

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 15, 2023 at 1:00 p.m. in Lane Auditorium on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

BOARD MEMBERS PRESENT: Mr. Jim Andrews, Mr. Ned Gallaway (left the meeting at 7:28 p.m.), Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Steve Rosenberg; and Clerk, Claudette Borgersen.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m. by the Chair, Ms. Donna Price.

Ms. Price said Albemarle County Police Officers Paul Quillin and Josh Wright were present at the meeting to provide their services.

Ms. Price noted that there was an issue with the Granicus streaming website, but the working livestream link could be accessed via the meeting details on the County website.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price said that Item 8.4 on the Consent Agenda, the Emergency Operations Plan, was updated on the website on March 14, in order to correct administrative errors in the previous version. She said that Item 18 had been added to the agenda, which was to propose sending a letter to the Department of Environmental Quality signed by the Chair of the Board opposing the repeal of the Regional Greenhouse Gas Initiative.

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

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 Ms. Price.
NAYS: None.

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

Mr. Andrews encouraged the public to utilize the electronic waste or “e-waste” signups that were on the Rivanna Solid Waste Authority (RSWA) website. He said that collection day for e-waste was April 15.

Ms. Mallek said that the Crozet Tunnel was open for walking, hiking, and bicycling for 18 months, and as of January 1, there had been 243,000 visitors from around the world. She said that the Piedmont Workforce Development Board and the elected officials group held their first joint meeting last week, and this would be the standard process going forward to improve the quality of leadership for job training. She said that the group was becoming an independent C3 to allow for taking of larger grants to support job training programs and services for businesses.

Ms. Mallek said that upcoming job fairs were available on the workforce website, at Monticello High School, PVCC (Piedmont Virginia Community College), and throughout the region for people to participate in. She said that she had forwarded to the Board the Veterans and Military Services Committee in NACo (National Association of Counties) about the County Veteran Services Officers’ (CVSO) act and supporting that in Congress. She said that the CVSO provided case work for veterans and returned the improvement of veterans’ dollars to the jurisdiction for the benefit of those service members.

Ms. Mallek said that PFAS (polyfluoroalkyl substances) had been discussed nationally, and yesterday the EPA (Environmental Protection Agency) proposed a new standard related to it. She said that the Rivanna water was using the highest level of testing, MCL-5 (maximum contaminant level-5), and already used one of the 50 certified labs in the country that was able to test for 29 different compounds. She expressed her appreciation for the time and effort invested by the local water system to ensure they had the best information available about their drinking water. She said that there was now public comment for the new drinking water rules, and several different ways were available for the public to be involved in that process, which she could share with any constituent who was interested.

Ms. McKeel said that her CAC (Community Advisory Committee) took a tour of the Southwood development on Monday, and it was very fun to have an update from Mr. Dan Rosensweig for the CAC

members. She said that they toured some of the model homes and saw that more were being built. She said that it was heartwarming to see a community be built in such a way, and she expressed her gratitude to Mr. Rosensweig and the staff who worked on this project for making it possible.

Ms. LaPisto-Kirtley stated that she also had visited Southwood at an earlier stage. She said that Mr. Rosensweig had listened to the residents' input and made adjustments to some of the model homes so that the future builds would have those changes incorporated. She said that she attended the Police Citizen Advisory Committee meeting, and all three Chiefs from the area, Albemarle County Police Chief Sean Reeves, Charlottesville City Police Chief Michael Kochis, and UVA Police Chief Tim Longo, were meeting monthly for collaborative efforts.

Ms. Price stated that the e-waste signups filled up fast, so she recommended citizens sign up quickly. She said that the Board had not received a lot of communication with regard to the budget, but they had received a few, and she asked that people be specific about their comments about the budget to let the Supervisors know what was important to them. She said that there were many economic challenges, and a simple request to lower the tax rate did not address the realities of what they had to deal with.

Ms. Mallek said that there was a limited area of discretion as to how cents could be removed. She said that it was important that they knew specifically what citizens wanted to support or did not want to support.

Mr. Andrews said that the budget town hall schedule was available on the website.

Ms. Price said that was correct.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Recognizing March 2023 as the 21st Annual March for Meals Month.

Ms. McKeel **moved** to adopt the proclamation recognizing March 2023 as the 21st Annual March for Meals Month, as she read it aloud.

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

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

Proclamation Recognizing March 2023 as the 21st Annual March for Meals Month

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2023 observance of March for Meals celebrates the 21st year in the county of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering, and raising awareness about hunger and isolation; and

WHEREAS, the Meals on Wheels program has served the Charlottesville/Albemarle community admirably for 45 years, serving 325 homebound citizens and delivering 70,620 home delivered meals in 2022, with the help of its volunteers who are the backbone of the program; and

WHEREAS, Meals on Wheels of Charlottesville/Albemarle provides nutritious meals to homebound citizens throughout the city and county that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and providing a powerful opportunity for social connection for homebound residents to help combat the negative health effects and economic consequences of loneliness and isolation.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize March 2023 as the 21st annual March for Meals Month in the county, and urge every resident to take this month to honor Meals on Wheels, the neighbors they serve, and the volunteers who care for them.

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Ms. Robin Wynn Goldstein thanked the Board for recognizing Meals on Wheels. She said that they delivered 285 meals each day with approximately 40 volunteers each day. She said that she appreciated the Board's support of this wonderful service.

Mr. Andrews expressed his appreciation for the work of Meals on Wheels, which was not only

about serving meals but celebrating people and the resilience of the community.

Ms. Mallek said that the companionship that people felt by having someone come to their door each day was very valuable to their success.

Mr. Gallaway said that he must commend Mr. Jonno Alcaro for his commitment to being a friend to the people served by Meals on Wheels.

Ms. McKeel said that Meals on Wheels was about both nutrition and companionship. She said that her father delivered meals for Meals on Wheels in Staunton, which she knew was as rewarding for him as it was for the people he served. She said that many senior citizens lived alone, and it was easy for them to become isolated, and it was easy for them to be in need of food when the poverty rate among seniors was so high.

Ms. LaPisto-Kirtley thanked the volunteers who delivered the meals for the organization each day.

Ms. Price said that the personal connection was an important factor in the work of Meals on Wheels in addition to nutrition. She said that she looked forward to sharing in the service that the organization provided.

Item No. 6.b. Proclamation Recognizing March 23 through March 26, 2023, as the 29th Annual Festival of the Book.

Mr. Andrews **moved** to adopt the proclamation recognizing March 23 through March 26, 2023, as the 29th Annual Festival of the Book, as he read it aloud.

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

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

PROCLAMATION VIRGINIA FESTIVAL OF THE BOOK

WHEREAS, the County of Albemarle believes that literacy is critical to active and engaged citizenship and is committed to promoting reading, writing, and storytelling for all, both within and outside its borders; and

WHEREAS, reading stimulates the creative and intellectual growth of individuals while also building community through shared experiences, discourse, and understanding; and

WHEREAS, the 2023 VIRGINIA FESTIVAL OF THE BOOK, with events presented locally and live-streamed, draws attendees and attention to Albemarle County from around the globe while providing most programs free of charge to attendees and offering greater accessibility through closed-captions, recap videos, and transcripts; and

WHEREAS, the 2023 VIRGINIA FESTIVAL OF THE BOOK brings diverse authors from across the state and around the nation to convene in Albemarle County, Virginia, sharing their stories and inspiring our county's citizens to share theirs; and

WHEREAS, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, and cultural and civic organizations collaborate with the VIRGINIA FESTIVAL OF THE BOOK to connect with one another through reading, foster empathy for the stories of others, and promote literacy for all; and

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors do hereby recognize Thursday, March 23 through Sunday March 26, 2023 as the Twenty-Ninth Annual Virginia Festival of the Book and encourage community members to participate fully in the wide range of available programs and activities.

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Mr. Kevin McFadden, Chief Operating Officer (COO) of Virginia Humanities, stated that he had had the unique pleasure of being affiliated with the festival since he had volunteered there as a graduate student in 1998. He said that he went on to do ground floor work for the festival as the assistant director of the festival in 2000, and now as of 2009, had been working in his current capacity as COO. He said that the Board of Supervisors had supported the festival for those years as well. He said that in 2020, they made the decision to cancel the festival for the best interest of public safety and welfare, which was difficult to do.

Mr. McFadden said that in 2021, there was a virtual festival held with a new audience, and in 2022, they created a hybrid festival with both online and physical components. He said that this year, the festival was back as fully as possible to be in Charlottesville and Albemarle to bring the festival to another

great height. He thanked the Board for their years of support in making this a signature event for the community and helping to inspire with reading and literacy, both adults and youth, as well as stimulating the local economy through book sales, restaurants, and the other good things that came with the festival. He said that he looked forward to their support during their 30th year next year.

Mr. Andrews said that he and his wife looked forward to the festival every year, and he appreciated all the preparation to make the festival successful. He said that in addition to the festival being held during the 23rd through 26th, there were preview events beginning as soon as tomorrow across central Virginia.

Ms. Mallek said that the visits of the authors and illustrators made to classrooms during the festival were very successful in inspiring students to see what great possibilities there were for themselves.

Mr. Gallaway wished Mr. McFadden luck with the festival this year.

Ms. McKeel said that it was a great achievement to be able to celebrate reading and a variety of books during a time when books were being removed from schools across the country.

Ms. LaPisto-Kirtley said that she was glad to support the festival.

Ms. Price said that the Festival of the Book was one of the many things that drew people such as herself to Albemarle County and Charlottesville. She thanked Mr. McFadden, his staff, volunteers, and patrons for bringing this festival back to its pre-pandemic form.

Item No. 6.c. Proclamation Celebrating Women's History Month.

Ms. Mallek **moved** to adopt the proclamation celebrating Women's History Month, as she read it aloud.

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 Ms. Price.

NAYS: None.

Proclamation Celebrating Women's History Month

WHEREAS, Women's History Month originated in the United States in 1911 in conjunction with the first International Women's Day to recognize the heritage and achievements of women; and

WHEREAS, the recognition of women's history was officially proclaimed as a national week in 1980 by the president of the United States; and

WHEREAS, Albemarle County recognizes and honors all women for their stories, challenges and triumphs, and leadership throughout our nation and in our lives every day; and

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby acknowledge and commemorate the month of March 2023 as Women's History Month, with a special recognition to highlight the women who diligently lead our County to a brighter future for all.

