains consistent and continues to grow, they consider the service to be productive and healthy. The limit on ridership is influenced by factors such as ridership levels, the size of the zone, the number of vehicles, and the total number of vehicle hours on the road. She said that some of their services have a cost per ride as low as \$10, while others have a much higher cost per ride. She said that this was a strong showing from Albemarle County, and it is not to say that this is a floor, but rather that they would expect a significant decline in costs for at least the next few years.

Mr. Pruitt said that they did not contract for fire service or public school busing. He said that they did contract for fixed route service with a non-profit government entity. He said that given this, he would be interested in understanding how VIA would articulate the value it brings to this area and why contracting with a for-profit company would be preferable.

Ms. Hampton said that when considering the range and scope of transportation options available to riders, and the cost efficiency of that transportation, it was clear that microtransit as a concept succeeded. She said that she had heard the mayor of Winchester, Virginia, say that transportation used to be determined by planners, who would decide where people went and when, without any input from riders. She said that microtransit reversed that approach, giving riders the power to choose their own destinations and schedules. She said that this shift in control had significant implications for regional economic growth, cost efficiency across entire transit networks, and the overall availability of transportation options, making it incredibly beneficial.

Mr. Garland Williams, Director of Charlottesville Area Transit (CAT), said that to answer Mr. Pruitt's question, he believed the value VIA brought was that they provided expertise. He said that as the leader in this mode of transportation, they brought a level of experience that they might not have had otherwise. He said that if they had chosen a less experienced organization, their numbers likely would not have been as successful as they had been. He said that by working with VIA, they were able to capitalize on their expertise and the success they had already achieved. He said that there was pent-up demand, and that this had allowed them to execute their plan at a low cost and expand the model without increasing costs. He said that he believed this was the real value that VIA had brought to their organization.

Mr. Pruitt said that there was a part of him that wondered, as they were scaling up the program, which they would do to a certain degree, and it would likely naturally plateau at some point. He said that they would not be deploying it to every location in the County. He said that he was curious to know if there came a point where they were mainly paying for software as a service, and that expertise was no longer something that they routinely came back to.

Mr. Williams said that from his view as the Transit Director, hiring staff was expensive. He said that procuring vehicles and expanding their fleet size was also an expensive endeavor. He said that by bringing in a third-party operator, they could avoid those upfront costs and potentially keep expenses down, as the operator had the efficiencies of running the system and the expertise to manage it effectively.

Mr. Williams said that in contrast, if they were to take on this responsibility themselves, they would be venturing into uncharted territory, where they would be learning as they went. He said that as a result, their numbers would likely continue to grow, and they would be questioning why their numbers, which were previously on track, were going back up. He said that this would be due to their lack of experience in managing the system. He believed that the value added by having an organization with marquee talent in this field remained, as they were diligent stewards of public funds.

Mr. Pruitt said that he had one more question for VIA. He said that as they had discussed, they had explored various options, particularly in the context of the regional transit partnership, to potentially expand this service over time. He said that they had also emphasized the importance of establishing a limiting factor to prevent the system from becoming too complex and losing its value to individual users. He said that currently, their service area was the only limitation they had, and they were not doing means testing or imposing limits on the frequency of use. He said that he was curious to know if, in Ms. Hampton's experience, she had encountered other limitations that had been imposed within a service area and asked if she could talk about non-service area limitations that had been imposed that served as both throughput controls and cost controls.

Ms. Hampton said that there are many services that introduce fares primarily in response to high demand. She said that it is essential to note that services that introduce fares often continue to maintain eligibility for certain vulnerable populations, ensuring they always have access regardless of their income status or ability status. She said that thinking about other limitations that have been introduced included no-show and cancellation policies.

Ms. Hampton said that these policies can be operationalized in various ways, like implementing a policy where a rider who misses five rides in a week is unable to book rides for a week. She said that fees can also be associated with these policies, where a rider who cancels a certain number of rides within a specified period is charged a fee, likely equivalent to the service's fare. She said that various municipalities and counties consider introducing limitations to ensure the service remains efficient and conducive to additional rider growth, preventing stagnation.

Mr. Pruitt said that he was curious to know if any of their services had continued with a fare-free model while still implementing a means testing element for the ridership population.

Ms. Hampton said yes.

Mr. Pruitt said that he believed it would be a technical challenge, which is why he asked; an administrative challenge more than anything. He said that he would like to learn more about that and asked if she could channel it through Mr. Williams to their organization.

Ms. LaPisto-Kirtley asked if they could return to the slide that outlines the types of people she serves. She said that that slide, in her opinion, says it all. She said that it clearly indicates that they are providing a service to those who need it most. She said that the limited service area of the fixed transit routes contrasts with the larger service area of MicroCAT, which is particularly beneficial for individuals with disabilities or those without personal vehicles. She said that this slide speaks volumes to her.

Ms. LaPisto-Kirtley said that when this initiative was introduced a couple of years ago, it was mentioned that the goal was to provide rides that would be less expensive than those offered by Lyft or Uber. She said that to her knowledge, they were still not charging passengers. She said that this made the service extremely affordable, as there was no cost involved. She said that when they first started this program, they had initially planned to have three buses or small cars in each area. She asked if they had increased that number.

Mr. Williams said that the original model had six, with four on the Route 29 corridor and two in Pantops.

Ms. LaPisto-Kirtley asked if that number had increased.

Mr. Williams said yes; that they currently had eight vehicles.

Ms. LaPisto-Kirtley asked if that was due to ridership demand.

Mr. Williams confirmed that was correct.

Ms. LaPisto-Kirtley asked if they had increased the hours of operation.

Mr. Williams said yes, but they had been able to control those costs within the allotted budget.

Ms. LaPisto-Kirtley asked if they had a longer time to serve the people in need.

Mr. Williams said that the span had not grown, but the amount of hours increased with the added vehicles.

Ms. LaPisto-Kirtley said that she thought it was a great program. She asked if there were plans to increase the service areas.

Mr. Williams said that plans were contingent upon all parties coming together and deciding on the next phase, and whether to continue offering MicroCAT as an option beyond October 2025. He said that once that decision was made, they could have a more in-depth conversation about what that meant on a regional basis. He said that he believed that this was a conversation that needed to take place at the Charlottesville-Albemarle Regional Transit Authority (CARTA) level, involving the policy board, and then be brought back to each jurisdiction's Boards of Supervisors and City Council to discuss how to move forward and what the correct path was.

Ms. LaPisto-Kirtley asked if they planned to incorporate this into the newly formed Regional Transit Authority.

Mr. Williams said that one viable path, in his opinion, was that they would have philosophical policy discussions at CARTA, and then that organization would bring back recommendations to each of the jurisdictions.

Ms. LaPisto-Kirtley said that she had one final question. She asked when they could estimate when ridership would need to start paying for some of these services, including fixed transit and MicroCAT.

Mr. Williams said that the Transit Ridership Incentive Program (TRIP) grant they currently had was set to end its state funding this fiscal year, which was June 30 of this year. He said that based on the grant funding, they were required to continue it for one more year. He said that they, the jurisdictions, must continue to pick up the cost to keep the service fare-free for an additional year beyond the state's financial support. He said that therefore, June 30, 2026 would mark the end of their required obligation to keep the service fare-free.

Ms. LaPisto-Kirtley asked if that would include fixed route and MicroCAT.

Mr. Williams said that MicroCAT would continue to be fare-free as long as the rest of the system remained fare-free.

Ms. McKeel clarified that a grant was covering the costs of this program right now.

Mr. Williams said that the grant was covering the cost of making the service fare-free on the fixed route. He said that it had recently been extended to include MicroCAT.

Ms. McKeel said that Mr. Williams had addressed some of her questions regarding when they would need to start having those discussions, including the possibility of expanding the program. She said that one thing she had heard from people was that they often wanted to know why their area was not being served. She said that she was curious about how this program would work with their new CARTA, and she believed that discussion would take place once they had that authority established and functioning.

Mr. Williams said that he did not wish to overstep, as he had not been fully involved in all of the conversations with CARTA. He said that he would defer to the Deputy County Executive, Ms. Ann Wall, to provide more information.

Ann Wall, Deputy County Executive, said that she agreed with Mr. Williams. She said that she believed the Regional Transit Authority's goal was to promote a regional transit system and understand the community's transit needs. Therefore, it made sense that expansions, changes, and regionally significant items would be reviewed by CARTA. She said that it was important to note that they were establishing a new organization at this time, and as such, they may work with the existing Regional Transit Partnership as well as the Regional Transit Authority. She said that they may need to seek feedback, make decisions, and potentially submit grant applications within this timeframe as they stood up the organization.

Ms. McKeel said that she was curious about this, and she was not sure how to get at this. She said that they were trying to encourage their community to utilize fewer services. She said that they had options such as Uber, Lyft, UTS (University Transit Service), and others. She said that it seemed to her that this presented an opportunity to reduce the number of services in the community while still providing adequate transportation for their residents and reducing the number of vehicles on the road. She said that she was wondering if there was any data available on the long-term impact of the MicroCAT service to provide environmental benefits.

Mr. Williams said that he thought it was a fair question. He said that he viewed MicroCAT as an

extension of fixed route, as it solved the first mile, last mile conundrum that many public transit agencies struggled with. He said that having a system where one could plan out their trip with the integration of fixed route to MicroCAT would be a significant advantage. He said that they were working on this, and their goal was to have it up and running by this spring. He said that there were some back office things that they were trying to clean up because they needed to have a clean file to integrate with VIA's information. He said that their ultimate goal was to create a robust traffic and public transportation system that allowed people to move around without cars. He said that solving the first mile, last mile problem was a key step in achieving this ultimate goal, which he believed would be a major step forward.

Ms. McKeel said that that was what she was trying to get to, just to reduce the amount of cars. She said that Mr. McDermott had consistently emphasized that MicroCAT would provide them with the areas that were interested in using transit and demonstrate the demand, and she believed they were seeing that very clearly.

Mr. Williams said yes. He said that he knew there was pent-up demand for this service, but he did not anticipate the ridership to grow at such a rapid pace. When he first presented to them over a year ago, he said that he knew there was pent-up demand. He noted that the ridership in the first month was 500, and it had since increased to over 6,400 riders per month. He said that this surge in ridership was a clear indication of pent-up demand for a service that MicroCAT was fulfilling.

Mr. Gallaway said that this showed that they had finally established a functional transit system within the urban ring of the County. He said that it was essential that they not only maintain this system but also expand it, otherwise, his constituents would get rid of him. He said that the only criticism he had received was regarding the restrictions on the boundaries of the pilot program. He said that he appreciated the email from one of his residents who pointed out that others in the apartment complex across the street who did not have the service were in need of it more than he was.

Mr. Gallaway said that it was remarkable that when people started highlighting the equity issue for others, and that it was phenomenal. He said that this meant that it was not just pent-up demand, but that it was being solved in a way that spoke for itself. He said that it was a service that they owed to their constituents. He said that one of the interesting facts he had learned during their trip to Champaign-Urbana was that the state of Illinois considered transit a civil right. He said that when viewed in this light, it was disappointing that they had not yet figured out how to effectively utilize transit to move people around. He said that he recalled when Mr. Williams first came on, he had expressed his frustration with the lack of transit options in Rio.

Mr. Gallaway said that MicroCAT was working to address this issue. He said that he did not recall whether Mr. Williams was present at the workshop at the Water Street Center, and he did not believe that MicroCAT was even on the radar, but he did remember that it was a significant event where they had been tasked with planning a transit system. He said that the goal was to examine the transit system from a higher-level perspective, showing how they had an operating system. He said that he often thought back to that workshop and how the introduction of the concept of MicroCAT would have completely changed their planning perspective to look at a system in that way.

Mr. Gallaway said that when he heard that this did not eliminate fixed routes, but rather identified areas where they could be advantageous, he believed MicroCAT could add to that. He said that he was aware that budget considerations were a factor, but they owed it to their citizens to provide good transit, as well as other objectives that aligned with their strategic goals.

Mr. Gallaway said that VIA had its national account for purchasing vans, and the County was not in a position to take on a large-scale purchase internally. He said that buying vans on a larger scale was a huge cost savings for the service, as it would allow for economies of scale. He said that the cost differential alone could be a significant factor in why they should not try to bring it in-house. He said that by leveraging their purchasing power as a Commonwealth and other states, they could reduce their costs. He said that he was enthusiastic about MicroCAT because of its potential to benefit many people, especially in his district, who were already using it and finding creative ways to utilize it. He said that he knew that when the boundaries expanded or the service grew, it would be met with demand.

Mr. Gallaway noted that the County initially provided a free electrical vehicle charging service in the parking lot, knowing that they would eventually have to start charging for it. He said that when they conducted the analysis, it was not about making money; it was about covering the costs. He said that even with the amount they charged, he doubted they had seen a decrease in the number of people using it. He said that the rate they charged was lower than what commercial services charged. He said that even though it cost something, it was still provided in a cost-efficient manner compared to other places.

Mr. Gallaway said that he saw the same thing here with MicroCAT. He said that eventually, certain income limitations could be handled and taken care of, just like in other areas. He said that those who could afford it would likely not pay what it would cost to take an Uber from one spot to another. He said that, for example, the fare from Dunlora to the airport was not comparable to the cost of an Uber.

Mr. Gallaway said that he had been having flashbacks every time he saw Mr. Williams regarding the 4:00 a.m. wake-up calls to get to the airport. He said that the cost of an Uber was comparable to that of a taxi, with fares ranging from \$30 to \$50 for a 15-minute ride. He said that if this service were to scale and implement a fare, the fare from the center at Belvedere to the airport would not be \$30 to \$40 per rider or per ride.

Mr. Andrews said that if he understood slide 12, he saw that the calculation involved multiplying \$30.16 by 8,235. He asked if that would be the cost of the program.

Mr. Joe Pietrek, General Manager of VIA, said that the 8,235 actually referred to the quarterly rides.

Mr. Andrews said that if the average cost per ride was \$30.16, then multiplying that by the number of rides yielded a total cost. He said that when he calculated this, there was a significant increase in the total cost in quarter four, rising from the \$250,000 range to \$313,000. He said that this increase suggested that they were approaching a plateau, and where the sweet spot might be.

Mr. Andrews said that when discussing expanding the program and using it efficiently, they may need to consider an average cost of \$15 or more, or \$20 per ride. He said that he did not know whether that covered rides to the airport or those within a one- or two-mile radius, but that that was something they could look at in the future. He said that he wanted to ensure he understood the graph accurately, as he believed it provided valuable insights beyond what was shown there.

Ms. Mallek said that she may have missed this in the report, but she would like to know if there was existing data on riders who transfer to CAT.

Ms. Hampton said that, yes, they had some data about that. She said that she would share it with the team to circulate that. According to their previous review in October, when the team was here for an executive business review, approximately 40% of rides were connecting to other forms of public transit. She said that they would obtain the updated figures and circulate them.

Mr. Gallaway recalled a few individuals who, a few months ago, believed that MicroCAT was only to take them to fixed routes, not realizing it was for curb-to-curb. He said that he that was probably an outlier. He said that the fact that people were already thinking that this project was supposed to take them to a bus route, rather than a destination, was telling. He said that it was interesting that people thought that this was what the program was meant for.

Mr. Williams said that in closing, he would like to extend his public gratitude to the County Executive. He said that he had written a very great appreciation letter for the team that pulled their thing together to go to Champaign-Urbana. He said that he wanted to publicly express his thanks to the County Executive.

Agenda Item No. 13. Closed Meeting.

At 5:00 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1), to discuss and consider both:

- the performance of the Interim County Attorney; and
- the appointment of a County Attorney.

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 Mr. Pruitt.
NAYS: None.

Agenda Item No. 14. Certify Closed Meeting.

At 6:03 p.m., Mr. Pruitt **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 Mr. Pruitt.
NAYS: None.

Agenda Item No. 15. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report from the County Executive.

Agenda Item No. 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.

There were no speakers from the Public.

Agenda Item No. 17. **Public Hearing: Public Hearing to Consider the Adoption of an Ordinance to Modify Real Estate Tax Relief for Elderly and Disabled Persons.** To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend Article 7, Real Property Tax, Division 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, Sections 15-709, Real property eligible for an exemption, and 15-710, Amount of exemption. The proposed amendment would increase the maximum annual income threshold eligible for the exemption from \$88,800 to \$97,650, would increase each income bracket eligible for partial tax relief, and would increase the net worth threshold eligible for tax exemption from \$305,000 to \$312,000. All proposed amendments would be enabled by Virginia Code §§ 58.1-3210 and 58.1-3212, to be effective on and after January 1, 2025.

The Executive Summary forwarded to the Board states that staff is recommending expansion of the current program for Real Estate Tax Relief for Elderly and Disabled Persons by increasing the income limit to align with the current value for the US Department of Housing & Urban Development Area Median Income (AMI) Limits, using the value for 80% AMI for a family of four in Albemarle County, as well as the net combined financial worth limit. Under Virginia Code § 58.1-3210, the County has authority to modify the qualifying criteria. The Board of Supervisors expressed support for this approach after reviewing staff's analysis at the November 20, 2024, Board meeting, and scheduled this public hearing to consider adoption of an ordinance.

Albemarle County Code Chapter 15, Article 7, Division 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, describes the County's real property tax relief program for elderly and disabled persons. Based on direction from the Board of Supervisor's November 20, 2024 meeting, the proposed ordinance (Attachment A) would modify the current program criteria with the following:

- Increase the net income limit from \$88,800 to \$97,650
- Increase the net financial worth limit from \$305,000 to \$312,000
- Modify the three relief percentage brackets from \$0 to \$48,825 for 100% relief, \$48,826 to \$73,238 for 75% relief, and \$73,239 to \$97,650 for 50% relief.

The change would be effective for Tax Year 2025, which began on January 1, 2025.

The proposed modification to the Real Estate Tax Relief for Elderly and Disabled Persons program would decrease collectible tax revenues. For FY 26, the budgetary impact of increasing the income and net worth limits is estimated to be \$120,000 and if approved, would be incorporated into the County Executive's FY 26 Recommended Budget.

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

Ms. Jennifer Matheny, Chief of Revenue Administration, said that the requested action of the Board was to amend Albemarle County Code Chapter 15, specifically to modify real estate tax relief for the elderly and disabled. She said that she had approximately 10 slides to present to the Board, and that they had seen this information before, which she had shared with them in November. Tonight, she would go through the data again and look for a recommended action at the end for the ordinance. The staff had requested that the Board consider modifying the program criteria for tax year 2025.

Ms. Matheny said that they had begun this process earlier than usual in an effort to update the applications for the program before sending them out. She said that based on their application cycle for existing participants, there was a three-year review, and tax year 2025 was the year that generated most of the full applications. She said that she would provide an overview of the current program, followed by the proposed program updates, which would be the subject of the public hearing. She said that they would then transition to the public hearing and conclude with their staff-recommended proposed ordinance.

Ms. Matheny said that she would begin by reviewing the current program. She said that most participants in this program were unable to afford property taxes without this program, and it was a vital part of their efforts to support the elderly and disabled in Albemarle County. She said that the current program required applicants to be at least 65 years old or totally or permanently disabled, own the property as of January 1, and not use the residence as a business.

Ms. Matheny stated that additionally, there were income and financial net worth criteria. She said that the current program had a net income maximum of \$88,800 and a financial net worth maximum of \$305,000. She said that the table illustrated the thresholds of percentages based on income. She said that the net worth figure excluded the applicant's subject dwelling and land up to 10 acres, a point they had discussed previously. To clarify, residents within the 10-acre limit were eligible for the exemption, but it did not mean they could not have over 10 acres, it just meant that anything more than those 10 acres were not part of that exemption.

Ms. Matheny said that in the 2024 program, the income and net worth limits had been increased, resulting in an increase in eligible applicants. She said that in 2022, 89% of applicants received relief, whereas in 2023, 94% of applicants were approved, and in 2024, 95% of applicants were approved. This demonstrates the positive impact of modifying the income and net worth limits.

Ms. Matheny said that in 2024, 857 households participated in the program, with a total award of \$1.9 million. She said that the average income and net worth of last year's applicants were \$33,359 and \$54,500, respectively. She said that the averaged data illustrates that the program is effectively helping

the most economically vulnerable individuals. She said that to further illustrate this point, the chart shows that 74% of applicants received 100% relief, while 6% received 50%. She said that moving that income threshold was sliding everybody up in those brackets, which was a positive impact.

Ms. Matheny said that the orange line on the next slide represents the county average tax bill, which is \$3,869. She said that this data is from 2024 and not the new data shared by the County Assessor earlier today. She said that the majority of applicants fall to the left of the orange line, indicating that most participants received 100% relief. She said that the outliers to the far right of the chart had an average median age of 85 years. She said that most of the property owners have owned their land for a very long time. She said that there were widows and widowers among them, and a couple have over 10 acres. She said that this means they were still paying taxes, but not on the residence. She said that she feels that this slide again reinforces that they were supporting the most economically vulnerable.

Ms. Matheny said that next she would discuss the proposed program updates. She said that based on Board feedback from meetings and work sessions, staff is recommending changes to the existing ordinance. She said that staff has developed a recommendation that will expand the program, with a basis that is reasonably understandable, grounded in prudent financial management, and with minimal administrative and system impacts. She said that those were the three things that they always tried to make sure were present in those recommendations.

Ms. Matheny said in terms of expanding the program so that it is easier to understand, they are recommending an increase to the net worth and an increase to the income limit. She said that this recommendation will be included in the planned FY26 recommended budget, and those numbers were already being considered.

Ms. Matheny said that the total amount they expect to expand is \$120,000. She said that this change can be implemented in the system with minimal administrative and system impacts. For the past three years, the income limit has been tied to 80% of the area median income (AMI) for a family of four, and that metric was also tied to their affordable housing policy. She said that using this same approach, for CY25, they would increase the income limit to \$97,650. She said that this could be easily implemented as a simple system change.

Ms. Matheny said that while it did come with an increased cost, it was predictable, and they projected this to be \$100,000 for FY26 for this change. She said again, this was easy to understand, easy to implement, and grounded in prudent financial management. She said that currently, the net worth was \$305,000. She said that staff proposed increasing it to \$312,000 for CY25. She said that this had been changed over the past two years to trend with inflation. She said that they estimated that this change would increase or expand the relief by \$20,000. She said that again, this could be easily implemented, easy to understand for applicants, and reasonably predictable for budgeting.

Ms. Matheny said that staff's intent was to bring this program back to the Board on an annual basis, allowing them to maintain the 80% of median income threshold and keep pace with the rate of inflation. She said that this concluded her formal remarks. The slide before them highlighted the recommended changes for a public hearing. Green represented their current program, while blue represented the proposed updates or changes. She said that she now turned it over to Chair Andrews to lead the Board's questions and conduct the public hearing. Following that, she would ask for a vote on the proposed ordinance on the next slide.

Ms. Mallek said that she had no questions.

Mr. Pruitt said that he had no questions.

Ms. LaPisto-Kirtley said that she had no questions.

Ms. McKeel said that she had no questions.

Mr. Gallaway said that based on what was presented, he did not have any questions. He said that he was trying to recall the purpose of the public hearing. He asked if it was a requirement under state code that they must conduct this public hearing process or if it was the County's own ordinance.

Mr. Herrick said that according to state law, public hearings were not required for ordinances, but Albemarle chose to hold them. He said that the only requirement by state law was that the ordinance be publicly advertised. He said that public comment was not mandatory, but Albemarle's practice was to invite public comment on the ordinance.

Mr. Gallaway said that he would make some comments later.

Mr. Andrews said that he had no questions and opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board for comments, then a motion.

Ms. Mallek said that she was entirely in support of this initiative because their County was fortunate to have many elderly residents who had lived there for their entire lives or had only recently moved there but had outlived the economic circumstances that supported them for so many years. She said that she wanted to ensure that they could remain in their homes, and this was an important way to help them do so while also protecting their naturally occurring affordable housing (NOAH) stock.

Mr. Pruitt said that he would like to address the public who may not be aware of the extensive discussion that had taken place prior to this moment to not be troubled by what seemed like little discussion. He said that he would like to reiterate, on the record, his previous statements regarding this matter, which were that he supported it. He said that he believed it was clearly and effectively means-tested, as demonstrated, to target the population they intended to serve. He said that this was a vulnerable population and that it was critical to helping them remain in their homes. He said that one thing he would like to add was that he was sometimes frustrated that there was not a corresponding program for seniors living in rentals.

Mr. Pruitt said that currently, they provided subsidies to help low-income seniors stay in their own homes, but they did not have a similar program for seniors in rentals, which could lead to them becoming trapped in homes they could no longer afford. He said that this was a significant concern. He said that he believed this program should be partnered with a local vouchersing program for the elderly in the future, and he looked forward to seeing how they could move forward on this in the future. He said that he remained supportive of this proposal.

Ms. LaPisto-Kirtley said she had no questions.

Ms. McKeel said that she was good.

Mr. Gallaway said that he wanted to make a procedural comment. He said that when this proposal was previously discussed, they had a thorough discussion and considered the budget implications. This had ongoing budget ramifications. He said that he was wondering if there was a way to make a decision about this program now, without having to go through an annual public hearing process. He said that if they were in agreement that they would implement the program and it would follow the median income guidelines, increasing net worth by inflation, why could they not make that decision during the last budget time instead of coming to do this and spending the time to do the public hearing.

Mr. Gallaway said that this would save time and allow for a more efficient process. He said that the budget had a public hearing tied into it. He said that future boards may not feel the same about this program, but it would not remove the ability to have a public hearing, it might just be a little more efficient and people could count on it sooner. He said that the County Executive would need to be informed of their decision to prepare his budget. He said that he was just throwing this out as a thought, and he appreciated their consideration.

Mr. Andrews said that they had previously discussed this topic and reached a consensus on it.

Ms. Matheny said that it was indeed true, as they had already received applications from individuals who wished to start the process on January 1. She said that she had explained to them that this application was going before the Board, and the limits may change, depending on the outcome. She said that they would be in touch with those individuals to inform them of any updates. She said that some people were ready to submit their applications on January 2 or the next business day, as they had already begun receiving applications.

Mr. Herrick said that in future years, they could consider tying the ordinance to inflation, simply incorporating inflation into the ordinance. He said that this was something their office would need to look into. He said that he believed that this may be the most effective solution to addressing Mr. Gallaway's question, and while he could not guarantee it, their office could explore this option moving forward.

Mr. Andrews said that he was also supportive, and that he was looking for a motion.

Ms. Mallek **moved** that the Board of Supervisors adopt proposed Ordinance (Attachment A). Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

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

ORDINANCE NO. 25-15(3)

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE 7, REAL PROPERTY TAX, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article 7, Real Property Tax, is hereby amended as follows:

By Amending:

Sec. 15-709 Real property eligible for an exemption.
Sec. 15-710 Amount of exemption.

Chapter 15. Taxation Article 7. Real Property Tax

Sec. 15-709 Real property eligible for an exemption.

Real property that satisfies all of the following requirements is eligible for the exemption established in County Code § 15-708:

- A. *Age or disability.* The eligible owners shall have either:
1. *Age.* Reached the age of 65 years prior to the taxable year for which the exemption is claimed; or
 2. *Disability.* Become permanently and totally disabled prior to the taxable year for which the exemption is claimed.
- B. *Ownership.* The eligible owners shall have title or partial title in the dwelling. Any interest under a leasehold or for term of years is neither title nor partial title. The eligible owners claiming the exemption shall own title or partial title to the real estate for which the exemption is claimed on January 1 of the taxable year.
- C. *Joint ownership.* Jointly owned dwellings are eligible for the exemption in the following circumstances, provided that any other requirements for the exemption are satisfied:
1. *Joint ownership with spouse.* A dwelling jointly owned by a husband and wife may qualify if either spouse is 65 years of age or older or is permanently and totally disabled.
 2. *Joint ownership with person other than spouse.* A dwelling jointly owned by two or more persons, all of whom are either 65 years of age or older or are permanently and total disabled.
- D. *Occupancy of the dwelling.* The eligible owners shall occupy the dwelling as that owner's sole dwelling.
1. *Business uses limited.* The dwelling may not be used in a business that is required to pay a County business license tax or fee.
 2. *Residing in medical or mental care facilities for extended periods does not disqualify.* An eligible owner's residence in a hospital, nursing home, convalescent home, or other facility for physical or mental care for extended periods of time for extended periods does not disqualify the real estate from the exemption. The dwelling continues to be the sole dwelling of the eligible owner during these extended periods in a facility, provided that the real estate is not used or leased to others for consideration.
- E. *Manufactured homes.* A manufactured home is real estate eligible for the exemption if the eligible owner demonstrates to the satisfaction of the Director of Finance that the manufactured home is permanently affixed. Either of the following is evidence that the manufactured home is permanently affixed:
1. *Ownership and connection to water and sewage lines or facilities.* The eligible owner owns title or partial title to the manufactured home and the land on which the manufactured home is located, and the manufactured home is connected to permanent water and sewage lines or facilities; or
 2. *Permanent foundation or connected rooms or additions.* The manufactured home rests on a permanent foundation and consists of two or more units which are connected in such a manner that they cannot be towed together on a highway, or consists of a unit and other connected rooms or additions which must be removed before the manufactured home can be towed on a highway.
- F. *Maximum annual income allowed.* The total combined income shall not exceed ~~\$88,800~~ \$97,650 for the calendar year immediately preceding the taxable year.
- G. *Maximum net combined financial worth allowed.* The net combined financial worth shall not exceed ~~\$305,000~~ \$312,000 as of December 31 of the calendar year immediately preceding the taxable year. (2-15-73; 3-20-75; 11-9-77; 8-13-80; 6-12-85; 5-13-87; Ord of 12-19-90; Ord. of 4-7-93; Ord. 96-8(2), 12-11-96; Code 1988, § 8-26; 9-9-81; Ord.12-19-90; Code 1988, § 8-26.1; § 15-704, Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 03-15(2), 11-5-03; Ord. 04-15(2), 12-1-04, effective 1-1-05; Ord. 06-15(3), 11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 14-15(3), 9-3-14; § 15-709, Ord. 19-15(1), 4-17-19; Ord. 22-15(1), 4-20-22, effective 1-1-22; Ord. 23-15(1), 4-19-23, effective 1-1-23; Ord. 24-15(1) 4-17-24, effective 1-1-24); Ord. 25-15(3) 11-20-24, effective 1-1-25)

State law reference(s)—Va. Code §§ 58.1-3210 —58.1-3215.

Sec. 15-710 Amount of exemption.

The exemption established by this article shall apply only to the real property taxes for the qualifying dwelling and the land, not exceeding ten acres, upon which it is situated. The amount of the exemption for any taxable year is as follows:

Percentage of Real Estate Tax Exempted		
		Net Combined Financial Worth
		\$0-\$305,000 <u>\$312,000</u>
Total	\$0 to \$44,400 <u>\$48,825</u>	100.00%
Combined	\$44,401 to \$66,600 <u>\$48,826 to \$73,238</u>	75.00%
Income	\$66,601 to \$88,800 <u>\$73,239 to \$97,650</u>	50.00%

(2-15-73; 11-9-77; 8-13-80; Ord. of 12-19-90; Ord. of 4-7-93; Code 1988, § 8-27; § 15-705, Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 04-15(2), 12-1-04; Ord. 06-15(3),11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 11-15(1), 5-11-11; § 15-710, Ord. 19-15(1), 4-17-19; Ord. 22-15(1) ,

4-20-22, effective 1-1-22); Ord. 23-15(1), 4-19-23, effective 1-1-23; Ord. 24-15(1) 4-17-24, effective 1-1-24; Ord. 25-15(3) 11-20-24, effective 1-1-25)
State law reference(s)—Va. Code § 58.1-3212.

This ordinance is effective on and after tax year 2025 that begins on January 1, 2025.