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Ms. Kaki Dimock, Director of Social Services (DSS), stated that she was pleased to accept the proclamation on behalf of women in leadership in Albemarle County. She named herself; Ms. Emily Kilroy, Assistant to the County Executive; Ms. Kristy Shifflett, Chief Operating Officer (COO); Ms. Jodie Filardo, Community Development Department Director; Ms. Nelsie Birch, Chief Financial Officer (CFO); and Ms. Mia Coltrane (Human Resources Department Director). She said that they each had different backgrounds, identities, educations, stories, skills, and expertise, but what they had in common was that they were smart, competent, strategic, and relational. She said that the big thing they had in common, and something they had in common with the Board of Supervisors, was that they chose public service. She said that it was an honor to do this work with them.

Mr. Andrews noted that this month used to be Women's History Week, and he was glad that it was now celebrated as an entire month.

Ms. Mallek said that she was grateful to follow in the footsteps of her matrilineal ancestors.

Mr. Gallaway said that he looked forward to the ability to celebrate Women's History Month each year in order to reflect and to appreciate being able to serve on the Board with strong and powerful women. He said that he treasured the women who were the main influences in his upbringing. He said that Hull House in Chicago, run by Jane Addams, "provided an array of vital services to thousands of people each week."

Mr. Gallaway said that the services established were a kindergarten, daycare, job training, English language, cooking, and culture classes for immigrants, a job placement bureau, gymnasium, and art gallery. He said that all of these things were still discussed as services that people looked to the local government to provide and were still enjoyed as positive impacts today. He recommended the book "20 Years at Hull House," an autobiographical account of the work that Jane Addams did during that time.

Ms. McKeel thanked Ms. Dimock for her words. She thanked all of the women who worked in Albemarle County for their hard work, dedication, and public service. She said that it was great to recognize the women in the community.

Ms. LaPisto-Kirtley said that the Women's History Month was established in 1911, and they had come very far since then. She said that she remembered her mom saying that she should stay at home and learn to cook, but that never happened. She commended the strong, powerful, intelligent women of Albemarle, and thanked the men as well.

Ms. Price said that Women's History Month was founded in 1911, and the first woman was elected to Congress in 1917. She said that it took 60 years before there were 20 women in the U.S. Congress. She said that Pat Schroeder died this week, and she had respected and admired her. She said that she was elected in 1973, and at the time, she was one of 14 women in Congress, and she was one of the first women to sit on the House Armed Services Committee. She said that when she was assigned to the House Armed Services Committee, there was no other woman working with that committee either on the committee or in staff. She said that she and Mr. Dellums were required to share a chair. She said that they required the first Black member of the committee and the first woman on a committee to share a chair.

Ms. Price said that in the last 50 years, the number of 20 women in Congress had increased to the highest percentage in women in congress, 25 senators and 125 representatives, plus five non-voting delegates, for approximately 29% of the U.S. Congress. She said that the increase in other minorities representing the very diverse population was making the ratio much more representative. She said that it was a pleasure to celebrate Women's History Month, and she thanked Ms. Dimock and all the women in attendance.

Item No. 6.d. Proclamation Recognizing Emergency Management Professionals' Week.

Ms. LaPisto-Kirtley **moved** to adopt the proclamation recognizing Emergency Management Professionals' Week, as she read it aloud.

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

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

PROCLAMATION RECOGNIZING EMERGENCY MANAGEMENT PROFESSIONALS' WEEK

WHEREAS, the emergency management team of Albemarle County and the Commonwealth of Virginia work tirelessly behind the scenes to create a safer, stronger and more resilient County in the midst of natural disasters, pandemics, civil unrest, terrorism and other man-made and natural threats and hazards; and

WHEREAS, every emergency begins and ends locally and emergency managers are considered a vital public service to and between essential services that assist Albemarle County to prepare for, respond to and recover from emergencies; and

WHEREAS, emergency managers develop emergency plans and procedures, organize training for first responders and community partners, manage, lead, and provide skills and resources to minimize the impact of disasters, work with state and federal agencies to find the most effective methods of disaster recovery, to increase safety and security, as well as build business continuity; and

WHEREAS, the role of emergency managers in creating a safer more resilient community is more important than ever.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize March 19-23, 2023 as Emergency Management Professionals' Week in Albemarle County and encourage all citizens to honor the Albemarle County Emergency Management team and to recognize their service behind the scenes and their commitment to the health, safety, and welfare of all who live and visit in Albemarle County.

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Deputy Chief John Oprandy, Deputy Chief of Emergency Management, thanked the Board for the

recognition. He said that he appreciated the Board and the vision, direction, and support they had provided in the past for a number of different emergencies that had challenged the preparedness of the community, including the pandemic. He said that for the future, the Board had also provided leadership in the form of a strategic plan, and he was excited that emergency management would play a role in that as they helped to nurture the safety, wellbeing, and resilience of the community.

Deputy Chief Oprandy said that at the same time, he knew that his role was only one of many roles supporting all of this, therefore he accepted the recognition on behalf of all the County staff that was involved in this work, as well as the many businesses, faith-based organizations, and individual residents who made preparedness a priority. He said that it was not an easy thing to do and would take the entire community to respond to and recover from a disaster, down to the individual. He commended those who were making plans and building emergency kits on a daily basis to help with that effort.

Mr. Andrews expressed his gratitude to the emergency management personnel, who were crucial to resilience. He said that this was one of their most important tasks in order to prevent things, but also to be prepared when they happened, mitigate disasters, and provide response and recovery.

Ms. Mallek said that it took organization and care to bring together collective action from all of these individuals and community partners. She said that there had been only a few major disasters that had occurred in Albemarle in recent years that had all sorts of different impact on people in different topographies throughout the County, but each one caused a horrendous mess, and much of it continued to be cleaned up. She thanked the emergency management staff for making sure that vulnerable communities had all that they needed.

Mr. Gallaway said that the emergency management team's process continued to be refined as resources were allocated and collaboration was undertaken between departments. He said that he was confident that as crises would arise, they had the people and planning in place to respond accordingly.

Ms. McKeel said that emergency events were occurring across the country, in some cases resulting in evacuations as large as the population of Albemarle County. She thanked the emergency management staff for their fast action and planning, and for their collaboration with UVA and the entire community to prepare for times of crisis.

Ms. LaPisto-Kirtley said that the leadership of Albemarle County Emergency Management, Chief Dan Eggleston and Deputy Chief Oprandy, and management, had established a fantastic team that was protecting Albemarle County. She commended them for keeping the community safe with their work and vision.

Ms. Price said that she was grateful to emergency management for responding to the numerous disasters in the area. She said that knowing that the emergency management teams knew and had prepared for severe weather events helped them be comfortable knowing that they would be there when needed. She thanked Deputy Chief Oprandy and all of his staff for working to keep them safe.

Agenda Item No. 7. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Mr. Dirk Nies, White Hall District, said that he was a longtime resident and property owner in Albemarle County. He said that he was present to suggest a process to set the real estate tax rate by creation of what he called a baseline budget, a budget that adhered to the tax relief and affordable housing mandate of Virginia Tax Code. He said that this budget would serve as a baseline against which to compare the current budget. He said that Virginia Tax Code 58.1-33.21 limited year-over-year increases in real property taxes collected by the County to no more than 1%. He said that under the present levy, taxes on his home this year would increase by 29.6%, and 13.5% County-wide.

Mr. Nies said that the Board of Supervisors had scheduled a special public hearing on April 26 to set the rate of the levy, and he requested that at this public meeting the Board highlight all proposed expenditures funded by levies garnered in excess of the 1% limit. He said that in doing so, they would have public discussion and comment on those items deemed to be necessary, and any items after they talked about them that were not deemed necessary were then removed from the budget. He said that that would allow them to reduce the rate of the levy accordingly.

Mr. Nies said that unlike graduated income taxes, real estate taxes were a regressive, flat tax, and the looming, large increases in the tax bills hit hardest on low-income property owners such as himself, the widows, and self-employed working women who had joined them today. He said that he spoke on behalf of them as well. He said that the process that he was suggesting he hoped would help them reach a consensus and improve trust that the proposed budget expenditures funded by real estate taxes truly were necessary. He thanked the Board for the opportunity and for the consideration.

Ms. Carmen Alicia Morales Perez Nies, White Hall District, introduced herself in both Spanish and English. She said that half a century ago, she came to the mainland from her native Puerto Rico with many dreams, and one of those dreams was to live on a mountain farm property on her own as her jibaro ancestors did in the island of Borinquen. She said that with hard work and good fortune, this dream came true for her in Albemarle County 20 years ago. She said that now, in her old age, this dream of living out her days in her affordable, one-bedroom farm home was being threatened by the rise in real estate taxes.

Ms. Perez Nies said like many low-income, elderly property owners in Albemarle County, she and her husband did not qualify for real estate tax relief because their net worth was deemed to be too high. She urged the Board to expand the eligibility for elderly citizens in dire need for real estate tax relief. She said that her remedy that she offered for the Board's consideration was to simplify eligibility in compliance by eliminating the total net worth restrictions.

Ms. Perez Nies said that under Virginia law, eligibility for tax relief can be established upon net financial worth or upon annual income. She said that it need not be both. She said that elimination of the total net worth would simplify the participation of this program, and most applicants prepared federal and state income tax returns to combine total income as readily available to provide to the County, so in contrast, gathering information about total net worth was an extra burden and could be difficult to be accurate.

Ms. Perez Nies said that as an added benefit in elimination of the total net worth eligibility requirement would reduce the workload on County staff responsible for the administration of this program. She said that to prevent overly generous tax benefits going to low-income but high-asset elderly landowners, they should establish a cap on the maximum annual tax relief that any applicant could receive, which she suggested to be \$6,000. She asked the Board to please help her age in place in her home and upon the land that she loved.

Ms. Sally James, White Hall District, said that as a landowner in Albemarle County and as a single mom who built her own home, raised her son there, and lived there now, she was watching more and more of her friends move out of Albemarle County specifically because the real estate taxes had become a disproportionate amount of what their income was. She said that as she looked forward to retirement, her social security was not proportionate to what the real estate tax had jumped to. She said that the other speakers had offered excellent, specific ideas. She said that she would herself look at the budget to identify items that may help. She said that she agreed with Mr. Niece's idea of looking at the presentation.