Agenda Item No. 18. **Public Hearing: SP202300017 Walnut Creek Substation.**

PROJECT: SP202300017 Walnut Creek Substation

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 10100-00-00-012C0, 10100-00-00-012C1, 10100-00-00-012C2

LOCATION: 2419, 2443, 2447 Old Lynchburg Rd.

PROPOSAL: Request to establish a new Dominion Energy Virginia electric substation (switching station) to allow for new equipment, fencing, and stormwater management on 3 parcels totaling 10.95 acres.

PETITION: Section 18-10.2.2(6) Energy and communications transmission facilities (reference 18-5.1.12).

ZONING: Rural Areas – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

OVERLAY DISTRICT: None;

ENTRANCE CORRIDOR: No

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots) in Rural Area 3 in the Comprehensive Plan.

The Executive Summary forwarded to the Board states that the Planning Commission held a public hearing on October 22, 2024 to review SP202300017, Walnut Creek Substation. Two members of the public spoke during the public hearing with concerns. The Commission recommended approval of by a vote of 7:0, with clarifying modifications to the initial staff-recommended conditions.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

Since the Planning Commission meeting, the applicant has provided an updated Landscape Exhibit, dated 10/11/24 (Attachment D). This revised exhibit provides more specificity as to the height and size of proposed plants and contains some minor modifications consistent with staff recommendations. Information presented at the meeting confirmed, to the satisfaction of staff and the Commission, the applicant's limited ability to move the "limits of grading" for the site any farther away from the northern boundary of the property. Staff had previously requested the applicant consider some adjustments to the limits of grading along that boundary, if possible.

Staff recommends that the Board adopt the attached resolution (Attachment E) to approve SP202300017, with the updated conditions and landscape exhibit dated 10-11-24.

Mr. David Benish, Development Process Manager, said that this was a public hearing to review SP202300017, a special use permit for the Walnut Creek substation. He said that the proposal, submitted by Dominion Energy Virginia, involved constructing a new substation located on Old Lynchburg Road, near the intersection with Red Hill Road.

Mr. Benish said that the property was zoned Rural Areas (RA), and the special use permit being requested was energy and transmission facilities. He said that the site was almost 11 acres and was designated as Rural Area in the Comprehensive Plan. He said that the surrounding uses in the area were rural residential, a church, a private school/home occupation, and there were two existing power lines in that area. He said that there were no overlay districts, critical slopes, or flood plain on this property.

Mr. Benish said that the components of the proposal were that the development of the site would require the removal of trees. He said that almost 5 acres were being retained in wooded and tree canopy. He said that the substation equipment would be 35 feet or less in height, but some new poles would be 75 to 110 feet tall, consistent with existing poles and structures in the current right-of-way and transmission lines. He said that there would be one housing unit for control panels and substation controls. He said that the site would have a 12-foot perimeter security fencing and landscaping around the site. He said that the substation material was gravel, and that there would be stormwater management facilities on the site.

Mr. Benish said that a community meeting had been held in January 2024 at Walton Middle School, where concerns had been raised regarding the potential impact on the rural character of the area, visibility from adjacent properties, noise, and environmental issues from erosion and runoff, as well as the potential negative impact on a home occupation art school on an adjacent property.

Mr. Benish said that the applicant's proposal likely included more detailed renderings, but his presentation included a view of the site which showed the existing landscape of the site. He said that they could see the existing rights-of-way and the wooded area that would be removed for the substation. He said that they also had a rendering of the landscape plan. He said that a landscape plan had been submitted at the Planning Commission (PC) meeting that did reflect some of the recommendations of staff and had been reviewed and considered acceptable to the PC at the time. He said that that this had been provided as an attachment to the report, so the Board had the updated version. He said that the applicant

would likely go through this, so he would hold off on this in his presentation. He said he was happy to answer questions about it, but the applicant had a part of his presentation to cover it.

Mr. Benish said that the evaluation for special permits considered four criteria: whether there was substantial detriment to adjacent properties, whether the character of the nearby area would be changed, whether it was in harmony with the purpose and intent of the Zoning Ordinance, and whether it was consistent with the Comprehensive Plan.

Mr. Benish said that their evaluation concluded that the impacts or substantial detriment to adjacent properties were being mitigated by the landscape plan and the conditions of approval controlling for sound levels. He said that the character of the area was already impacted by the utility transmission lines. He said that staff's opinion was that the substation, properly landscaped, would not create significant additional impacts to the rural character. He said that it was in harmony with the purpose and intent of the Zoning Ordinance, which included providing for adequate public services and necessary public improvements such as power, and that it was consistent with the Comprehensive Plan in providing for essential public services.

Mr. Benish said that the PC had unanimously recommended approval with conditions recommended by staff. He said that the PC had recommended that the conditions be modified, clarified, to specifically address the provisions of the ordinance that needed to be addressed. The updated conditions had specifically noted those sections of the ordinance and those requirements that needed to be met. He said that the revised landscaping had been provided to address the issues that staff had with buffering on some of the properties.

Mr. Benish said that the staff report had discussed the potential and desire to shift the site as far away from the adjacent property as possible. He said that the applicant could provide further clarification, but there were limitations to how far the site could be relocated due to its need to connect to the existing power grid and power lines. He said that they had made a marginal move to achieve the desired outcome to the extent possible.

Mr. Benish said that the project's factors favorable included that it helped meet utility needs and supported electrical power in the area, the site was located adjacent to existing right-of-way lines, which limited the change in character of the area, and landscaping and planning could reduce the visibility of the site.

Mr. Benish said that factors unfavorable to date included a lack of documentation and verification of sound levels, which the applicant would likely present in their presentation. He said that the power substations were exempt from the noise ordinance, but staff had included four conditions which required the site to meet the Rural Area sound limits outlined in their Zoning Ordinance.

Mr. Benish said that another unfavorable impact was that until the landscaping matured, the site's visibility would remain. He said that given the scale of the existing and proposed developments, it was impossible to completely obscure the visibility of the site from all directions.

Mr. Benish said that staff had recommended approval of SP20300017 Walnut Creek substation with the five conditions outlined in the resolution of intent. He said that he would not review them here but was happy to answer any questions regarding them.

Ms. Mallek said that there may be additional information that the applicant could provide. She said that she did not review the details about the fencing options, but she did notice that there was an option for a completely solid fence. She said that according to the recommendation, the fence was proposed to be 12 feet tall, but she was unsure of the material used for it to serve as both a sound barrier and a sight barrier. She asked if staff could please update her on this information or if she needed to wait for further clarification from the applicant.

Mr. Benish said that the applicant could correct him and provide further details. He said that he believed they were proposing a 12-foot chain-linked security fence, which was intended for safety purposes. He said that they could explain whether they intend for it to be completely obscured with shields or not, but based on his current understanding, the fence would be chain-linked.

Mr. Pruitt's said that for the public's record, their meetings were always audio and visually recorded. He said that if someone did not wish to, they were not required to take up limited space on their phone, as recordings were saved for posterity and could be easily accessed and reviewed at a later time.

Mr. Pruitt said that he wanted to inquire about what the lighting would look like and what specific restrictions the applicant would be subject to. He said that as he had mentioned before from this dais, he valued the preservation of the beautiful night sky in the southern part of the County, and he wanted to understand how this would impact that.

Mr. Benish said that his understanding was that the lighting would need to meet the down-shielding requirements of their lighting ordinance. He said that the plan provided appeared to address the spillover aspect of the ordinance, as there was no excess spillover beyond what the ordinance required. He said that although he had not reviewed the detailed aspects of the lighting ordinance, it was clear that their intent was to meet the ordinance's requirements and be down-shielded. He said that certain low-lumen levels were exempt from the ordinance, but these exemptions applied in all cases.

Mr. Pruitt said that he would like to know what a sound study would entail and look like.

Mr. Benish said that the staff had been seeking verification of the noise levels that would be at the adjacent properties. He said that a sound study did not necessarily need to be highly technical or lengthy; it was simply documentation that confirmed whether the proposed project could meet the ordinance and conditions.

Mr. Benish said that the applicant would likely present an analysis of the noise levels at the property line and adjacent to it. He said that based on what they anticipated from their presentation, staff believed that the information would be sufficient for their purposes. However, they needed to ensure that the information provided was factual, as they were not noise experts. He said that their goal was to verify the factual accuracy of the noise levels at the property lines.

Mr. Pruitt said that this may be more suitable for a later point in the hearing, but he had a question regarding economic activity that may occur adjacent to an applicant location. He said that if there were allegations that this economic activity might be hindered, he was curious to know if this was a scenario they typically saw, and whether the applicant or the County could potentially be exposed to a lawsuit or nuisance claim if that were to be the case.

Mr. Herrick said that the answer would be no; it would be an entirely private matter between the involved private parties.

Mr. Pruitt said that in other words, the applicant may still have that exposure, but the County would not.

Mr. Herrick said potentially, yes.

Ms. LaPisto-Kirtley said that she was wondering about the 60-decibel level during the daytime, and Mr. Benish had mentioned it was to the property line. She asked if he could specify how far that distance was from the house of the next-door neighbor, or if she should ask the applicant that.

Mr. Benish said that he believed that the home was 200 feet from the property line.

Ms. LaPisto-Kirtley said that another question she had was whether they could consider planting taller trees. She said that she understood that it would take some time for the trees to mature, but she said that she believed it would be worth exploring the possibility of taller trees as part of the application or recommendation.

Mr. Benish said that he believed that the general recommendation from their landscape experts was that smaller trees tended to grow faster and were more resilient, so there was some caution when considering planting larger trees. He said that he thought that was a possibility, but it was something they had tended not to do in recent years. He said that in the past, they had done it more frequently.

Mr. Andrews asked if recognizing a home business would require a different level of scrutiny by the County for an application like this.

Mr. Benish said that the initial reviewer and he both considered the existing home occupation activity when reviewing the application. As part of their standard process, they typically examined adjacent properties and all approved activities or existing activities on the site. He said that staff was aware of the home occupation use and took it into consideration in their proposals, as they did in all their proposals and surrounding properties.

Mr. Andrews said that regarding plantings for buffers, he had two concerns. He said that firstly, he worried about the maintenance of the buffer in addition to the planting itself. He said that secondly, he was concerned that the location of existing trees on the adjacent property, whose root systems might be impacted, was not taken into account during the site planting stage.

Mr. Benish said that as he mentioned in the staff report, one of the concerns was the need for subtle shifts in the shifts to allow for the maintenance of root systems on adjacent properties, ensuring their health. He said that staff did take these considerations into account. He said that he believed the applicant could best speak to their limitations in relocating the site further away. He said that the new plantings would be required, and there would be conditions of the concept plan that must be retained, and they could enforce the retention of those or replacement if they died. He said that they did take this into consideration.

Mr. Benish said that the specific trees agreed upon in this area were slightly shorter than some of the more mature tree varieties, but given the site's topography, the site was approximately six feet below the proposed boundary line, which was due to the grading. He said that this six-foot difference, combined with the mature heights of 20 feet or more, provided about 25 feet of protection. He said that these shrub- and small- to medium- tree types were effective at screening at ground level.

Mr. Andrews, hearing no other questions, opened the public hearing.

Mr. Felix Sarfo-Kantanka, External Affairs Manager with Dominion Energy, said that they apologized and regretted to hear that their temporary construction activities for the proposed Walnut

Creek substation were connected to the McLaughlin family's decision to voluntarily close their home-based business, Mountainside Arts. He said that in January 2022, they faced a very challenging winter storm. He said that he assured Albemarle County Executive Jeff Richardson that he would work with his colleagues to provide opportunities to improve their reliability and to keep the lights on. He said that this project would aid in maintaining reliable service to their neighborhoods and communities in Albemarle County. He said that based on the substation design, they did not need to acquire the McLaughlin's property. He said that he now turned over the presentation to his colleague, Stefan Brooks.

Mr. Stefan Brooks, representing Dominion Energy Siting and Permitting Team, said that he was there to discuss the merits of the project proposal. He thanked Mr. Benish for his notes and summary. He said that there were four key aspects to this proposal: creating a stronger electrical grid, enhancing Dominion Energy's grid beyond the immediate site area and the bulk electric system in general, improving service connection points for Central Virginia Electric Co-op (CVEV), and siting of this project in relation to the existing transmission lines on the property.

Mr. Brooks said that specifically, they were meeting contingencies for voltage variation, a critical aspect because it impacts substations owned and operated by Dominion, particularly in the Charlottesville City area. He said that PJM, the regional transmission operator, has identified a possible voltage drop violation, which is where they are taking a proactive approach with this proposal. He said that this could lead to outages and failures in other Dominion facilities.

Mr. Brooks said that within the project scope, he will discuss the merits of this proposal. Mr. Benish previewed the heights, and he would like to highlight the backbones as proposed. He highlighted on the slide the 12-foot fence, and said that a question was asked, and they had an actual sample material available for the Board's review. He also highlighted the supporting substation equipment inside the substation facilities. He said that the siting of this station is adjacent or parallel to the existing transmission overhead lines. He said that this site is ideally located being adjacent to the existing corridor that Dominion currently operates. It happens to have a 500,000-volt line and a 115,000-volt line. They are connecting to the 115,000-volt line (115 kV), and the assembly of these three parcels allows for the construction, as well as potential future build-out pending planning needs or PJM needs to operate at a 230 kV voltage.

Mr. Brooks said that the proposed station footprint has been minimized as much as possible, including exceeding the required setbacks required by the County. He said that he would elaborate on this later. He said that if approved, construction is expected to be completed by the end of 2025. He said that regarding setbacks, he would like to provide a summary. He said that the front setback is 80 feet, exceeding the required 75 feet. He said that the required side setbacks were 25 feet on both the east and west sides, and that they were at 45 feet on the east side and over 150 feet to the west, mostly because the right-of-way could not be built in to the substation due to clearance needs. He said that a 40-foot setback was provided, whereas 35 feet was required.

Mr. Brooks said that moving on to the siting, he would like to highlight the 115 KV line that they were tapping into, marked by the red line on the screen. He said that the highlighted backbones were the tap points that allowed for the overhead line to come down into the station equipment. He said that regarding landscaping opportunities, he would review all four sides of the property. He said that on the front side along Old Lynchburg Road, their closest security fence was the dashed blue line, which was at 80 feet.

Mr. Brooks said that they proposed installing four rows of trees in the green area to include the species listed on the screen, which were picked based on the County's landscaping for native and non-native opportunities, taking into account factors such as durability, deer resistance, and other considerations, because they did not operate an irrigation system. He said that Dominion was committed to providing that these species survive and thrive and will be maintained in the future. He said that additional plantings were listed in the green area and also in the gray area. He said that the gray area, shaded, was not to be cleared as part of this project and was outside the proposed limits of disturbance. He said that Dominion would look for opportunities to supplement in that area, fronting Old Lynchburg.

Mr. Brooks said that the western side setback was also in the green area, with similar species selection to supplement within that existing area of trees. He said that the eastern side had a 45-foot distance between the fence, depicted by a blue line, and the property line shared. He said that they were discussing two different areas. He said that the northern area was where they aimed to enhance the area, currently consisting of a grassed area. He said that they proposed introducing four species, including both deciduous and evergreen trees, to supplement this area. He said that the southern area, which they had preview earlier, presented a unique challenge. He said that they were planting on a hillside and a grade, and the opportunity to install station equipment on the grade itself of the pad, was significant. He said that the pad's grade was approximately five to six feet lower than the shared property line area grades, providing a challenge. He said that they proposed using the Fortunes Osmanthus, and they had doubled the original proposal to approximately 82 units, with an expected growth height of 20 feet.

Mr. Brooks said that he wanted to switch gears and have his colleague, Thomas Propst, discuss the sound.

Mr. Thomas Propst, Substation Engineer, said that before he discussed the content of this slide, it was essential to note that the information presented was only relevant if the substation was internally expanded to include the 230,000-volt level at its initial construction. He said that there would be no significant sound-producing equipment on the site, making it effectively silent. He said that if the site was

expanded, it was planned to include 224 MVA transformers, as shown here, which, according to their current specifications, allowed for a maximum of 75 dBA sound production when measured six feet from the tank.

Mr. Propst said that using standard attenuation calculations, they evaluated the sound production at the fence, property line, and nearest residence. He said that the values shown here indicated approximately 45.5 dBA at the fence, 42 dBA at the property line, and 32 dBA at the nearest residence, measured 140 meters away using the GIS system. He said that these values should be compared to the 60 and 55 DVA sound limits mentioned in previous slides. He said that for reference, the Occupational Safety and Health Administration (OSHA) graphic on the left illustrated comparable sound levels at those DVA levels. He said that it was also worth noting that this sound attenuation did not account for the beneficial impacts of the vibration-damaging pads, which would be included as standard in these transformer designs, nor did it consider the sound attenuation resulting from the screen plantings around the facility.

Mr. Brooks said that last year, at this time, as Mr. Benish mentioned, they had participated in the community open house. He said that throughout the past year, they had acknowledged property owners' concerns in person and virtually on several occasions, including updates to the landscape plan and photo simulations included in the packet. He said that they also reviewed and updated the infrastructure to minimize its footprint while maintaining the necessary siting under the 115 kV line.

Mr. Brooks said that as previously shared, they had updated the landscaping plan, including additional rows of landscaping where possible. He said that they were constrained by the right-of-way area, where planting was not permitted. He said that they attempted to enhance other areas, as he had previously shared with the Board. He said that as Mr. Propst mentioned, they were committed to minimizing transformer operational sound levels if the site were to operate at a 230 kV level.

Ms. Mallek said that if she understood their map correctly, the narrow disturbance on the east side appeared to be the source of concern for the neighbors. She said that the lower purple circle, which he had mentioned, dropped away, and she estimated the width of the narrow green strip to be approximately fifteen to twenty feet, although she was having trouble judging the scale.

Mr. Brooks said that for reference, the property line was located here, and the fence was 45 feet away.

Ms. Mallek said that the green area was approximately 15 or 20 feet, which would provide sufficient room to plant something before it begins to slope down.

Mr. Brooks said that yes, that was the proposal for the two rows of Osmanthus trees.

Ms. Mallek asked if that was a deciduous shrub.

Mr. Brooks said that it was evergreen.

Ms. Mallek said that the native plant rules applied to this. She said that Arbor Vitae was not native, so they should consider that. She said that she recalled a suggestion about installing a solid fence for both noise attenuation and visual barrier purposes, particularly on the sides where the houses were located.

Mr. Brooks said that he had a sample available, if the Board desired, which included a sample of the proposed 12-foot chain-link fence.

Ms. Mallek said that she could see that from the photograph, but it did not help visual or sound. She said that it was simply a matter of keeping trespassers out, but it did not address the negative impacts on the neighbors. She said that the solid fence had been previously discussed with them, and they had decided not to do it.

Mr. Brooks said no. He said that they had had discussions, and as Ms. Mallek mentioned, there were security concerns. He said that he did not have the direct answer to her question at this time.

Ms. Mallek said that the 75 decibels was astonishing as the noise level in their presentation. She said that the 75 decibels was the advertised sound level, as indicated by the nameplate on the machine. She said that this was significantly above what their noise ordinances would allow.

Mr. Propst said that decibel level was at the body; at the property line the decibels would be 42.

Ms. Mallek said that a low-frequency hum, even at a lower decibel level, as they had discovered in Crozet for three years, caused people extreme distress, was very penetrating, and the constant nature of it was extremely challenging. She said that she had a significant problem with the emission of the sound over this without the ability or willingness to implement additional barriers to protect people in the surrounding area, and that was a concern.

Ms. Mallek asked about the soil disturbance to the property line as far as going under the canopy of the neighbor's trees. She said that since they knew the roots extended at least as far as the canopy above, she was concerned about the grading that would be done, which was supposed to be within inches of the property line, along both the east and west sides, according to their plans.

Mr. Brooks said that he was not an arborist and could not provide an answer to that question.

Ms. Mallek said that she was stating that he would be grading to within inches of the property line. She said that that was cutting down all of the existing trees that were there. She said that that concluded her comments for now.

Mr. Pruitt said that he wanted to revisit the fence discussion as he was not entirely clear on the details. He asked if a solid fence or a sound-damping fence was ever considered at some point, only to be set aside in favor of the semi-opaque chain link fence. He said that he noticed that this chain link fence was heavier than a standard chain link, but it was still a chain link. He said that he was unclear as to why the decision was made to use this type of fence instead of a solid or sound-damping option, and he would appreciate clarification on this matter.

Mr. Brooks said that he worked with the security team at Dominion to assess whether a solid wall was suitable, but he did not have that answer at this time.

Mr. Pruitt said that he did not intend to be unkind, but he found this situation to be baffling and frustrating. He said that prior to his appointment to the Board, there was an applicant for a kennel that presented an extensive amount of research on various materials for the fence, including their sound-damping qualities. He said that given the time they spent discussing this kennel project, it was surprising that a similar level of scrutiny had not been performed by one of the most powerful companies in Virginia.

Mr. Pruitt said that he was expressing his shock because this issue directly related to community concerns, and he was confused by the lack of information being presented on this matter, so he submitted it for their consideration. He said that he hoped they could understand why this was an issue that their Board would care about, as they tried to be responsive to constituent concerns. He said that he would like to know how the transformers were mounted and whether they were located within the facility he was viewing.

Mr. Brooks said that he could go back to another slide, he could show them exactly where they would be proposed. He said that for clarity, they were discussing potentially one of these facilities being located in the spot he identified, and he said potentially because, at this time, the specifics were not yet clear. He said that if they followed his cursor, approximately from his cursor to the red line, that area was being proposed for the equipment currently being scoped for the construction. He said that the pad was being built out in its entirety, but the equipment, such as the transformer Mr. Propst mentioned, would only be needed if the station were to operate at 230 kV.

Mr. Pruitt said that the facility was open to the air, and it was situated on top of a concrete pad. He asked what the type of material used for mounting the machinery was. He said that he would like to know if there was any machinery attached to the concrete pad, and if so, what type of sound dampening or shock absorption measures were in place to mitigate any potential issues.

Mr. Propst said that typically, sound dampening was placed within the tank, between the core and the tank itself, or between the bottom of the tank and the concrete foundation. He said that the placement method depended on the manufacturer and the transformer's exact size. He said that for this transformer, it would either rest directly on the concrete pad if it had internal sound dampening. He said that if not, a high-density foam, such as neoprene, would be used between the base of the transformer and the concrete foundation, held in place by its own mass.

He asked when Dominion had acquired the property at that time.

Mr. Brooks said that he believed it was between 2023 and 2024.

Mr. Pruitt said that it was in the wake of the identified deficit in the infrastructure following 2023 that they were discussing. He said that this was a recent acquisition. He said that he wondered if this was the right team to be handling the due diligence process when Dominion planned to acquire a parcel for a project like this.

Mr. Brooks said that for one, it had to do with the fact that the planning team bore a significant portion of the responsibility for identifying needs. He said that as he had mentioned earlier, they coordinated with PJM, the regional transmission operator, which was just one aspect of the issue. He said that further, there was the issue of finding a suitable location to provide an adequate electrical solution.

Mr. Pruitt asked if it was part of Dominion's standard practice that there be any kind of community outreach, solicitation, or coordination prior to an acquisition.

Mr. Brooks asked if Mr. Pruitt could restate the question.

Mr. Pruitt said that he had less money in the bank than Dominion. He said that if he were to acquire a parcel to develop for a specific purpose, he would conduct extensive advance work, including a thorough understanding of the planning and geography of the location, as well as its impact on surrounding neighbors. He said that he would also engage in community conversations before deeply committing himself financially to the project. He said that he was curious to know if this was a standard part of Dominion's practice or if the fact that Dominion had deep pockets, allowing it to make decisions before they became path committed, was not part of Dominion's standard process before an acquisition.

Mr. Brooks said that conceptual options may be considered on other properties, but if vetted internally, it would not move forward, unlike the project they were discussing today, which had already reached the initial open house stage and involved outreach to the County to understand the necessary steps for meeting Zoning Ordinance requirements. He said that there were conceptually possible, but to proceed as planned, it was done so with the assurance that it met the electrical need, which was the main driver, as he had mentioned previously.

Mr. Pruitt asked if Dominion had explored other locations for this facility.

Mr. Brooks confirmed that they had.

Ms. LaPisto-Kirtley said that she was curious, and she would like to see the chain link fence in person. She said that she did not need to handle it but holding it up was perfectly fine. She said that it looked very heavy and quite small. She said that she thought that was a good size. She said that she appreciated the applicant bringing it in to show them. She asked if this facility was expanding an existing substation.

Mr. Brooks said that no; it was a greenfield site, so from scratch.

Ms. LaPisto-Kirtley said that they were starting from scratch. She said that the voltage will be able to serve more. She asked if Mr. Brooks could reiterate Dominion's reason for proposing this facility.

Mr. Brooks said that voltage drop violation potential was a concern, as it could have a domino effect on systems operated by Dominion. He said that there was also a need to ensure that the existing 115 kV line, which served into, and within the City at the Sherwood Sub substation, gave Dominion the opportunity to isolate in a good way so that restoration operations could be more successful. He said that although this Board did not represent the City, he wanted them to understand the physical geography of it.

Mr. Brooks said that this isolation could be achieved from either way from an electrical standpoint. He said that from a technical perspective, he would need to defer to the electrical engineers. He said that the primary focus to get this developed was on reliability.

Ms. LaPisto-Kirtley said that this was intended to enable Dominion to respond more effectively in the event of an electrical outage, allowing Dominion to assist with their entire grid.

Mr. Brooks said that, yes, it strengthened the bulk electric system. He said that these higher voltage lines then came to the customers at the distribution level.

Ms. LaPisto-Kirtley said that by doing that, they were also helping the surrounding customers. She said that they were helping the customers in Albemarle County regain or maintain their electrical power.

Mr. Brooks said that was correct.

Ms. LaPisto-Kirtley said that it seemed that the big question was the noise factor, which she believed was 42 decibels at the property line. She said that 60 was on the higher end, and she understood that. She said that her question was if there were any additional measures that could be taken to mitigate the noise issue, and if it was just one neighbor affected.

Mr. Brooks said that he believed there was a possibility of installing a transformer sound wall at least on two or three locations. He said that a transformer sound wall could be mounted nearby or even around the perimeter of the transformer itself.

Ms. LaPisto-Kirtley asked if the applicant would consider that option, which would help reduce the sound level.

Mr. Brooks said yes. He said that the three proposals that Mr. Propst had already put forward were sufficient, but given the question at hand, they were willing to commit to adding the wall, as he had mentioned.

Ms. McKeel asked what the material of that sound wall would be.

Mr. Propst said that sound walls were not a standard practice for Dominion Energy. He said that typically, they engineered transformers to minimize sound production, ensuring it was not a concern for surrounding areas. He said that as a result, sound wall materials differed among manufacturers. He said that they did not have a standardized solution for this issue; instead, they approached each site individually. He said that the attenuation required for the transformer would also depend on the specifications of the material and the system design.

Mr. Propst said that he wanted to clarify that the sound levels they were discussing represented the maximum capacity of the transformer, which did not reflect its actual operating levels. He said that in reality, the transformers were sized to meet contingency operations for the transmission network, and under typical operations, they only operated a fraction of their capacity, resulting in reduced sound levels. He said that therefore, the values they were looking at here represented the maximum amount of sound

the transformer would ever produce, which would likely only be seen during a contingency network operation.

Ms. McKeel said that this area was experiencing frequent power outages. She said that Dominion had chosen this site as a location for the equipment intended to prevent power outages. She said that was the purpose of this site, as she had understood it to be.

Mr. Brooks said that what he was trying to convey was that this was related to the high voltage systems, not the distribution level systems that delivered power to their homes, meters, and other essential services. He said that this transmission line originated from the high levels, traveled through these high-voltage lines, and then reached the substations before finally reaching the customers at the distribution level.

Ms. McKeel said that she was attempting to simplify the issue to the average person's way of thinking, which was how she approached it. She said that what he had said was that this also affected the City due to the distribution.

Mr. Brooks said that ultimately, yes, because the way it tied in, he would use his cursor to highlight this line, which connected to their County area here in the City, specifically the Sherwood substation that he had mentioned earlier.

Ms. McKeel said that the elevation of this location was situated in a basin, so it was low.

Mr. Brooks said that Ms. McKeel's analysis is accurate. He said that the property line was indeed a high point, and the site was cut down, with an average of five to six feet of elevation relative to the shared property line.

Ms. McKeel said that she believed that would be advantageous. She said that Mr. Benish had addressed this, but there was concern about the plantings and the existing trees. She said that it sounded like the trees would be replaced. She asked if they would be digging up to an inch of the property line. She asked if they could clarify that discussion.

Mr. Brooks said that the need for space on the property was best represented on the provided map. He said that as he used his cursor, what they were seeing was only the fenced area, approximately 40 feet to 45 feet away from the property line. He said that in order to ensure that they were aligning with the transmission line, this red line, this was the physical location where all of the equipment needs to be. He said that the spacing of that was as compact as possible, resulting in a very flat grade.

Mr. Brooks said that to put it into perspective, an accessible parking space in a parking lot was generally about 2% maximum. Dominion was allowed 1% to 3%, so from this high side of the property, the grade dropped no more than 3%. He said that this was a very flat grade for a sustained length. He said that that was one of the drivers in determining the elevation of the pad was, which translated to how that got cut down into the hillside or from the relative existing property line down the 6 feet because on the low side, where the stormwater basement was proposed, it was all interconnected. It was a grading operation of balance with touch points for how they lay into the land in this area across the 11-acre site, although they were only utilizing about half of that.

Mr. Gallaway said that the applicant had stated that the sound of the first phase would not produce any sound.

Mr. Brooks said that was correct.

Mr. Gallaway said that he also mentioned that the worst-case scenario, if the expansion occurred at the property line, if the full contingency was put in, it could potentially produce 75 dBA at the site of the equipment.

Mr. Brooks said that was correct.

Mr. Gallaway said that he assumed the decision to expand the original 115 kV to 250 kV capacity was based on demand levels. He said that Dominion had installed many of these systems throughout the Commonwealth, and he was guessing that there must be a point where they decided to expand. He said that he was curious to know what triggered the expansion or what caused it to occur.

Mr. Brooks said that typically, the Dominion planning group considered these issues within a five-year window. He said that at this time, the proposed 115 kV station was deemed the most suitable electrical solution to address the voltage drop violation. He said that if this issue were to be revisited within the next five-year planning outlook, it would be given further consideration. He said that the Dominion planning group also took into account the influence of PJM, the regional transmission operator.

Mr. Gallaway asked if additional people were added to the system, it would put pressure on it, ultimately leading to that outcome.

Mr. Brooks said that he would equate it to their home's circuit breakers. He said that when they expanded their home, they realized that they needed to increase from a 15-amp breaker to a 20-amp breaker to accommodate the increased usage. He said that similarly, when they upgraded their bulk electric system, they would need to consider the increased demand that came with more customers. He

said that in essence, it was like upgrading a circuit breaker, whether it was a mini or large-scale one, to ensure that the system could handle the growing needs.

Mr. Gallaway asked if Dominion's perspective is that initially, there was no sound issue to mitigate. He said that at some point, if the facility expands, it may not even require mitigation with the expansion, until the expanded complete facility meets full contingency. He asked if this was accurate.

Mr. Propst said that if any mitigation measures were ever deemed necessary, it would likely occur after the full build-out was complete. He said that their specifications and initial calculations suggested that it would not be required, as the site was relatively quiet even after it was fully developed.

Mr. Gallaway said that he believed that if they did not address the sound issue now, they would not be able to do anything about it later. He said that Dominion had likely encountered similar concerns from other communities in the past. He asked if, in conducting sound studies, they visited actual sites where these existed and do the analysis, or if it was theoretical.