Ms. James said that when Ms. McKeel discussed Meals on Wheels, she thought about how so many of those volunteers were retired people in the County, and they would be removing a body of volunteer labor from the County when forcing them to leave the County. She said that there was expertise, experience, compassion, and a list of things that older people could bring to the community that, when they felt that they had to move to another County, they would not be there to help Albemarle County be better and to add to that value. She asked that it be considered that part of the value of who they were and where they lived was what they could offer back to the County as who they were.

Agenda Item No. 8. Consent Agenda.

Ms. Price said that Ms. Mallek was pulling Item 8.1, Board minutes for December 2, 2020, February 17, 2021, and May 5, 2021. She said that there was an updated version of Item 8.4, the Albemarle County Emergency Operations Plan, available online.

Ms. Mallek **moved** to approve the consent agenda as amended.

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 Ms. Price.
NAYS: None.

Item No. 8.1. Approval of Minutes: December 2, 2020; February 17, and May 5, 2021.

All minutes were pulled for future consideration; no vote was taken for their approval

Item No. 8.2. Schedule a Public Hearing to Consider the Adoption of an Ordinance to Modify the Real Estate Tax Relief for the Elderly and Disabled.

The Executive Summary as forwarded to the Board states that the Department of Finance & Budget is recommending expansion of the current program for the Real Estate Tax Relief for the Elderly and Totally Disabled by increasing the income limit to align with the County's FY 22 Housing and Urban Development's 80% of area median income for a family of four. Under State Code, the County has authority to modify the program.

Albemarle County Code Chapter 15, Taxation, Article 7, Real Property Tax, Division 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, describes the real property tax relief for the elderly and disabled. The proposed ordinance (Attachment A) would modify the current program by increasing the income limit from \$75,100 to \$83,850. For reference, \$83,850 is the County's FY 2022 Housing and Urban Development's 80% of area median income for a family of four. As a result, the new limit will increase the three relief percentage brackets from \$0 to \$41,925 for 100% relief, \$41,926 to \$62,888 for 75% relief, and \$62,889 to \$83,850 for 50% relief. The change would be effective for

Calendar Year 2023, which began on January 1, 2023.

The modification to the real estate tax relief for the elderly and disabled would decrease collectible tax revenues. For FY 24, the budgetary impact of the program is estimated to be \$125,000 and is incorporated into the FY 24 proposed budget.

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

By the above-recorded vote, the Board voted to schedule a public hearing to consider the adoption of the proposed ordinance as presented in Attachment A.

Item No. 8.3. Resolution Approving the County's Participation in a Proposed Settlement of Opioid-Related Claims.

The Executive Summary as forwarded to the Board states that in 2021, Virginia local governments and the Commonwealth of Virginia entered into a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic. On November 17, 2021, the Board approved the County's participation in both the Virginia Opioid Abatement Fund and a settlement agreement with McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities. To date, the County has appropriated \$212,465 from these settlements through two prior actions: on September 7, 2022 and December 7, 2022.

A second agreement has now been proposed with manufacturers Teva and Allergan, and retail pharmacy chains Walmart, CVS, and Walgreens. As part of a coordinated effort with other localities, the Virginia Attorney General's Office has provided a proposed resolution (Attachment A), which would authorize the County to enter into this new Opioid Settlement Agreement. Appropriated funds from this settlement would be used for opioid abatement-related programming across a variety of County services.

There is no budget impact from this action. Disbursements from the settlement would be appropriated at future Board meetings once they are received.

Staff recommends that the Board adopt the attached resolution (Attachment A) both to approve of the County's participation in the latest proposed Opioid Settlement Agreement and to authorize the County Attorney to execute the necessary documents on the County's behalf.

By the above-recorded vote, the Board adopted the Resolution (Attachment A) both to approve of the County's participation in the latest proposed Opioid Settlement Agreement and to authorize the County Attorney to execute the necessary documents on the County's behalf:

RESOLUTION

A RESOLUTION OF THE ALBEMARLE COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Albemarle, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by the County's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Albemarle County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and the County; and

WHEREAS, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related claims against them; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that these pending settlements with Teva, Allergan, Walmart, CVS, and Walgreens shall be considered "Settlements" that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, and opioid manufacturer Janssen Pharmaceuticals; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlements and has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED that the Albemarle County Board of Supervisors, this 15th day of March, 2023, approves of the County's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

Item No. 8.4. Albemarle County Emergency Operations Plan.

The Executive Summary as forwarded to the Board states that Albemarle County is vulnerable to a variety of hazards, such as flash flooding, major river flooding, hurricanes, winter storms, tornadoes, hazardous materials incidents, resource shortages, civil unrest, and terrorism. Virginia Code § 44-146.19 requires that local governments develop and maintain a current Emergency Operations Plan (EOP) to be prepared for such events. Every four years, the local EOP must be updated and adopted by the governing body. The Board of Supervisors must provide evidence to the Virginia Department of Emergency Management of its adoption of the most current version of the EOP. In the past, Albemarle County joined its regional partners in creating and adopting the Regional EOP. In 2019, the Board of Supervisors created the Division of Emergency Management, as a part of its Department of Fire and Rescue (ACFR) to concentrate on County emergency management services while maintaining regional cooperation. The EOP (Attachment A) presents a local plan specific to Albemarle County.

The County's Director of Emergency Management is the County Executive. The County Executive appoints the Chief of Albemarle County Department of Fire and Rescue as the Emergency Management Coordinator, who is empowered to delegate some or all of the Coordinator's powers and responsibilities to a designee. The day-to-day emergency management activities are coordinated by the Emergency Management Division of the Albemarle County Department of Fire and Rescue.

In its current, submitted form, the EOP accomplishes two significant objectives: (1) compliance with Virginia Code § 44-146.19(E) and (2) a redraw of the former Regional EOP to apply specifically to Albemarle County. Further work is ongoing to refine, redefine, and improve the quality of this EOP. Adopting this current EOP is necessary and urgent to meet the County's near-term objectives. The EOP is a multidiscipline all-hazards plan that establishes a single, comprehensive framework for the management of major emergencies and disasters within the County. The EOP is implemented when it becomes necessary to mobilize community resources, to save lives and to protect property and infrastructure. The EOP incorporates the National Incident Management System as the standard for incident management and reflects other changes resulting from the adoption of the National Response Framework.

The EOP outlines the roles and responsibilities assigned to County departments and other agencies for response to disasters and emergencies. The EOP is not intended to be a stand-alone document but serves as the overarching strategy that aligns more detailed department and agency plans and operating procedures to meet response and recovery needs.

The EOP contains an overview of the management structure, key responsibilities, and emergency assignments during and immediately after an emergency. Annexes provide additional detail for emergency support functions, support, and incident types.

There is no budget impact associated with the adoption of this EOP.

Staff recommends that the Board adopt the attached Resolution (Attachment B) approving the Albemarle County Emergency Operations Plan (Attachment A).

By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to approve the Albemarle County Emergency Operations Plan as presented in Attachment A:

**RESOLUTION TO ADOPT LOCAL
EMERGENCY OPERATIONS PLAN**

WHEREAS, the County of Albemarle, Virginia may be subject to various hazards such as flash flooding, major river flooding, hurricanes, winter storms, tornadoes, hazardous materials incidents, resource shortages, civil unrest, and terrorism;

WHEREAS, Virginia Code § 44-146.19 requires the governing body to adopt a local Emergency Operations Plan ("EOP") every four years;

WHEREAS, in the past, the Board of Supervisors adopted the Regional Emergency Operations Plan as their local EOP;

WHEREAS, in 2019, the Board of Supervisors created the Division of Emergency Management ("DEM") in the Department of Fire and Rescue and tasked it with creating a local EOP for the County; and

WHEREAS, DEM staff have prepared a first iteration of the County's EOP for adoption.

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

Supervisors adopts the local Emergency Operations Plan as presented.

Item No. 8.5. SE202200043 Victorian Heights.

The Executive Summary as forwarded to the Board states that the Applicant requests a special exception to vary the setback and stepback requirements for a project called Victorian Heights, which is on property zoned R-15 Residential. The requests include:

1. Modification of County Code § 18-4.19(4), which states that the maximum front setback for a non-infill development may be increased by special exception to accommodate low impact design, unique parking or circulation plans, or a unique target market design, to:
 - Increase the maximum front setback for three multi-family residential buildings on Berkmar Drive from 25 feet to 38 feet for one building, 54 feet for a second building, and 71 feet for the third building.
2. Waiver of County Code § 18-4.19(5), which states that the minimum 15-foot stepback applies to all buildings on the property and may be reduced by special exception, to:
 - Waive the requirement that a stepback be provided for each story that begins above 40 feet in height or for each story above the third story, whichever is less, to allow a fourth story be constructed without a stepback.

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

By the above-recorded vote, the Board adopted the resolution as presented in Attachment F to approve the special exception request:

**RESOLUTION TO APPROVE
SE202200043 VICTORIAN HEIGHTS**

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the SE202200043 Victorian Heights application and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-4.19(4), 18-4.19(5), and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exceptions are consistent with the intent of the R-15 Residential zoning district and the Neighborhood Model Principles of the Comprehensive Plan.

WHEREUPON, the Albemarle County Board of Supervisors hereby approves SE202200043 Victorian Heights and (a) grants a modification of Albemarle County Code § 18-4.19(4) from the maximum front setback for residential buildings from 25 feet to 38 feet for one building, to 54 feet for a second building, and to 71 feet for the third building, all as depicted in the application; and (b) waives the requirement in Albemarle County Code § 18-4.19(5) of a minimum 15-foot stepback, to allow a fourth story to be constructed without a stepback.

Item No. 8.6. SE202200069 Old Trail Blocks 33 and 34.

The Executive Summary as forwarded to the Board states that the Applicant requests a special exception to vary the Code of Development approved in conjunction with ZMA201500001 to reduce the setbacks in Blocks 33 and 34 of Old Trail as follows:

- Reduce the minimum front, side, and rear setbacks from 7.5 feet to 5 feet.
- Reduce the maximum front setback from 30 feet to 25 feet.

No increase in the maximum permitted number of units or density is requested.

This special exception is permitted under County Code § 18-8.5.5.3, which permits minor changes to Codes of Development for Neighborhood Model Districts. The Applicant requests the special exception to allow for a variety of housing options while not changing the overall density of the blocks or the permitted number of units.