Mr. Propst said that for an existing site, if they were expanding it and needed to demonstrate compliance with the sound ordinance, yes, they would conduct an initial study to measure ambient level noise and provide the information corresponding to the final proposed design of the site. He said that they would then perform a corresponding calculation to determine if the sound levels were too high or needed to be attenuated. He said that, if necessary, they would design mitigation measures to bring the sound levels down to the appropriate level.

Mr. Gallaway asked if it was acceptable to ask staff a question regarding this study. He said that they were in a time-sensitive situation, as they needed to review the sound piece immediately. He said that this meant that their expertise had to be as good as, if not better, than the person submitting the study. He said that therefore, the County needed to ensure that the study they were relying on was accurate and trustworthy. He said that he wondered how they could verify that the information provided was reliable and could be trusted, rather than simply accepting it at face value.

Mr. Benish said that was a good question. He said that they would defer to their engineering office, who had the most relevant background, but he was not sure if they had sound engineers in-house to provide input. Therefore, they may need to solicit input from others to ensure accuracy. He said that the condition of approval did address this issue theoretically.

Mr. Benish said that their concern was understanding the impact and potential complications of a facility of this sort. He said that if the facility were to violate the noise ordinance, they would need to determine what would be needed to bring it into compliance. He said that the condition was intended to be a fail-safe measure, providing an option to cite the facility in violation if it was installed at a later date and failed to meet the noise ordinance. He said that by getting it right upfront, they could avoid potential issues down the line. He said that this condition served as a safeguard to ensure that they were approving a facility that met all necessary requirements.

Mr. Gallaway asked if this was the option that, if not met, would allow them to be held accountable in the future.

Mr. Benish said that they did not typically go out and monitor these issues unless they were brought to their attention through complaints. He said that this was how many of the past issues had arisen.

Mr. Gallaway said that substations are something that exist. He said that in his district, he had gone a few rounds with applications that had sound issues, but they were all kind of made up because the condition did not exist yet. He said that for example, the stone crusher on 29 North had been a point of contention about sound for a while. He said that they could conduct a study at a substation. He asked if it was possible for staff to perform a sound study at existing substations.

Mr. Benish said that he believed it would be a suggestion worth considering. He said that he suspected that the engineering department would view it as a feasible alternative, with actual data and measures to support it.

Mr. Gallaway said that assuming the equipment was the same or similar in size and function, he was aware that they had a substation located at Hollymead and Forest Lakes.

Mr. Benish said that Hollymead was an existing station, allowing for a more thorough study of the expansion due to the presence of existing facilities. He said that in contrast, many of their substations were located in remote areas that do not have the situation where there is a little closer homes.

Mr. Gallaway said that he did not think that had been expanded yet, but he did not think there had been noise complaints reported from that area.

Ms. Mallek said that that substation was there first, while this was being introduced into the neighborhood, which is a different situation.

Mr. Gallaway asked if the expansion did not require approval by the Board.

Mr. Benish said that was correct; this was for the potential expansion.

Mr. Gallaway said that they had to deal with that; he appreciated that the sound study been considered for the worst-case scenario. He said that in many development applications the Board reviewed, they considered the impact on neighboring trees and their root systems.

Mr. Gallaway said that it had been a stated concern, and he had happened to attend the PC meeting for this project, so he had heard some of the discussion. He said that given that Dominion often dealt with neighbors, he wondered if there was anything that could be offered or discussed to mitigate the impact if neighboring trees or property were damaged or destroyed. He said that he was not sure if this had been part of the discussion or if it could be explored further.

Mr. Brooks confirmed that they would continue to work with the McLaughlin's on that.

Mr. Gallaway said that from the Board's standpoint, it was difficult to enforce that. He said that he was sure that they had encountered similar problems before. He said that it seemed reasonable to try to figure out what could be held to that everyone could rely on. He said that regarding landscaping, Mr. Benish had mentioned that a century ago, it was seen as appropriate to include more mature landscaping as an initial piece, especially when screening was a significant issue, specifically in the rural areas. He said that for a project such as this, going the extra step to help with immediate screening purposes but also to account for potential future changes, he would like to know if the applicant would be open to incorporating more mature plants alongside the new ones to provide a better screening option for the first five to eight years.

Mr. Brooks said that yes, they could agree to including more mature plants at the time of planting. He said that they could look into the species that had been proposed and would work with staff to approve the landscaping plan in that forthcoming approval process.

Mr. Gallaway said that he understood they could include it as a condition, but since the landscaping plan was ultimately signed off on by the Director of Planning, he wondered if they could work to incorporate that into the requirement for sign-off, or it would simply need to be conditioned. He said that he appreciated the response, but if they wanted more mature plantings to be included, the sign-off authority for this decision ultimately rested with the Planning Director, so he wondered if it was sufficient to instruct the Planning Director to ensure mature plantings were included.

Mr. Herrick said that was correct; it would be sufficient because the existing condition required approval by the Director of Community Development. He said that they would instruct the Director to make that a condition of approval, with the understanding that no further amendments to that condition were necessary.

Mr. Andrews said that they had heard a lot about planting and sound dampening. He said that regarding the conditions, he was comforted by the idea that the Director of Planning must approve what was appropriate at the stage of planting. He said that he did not want to judge whether larger plantings were better or not, because it could be that large plantings would be less hardy, and they wanted it to work. He said that there was a condition that required submitting a sound study and complying with code, which was not particularly rigorous in requiring 60 dBA during the daytime. He said that he thought there were some excellent points made about how to mitigate these issues, including the use of planting, a sound damping pad, and potentially a transformer sound wall. He said that he wondered whether they should include these mitigation measures as conditions, even though they would not be implemented until later.

Mr. Herrick said that the Board had the authority to add additional conditions. He said that he had been drafting conditions to address some of the comments already made, such as the sound wall. He said that he would encourage the Board to clearly state any additional conditions they wished to impose, in addition to those already included in the resolution, at this time.

Mr. Andrews said that he was seeking clarification on this matter because he wanted to ensure that they accurately captured this because they thought that the pad and the transformer sound wall would help. He said that he knew they would have to do the growth of the trees because that was part of this already, but that those things were otherwise not considered. He said that the law itself did not provide strong protection for the boundary.

Ms. McKeel said that it seemed that the sound would be increased with the addition. She said that she was asking if, when the larger addition was made or the facility was expanded, it would trigger the installation of a sound wall. She said that she wanted to clarify what Mr. Gallaway had discussed. She said that he had mentioned that a sound wall would be installed at that point.

Mr. Brooks said that was correct. He said that this was the course of their discussion.

Mr. Andrews said that his understanding was that the reason for the sound issue was the 230 kV transformer, which was not initially proposed, so there was no need for a sound wall until that was installed.

Ms. McKeel said that her point was that if they could incorporate that condition into the criteria, the sound wall would be installed at that point.

Mr. Andrews said that there was no need for a damping pad if a transformer was not present on

it.

Ms. Mallek said that the regular machine would still be operational until the 230 kV was installed, and it would continue to run at varying capacities, sometimes at low levels and other times at high levels. She said that they were not building this for nothing; there would be a machine there.

Mr. Brooks said that the equipment to be installed in phase one, currently at 115 kV, could be found under the red line on the screen. He said that this transformer, which he had previously pointed out, was one of the components that would be required if the build-out were to be uprated to a 230 kV station. He said that they were currently coming just short of that. He said that as he drew the laser cursor parallel to the red line, everything from the cursor to the red line represented the current equipment, which did not generate noise.

Ms. Mallek asked if those were transformers, or the equipment that brought the power down to the facility.

Mr. Brooks said that no transformers were being proposed with the equipment that would be built out prior to the potential uprating to a 230 kV station.

Ms. Mallek asked about the machinery located under the red line at that time.

Mr. Brooks said that this equipment did not generate noise. He said that he was not an electrical engineer, but he could defer to their experts who could identify those pieces of machinery.

Ms. McKeel said that this was the point at which she was suggesting the sound wall be included with the build-out. She said that they could include that in the criteria so that when the build-out occurred, the sound wall was installed.

Mr. Brooks said that they could agree on that. He said that the timeline for this project was currently set to be determined beyond the five-year mark.

Ms. McKeel said that would be easy to incorporate into the criteria, as it would provide a clear trigger for the process.

Mr. Gallaway said that he believed there was going to be an additional comment regarding the current phase one, and he would appreciate hearing that.

Mr. Propst said that to answer the initial question, the equipment going in as part of phase one included high-voltage switches, similar to a household light switch, circuit breakers, same idea of what is in one's house but on a larger scale, and power sources for local equipment. He said that these power sources were essentially for pole-top transformers that fed a residence or business, similar to a pad mount or pole mount transformer used in sound production. He said that they were not discussing a large power transformer. He said that, without specifying the sound level that needed to be attenuated, the inclusion of a sound wall requirement may not be very useful. He said that to design an effective sound wall, they needed to identify the specific sound level that the facility needed to be reduced to.

Ms. Mallek said that for consideration, cutting in half the 75 decibels that the nameplate says it is going to generate, would be a reasonable starting point.

Mr. Andrews said that the decimal scale is logarithmic.

Ms. Mallek said that 60 decibels was unbearable.

Ms. LaPisto-Kirtley said that she would like some further clarification on the sound wall. She said that if they went to 230 kV, the sound wall would be helpful.

Mr. Propst said that if the need to expand the site to include the 230kV portion of the facility was identified, then transformers would be necessary to step the voltage up to 230 kV or between the 115 kV and 230 kV facilities, then they would look at whether or not additional sound attenuation measures were required, as the presence of sound-generating equipment was now a factor.

Ms. LaPisto-Kirtley asked what the sound level would be with the proposed improvements.

Mr. Propst said that currently, the 42-decibel level, as they were discussing, would be the result of the proposed system. He said that typically, the County would expect the sound level expected at the property line to be 60 decibels during the day and 55 decibels at night. He said that to achieve this level, they would conduct a sound study to determine the necessary adjustments to meet the required sound level.

Mr. Benish said that they were seeking to meet the rural area sound measures at the property line, which would be the standard to apply in determining the necessary wall. He said that this would involve identifying the type of wall required. He said that according to the projection, the area was estimated to be 43 decibels below the standard, so if this estimate proved accurate, the question would be whether to still build the sound wall, with the proposed measurement being the level at which they were aiming to meet the rural area noise ordinance requirements.

Ms. LaPisto-Kirtley said that even with the improvements, if they met the requirements, and if they needed to put in additional sound attenuation, then they needed to, and if they did not, then they did not.

Mr. Pruitt said that the discussion had, up to this point, centered on recognizing that, as designed during the stage two build-out, these facilities would conform with the noise ordinance. He said that, however, they were also acknowledging that their own noise ordinance was not a condition they would like to live under as neighbors. He said that his husband had tinnitus, and decisively, if it were 32 decibels in their home, they would have to move.

Mr. Andrews asked if any members of the public wished to speak on this item.

Mr. James McLaughlin said that his wife, Rachel, and he owned 2413 Old Lynchburg Road, which was adjacent to the proposed substation. They were extremely anxious about the detrimental effects they would experience as a result of this substation being constructed so close to their shared property line. He said that as the owner of a small business, Mountainside Arts, on the property, Rachel was deeply concerned about the substation's environmental impact and permanent noise, which would prevent her from offering certain aspects of her art and nature lessons.

Mr. McLaughlin said that they believed they had been given the losing ticket in this situation, and they were trying to make this as tolerable as possible. He said that they understood that the County and Commonwealth's infrastructure needs were important and superseded the needs of any given individual property owners, but he urged them to consider the impact on their quiet enjoyment of their home and livelihood. He said that Dominion had the resources to address their concerns and accommodate their reasonable requests, but so far, they had been unwilling to do so.

Mr. McLaughlin said that he was asking for the Board's help. He requested that they include the following official conditions of approval to mitigate the impact on their property. Firstly, a minimum 75-foot setback from their shared eastern property line to the limits of disturbance, to better buffer the visual and sonic impact of the substation and protect the roots of their existing forested area. He said that they also requested a more robust screening, specifically where the existing design brought the substation closest to their shared property. He said that they also asked that the County require Dominion to improve the grading plan to allow for a similar planting schedule as the rest of the shared property line. He said that they simply wanted the same larger schedule of buffered trees uniformly planted along the entire property line.

Mr. McLaughlin said that they request a sound study and a more robust sound mitigation strategy, including, as they mentioned, more robust fencing and wall options around the transformers and along their property line to minimize the noise generated by these transformers during the planned 230 kV expansion phase. These were reasonable requests, and they believed Dominion could be held accountable to make living next to this substation as tolerable as possible for them and for their future. He said that if they lived next to this, they would likely want the same level of consideration.

Mr. Andrews asked if the applicant would like to respond to the public comment.

Mr. Brooks said that in response to Mr. McLaughlin's comments, and the comments of the Board here tonight, he appreciated the comments. He said that regarding the ability to provide the setbacks, he had stated previously on behalf of Dominion that the site was as compacted as possible, given the equipment spacing needs and other criteria, in order to develop the property in compliance with stormwater regulations and the operational needs of the substation.

Mr. Brooks said that their proposed landscaping was intended to enhance the area, and in some cases, it exceeded the County's requirements. He said that their proposed setbacks were greater on all four sides than what was required. He said that they had also discussed the sound study, and he wanted to emphasize that they were committed to conducting it. He said that they were committed to the sound wall, as it had evolved during their discussions with the Supervisors.

Ms. Mallek said that there were two points that she did not have a chance to fully respond to during the presentations. She said that she would appreciate more background information on Mr. Sarfo-Kantanka's initial comments regarding the impact on the business. She said that she would like clarification on the discussion about purchasing the McLaughlins' property and the decision not to proceed with that purchase. She said that she was curious about the reasons behind buying the McLaughlin's property.

Mr. William Clark said that he worked with Dominion Energy as the project manager. He said that he could confirm that they had explored other properties to purchase for this project. He said that considering the feasibility of the alternative properties would result in more damage to the surrounding area, it would be more efficient to utilize the properties they had already purchased to reroute the transmission line back to the Sherwood tap line. He said that this location would allow them to better provide power to the area, as relocating the substation to a different site would result in significantly more property damage. He said that their analysis indicated that rerouting the transmission line through this part of Albemarle County would be necessary, as it was the only viable option for them to return to the Sherwood tap line. He said that he hoped this clarified the situation.

Ms. Mallek said that her other question was about the impact on the business. She said that Mr. Sarfo-Kantanka had stated that the business was going to close, which she was not aware of, but that was a significant point.

Mr. Clark said that it was new information that became available this week that the business was closing. He said that he believed that Mr. Sarfo-Kantanka may be able to provide more insight into that. He said that that was news to him this week.

Mr. Sarfo-Kantanka said that it was brought to their attention that the McLaughlins' business was voluntarily closing due to their temporary construction activities. He said that as they were proposing this project, they acknowledged that there would be temporary construction activities. He said that the McLaughlins had chosen to voluntarily close their business. He said that Dominion apologized for that, and said that again, their construction activities were temporary and were specifically related to this proposed project.

Ms. Mallek asked if the company was unable to continue once the site was developed, was there any possibility for them to be made whole or find an alternative location on their property where they could continue operations. She asked if Dominion could assist in mitigating the impacts that would spill over into perpetuity, going forward.

Mr. Sarfo-Kantanka said that they had been in ongoing discussions with the neighbors and other community members, and they were continuing those discussions. He said that they received a note from the McLaughlins, which was sent just two days prior to this hearing. He said that at that time, they had provided all of that information from the McLaughlins. He said that they had also shared all the information they had previously provided to staff, which was confirmed to be accurate. He said that it appeared that there was a technical issue, but they had since resolved it.

Mr. Sarfo-Kantanka said that Mr. Brooks mentioned that they would continue to work with all community members, stakeholders, including the McLaughlins. He said that they were following the same procedures they had used in all their previous projects. He said that, as Mr. Clark said, it had been brought to their attention, and they were sorry to hear that. He said that their construction activities would be temporary for this proposed project.

Ms. Mallek asked if construction was due to be completed by the end of 2025.

Mr. Sarfo-Kantanka confirmed that was correct.

Mr. Pruitt asked if that would not change the phase two build-out. He asked if the applicant could provide insight into the additional construction activity involved. He said that as they were now discussing a multi-phase project due to changing demand levels, he was concerned that a multi-phase approach may be more intrusive than having it all done at once.

Mr. Clark said that if they switched this line over to 230 kV, it would require a State Corporation Commission (SCC) filing. He said that this was a five-year timeline, and it was essential to note that this process would involve nine different substations. He said that the minimum time frame for this upgrade was 10 years. He said that he was speculating that the total distance of line that would need to be upgraded was approximately 45 miles, plus the substations and other infrastructure involved. He said that this would be a lengthy process. He said that currently, as of the end of 2024, this line was not on the five-year radar for upgrading to 230 kV. He said that it would remain at 115 KV for now. He said that in five years, if they decided to do this, it would require significant back-end and front-end work for permitting, filing, and other necessary steps.

Mr. Herrick said that if the Board was interested in adding a condition regarding a sound wall, he could provide the proposed condition and wording for their review.

Mr. Andrews said that he was more concerned initially that they had the condition that a sound-damping pad would be used, as it was part of the original offer and something the applicant was planning to do regardless.

Mr. Herrick said that he had not received a consensus from the Board on that issue, but he could certainly add it as a condition.

Ms. Mallek said that her concern was that foam crushes and, unless it was replaced at some interval, it would not perform its intended function for very long. She said that she appreciated the idea of the walls, and she thought it was something the team could find a solution for. She said that unfortunately, various failures on her part had been etched into her memory when conditions were not properly established. She said that she strongly encouraged everyone to write things down, if necessary, have Mr. Herrick assist with writing them down.

Mr. Andrews said that he appreciated the applicant's statement that they had not yet obtained a measurement. He said that there were things they did routinely, like the vibration pad, but that the sound wall was not a standard procedure, and the question was whether they were willing to commit to it without knowing so that they could put this in as a condition.

Mr. Propst said that the issue lay in the fact that sound walls were designed to attenuate sound to

a specific level, so stating that they would build a sound wall without any further performance requirements was not particularly meaningful.

Mr. Gallaway said that the way this was written by the applicant, it appeared that the 42 decibels was being stated at the property line without any mitigating measures. He said that if the condition required achieving that level of sound reduction without any mitigation, and then they also required mitigation in addition to that, they could potentially achieve lower numbers than what they were presenting in their study. He asked if the conditions could be written to state that sound levels must be met without any mitigating measures, and then mitigation must be added on top of that, as it would further reduce the numbers. He asked how they could get at that in a condition.

Mr. Herrick said that he had just sent the proposed condition that included a number to be specified by the Board. He said that Dominion had indicated that they could reach a 42-decibel level without a sound wall. He said that if the Board desired to specify a lower decibel range than 42 decibels and required a sound wall to achieve that level, he had provided suggested language that may help achieve that objective.

Mr. Gallaway said that he had a question for the County Attorney. He said that in a previous communication from the McLaughlins, it was mentioned that the property they owned was limited by their division rights, which restricted their ability to build or move a different structure on their property. He said that he wondered if there was any potential assistance that the County could provide in this situation if needed.

Mr. Herrick said that the Board was likely aware that there was a provision under the Zoning Ordinance that allowed an applicant to apply for additional division rights or development rights in the Rural Area zoning district. He said that division rights were not solely defined by the formula established in 1980; rather, an applicant could come before the Board seeking a special use permit to obtain additional division rights. He said that this was not something that the Board often granted, but it would be an option if the Board were to consider it.

Mr. Andrews said that the proposed resolution would be to obtain final zoning approval prior to the installation of the 230-volt transformers.

Mr. Herrick said that upon completion of the project, there was no requirement for a certificate of occupancy, but it served as the equivalent. He said that it was the final step before operations could begin, marking the trigger point for when this improvement would need to be completed.

Mr. Andrews said that they could not consider any options that would be triggered by the 230 kilovolt transformer.

Mr. Herrick said that it would be upon completion of construction. He said that if the Board was seeking an alternative trigger point, they could determine that.

Mr. Andrews said that there were two construction phases at issue, and they were primarily concerned with the second one, which was a by-right project. He said that it was not clear if they were talking about the first or the second one.

Mr. Herrick asked if the Zoning Administrator had additional suggestions for the wording.

Mr. Bart Svoboda, Zoning Administrator, said that the trigger point would be whatever they wanted it to be. He said that the site plan would come in, and there were finals involved in that. He said that the first phase would have its own final and the second phase would have a different final. He said that if the trigger point was to be the transformer, it would be more challenging because there was no permit specifically for the transformer. He said that an inspection was required for the pad under the building code, as it was considered equipment. He said that he was speaking out of turn; he would need to consult with the building official to confirm this.

Mr. Svoboda said that the applicant may be aware of this, but some of this was not required to have building permits, as it pertained to equipment rather than structures. He said that if the trigger point was tied to a site plan or similar, it would be more feasible than tying it to equipment that did not require their approval in a later phase. He said that this would be similar to adding a machine within a factory. He said that the electrical connection in the factory might require a permit, but the machine installation itself did not. He said that in this case, the electrical connection did not require a permit, as it was the power line itself. He said that he hoped this clarified the situation, although it may not have been entirely clear.

Mr. Andrews asked if Mr. Svoboda had a suggestion regarding how to condition the approval to include sound-dampening measures when the 230 kV was implemented. He said that this would address concerns about noise levels.

Mr. Svoboda said that if they were concerned about noise, they should not worry about the 230-volt transformer. He said that instead, they should decide on a desired decibel level, which will determine whether the noise is acceptable or not. He said that in the first phase, if there was no noise produced, and in the second phase, regardless of what was installed, they wanted to ensure it met a specific decibel level. He said that the sound range in that rural area was 60 decibels during the day and 55 decibels at night, and they estimated this would be at 42 decibels.

Mr. Andrews asked the applicant if 42 decibels was the expected level at the property level with the 75 dB transformer at one meter, and what they thought they could get to with a damping pad, screening, and the sound wall. He said that he was asking this question because he was aware that low-frequency, constant hums was something that was a little harder than what their noise ordinance was used to dealing with, which might be a party or something.

Mr. Brooks said that based on Mr. Propst's information, Dominion was committed to exceeding the ordinance requirement by meeting 42 decibels at the property line. He said that to ensure clarity, let it be marked into the record. He said that at a later time, once the wall was installed, they could conduct a study to further assess the situation. He said that currently, there was no existing data to test with a sound study. He said that if they proposed that the transformer operated at its peak level, as suggested by Mr. Propst, it was statistically unlikely to be at its peak. He said that therefore, they may consider suggesting that the 42-decibel limit be established at the property line, with further study conducted after the wall was installed. He said that Dominion was already meeting the existing ordinance requirements of 60 decibels and 55 decibels.

Mr. Pruitt said that they seemed to be talking past the points made by the Board, which was that their ordinance was insufficient to adequately protect the interests of the neighbors. He said that the Board was interested in hearing from Dominion about potential mitigation measures that could be implemented, and specifically, they would like to see a proposal that was achievable and lower than what had been presented so far. He said that the Board recognized that the proposed solution surpassed the ordinance, and they believed that it was not sufficient for the neighbors if they were to stand in their shoes. He said that while he appreciated the point the applicant had made, it did not help them reach a decision at this time, as they needed to identify an achievable number that was lower than this to move forward with the amendment they were currently discussing.

Ms. Mallek said that per the stipulations, they had agreed to maintain a noise level of 42 decibels at the property line, so whatever the wording was to institutionalize that. She said that further, they had committed to installing a sound wall. She said that she hoped that they would not need to speculate about the specifics of this new improvement, as they had already agreed to meet the 42-decibel requirement at the property line in their application. She said that they had offered to implement a sound mitigation measure around the new machine, which should help bring the noise level below 42 decibels.

Mr. Pruitt said that the public commenter stated that without a specific identified decibel level, he could potentially cover this area with a sheet of crepe paper and still achieve the desired sound damping effect. He said that they would require a specific degree of mitigation to be meaningful, and the team would need to work together to identify that level.

Mr. Gallaway said that at the risk of being arbitrary, he proposed an alternative approach. He suggested they move the decibel number from the house to the property line. He said that this way, it would be 32 dB at the property line rather than 42 with no mitigation.

Mr. Andrews said that the difference between those two options was a factor of 10, which equated to 100 meters. He said that he had been asking about the question earlier, assuming 42 dB was the expected outcome without the damping pad and screening. He said that if they were to include the damping pad and the screening, he would like to know the number they could reasonably expect that would achieve a result that would give them a great deal of comfort in knowing they were meeting their requirement to minimize the detrimental impact on the neighbors. He said that regardless of the sound ordinance, as they were trying to mitigate the substantial detriment to the neighbors that they were trying to address.

Mr. Propst said that in order to determine how much additional attenuation these additional measures would improve the site, a detailed sound study would be necessary. He said that this would involve making several assumptions, which was one of the reasons they were hesitant to conduct a sound study. He said that the preliminary design was based on conceptual figures, including worst-case scenarios, but they did not yet have final design values. He said that as a result, they would need to make assumptions and then conduct a detailed study to determine a proposed level of attenuation based on the results.

Ms. Mallek said that she liked that idea, primarily because it left room for adjustments 10 years down the road, when more details were available. She said that if it became clear that the 32 at the property line was not feasible, it would be a more realistic approach to revisit and refine the original stipulation, allowing for a more practical solution to be implemented.

Mr. Andrews said that he understood the point being made. He said that he was questioning whether 32 dB was a suitable option, considering that 42 was already present and he was unsure of the typical expectations for these types of projects. He said that he was not asking them to go to the lowest point, but rather to consider whether 32 dB was a reasonable alternative. He said that if the applicant provided some indication that a damping pad could reduce the impact to 42 down to 40, 38, or 37, and considering the screening on top of that, they could establish a number that they could feel comfortable with those mitigation factors put in place and the Board could feel comfortable that the property next door was being protected.

Mr. Propst said that he believed that the amount of attenuation achievable using the sound-damaging pads could be estimated through collaboration with the manufacturers, as these pads were engineered products. He said that in contrast, natural products like tree screening would likely require a

sound study, as they were not specifically designed for a particular performance.

Ms. Mallek asked if they could design the structure to meet the number, as opposed to the shrubbery.

Mr. Propst said that he believed the sound vibration dampening pads would have a more reasonably predictable effect.

Ms. Mallek said that it was the pad underneath, not the wall around.

Mr. Propst said that that was correct. He said that the issue with the walls was that they were specifically designed for a facility, so in order to accurately state how much sound the wall would attenuate, they would have to design the wall first, and they would design it to attenuate a certain amount of sound.

Mr. Gallaway said that if they picked 32 dB and the pad moved at whatever the number was, then they were designing a wall to do the rest.

Mr. Propst said that whether or not a sound wall could effectively reduce the sound at the border or property line to 32 dB, he would need to consult with a specific sound engineer or sound wall designer to determine what that would require.

Mr. Pruitt said that schools that regularly visited the Board because they needed to amend their previous zoning approval due to increased student capacity. He said that his point was that if engineering determined that this was unfeasible, which he hoped was not the case, and he hoped they could reach a resolution, but if it was ultimately unfeasible, they could revisit this and adjust the number based on their findings and what they were unable to provide at the time. He said that he understood that this may not be a satisfactory solution, but it was something they did as a Board. He said that the idea of picking the decibel level at the house, although arbitrary, and moving it to the property line, was something they could work with and potentially enshrine in a policy.

Ms. Mallek said that she was always in favor of utilizing the applicant's information, which they had provided to them as part of their application.

Mr. Gallaway said that the notification point they were discussing, it seemed to him that they could condition that upon decision that phase two must commence, they must notify the County. He said that at that time, they could work towards an improvement that exceeded 42 dBA at the property line without explicitly stating it.

Mr. Herrick said that that might be one alternative. He said that based on what Mr. Svoboda had indicated, it appeared that County approval would be necessary at the end of construction, regardless. He said that if he understood the discussion correctly, both the applicant and the Zoning Administrator seemed to agree that using objective criteria, such as decibels at the property line, was preferable to having one without.

Mr. Andrews said referring to what he had proposed, prior to final zoning approval of each phase of construction, the owner would need to demonstrate that the proposed development would attenuate noise at the property line to no more than 32 decibels to the satisfaction of the Zoning Administrator. He said that as stated by Mr. Herrick, this approach worked in the sense that it did not require any specific measurement. He said that it placed the 32 dB at the property line, rather than at the residence. He said that it asked them to return if necessary and explained that they could not meet the 32 dB, but they needed to install the 230 kV equipment. He said that they had indicated that the proposed screening, vegetative screening, damping pad, and sound wall basically tried to do the equivalent of that extra distance.

Mr. Propst said that they were simply indicating that there were beneficial impacts that were not accounted for in this simplified calculation.

Mr. Brooks said that what was shown on screen was effective without considering the on-site factors, such as landscaping.

Mr. Andrews said that was why he believed this approach worked, because it would require them to come down to that level with those factors and go from there.

Mr. Jeff Richardson, County Executive, said that the Board had put in a significant amount of effort on this matter, and he had been searching for approximately 15 minutes to find suitable examples for the Board's consideration. He said that he found a decibel level of 30 at the property line. He said that 30 decibels was considered quiet for a room. He said that a quiet bedroom typically fell within a decibel range of 25 to 30. He said that 30 was soft whispering at three feet away, rustling of leaves, and the buzzing of mosquitoes.

Mr. Andrews said that there was no question that 32 dB was a very soft sound. However, it is a different animal to discuss a constant low hum at 32 dB versus the rustling of leaves and other white noise at 32 dB. He said that given the specific nature of the noise created by a transformer, he was less convinced that the usual methods they used to determine what 32 dB sounds like or 30 dB sounds like applied. He said that he did not think they applied as well in this case, particularly when considering a

constant low hum.

Mr. Andrews said that he was comfortable with this proposal.

Mr. Andrews closed the public hearing and the matter rested with the Board.

Ms. LaPisto-Kirtley asked if, in 10 years, the 32-decibel level was not met, it would be possible for the applicant to revisit the issue and ask for a change.

Mr. Herrick said that it would require an application to amend this special use permit, specifically to modify this particular condition that the Board was inclined to propose. He said that a special use permit is subject to an application for amendment.

Ms. McKeel asked if that was agreeable to the applicant.

Mr. Brooks said that their requirement would be to ensure that the noise level was 32 decibels at the property line. He said that if, later on, it was determined that this could not be achieved through the engineering proposed by Mr. Propst, it would then be their responsibility as the applicant to come forward again to the Board to request a modification of that requirement.

Ms. McKeel said that was for phase two.

Mr. Andrews said that they were permitted to make the measurements, excluding any external factors such as rustling leaves or other things. He said that the focus was on the transformers, which was what they were concerned about.

Mr. Brooks said that they were agreeable to that provision.

Mr. Andrews moved that the Board of Supervisors adopt the resolution attached to the staff report as Attachment E, with Condition 3 modified to read as follows: Prior to final zoning approval of each phase of construction, the owner must have demonstrated that it will attenuate noise at the property line to no more than 32 dBA to the satisfaction of the Zoning Administrator. Ms. Mallek seconded the motion.

In further discussion, Mr. Gallaway said that he had a clarifying question regarding the directive to the Director of Planning. He said that he had heard that the directive would be for the more mature landscaping of the project. He said that he wanted to confirm that this had been clearly communicated and acknowledged, as it seemed there was a consensus on this point, and that they did not need to add that in as a condition.

Mr. Herrick said that was correct. He said that Condition 5 already specified that the landscaping plan must meet the approval of the Director of Planning.

Mr. Andrews said that there was a motion from him, and a second by Ms. Mallek. He said if there was no further discussion, if the Clerk would call the roll.

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 Mr. Pruitt.
NAYS: None.