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

By the above-recorded vote, the Board adopted the resolution as presented in Attachment F to approve the special exception request:

**RESOLUTION TO APPROVE
SE 2022-00069 OLD TRAIL BLOCKS 33 AND 34
VARIATIONS TO CODE OF DEVELOPMENT (ZMA201500001)**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2022-00069 Old Trail Blocks 33 and 34 – Two Variations to Code of Development application and the

attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the variations in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed variations:

- (1) would be consistent with the goals and objectives of the Comprehensive Plan,
- (2) would not increase the approved development density or intensity of development,
- (3) would not adversely affect the timing and phasing of development of any other development in the zoning district,
- (4) would not require a special use permit, and
- (5) would be in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions to vary the Code of Development for Blocks 33 and 34 of Old Trail to: 1) Reduce the minimum front, side, and rear setbacks from 7.5 feet to 5 feet, and 2) Reduce the maximum front setback from 30 feet to 25 feet.

Item No. 8.7. Land Use & Environmental Planning Committee (LUEPC) Second Half of 2022 Semi-annual Report, **was received for information.**

Agenda Item No. 9. FY24 Operating and Capital Budget.

Item No. 9.a. Updates from Prior Work Sessions.

Mr. Andy Bowman, Chief of the Office of Management and Budget, said that today he would review the five areas of the General Fund that had not been discussed at the previous work session. He said that there were then County Executive recommended updates that had no net budget impact in total. He said that the Board then would take action on finalization of tax rates for advertisement and the FY24 proposed budget for advertisement.

Mr. Bowman said that the public works function of the general fund FY24 budget was 3% of the total. He said that public works was a state reporting category that include the entire Department of Facilities and Environmental Services (FES), Rivanna Solid Waste Authority (RSWA), and other public works agencies. He said that the work plans for public works included the public safety operations center, and the rent and associated cost of that facility was in FES.

Mr. Bowman said that the other work was climate action to continue to meet climate goals, and currently there were in the Environmental Services Division a total of eight employees, half focused on stormwater and half focused on the environmental programs. He said that there was a climate program manager and climate project manager, two FTEs (full-time equivalents) who worked totally on those initiatives, and many other staff in that department contributed significantly to those efforts.

Mr. Bowman said that there were also about \$100,000 in operational funding for climate action initiatives, which was a static amount in the budget every year. He said that there was also a climate action pool that was reappropriated year to year and spent down on one-time climate initiatives, the current balance of which was \$450,000, and until that was spent down, they would continue to recommend that for reappropriation from one year to the next.

Mr. Bowman said that for the rest of public works, there was a \$210,000 increase for the operating costs of the streetsweeper and vegetation management program in FES to be funded for half a year, and the full-year impact of those would be in FY24. He said that there was a \$372,000 increase in solid waste and recycling costs from RSWA, including the operating funds for the Southern Convenience Center. He said that the FY23 budget anticipated a full year of operations. He said that as part of the capital plan, the County facility updates were planned with \$150,000 in operating for renovation to modernize office environments related to strategic objectives.

Ms. Mallek asked what the definition of the state reporting category was.

Mr. Bowman said that the state gave guidance to define localities' departments as comparable to each other as possible in order to allocate funding. He said that the public works category was the most applicable term for these services.

Mr. Gallaway asked if the FTEs associated to the goal of leading the County's climate action had been identified.

Mr. Bowman said that there were two employees in FES who were dedicated fully to those efforts. He said that there was management and leadership in other capacities of partial FTEs that would support those efforts, and indirect support from organizational staff.

Mr. Gallaway said that there were two FTEs. He asked what department leaders were involved other than Mr. Lance Stewart, FES Director.

Mr. Bowman said that Mr. Greg Harper, Chief of Environmental Services of the Environmental Services Division, Mr. Stewart and his staff, and other administrative support were involved.

Mr. Gallaway asked if some percentage of their task was focused on that effort. He asked for clarification about the reallocation of the operating positions on page 138.

Mr. Bowman said that project managers, project inspectors, and the Director of Facilities and Planning would be those subject positions.

Ms. McKeel asked for clarification about the modernization of the office environment.

Mr. Lance Stewart, Director of Facilities and Environmental Services, stated that there were a few different requests for funding that the Board would consider throughout the budget process, including capital dollars for implementation of space allocation improvements and space condition improvements, and in an attempt to optimize the underutilized, available space to meet the space needs of departments and to more efficiently provide services. He said that this was part of a programming effort. He said that he had previously described the work being done in the Department of Social Services (DSS) to do some programming to determine their needed footprint in terms of total space and adjacencies and customer service, which were believed to shrink.

Mr. Stewart said that that was the first step that would inform design and construction in the upcoming fiscal year if the capital budget was approved as proposed. He said that the \$150,000 was a similar programming effort for other departments, and in some instances that would be departments that had acute space needs that they may choose to backfill into whatever space may be vacated by DSS, or other departments that had elements of the department that had space that was underutilized. He said that this effort was focused on the departments within County office buildings and not on courts, sheriffs, or other functions.

Mr. Jeff Richardson, County Executive, said that an employee survey was completed by the Office of Performance and Strategic Planning, with almost 500 responses collected. He said that modernization of space, technology, and accessibility were connected to the budget in this way. He said that Mr. Stewart gave County staff a tour of a building downtown that had LEED (Leadership in Energy and Environmental Design) - certified climate reduction sustainability just to show what was possible.

Mr. Richardson said that Mr. Stewart had explained that anything they wanted to do in this building was complicated due to the age of the building, which was over 100 years old, and they were attempting to show the workforce that they were paying attention and that the workspace mattered. He said that they were trying to make small, meaningful steps forward to treat their space differently than in years past.

Ms. McKeel said that this work would save money over the long term and would greatly assist in stabilizing the workforce.

Ms. LaPisto-Kirtley asked if (DSS) was moving to a different location.

Mr. Stewart said that 88% of the DSS employees teleworked from home, and there were units that would continue to work 100% from home, and there were offices that had a mix of how many days per week they went in. He said that four years ago, that was one of the departments causing them to look closely at considering the possibility of expansion of one or both buildings or potentially long-term relocation of office buildings downtown. He said that they now were experiencing a stable situation with the workforce hours, so they believed they could now reduce that footprint and meet the needs of other departments' needs.

Ms. Price said that last year, the windows were replaced on the County Office Building (COB), which was an expensive project that yielded long-term savings and benefits. She said that when she worked at the Pentagon, she had been excited about the job but saw that the infrastructure of the buildings was failing in many areas, and she did not want the buildings in the County to get to that stage. She said that \$150,000 was a modest amount of money for substantial upgrades.

Ms. Mallek said that there was a fully accredited satellite workforce center at COB-5th Street that could be accessed by the public.

Mr. Bowman said that health and welfare was the next functional area he would discuss, which comprised 6% of the general fund. He said that 84% of this amount went to the Department of Human and Social Services, with the remainder given to the health department, Region Ten, and other health and welfare community agencies. He said that in the area of Social Services, they had included a \$603,000 increase for full-year implementation of mid-year staffing in benefits and foster care. He said that for Human Services, \$227,000 was funding two positions meant to assist in broadening the Social Services to Human Services in order to focus on community wellbeing. He said that there was \$260,000 designated in local funding for emergency assistance to address urgent, one-time financial needs, as part of the larger unwinding from federal assistance.

Mr. Bowman said that there was an additional housing position that was to begin in January 2024, and that mid-year start required policy work to take place prior to implementation of the position. He said that for the housing fund, there was \$3.9 million in one-time funding in FY23 recommended to be given to the fund, giving a total balance of \$4.7 million for housing initiatives. He said that \$4.3 million was allocated to health and welfare agencies to sustain human services programs.

Mr. Andrews asked if the two FTEs were referred to as over-hired FTEs.

Mr. Bowman asked if Mr. Andrews was referring to the Human Services positions.

Mr. Andrews said yes.

Mr. Bowman said that those positions were not overhires but would be FTEs that would provide a more enhanced and broadened level of services than offered currently.

Mr. Andrews said that he appreciated Mr. Bowman's mention of the great unwinding from federal funding. He asked if there would be any comment about the working of Social Services with public safety and that coordination in the future.

Ms. McKeel clarified that Mr. Andrews was referencing the new mental health team.

Ms. Kaki Dimock, Director of Social Services, said that HART (Human Services Alternative Response Team) was nearly ready to respond to calls. She said that they had identified the social services staff person and the fire rescue staff person and were interviewing right now for police. She said that they had had a decrease in the number of people on patrol, so it had been difficult for them to identify someone that they would want to take off of patrol and into this position until very recently. She said that the first round of interviews had been completed, and they hoped to have a fully functioning team soon. She said that the team would do training and team building, which was essential for those three people who had specific mandates and protocols for their duties, and then begin responding to calls.

Ms. Mallek asked if that team was funded from the police department or from multiple departments.

Mr. Bowman said that the personnel would appear in the specific departments for Police, Social Services, and Fire Rescue, but the program was led by the Department of Human and Social Services.

Ms. Mallek asked if the new positions for the Department of Human and Social Services would be funded partially by the state.

Mr. Bowman said that was correct. He said that generally 30% to 33% was reimbursed for most positions for the Department of Human and Social Services, with some exceptions.

Mr. Gallaway said that he struggled to understand how the Department of Human and Social Services positions were funded and utilized. He said that as he reviewed the positions, he still was trying to understand who was where, and how many were there. He said that in the financial data, there was plenty of salary under the department, but he had difficulty finding what that was distributed to. He said that he wanted to ultimately understand the strategy as it related to bigger concerns and some of the big policies, including Housing Albemarle.

Mr. Bowman said that that information could be supplied in a follow-up. He said that generally, there were two branches of the Housing office, one reimbursing the housing assistance fund, where they received roughly \$3 million in federal funding to implement housing choice vouchers and programs, which showed up as a special revenue fund that they accounted for separately. He said that part of those funds also reimbursed staff. He said that separate from the management of federal programs, there was a policy arm that was under the work of Ms. Stacy Pethia, Assistant Director of Housing, and would complement that federal funding rather than to be an addition to that service. He said that there were strategies to address needs at every income level that would be applied.

Mr. Gallaway said that this was part of his interest in understanding for understanding those three policies. He said that he mentioned Housing Albemarle often, but when he analyzed the resources being put toward achieving that policy, the answer was one FTE. He asked if the program manager would be added full-year or mid-year.