**RESOLUTION TO APPROVE SP202300017
WALNUT CREEK SUBSTATION**

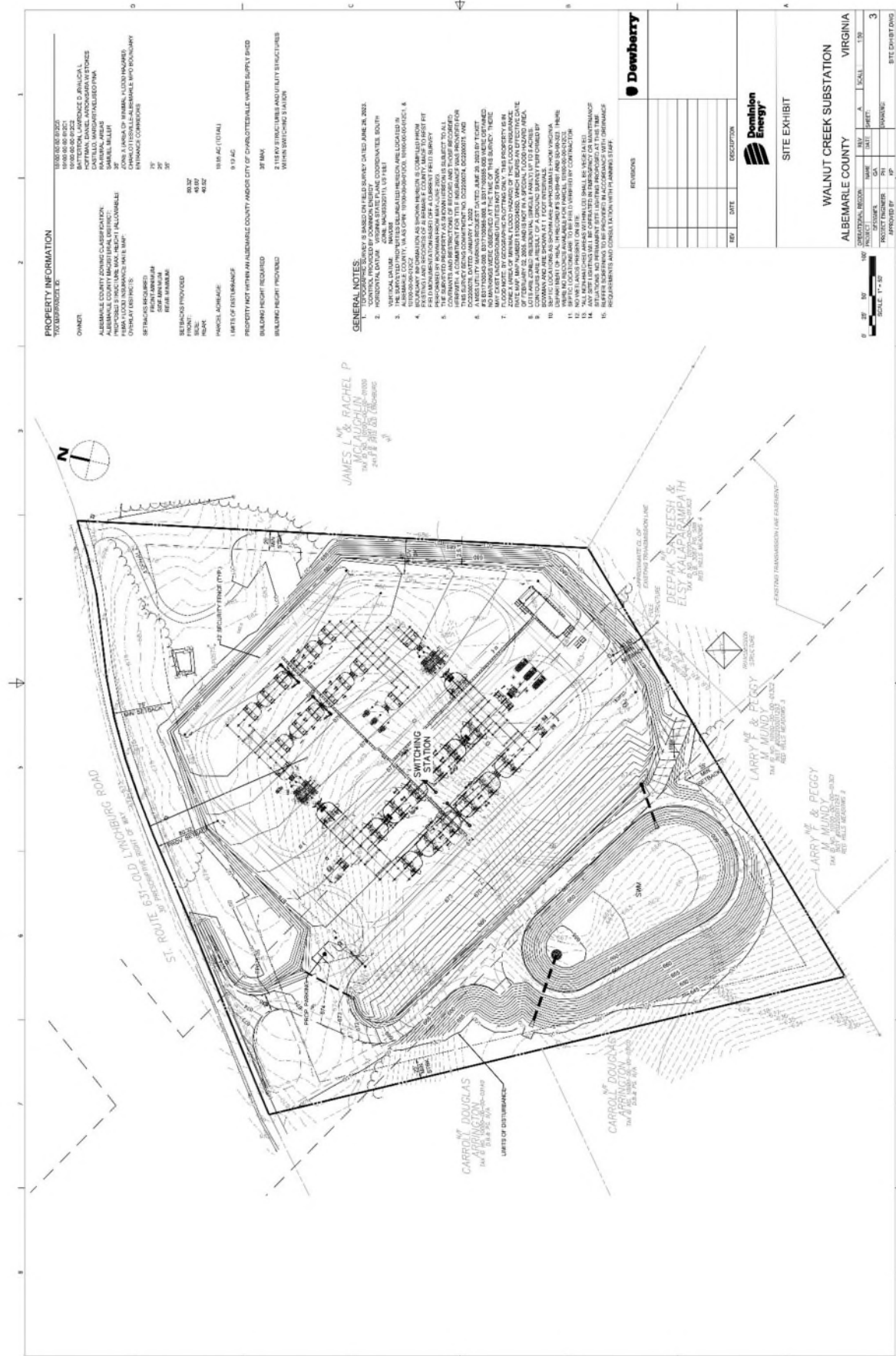
WHEREAS, upon consideration of the staff report prepared for SP202300017 – Walnut Creek Substation, the recommendation of the Planning Commission and the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code § 18-10.2.2(6) and § 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

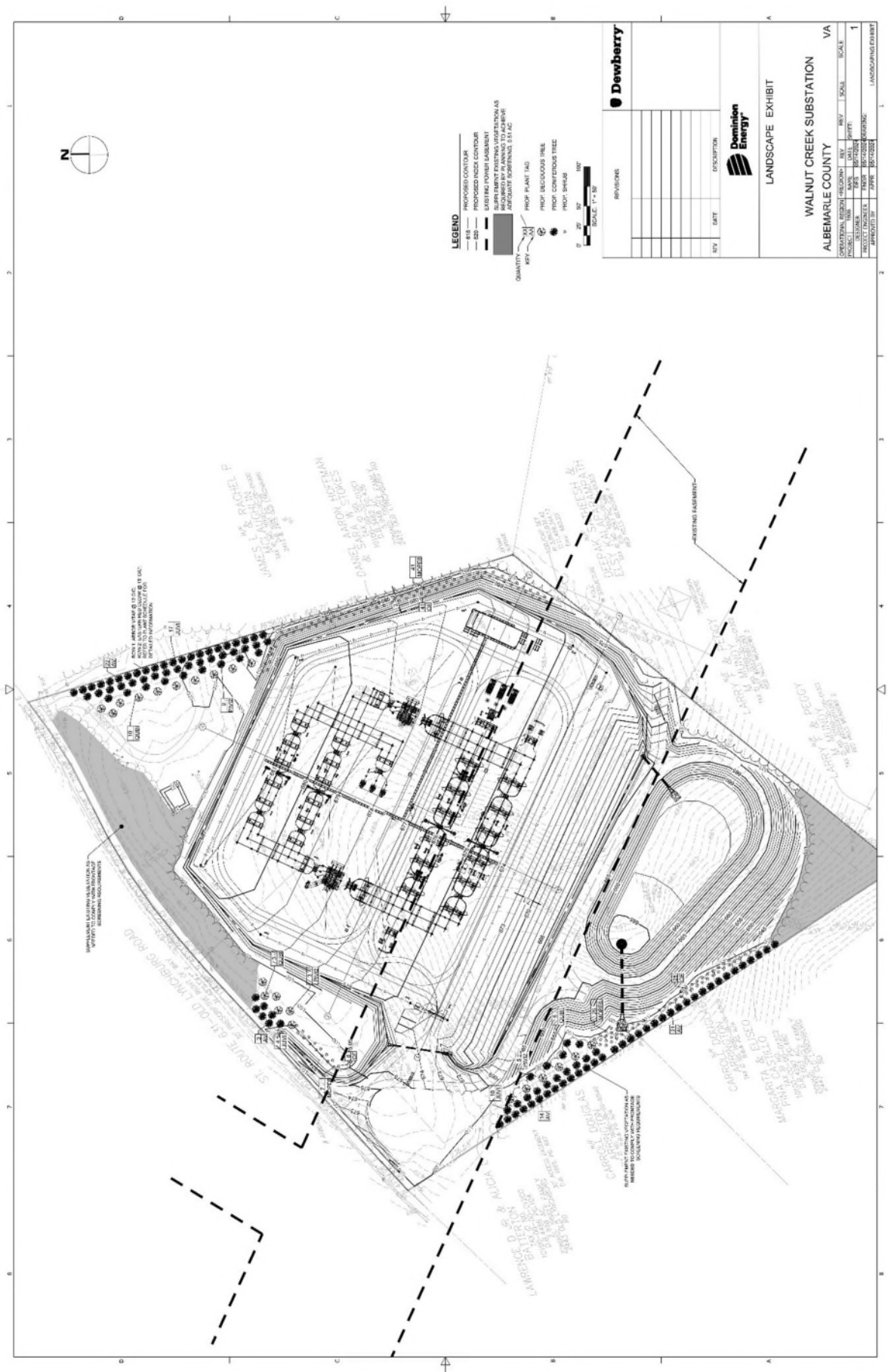
1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas (RA) district, with the applicable provisions of Albemarle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

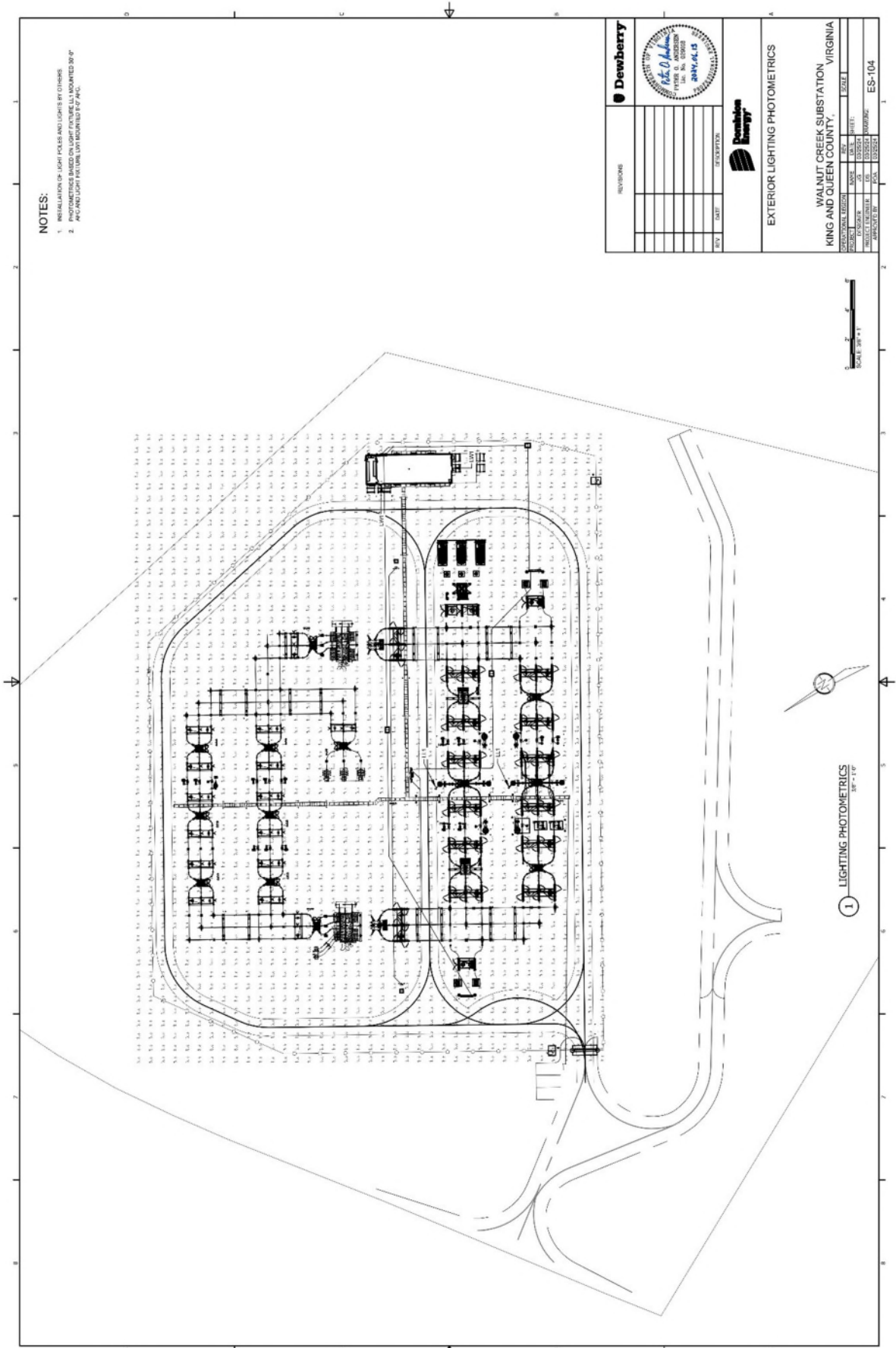
NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202300017 – Walnut Creek Substation, subject to conditions attached hereto.

SP202300017 – Walnut Creek Substation Conditions

1. Development of the use must be in general accord (as determined by the Director of Community Development, or the Director's designee) with the Concept Plan entitled "Site Exhibit - Walnut Creek Substation," prepared by Dewberry and submitted as Attachment A3. To be in general accord with the Plan, development must reflect:
 - a. Location of the substation and related infrastructure, and
 - b. Limits of disturbance and wooded areas to remainLand disturbance (including but not limited to: grading, excavation, filling of land, the felling of trees, and removal of stumps) must remain within the Limits of Disturbance (LOD) on the Concept Plan (Site Exhibits).
Minor modifications to the Concept Plan that do not conflict with the essential elements listed above may be approved by the Zoning Administrator and Director of Planning to ensure compliance with applicable federal, state, and local laws.
 2. The owner must submit a sound study (or other documentation satisfactory to the Director of Planning) to demonstrate compliance with the applicable Zoning Ordinance decibel standard(s) prior to the issuance of a building permit, commencement of construction, or both.
 3. Prior to final zoning approval of each phase of construction, the owner must have demonstrated that it will attenuate noise at the property line to no more than 32 dBA, to the satisfaction of the Zoning Administrator..
 4. The use must comply with *Albemarle County Code* § 18-4.17 (Outdoor lighting).
 5. Prior to the issuance of a building permit, commencement of construction, or both, the owner must have completed a revised landscaping plan, approved by the Director of Community Development, that both (a) reflects the new enumerated conditions on the site, (b) adequately protects neighbors from disturbance, and (c) complies with *Albemarle County Code* § 18-32.7.9.7 (Screening).
-







County that will be served by a Virginia Telecommunications Initiative (VATI) project awarded in 2022, more than 1,700 are in Southern Albemarle.

Firefly Fiber Broadband, the VATI 2022 provider partner, has identified the need for a facility to house fiber switching equipment to serve residents near Keene and Esmont. Firefly staff evaluated County- and privately-owned properties in the area and identified the County-owned and -operated water treatment facility on Parcel 128A2-22 (7661 Porters Road) as an ideal placement for this facility. This facility is adjacent to the County-owned Yancey Community Center.

Firefly approached the County with a request to lease a 3,220 square-foot portion of the property (plus a temporary construction easement and land required for permanent erosion and sediment control facilities) for nominal rent of one dollar per year over an initial term for 50 years, renewable at the tenant's option for up to four successive 10-year terms. This proposed lease of County property (Attachment A) requires a public hearing.

For the fiber project supporting Keene and Esmont, Firefly Fiber Broadband is requesting the lease of a small area near the water treatment facility for the Yancey Community Center. If the lease were approved, Firefly Fiber Broadband would build a small secure structure at its expense to contain sophisticated fiber switching equipment.

The proposed lease includes nominal rent of one dollar per year.

Staff recommends that the Board approve the attached resolution (Attachment B) to authorize the County Executive to sign a proposed lease agreement.

Mr. Mike Culp, Director of the Office of Broadband Accessibility and Affordability, said that it was a wonderful opportunity for the County, and he was honored to be there this evening. He said that he would start by providing a brief background, and then Mr. Jason Inofuentes would present the executive summary. He said that as they were aware, the Board had demonstrated exceptional leadership in bringing fiber to the Albemarle County region. He said that they had not only led the County to a fiber future but had also set a standard that the rest of Central Virginia was following. He said that one of the key factors contributing to this success was their partnership with internet service providers (ISPs), particularly Firefly, a subsidiary of the Central Virginia Electric Co-op.

Mr. Culp said that this non-profit organization had utilized its electrical assets to educate its members about the benefits of fiber connectivity. He said that over the past five to ten years, Firefly had worked with them to build a fiber network in Albemarle County. He said that now, they were seeking to collaborate with them to establish a fiber hub, which was the purpose of the executive summary. He said that the resolution before the Board would allow the County Executive to sign a lease for County property. He said that pursuant to the County statute, anytime the lease of County property came into play, there must be a public hearing, so this was the purpose of the upcoming public hearing. He said that Mr. Inofuentes would now proceed with the executive summary.