Mr. Bowman said that it would be mid-year. He clarified that there was one additional position that he had forgotten about.

Mr. Gallaway said that there was only one position to be started in six months, and it made it clear why the developer incentive program had not been implemented yet. He asked if this was enough to accomplish what they wanted to do with this policy. He said that he was curious about where the deficiencies were in the department so that he could understand what the strategy moving forward was meant to remedy and could decide if he agreed or not. He said that he would like to see how many staff were dedicated to those five categories, how many of those positions were currently filled, and what the ad was for the budget.

Mr. Bowman said that the diagram could be put together in a response. He said that he neglected to discuss that the Board had approved last year an additional FTE funded out of the housing fund to support that office with the grant funding and financial coordination, which was a position filled and working now. He said that the next step was to create the measurements of the resources, so as they were implementing strategies, they would measure the performance. He said that that information would be a part of the next step as they worked with the Office of Performance and Strategic Planning to map out the resources and other strategies, which would then be brought to the Board.

Mr. Gallaway said that there must be documented purpose for identified extra funds, and it was important to identify the need for that extra funding in this specific department.

Mr. Doug Walker, Deputy County Executive, said that the shift to the Department of Human and Social Services was intentional and reflected the broadening of the program from what was mandated programs and services with a greater emphasis on that and other services that were much more locally oriented. He said that the investment in the human services staff requested was to help with the connection between the County and the larger community in the human services areas. He said that the result would be seen as they implemented the vision in the strategic plan over this year and the future.

Ms. McKeel asked what the acronym was for the mental health crisis response team.

Ms. Dimock said that HART was an acronym for Human Services Alternative Response Team.

Ms. McKeel said that there was money appropriated in this year's budget for the establishment of this team, which was made of Social Services, the Police, and Fire Rescue.

Ms. Dimock said yes. She said that the purpose was to provide an alternative response to mental health calls and substance abuse calls to 911, so that they showed up with the skills and expertise of Police, Fire Rescue, and Social Services at the same time. She said that the team assessed who should be the lead in each circumstance with the goal of deescalating, decreasing the intensity of the situation, and trying to stabilize someone as quickly as possible to avoid a deep-end service like the emergency room or jail.

Ms. McKeel said that she appreciated the clarity. She said that the progress being made would be of huge benefit to the community. She said that studies showed that that team would have to interact with the same people more than once to have an effect.

Ms. Dimock said yes. She said that it was important to have a robust and meaningful community-based mental health system to which they could refer people, otherwise they would be stuck in a cycle of responding to emergency situations as opposed to being able to hand off someone's needs to be well-received and treated by a community-based behavioral health system.

Ms. McKeel said that the team may interact with people four or five times to make a difference according to data.

Ms. Dimock said that it could be.

Ms. McKeel said that a real difference would be made after more than one intervention.

Ms. Dimock said that the desire was not to respond to the situation but to stabilize someone overtime with follow-up connections. She said that co-responder teams were relatively new to the United States and were popping up in many types of iterations throughout the U.S., and early data demonstrated that there were positive outcomes for wellbeing and decreasing use of deep-end services.

Ms. LaPisto-Kirtley asked if the housing position was being funded out of the housing fund.

Mr. Bowman said no. He said that the housing position was included in the general fund. He said that the housing fund was accounted for separate use to advance housing projects.

Ms. LaPisto-Kirtley asked if that position would work with Ms. Pethia.

Mr. Bowman said yes. He said that that would be the next stage of implementing policy work that would follow later this year.

Ms. LaPisto-Kirtley asked if this all tied to the new 20% affordable housing policy.

Ms. Dimock said that yes, it would be related to Housing Albemarle. She said that the many discrete practices and policies would subsequently follow, and while it was not clear at this time, that work would be specific to implementation.

Ms. Price clarified that the \$227,000 did not fund two FTEs but funded the increase in the broadened services and would be supported by the two FTEs. She said that the \$4.3 million for health and welfare agencies were necessary to be provided, and if they were not partnering with those agencies, those would be costs incurred by the County, requiring a broadening of expertise as well as additional costs.

Mr. Bowman said that the functional area of parks, recreation, and culture was 3% of the general fund or \$11.2 million in FY24. He said that this amount was primarily for the Parks and Recreation Department and the Jefferson Madison Regional Library (JMRL). He said that \$518,000 was allocated for the Biscuit Run Park opening, which included funding for an FTE as well as one-time funding for equipment.

Mr. Bowman said that the parks and maintenance strategy operated in districts, and with Biscuit Run and Rivanna Village Parks, it would create an eastern district to complement the three other districts. He said that \$35,000 was allocated to open Rivanna Village Park when it was conveyed to the County. He said that staff in the Parks and Recreation Department would be working to identify the location and scope of a small urban park, which would be identified in a future CIP process.

Mr. Bowman said that the JMRL increased by about 5%, largely as a reflection of the County share of existing services and staffing at the Scottsville and Gordon Avenue libraries. He said that the library strategy to ensure there was a minimum level of staffing for buildings required part-time positions be changed to full-time. He said that the County share of the Gordon Avenue Library was changing due to the preferences of the drive-thru system there.

Mr. Bowman said that the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) had a \$359,000 increase or of 59.2% based on the regional agreement. He said that this was funded by prior year transient occupancy tax revenues, and because of the very strong resurgence of the interest in the economy last year, the funding experienced a drastic increase.

Mr. Bowman said that the cultural and festival agency review process was separate from the human services agency budget review team. He said that they had received 17 program applications for arts and cultural agencies, and when those applications came in separate from the human services process, they had a team of five County staff reflecting a range of departments shown on the screen to provide different perspectives to evaluate each of these agencies. He said that there were 13 scoring criteria developed by the Office of Equity and Inclusion (OEI) in 2020, and staff prepared ratings based on a scoring system, and those scorings resulted in fully fund, level fund, or provide funding.

Mr. Bowman said that there was a total of \$78,500 recommended this year for these agencies, and \$50,500 in total funding for eight agencies in FY23, two agencies that totaled \$23,000 that received County funding prior to FY23 and were now requesting more funding and were included in the recommendation this year. He said that as of March 15, they discovered there had been a technological breakdown whereas some agencies requested their funding, despite there being documentation of them submitting their request on time, it was not received in the email inbox. He said that they had determined who was missing from who had contacted them and knew what they needed to do differently in the process next year to remedy this.

Mr. Bowman said that the issue would be remedied in FY25, but in FY24 there were some agencies whose applications had not been received. He said that the review team had gone back and recommended funding for the Lighthouse Studio at \$2,500, the Virginia Theatre Festival at \$2,500, and was currently reviewing the Hatton Ferry and the Albemarle Charlottesville Historical Society. He said that he would give an update on this again during the proposed budget. He said that there would be a technology change for FY25 applications. He apologized to the agencies impacted by this mistake.

Ms. Mallek said that the Crozet School for the Arts did not get into that process.

Mr. Bowman said that that was due to a transcription error on the applicant's part. He said that in the review team's work, it was not picked up in the recommended document, and the newly recommended document showed for them a handful of other agencies that were reviewed and not recommended that now appeared in the book online.

Ms. Mallek asked if the scoring criteria could be shared when moving forward so that the decision-making process was understood.

Ms. Emily Kilroy, Assistant to the County Executive, said that this could be provided in writing.

Ms. Mallek said that that was preferable. She said that she would share any other suggestions or ideas with staff.

Mr. Gallaway asked if Rivanna Village Park was included in the \$518,000 for the Biscuit Run Park opening.

Mr. Bowman said that the number in the budget book should be correct.

Mr. Gallaway said that the \$482,000 had equipment-related expenses and the two ground facility maintenance workers. He asked if those workers were specific to Biscuit Run or were a part of the system's maintenance crew.

Mr. Bowman said that the crew was a three-person crew that had one position begun mid-year this year. He said that when the two other positions came online, it would give three total for the eastern maintenance district.

Ms. McKeel expressed her appreciation for the transparency of staff for their process and explaining mistakes. She said that Mr. Bowman had distributed revised copies of the budget materials prior to the meeting.

Mr. Bowman said yes, the transcription error had been communicated to the Board last week. He said that yet to be included was the updated recommendation, because those had just been completed this week.

Ms. LaPisto-Kirtley asked if the cultural and festival agency reviews that were approved were for one year or ongoing.

Mr. Bowman said that it would be a one-year decision because when the Board adopted their appropriation resolution, it was only for one year at a time.

Ms. LaPisto-Kirtley asked if agencies were ever guaranteed a spot for funding.

Mr. Bowman said that no one was guaranteed funding, and it was subject to the annual process.

Ms. Price said that parks, recreation, and culture was only 3% of the budget, and she thought that this was an area that more funding should be allocated to because of its importance to the overall health of their community. She asked if the Rivanna Village Park had been discussed via email with staff. She said that a constituent of the area had been asking about it so she was glad to see it included. She said that funding could be increased at the library in Scottsville.

Ms. Price said that it was important for the integrity of the County that if a mistake was made that it be acknowledged and that no one was jeopardized as a result of it. She said that she appreciated the approach of giving those entities the same measure and level of review that they would be given at the beginning of the process. She asked if there was a timeline for the proposed Hatton Ferry and Albemarle Charlottesville Historical Society applications.

Mr. Bowman said that he would provide an update at the March 22, 2023, work session.

Mr. Bowman said that the Community Development functional area made up 3% of the general fund, and of this area, and the Community Development Department (CDD) was the majority of that, followed by transit agencies, Community Development services, and other Community Development agencies. He said that the biggest effort in Community Development was not about new dollars but the ongoing work plan of staff to create the next stage of the comprehensive plan update and the zoning ordinance update. He said that there was also Economic Development, which was continuing to work through existing funding from the CIP (Capital Improvement Plan). He said that core systems modernization was the next phase for Community Development, and that was a major driver of their services.

Mr. Bowman said that transit was the topic of the next work session on March 22. He said that the budget included funding for CAT (Charlottesville Area Transit), a level funding recommendation for JAUNT at this time, with their requested increase held in reserve, a transit reserve for the County's grant match that had been discussed before the Board, the regional transit partnership, and Afton Express funding.

Mr. Andrews said that while it was only 3%, it represented a huge amount of work.

Ms. Mallek said that she knew that everyone would be thrilled when the core systems modernization was implemented.

Ms. McKeel said that economic development was critical for the community as they attempted to move away from such dependence on property tax.

Ms. Price said that it was amazing that only 3% of the budget went to a department that they worked with constantly. She said that it was critical to fund the Economic Development Office (EDO) sufficiently so that they could diversify the revenue stream and rely less upon residential property taxes.

Mr. Bowman said that the non-departmental functional area was a term describing everything that did not neatly fit into a departmental functioning area. He said that it was composed of the transfer to the public schools, the transfer to capital, the transfer to debt, programs for tax relief, and revenue sharing. He noted that there was going to be a \$171,000 increase in the revenue sharing payment to the City of Charlottesville based on the terms of that agreement.

Mr. Bowman said that the County Executive updates were given as amendments to the recommended budget that was proposed to the Board on February 22, 2023. He said that the recommended adjustments included net decreases to the Albemarle Charlottesville Regional Jail (ACRJ) and the Rivanna Solid Waste Authority shares from the County. He said that the arts and cultural agencies previously mentioned were funded at \$2,500 each, and if other recommendations came forward, there was still opportunity to address those. He said that staff proposed that the net savings be used to increase the reserve by \$338,581, which was a placeholder until any other adjustments were identified by the Board.

Mr. Andrews clarified that the reserve for contingencies was for the budget process rather than emergency reserves.

Mr. Bowman said that this funding would increase the ongoing funding for contingencies to a total of \$638,000, but this fund was also used as a source of funding when the Board would make adjustments to the budget.

Ms. McKeel asked if the arts and cultural agency funding for future identified projects could be taken from this reserve.

Mr. Bowman said yes.

Ms. Price asked if there were any other questions from the Board. Hearing none, she asked Mr. Bowman to continue his presentation.

Mr. Bowman said that the next item was the setting of the tax rate for advertisement. He said that the real estate property taxes were calculated at a current rate of \$0.854 per \$100 assessed value, which meant each penny on the tax rate was \$2.7 million in estimated collectible tax revenues. He said that an addition or subtraction of one penny on that recommended rate, the change in the rate would be equal to \$2.7 million. He said that the funds were split among schools, the government, and the capital and debt program. He said that the Calendar Year (CY) 2023 overall reassessments had a 13.46% increase from the CY2022. He said that the lowered or effective tax rate would be \$0.753 per \$100 of assessed value. He reiterated that once the Board advertised this rate, only this rate or lower could be adopted.

Mr. Bowman said that the personal property tax rate applied to individual vehicles, motorcycles, and boats, as well as business tangible personal property and machinery and tools. He said that the car values had increased significantly, so the Board decreased the rate by 86 cents, and in the last calendar year, the car values fell, and the rate was recommended to remain at \$3.42 per \$100 valuation. He said that every penny on the personal property tax rate generated \$0.1 million estimated collectible tax revenues.

Ms. Mallek asked if there was an explanation related to what a public speaker had earlier mentioned, which was what the County would be spending above a 1% increase. She asked if the federal funding was kept separate from the increase above the 1%.

Mr. Bowman said that the 1% change referred to the change above real estate property tax revenue regardless of what other state and federal changes may take place.

Ms. McKeel clarified that the budget proposed currently had the car value remaining at the same rate as last year.

Mr. Bowman said yes. He said that the rate would remain the same on average, with the caveat that everyone's individual experience would vary, but on average, the tax bill would go down for personal property.

Ms. LaPisto-Kirtley asked for clarification about the lowered or effective tax rate and its resulting value.

Mr. Bowman said if the County were to bring in the same amount of revenue as they did in the prior year based only on the change in assessments, it was the tax rate that would be needed to lower that same amount. He said that in this case, it would be a change of 10.1 cents. He said that if property values declined, the effective rate would be higher.

Mr. Andrews said that the lowered or effective rate being applied to property taxes would make a big impact.

Mr. Bowman said that to raise the revenue, it was about \$3.42. He said that the state's property tax requirements were not as applicable.

Mr. Andrews said that he appreciated that they were setting a maximum rate that would be open to public hearings and discussion. He said that he was satisfied with the information presented at this point.

Ms. Mallek said that they had official knowledge to discuss with and get opinions from the community on. She said that as a starting place, she approved of where they were, and there were many areas of concern that were being addressed through the budget.

Mr. Gallaway said that in regard to the personal property tax, not equalizing the rate that was stated in the first work session was \$3.3 million, which was revenue forgone. He said that last year, the reduction was \$7 million, so to drop the rate by 86 cents last year, they let go of \$7 million in taxes. He said that this year, they would be letting go of \$3.3 million if they collected at the last year's rate for car values, because while they had dropped, they had not dropped as fast as they had climbed.

Ms. McKeel said that it was important that the personal property tax be acknowledged because so many residents in the County owned cars. She said that they were absorbing in the budget a \$38 million increase.

Mr. Bowman said that there was a \$38 million increase in the capital improvement program for projects across four fiscal years based on last year's adopted CIP.

Ms. McKeel said that that was due to increases in construction costs for projects that the community had asked for and had been part of the capital improvement plan.

Mr. Richardson noted that the cost of borrowing money had gone up significantly. He said that one year ago, the five-year CIP was being planned for a number of projects, and the \$38 million increase being referred to was the amount necessary to bring those planned FY24-FY28 projects to completion on schedule.

Ms. McKeel said that prudent planning and adequate funding of capital projects was essential to successful implementation.

Mr. Richardson said that a school had not been built in Albemarle County for 20 years. He said that if moving forward with the CIP, there were three schools proposed to be built over the next five years. He said that the incremental growth of the area meant that it had taken a long time for new schools to be required, but this meant that land must be procured, and new schools must be built. He said that 57 cents of every dollar of local tax money went to public schools.

Ms. McKeel said that the last time a school had been built in the County, a local family had agreed to sell their land to the County. She requested that community members identify any potential land that could be used for the new schools that must be built.

Ms. Mallek said that overcrowding in the schools had long been addressed as mitigation efforts instead of proactive building ahead of growth. She said that if the large investments being considered for capital investment were to be postponed, it would likely cause increase in expenses over the long run, especially due to construction costs rising.

Ms. LaPisto-Kirtley said that the work of the County staff and the Board of Supervisors indicated that despite lost tax revenues in some areas, they were still prioritizing the essential services and projects for the community such as building schools, as well as maintaining their Triple Triple A credit rating, which allowed for better borrowing rates. She said that she encouraged all community members to review the budget, because this was relied upon when deciding what projects the community wanted them to fund.

Ms. Price said that it was essential to build the southern feeder elementary school and the northern feeder elementary school to solve the overcrowding that resulted in use of trailers at the schools. She said that the \$38.4 million increase in one year, which was 26% increase, could not be forgotten as they looked at what must be done for the County. She said that those costs were not likely to decrease.

Item No. 9.b. Finalize Tax Rate for Advertising.

Mr. Andrews **moved** for the Board to advertise the following rates for public hearing for the 2023 tax year: \$0.854/\$100 of assessed value for real estate, public service property, and manufactured homes; \$3.42/\$100 of assessed value for tangible personal property; \$3.42/\$100 of assessed value for miscellaneous and incidental tangible personal property employed in a trade or business that is not otherwise classified as machinery and tools, merchants' capital, or short-term rental property, and that has an original cost of less than \$500; and \$3.42/\$100 of assessed value for machinery and tools.

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

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

Item No. 9.c. Approval of FY 24 Proposed Budget for Advertising.

Mr. Bowman said that the total all funds budget was \$551.5 million and would be the proposed budget other than the County Executive's adjustments. He indicated the general fund revenues and expenditures on the slides. He said that the increase in expenditures was majorly for the increase in the transfer to the public schools, for workforce stabilization efforts, including some of the new positions in departments, funding to the capital improvements program, and funding to partner agencies.

Mr. Bowman said that the School Board presented their adopted request at the previous work session, and they also discussed the projects in the FY24 capital budget as part of the five-year CIP. He said that in addition, there were amendments made by the County Executive related to the agencies and reserved contingencies. He said that any adjustments could be incorporated at this time as well.

Mr. Richardson said that he would like to know if the Board was interested in changing funding related to athletic fields, which had been brought up as a point of discussion recently.

Ms. Price asked for clarification as to what date the Board's feedback was required.

Mr. Richardson asked if the Board could discuss it at the March 22, 2023, work session.

Ms. Price said that if there were comments from Supervisors in that area, she asked that Supervisors provide them to staff as soon as possible so that staff could return with information to review at the March 22 meeting.

Mr. Gallaway said that his requests for the FTE and the understanding of that for the three policy items, Housing Albemarle, Project ENABLE, and the Climate Action Plan, was related to answering this question. He said that after that, he could discuss how the current budget looked from his perspective.

Ms. McKeel said that she was interested in that discussion and appreciated the subject being raised.

Mr. Andrews **moved** that the Board authorize the Clerk to advertise a public hearing for the FY24

proposed budget which was the same as the County Executive's Recommended Budget, including any staff recommended changes (and any additional amendments made by the Board of Supervisors).

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

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

Mr. Bowman said that the next budget work session would take place on March 22 and would be focused on transit. He said that the information related to the Board of Supervisors town halls were posted on the County website.

Ms. Mallek said that more information related to the town halls would be available soon.

Agenda Item No. 10. Closed Meeting.

At 3:28 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under subsection (1) to discuss and consider the six-month performance of the 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 Ms. Price.
NAYS: None.

Agenda Item No. 11. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

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

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

Agenda Item No. 12. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson said that this report would be called Progress Albemarle from this point forward. He said that this would show the alignment of the work of the FY24-FY28 Strategic Plan, both with core services and with strategic goals set by the Board. He said that the theme was to identify partnerships and the people who helped execute these goals. He said that many people were involved to achieve this, and he would return each month to highlight parts of the organization, its services, and information provided by the community.

Mr. Richardson said that the fourth strategic goal was quality of life, in which they encouraged a vibrant community with recreational and economic opportunities. He said that the Piedmont Pitch was a partnership between the Economic Development Office (EDO), the City of Charlottesville's Economic Development Department, and Central Virginia Small Business Development Center to offer educational programming to prepare entrepreneurs and small business owners for a pitch competition.

Mr. Richardson said that a total of 68 participants signed up for a ten-week program, and they would work with a business advisor to hone their pitch and develop a solid business plan. He said that six finalists would have the opportunity to pitch for \$15,000. He said that partnerships like this solidified lasting relationships with community partners and provided opportunities to build a vibrant economy within the community.