Mr. Jason Inofuentes, Program Manager for the Broadband Office said that as Mr. Culp mentioned, they had a proposed lease agreement for a portion of the Yancey Community Center to install a fiber facility. He said that the lease would support efforts to expand broadband access throughout the County, specifically serving the areas of Keene and Esmont in southern Albemarle as part of the Virginia Telecommunications Initiative (VATI) 2022 grant. He said that a brief look at history on the left side of the screen showed that the limited fiber coverage in Albemarle County at the height of the pandemic in 2020. He said that by the end of 2025, it was vastly expanded, and the map provided was a bit outdated, so it was expected to be even better.

Mr. Inofuentes said that to date, over 3,000 locations had received fiber broadband service through the VATI program in Albemarle County. He said that VATI 22 would bring that figure to more than 8,000, while a Broadband Accessibility and Affordability Office (BAAO) American Rescue Plan Act (ARPA) grant would add an additional 1,400 locations.

Mr. Inofuentes said that southern Albemarle had long been a priority for digital inclusion efforts in Albemarle County and getting broadband to this area had been identified as very important. He said that the provided map demonstrated the affordability gap in Albemarle County, highlighting not only the lack of availability of service but also the persisting lack of affordability without additional efforts from the County and this office.

Mr. Inofuentes said that the site they were considering was a parcel adjacent to the Yancey Community Center. He said that a closer look revealed the existing sanitary sewer plant and drain fields on the parcel. He said that the proposed fiber hub lease area was marked in red, covering 3,200 square feet. He said that the plat was shown on the map.

Mr. Inofuentes said that the facility itself would be a prefabricated concrete structure, hurricane-proof, sitting on a concrete slab. He said that there would be a small parking spot nearby. He said that there would be upgrades to the fencing and security fencing on the property already. He said that additionally, a generator with a propane tank would be added to provide backup power for the site. He said that if anyone had questions about the specifics, members of Firefly were present, and additional information was available ahead of the meeting.

Mr. Inofuentes said that the lease details included a 3,200 square foot portion of this County-

owned parcel, a temporary construction easement, and land required for permanent erosion and sediment control facilities. He said that the nominal rent is \$1 per year over an initial term of 50 years, with a renewable tenant option for up to four successive years. He said that this lease had been previously discussed at length by the County Executive's Office, their office, and the County Attorney's Office. He said that the staff recommendation was that the Board adopt the resolution to authorize the County Executive to sign a proposed lease agreement in support of the VATI 22 and ARPA fiber broadband projects.

Ms. Mallek said that she wanted to bring up a brief point regarding the White Hall District. She said that the propane supply seemed to run out quickly, and the machinery stopped working when there were power outages. She asked if they had information on how long the service would be able to be maintained by the facility.

Mr. Jason Palmer, Vice President of Operations at Central Virginia Electric Cooperative and also Firefly, said that he was a resident of the White Hall District. He said that to address the question on generation backup, he would like to provide clarity on the operation of the generator. He said that the generator would run once a week, either on Monday or Wednesday at the same time, affecting half of their facilities on each day. He said that this ensured that they had a backup power source available. He said that in the event of a power loss, the generator would operate.

Mr. Palmer said that they also had battery backup, which could sustain power for approximately 24 hours to 48 hours, depending on the number of customers served from the fiber hub. He said that the plan was not to rely on them, and the power would automatically transfer to the LP generator, which could run for approximately four to five days, depending on the load. He said that the systems were designed in collaboration with their vendor, and all operations were remotely monitored, allowing for automatic adjustments. He said that they usually ran about 50% before getting refilled.

Mr. Andrews opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board.

Mr. Andrews said that he would make the motion as the Supervisor of the Samuel Miller District.

Mr. Andrews moved that the Board of Supervisors adopt the resolution to authorize the County Executive to sign a proposed lease agreement in support of the VATI 22 and ARPA fiber broadband projects, resolution in the form of Attachment B. Ms. LaPisto-Kirtley 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 Mr. Pruitt.
NAYS: None.

Mr. Andrews said that he would like to take this opportunity to acknowledge the significant contribution Mr. Michael Culp had made in bringing broadband to Albemarle County.

**RESOLUTION APPROVING COMMUNICATIONS SITE LEASE BETWEEN THE COUNTY OF
ALBEMARLE AND CENTRAL VIRGINIA SERVICES, INC.**

WHEREAS, the County of Albemarle owns Parcel 128A2-00-00-02200 (the "Property"), a 4.5-acre parcel immediately adjacent to the Yancey School Community Center, fronting on Porters Road in Esmont;

WHEREAS, Central Virginia Services, Inc. d/b/a Firefly Fiber Broadband ("CVSI") has requested a lease on a portion of the Property for the construction and maintenance of telecommunication and communication facilities, which are instrumental in CVSI providing broadband Internet accessibility to Albemarle County residents and businesses; and

WHEREAS, a lease would serve the best interests of the public and promote the public's welfare, which are a lease's animating purposes.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves leasing a portion of Parcel 128A2-00-00-02200 to Central Virginia Services, Inc., and authorizes the County Executive to sign such a lease on behalf of the County, once approved as to form and substance by the County Attorney.

COMMUNICATIONS SITE LEASE AGREEMENT

This Communications Site Lease Agreement, dated this 1st day of January, 2025, is entered into by and between Central Virginia Services, Inc. ("CVSI"), and the County of Albemarle, Virginia (the "County").

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Demise. The County does hereby lease to CVSI the following real property:
 - A. Three thousand two hundred twenty (3,220) square feet of land and all access and utility easements, if any, (collectively, the "Premises") as described in Exhibit A attached hereto and being part of the property owned by the County and described as the Yancey Community Center, located in Esmont, Albemarle County, Virginia (the "Property");
 - B. a temporary construction easement thirty (30) feet in width around the perimeter of the Premises; and
 - C. any additional land required for permanent erosion and sediment control facilities.
2. Use. The Premises may be used by CVSI for any activity in connection with the provision of telecommunication and communication services. The County will cooperate with CVSI in making application for and obtaining all licenses, permits, and any and all other necessary approvals that may be required for CVSI's intended use of the Premises. CVSI will reimburse the County for all of the County's reasonable costs paid to any third party in connection with such cooperation.
3. Tests and Construction. At any time following the full execution of this Agreement, CVSI may enter the Property for the purposes of (a) making appropriate engineering and boundary surveys, inspections, soil test borings, and other reasonably necessary tests and (b) constructing its facilities.
4. Term. The initial term of this Agreement will be fifty (50) years, unless otherwise terminated as provided in this Agreement, commencing on January 1, 2025. Upon mutual agreement, the parties may extend the Term for up to four (4) successive ten (10) year periods (the "Renewal Terms"). This Agreement will automatically be extended for each successive Renewal Term unless either party notifies the other party of its intention not to renew prior to commencement of the succeeding Renewal Term.
5. Rent. CVSI will pay to the County as rent one and 00/100 DOLLARS (\$1.00) per annum ("Rent").
6. Facilities; Utilities; Access.
 - (a) CVSI may erect, maintain, and operate on the Premises telecommunication and communication facilities, including without limitation utility lines, transmission lines, air-conditioned equipment shelter(s), standby power generator, electronic equipment, radio

transmitting and receiving antennas and supporting equipment and structures thereto ("CVSI Facilities"). The CVSI Facilities are not fixtures and title thereto will remain with CVSI. CVSI may remove all its Facilities at its sole expense on or before the expiration or earlier termination of the Agreement, and, upon such expiration or termination, CVSI must remove CVSI Facilities within 180 days. CVSI must repair any damage to the Premises caused by such removal.

(b) The County will sign such documents or easements as may be required by utility companies to provide services to the Premises, including the grant to CVSI or to the servicing utility company at no cost to the CVSI, of an easement in, over, across or through the Property as required by such servicing utility company to provide utility services as provided herein. Any easement necessary for such power or other utilities will be at a location acceptable to the County and the servicing utility company.

(c) CVSI, its employees, agents, subcontractors, lenders, and invitees will have pedestrian and vehicular ingress and egress access across the Property to the Premises twenty-four (24) hours a day, seven (7) days a week.

7. Taxes. CVSI must pay the taxes assessed against the CVSI Facilities.

8. Waiver of County's Lien. The County waives any lien rights it may have regarding the CVSI Facilities

9. Termination. This Agreement may be terminated without further liability as follows: : (i) on thirty (30) days prior written notice by the County upon the failure by CVSI to cure conditions of non-compliance with the applicable requirements of federal funding and state funding agencies, (collectively "Agencies") within the time frame, or any extensions thereof, prescribed by the Agency, (ii) on thirty (30) days prior written notice by either party upon a default of any covenant or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default, or (iii) by CVSI for any reason or for no reason upon CVSI's written notice of early termination to the County.

11. Insurance. CVSI must maintain commercially reasonable liability insurance coverage for tort or statutory liability to its employees, agents, subcontractors, and invitees and to the public.

12. Assignment and Subletting. Neither party may assign, or otherwise transfer all or any part of its interest in this Agreement without the prior written consent of the other; which consent may not be unreasonably withheld, conditioned or delayed. In the event the County conveys the Premises, its grantee will take title subject to this Lease and CVSI must attorn to such grantee.

13. Warranty of Title and Quiet Enjoyment.

(a) The County warrants that: (i) the County owns the Property in fee simple and has rights of access thereto, and no additional ground lease, easement or consent is required from any third party for use of, or access to, the Property; (ii) the Property is free and clear of all liens, encumbrances and restrictions that would prohibit or interfere with CVSI's permitted use; (iii) the County has full right to make and perform this Agreement; and (iv) the County covenants and agrees with CVSI that upon CVSI paying the Rent and observing and performing all the terms, covenants and

conditions on CVSI's part to be observed and performed, CVSI may peacefully and quietly enjoy the Premises.

(b) In the event the Property is encumbered by a mortgage or deed of trust, the County agrees, upon request by CVSI, to obtain and furnish CVSI with a non-disturbance and attornment instrument for each such mortgage or deed of trust.

14. Hazardous Substances.

(a) CVSI agrees that it will not use, generate, store, or dispose of any Hazardous Material on, under, about or within the Property in violation of any law or regulation.

(b) The County represents, warrants and agrees (1) that neither the County nor, to the County's knowledge, any third party has used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material on, under, about or within the Property in violation of any law or regulation and (2) that the Property is free of any condition that might bring the Property within the purview of any federal, state, or local law or regulation regarding environmental protection, pollution, or water quality.

(c) As used in this paragraph, "Hazardous Material" means petroleum or any petroleum product, asbestos, and any substance, chemical or waste that is identified as hazardous, toxic, or dangerous in any applicable federal, state or local law or regulation.

(d) The provisions of this section will survive termination of this Lease Agreement.

15. Indemnification. CVSI will save, defend, hold harmless, and indemnify the County, and all of its officers, departments, agencies, agents and employees from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees), charges, liability, or exposure, however caused, (collectively, "Claims") resulting from, arising out of, or in any way connected with the placement and operation of CVSI Facilities except those Claims arising from the negligence or intentional act of the County.

16. Validity. If any provision of this Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, will not be affected. Each provision of this Agreement will be valid and enforceable to the fullest extent permitted by law.

17. Successors. This Agreement will be binding on and inure to the benefit of the successors and permitted assignees of the respective parties.

18. Governing Law. This Agreement will be governed by the laws of the Commonwealth of Virginia.

19. Further Assurances. Each of the parties will do such further acts and things and to execute and deliver such additional agreements and instruments as the other may reasonably require to consummate, evidence, or confirm this Agreement or any other agreement contained herein in the manner contemplated hereby.

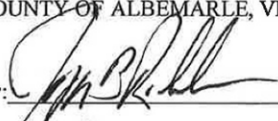
20. Counterparts. This Agreement may be executed in duplicate counterparts, each of which will be deemed an original.

21. Remedies. In the event of a breach of any of the covenants or agreements set forth in this Agreement, the parties will be entitled to any and all remedies available at law or in equity.
22. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties, and supersedes all offers, negotiations, and other agreements concerning the subject matter contained herein. Any amendments to this Agreement must be in writing and executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first-
above written.

COUNTY OF ALBEMARLE, VIRGINIA

CENTRAL VIRGINIA SERVICES, INC.

By: 

By: 

Name: Jeffrey B. Richardson
Title: County Executive

Name: Bruce Maurhoff
Title: Executive VP & COO

Date: 1/27/25

Date: Jan. 13, 2025

Agenda Item No. 20. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said that she had failed to send a message to County Executive Jeff Richardson ahead of time, but she had been inquiring about the status of the ordinance development to require landowners to shovel sidewalks along their roadways where they existed. She said that the Board had never achieved four votes in favor of implementing this, which was why it was not currently on the work program.

Ms. Mallek said that she would like the Board to consider this issue so that they could revisit it in the future. She said that she often saw children walking to school at Albemarle High School along the path next to the cemetery on Hydraulic Road, where a sidewalk could be managed. She said that there were numerous locations along Rio, Jouett, and White Hall where residents shared the same roadway, and she believed this issue existed in all the magisterial districts.

Ms. Mallek said that recently, she came across a bill by Schuyler VanValkenburg from Henrico that required every County in Virginia to increase its housing units by 7.5% annually. She said that she was struck by the fact that they had never experienced a 7.5% increase in population in any year over the past 75 years, and she worried that they could not sustain such rapid growth and provide the necessary infrastructure to support it.

Mr. Pruitt said that he had made a New Year's resolution that he thought he might share with the Board. He said that he was attempting to learn more about his region and his peers. He said that he was reaching out individually to members of the Boards of Supervisors of neighboring and regional jurisdictions. He said that this Saturday, he had a wonderful tour of Nelson County with a Nelson County Supervisor, during which he learned a great deal about their history and current challenges. He said that so far, it was very early in his New Year's resolution, but it had been enlightening and something he would encourage others to remember about the efforts of their peers.

Ms. LaPisto-Kirtley said that she wanted to share an update from their Solid Waste Alternatives Committee (SWAC) meeting. She said that this past year, they collected approximately \$100,000, slightly less than \$100,000, through the plastic bag tax. She said that 961 bags of trash and litter were cleaned up in one year, which was a positive achievement. She said that while it would be ideal to have no cleanup needed, unfortunately, that is what was cleaned up. She said that at one of their Community Advisory Committees (CACs), they were exploring the possibility of meeting virtually 50% of the time, as per the new policy that had been passed the previous year. She said that this policy allowed for virtual meetings if they were scheduled in advance, and they were currently looking into that.

Ms. McKeel said that regarding Mr. Pruitt's resolution, there was a time when the Supervisors would show the other Supervisors around their districts as a way for Board members to familiarize each other with their respective districts. She said that she would be happy to join him on a tour of his district if he was willing to join her on a tour. She said that she remembered doing it with Norman Dillon, and they almost ran out of power with his brand new Leaf. She said that it was a great idea.

Mr. Gallaway said that the Thomas Jefferson Planning District Commission (TJPDC) had held a special meeting earlier this month, primarily to provide direction for a compensation study that the TJPDC would be conducting relative to their organization. He said that most local jurisdictions had already completed these studies over the past few years. He said that as a result, they would be monitoring the outcome of this study to see how it compared to previous ones, as it may inform their own compensation practices. He said that by bringing this to attention, they could learn from the experiences of other jurisdictions and potentially gain valuable insights.

Non-Agenda Item. Closed Meeting.

At 8:31 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1), to discuss and consider both:

- the performance of the Interim County Attorney; and
- the appointment of a County Attorney.

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 Mr. Pruitt.
NAYS: None.

Non-Agenda Item. Certify Closed Meeting.

At 9:25 p.m., Mr. Pruitt **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 Mr. Pruitt.
NAYS: None.

Agenda Item No. 21. Adjourn.

At 9:24 p.m., the Board adjourned its meeting to January 22, 2025, 1:00 p.m. in Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA, 22902. Mr. Andrews said information on how to participate in the meeting would be posted on the Albemarle County website Board of Supervisors home page and on the Albemarle County calendar.

Approved by Board
Date: 10/15/2025
Initials: CKB

Chair