Mr. Richardson said that with the strategic goal of safety and wellbeing, they were looking to nurture a safe and healthy community every day. He said that recently the ACPD patrol shift recognized a need for parents and guardians to learn more about the digital landscape, and Officers Bailey Legg and Roxanne Kime led their shift in developing a public safety awareness campaign in collaboration with Detective Michael Snyder, a subject matter expert on cyber safety, and Public Information Officer Bridget Butynski from the Communications and Public Engagement Office.

Mr. Richardson said that supporting the wellbeing of the community included enhancing and developing human service initiatives to help their community access existing resources. He said that when the expiration of the emergency allotment of SNAP (Supplemental Nutrition Assistance Program)

was announced, SNAP Benefits Manager Kathyne Presson quickly identified the need to develop a resource list for local food assistance programs to share with the families her unit supported.

Mr. Richardson said that the Bright Stars public preschool program provided comprehensive, family-centered support to students, alumni, and their families to increase self-sufficiency, safety, and wellbeing, as well as high-quality classroom curriculum and support to families with goal-setting, referrals to community resources, funding assistance, and other opportunities to provide a more secure and stable home year-round. He said that this program was currently run in seven Albemarle County Public Schools (ACPS), and each year, family coordinators conducted about 1,800 home visits. He said that he had seen during his visit with the program the deep and lasting connections forged in this community from the time children began preschool to the time that they graduated high school.

Ms. Carol Fox introduced Kelly Wells, the family coordinator at Agnor-Hurt who was currently covering two classrooms, Kelsey Jensen served Mountain View with a partner, Ellie Grimm, who was currently on leave, and Mikita Trotman served at Greer with a partner, Ruben Montoya, who was unable to attend. She said that another worker, Natasha Keys, was currently out on leave, and there was a vacancy at Woodbrook that was actively being filled. She said that Joe Giordano was their senior worker at Stone Robinson, and Kim Staunton was at Scottsville. She said that the Day of the Young Child would be held at Scottsville where all preschoolers would come for a carnival-themed event. She said that they were grateful for Mr. Richardson's visit and time spent with them, as well as for the Board's support of the staff.

Mr. Richardson said that regarding strategic goal six, Albemarle County launched a fraud, waste, and abuse reporting system to allow employees and members of the public the opportunity to anonymously report suspected misuse of public funds within County departments and at schools. He said that regarding strategic goal two, the Albemarle County Climate Protection Program was now accepting proposal for community-driven projects designed to reduce greenhouse gas emissions in the County by leveraging community resources. He said that this provided the community the opportunity to bring talent, creativity, and energy in service to their climate protection priorities.

Mr. Richardson said that regarding strategic goal two, Albemarle County was recognized by the U.S. Department of Housing and Urban Development (HUD) Section Eight Management Assessment (SEMAP) as a "high performer" which was the highest designation attainable. He said that SEMAP measured 14 performance indicators of Public Housing Agencies (PHAs) that administered Housing Choice Voucher (HCV) programs. He said that these key indicators indicated if an agency was implementing the HCV program efficiently and effectively, and in compliance with programmatic rules based on federal regulation.

Mr. Richardson said that development was underway at the future Biscuit Run Park. He said this was an opportunity to enhance access to parks and recreation as guided by the strategic plan, which encouraged recreational opportunities that served all community members. He said that the initial phase of the park development included the installation of the eastern park entrance at Route 20 and Scottsville Road, a trailhead with 75 parking spaces, and bathroom facilities.

Mr. Richardson said that for goal four, the Albemarle County OEI and the City of Charlottesville commemorated Black History Month with the Children's Financial Literacy Workshop. He said that the families that attended the event heard from local author Janasha Bradford, received a free copy of her book "Mahogany Goes to Wall Street," and learned about the financial wellness from local organizations.

Mr. Richardson said that the County hosted three traffic town halls to discuss traffic safety and address community concerns during February 2022. He said that each session included 30 minutes of data-driven presentations followed by one hour of questions and answers from representatives of police, the Board of Supervisors, and VDOT. He said that AC44 pop-up events were visiting locations throughout the County, with County staff sharing information and striking up meaningful conversations about the comprehensive plan in an accessible way.

Mr. Richardson said that Avelo Airlines recently announced twice-weekly service from Charlottesville Airport to Orlando International Airport beginning May 3 with Monday and Friday nonstop service. He said that this flight was for a Boeing 737 that carried 189 seats. He said that American Airlines had announced the return of a direct service from the Charlottesville Airport to Philadelphia International Airport beginning on April 4., which was a service served prior to the pandemic.

Mr. Richardson said that Delta Airlines had brought back the Boeing 17 into its fleet for daily service from Charlottesville to Atlanta, which was a larger, 110-seat aircraft. He said that United Airlines had put Charlottesville Airport on notice that there was intention to bring the Chicago O'Hare connection back on August 17. He said that the airport currently was at 81% capacity compared to the pre-Covid-19 levels.

Mr. Andrews asked if there was a date when the proposal window closed for the climate action grants.

Ms. Emily Kilroy, Assistant to the County Executive, said that they would provide a response via email. She noted that they were likely providing responses on a rolling basis as funding remained available. She said that award amounts varied between \$5,000 and \$25,000.

Agenda Item No. 13. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Mr. Eric Morris, White Hall District, said that he was expressing concerns about the recent reassessments and the possibility of the real estate tax rate remaining flat. He noted that the reassessment would generate about \$15 million, which was a burden to place on real estate owners. He read Virginia Tax Code § 58.1-3321A. He said that § 58.1-3321B required the Board to justify to the public why an increase was necessary. He noted that it was the responsibility of the Board to reduce real estate taxes so that people can afford to live in the community where they work. He encouraged the Board to reconsider the budget items and to postpone a tax increase until a healthier economy.

Mr. Matt Seaton, Pastor at Wesley Memorial Methodist Church, said that he was speaking on behalf of IMPACT (Interfaith Movement Promoting Action by Congregations Together) and expressing the need for an affordable housing trust fund. He said that an affordable housing trust fund would establish an ordinance to provide accountability. He said that accountability was about a process of oversight, regular reporting to the Board, revenue sources, and the length of affordability for projects.

Mr. Seaton said that a trust fund would allow County's to leverage \$1 into \$7 based on programs available in other states and localities. He said that the trust fund required an ordinance for transparency and consistent rules. He said that a trust fund ordinance would dedicate public revenues. He said that guaranteed, ongoing funding was necessary to indicate to developers that funding would be available year after year. He noted that affordable housing trust funds were available to any housing developer.

Ms. Mira Abdalla, Samuel Miller District, stated that she was speaking on behalf of IMPACT, said that she was a member of the Islamic Society of Central Virginia. She said that affordable housing was dependent on a person's income. She said that if someone spent more than 30% of their income on housing, it was not affordable. She said that a housing wage was the necessary amount to earn to afford a 2-bedroom apartment in the County, and the average cost was \$1,260 per month. She said that the average 2-bedroom apartment required an income of \$4,220 monthly, or \$50,640 annually.

Ms. Abdallah said that 53% of people working in the County earned less than the housing wage. She said that the average salaries of the following professions were below the housing wage: police, schoolteachers, certified nursing assistants, pharmacy technicians, grocery store cashiers and stockers, and County employees. She said that more than 10,000 homeowners and renters struggled to find affordable housing. She said that 5,450 households in the County were severely cost burdened and paid more than 50% of their annual income toward housing—43% of renters and 18% of homeowners. She said that the County was projected to need 10,070 affordable units by 2040.

Ms. Nava Khurgel, IMPACT Youth Chapter Leader, said she was a resident in the Rio District, and that they need more affordable housing to provide stable homes for low-income families. When families are struggling to pay for housing, they often had to move frequently requiring children to change schools. She said that children with better housing performed better in school. She said that Impact was advocating for an affordable housing trust fund which would require ongoing, adequate funding to be successful.

Ms. Khurgel requested \$5 million to be available for new construction every year in the fund. She noted that \$5 million would be able to construct 166 homes each year, or 996 families over 30 years. She said that developers needed to know that the affordable housing trust fund was dependable year to year. She said that the County staff had pledged to find the dedicated funding sources to maintain a \$5 million per year commitment. She said that most of the need in the area was at 50% AMI and below, or less than \$55,000 per year. She said that many working people and retired people were at that level. She expressed support for the Southwood project. She said that affordable housing was good for the County and would help students succeed.

Agenda Item No. 14. **Public Hearing: SP202200020 Esmont – Scottsville Transmission Line Rebuild Project.**

PROJECT: SP202200020 Esmont - Scottsville Transmission Line Rebuild Project

MAGISTERIAL DISTRICT(S): Samuel Miller, Scottsville

TAX MAP/PARCEL(S): 11100-00-00-074A0, 12800-00-00-01300, 12800-00-00-013A0, 12800-00-00-05600, 12800-00-00-05700, 12800-00-00-05900, 12800-00-00-08800, 12800-00-00-088A0, 12800-00-00-09000, 12800-00-00-09100, 12800-00-00-09400, 12800-00-00-12400, 128A2-00-00-00800, 128A2-00-00-00900, 128A2-00-00-01300, 128A2-00-00-01400, 128A2-00-00-01500, 128A2-00-00-015A0, 128A2-00-00-01800, 128A2-00-00-01900, 128A2-00-00-02100, 128A2-00-00-02200, 128A2-00-00-02300, 128A2-00-00-02400, 128A2-00-00-02500, 128A2-00-00-025B0, 128B0-00-00-01600, 128B0-00-00-01700, 12900-00-00-00600, 12900-00-00-00700, 12900-00-00-007A0, 12900-00-00-007C0, 12900-00-00-007D0, 13000-00-00-007N0, 13000-00-00-007NN, 13000-00-00-007P0, 13000-00-00-007Q0, 13000-00-00-007R0, 13000-00-00-007T0, 13000-00-00-00800, 13000-00-00-011A0, 13000-00-00-01500, 13000-00-00-04000, 13000-00-00-040A0, 13000-00-00-040C0, 13000-00-00-04100, 13000-00-00-041C0, 13000-00-00-041C1

LOCATION: From the northwest side of the intersection of Route 6 (Irish Rd) and Route 715 (Esmont Rd), running eastward on the south side of Route 6 to the Scottsville Substation on Route 726 (James River Rd), a corridor of approximately six miles.

PROPOSAL: Replace existing power-line support poles with an average height of approximately 40 feet with new poles with an average height of approximately 60 feet in order to install a new 46-kiloVolt powerline, on an existing transmission line route of approximately 6 miles, along an existing utility easement.
PETITION: Energy and communications transmission facilities under Section 26.2(a) and Section 10.2.2(6) of the Zoning Ordinance, crossing 47 parcels of land totaling approximately 2,277 acres. No dwelling units proposed.
ENTRANCE CORRIDOR: Yes
OVERLAY DISTRICT(S): Steep Slopes Overlay district, Flood Hazard Overlay district
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).

The Executive Summary as forwarded to the Board states that at its meeting on January 10, 2023, the Planning Commission (PC) voted 6:0 to recommend approval of SP202200020, with the condition recommended in the staff report.

The PC staff report, action letter, and minutes are attached (Attachments A, B, and C).

The PC discussed the need for upgrades to equipment in the nearly 100-year-old utility corridor, and asked questions about possible future inclusion of wireless communications facilities on the new towers.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202200020, subject to the condition contained therein.

Ms. Rebecca Ragsdale, Planning Manager, said that the corridor was about six miles and included mostly agricultural landscape and scattered residential lots. She said that the line would passthrough some wooded areas, and it fell within the southern Albemarle historic district. She noted that all work would be done within the existing right-of-way.

Ms. Ragsdale said that the replacement was for the tower structures which averaged between 40 feet to 60 feet in height. She said that a number of visual simulations were provided, and staff did not find any additional adverse impacts. She said that a community meeting was held in November and was attended by about 11 members. She said that there were no concerns from the community meeting. She noted that there was no public comment at the Commission public hearing.

Ms. Ragsdale said that staff did not find any substantial detriment to abutting properties, and they did not expect a change in the character of the area or surrounding properties. She said that they provided information about consistency with the comprehensive plane. She said that staff did not identify concerns with the upgrade. She noted that the project would improve the reliability of the electrical service. She said that the project avoided new impacts to the rural area.

Ms. Ragsdale said that the Commission voted unanimously to recommend approval with the condition it be developed in general accord with the concept plan. She said that the color was specified to reduce visual impacts.

Ms. Price opened the public hearing. She noted that there were no speakers.

Mr. Samuel Baxter, Power Engineers representing Appalachian Power, said that the project would rebuild six miles of the existing Esmont-Scottsville 46kV transmission line. He said that there was a switch structure outside of the Esmont substation that would be replaced as part of the transmission line upgrades.

Mr. Baxter noted that the line was originally installed in the 1920s, and several components were due for an upgrade, such as the wires and insulation. He said that the equipment was outdated and smaller when compared to modern standards. He said that the structures did not have shield wire protecting them from lightning strikes. He said that rebuilding the line would provide resiliency to the electrical grid. He said that the line would be built to modern safety standards.

Mr. Baxter noted that the proposed structure to be used for the majority of the line was an H-frame two-pole structure. He said that there was a taller structure that included an additional portion on the top for shield wiring. He said that in a few locations, a monopole may be used for engineering for right-of-way constraints. He said that the new permanent structures would have a dulled and galvanized steel finish. He said that building in the existing locations would reduce the visual impacts.

Mr. Baxter noted that all of easements had been obtained. He said that there were two VOF (Virginia Outdoors Foundation) easements around the line. He said that about four miles of the line went through the southern Albemarle historic district. He said that in 2019, Appalachian Power engaged with the County to work on the project. He said that the project was announced to the public in early 2020, and a virtual open house was held that summer. He said that a community was held on at the Scottsville Library. He said that construction was expected to begin in early 2024 and last a year.

Mr. Baxter noted that the rebuild was consistent with the goals of the comprehensive plan, minimized impacts to the natural and home environments, and increased reliability of the infrastructure.

Mr. Andrews asked about the timing of the project.

Mr. Baxter said that the construction of the line was expected to last a year. He said that the switch structure construction would occur at a later time.

Ms. Mallek what the switch structure would be.

Mr. Baxter said that it was similar to a transmission line structure, but it was placed outside of the substation and allowed the line to be turned on and off.

Ms. Mallek clarified that the improvement was about the same square footage.

Mr. Gallaway asked what the current color of the towers was.

Mr. Baxter said that the structures were currently wooden structures. He noted that the outlines faded against the sky.

Ms. Price asked whether the distance between the poles would be kept the same.

Mr. Baxter responded that the distance could increase between the poles, but it depended on the engineering of the line.

Ms. Price closed the public hearing.

Ms. Price **moved** that the Board of Supervisors adopt the Resolution to Approve SP202200020 (Attachment D), subject to the condition contained therein.

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

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

**RESOLUTION TO APPROVE
SP202200020 ESMONT-SCOTTSVILLE TRANSMISSION LINE
REBUILD PROJECT**

WHEREAS, upon consideration of the staff report prepared for SP 202200020 Esmont-Scottsville Transmission Line Rebuild Project and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit 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) zoning district, with the applicable provisions of *County Code* § 185.1.12, 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 SP 202200020 Esmont-Scottsville Transmission Line Rebuild Project, subject to the condition attached hereto.

* * *

SP202200020 Esmont-Scottsville Transmission Line Rebuild Project Special Use Permit Condition

1. Development must be in general accord, as determined by the Director of Planning and the Zoning Administrator, with the conceptual plan titled "Esmont-Scottsville Transmission Line Rebuild Aerial Mapbook," prepared by Appalachian Power, and dated 7/13/2022. At a minimum, to be in general accord with the conceptual plan:
 - Supporting structures for the electrical transmission lines must remain within the right-of-way shown on the plan.
 - New transmission poles and other permanent structures must be steel structures with a dulled, galvanized finish.

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

LOCATION: Grassmere Road/Ivy Depot Road/Loblolly Lane/Dick Woods Road (Rt 637), approximately 0.5 miles from the intersection of Route 637 and Interstate 64
PROPOSED: Special Use Permit amendment (SP198100001, SP198100055) to allow creation of approx. a 28-acre lot for one dwelling and approx. a 64-acre lot for one dwelling from an existing 442.42 acre parcel.
ZONING CATEGORY/GENERAL USAGE: RA Rural Areas – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
SECTION: 10.2.2.28 Divisions of land as provided in section 10.5.2.1;
ENTRANCE CORRIDOR: No
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots).

The Executive Summary as forwarded to the Board states that at its meeting on January 24, 2023, the Albemarle County Planning Commission (PC) held a public hearing and voted (4:1) to recommend approval of SP202200030 Spring Hill Farm, to allow two development rights to be utilized, for the reasons stated in the staff report and with the revised conditions discussed at the PC public hearing.

The (amended) staff report, PC action letter with recommended conditions, and PC minutes are provided as Attachments A, B, and C. During the public hearing, no members of the public spoke.

Upon further review with the applicant and other staff after the PC staff report was written, staff updated the proposed SP conditions, and presented them at the PC meeting. The Planning Commission discussed the need for careful conditions that maintain preservation of resources, including limits on land clearing and protection of streams. However, the Commission did not recommend any additional changes to the revised conditions presented by staff at the PC public hearing.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202200030, subject to the listed conditions.

Ms. Ragsdale, Planning Manager, said that the property was 442 acres located in Ivy, and it was located off Dick Woods Road. She said that the property was adjacent to Ivy Creek and included a number of sensitive areas. She said that there were a number of streams and stream buffers in the area. She said that the proposed lots would be located on the part of the property closest to Dick Woods Road.

Ms. Ragsdale said that the request was to utilize development rights that were not utilized when the property was initially developed in the 1980s which allowed lots to be clustered. She said that seven of the rights were left undeveloped, and the majority of the lots were located in the former Village of Ivy. She said that there had been a special use permit amendment to create one 103-acre lot approved in 2000, but the amendments had expired.

Ms. Ragsdale said that there was a present special use permit to create two new lots, one of 28.8 acres and one of 68.6 acres. She said that the access would be off Dick Woods Road and would use an existing forestry entrance. She said that the special use permit conditions would provide a higher level of protection. She said that another special use permit would be required to further develop the remainder of the land.

Ms. Ragsdale said that the proposed lots were not out of character with the area, and they did not anticipate substantial detriment to neighboring parcels. She said that no concerns had been expressed. She said that the character of the area may change with the residential development. She said that the proposal was not consistent with the comprehensive plan, but they found the positive aspects of the lot patterns, special use permit conditions, and commitment to ongoing preservation more favorable.

Mr. Andrews asked for more information about the history of the development and the clustering.

Ms. Ragsdale said that the type of request was not common. She noted that there were not many similar subdivisions in the County.

Ms. Mallek asked what the differences were between the proposed conditions and the existing conditions.

Ms. Ragsdale said that conditions were typically formatted to reference a concept plan. She said that they worked on the conditions with Mr. Scott Clark, Conservation Program Manager, and engineering to address stream protections and to require best management practices.

Mr. Gallaway clarified that residential development had to occur within the two acres.

Ms. Ragsdale explained that any accessory structure would come back through the special exception process. She said that any buildings for agricultural use would go through the farm building process and would require a zoning permit.

Ms. LaPisto-Kirtley clarified that the proposal would add additional stream protections.

Ms. Ragsdale said that the proposal would ensure a 100-foot stream buffer, and none of the exceptions under the WPO (Water Protection Ordinance) would be allowed. She said that the condition

sought to ensure the buffer was maintained and remained vegetated. She said that the applicant would develop a planting plan for the County to review before they approved the plats.

Ms. Price noted that two drain fields were proposed and that a primary and secondary one were required. She asked where the well sites were identified and if they had to be identified.

Ms. Ragsdale said that the plan before the Board was a conceptual layout with the major elements that they needed to address in the special use permit review. She said that before the subdivision was approved, the subdivision plat and ordinance would cover the items. She said that the infrastructure would have to be within the two acres.

Ms. Price asked if the same zoning ordinance was in effect when the cluster development was approved. She asked for more information about the cluster development.

Ms. Ragsdale said that it was different. She said that the lots did not need to use development rights because they were already utilized with the cluster.

Ms. Price asked if there could be an application to further subdivide the two proposed lots or remaining land.

Ms. Ragsdale said that the special use permit conditions did not allow for the lots to be further subdivided. She said that the remainder of the parcel would have to be reviewed if additional lots were requested. She said that the applicant intended to move forward with the proposal. She said that the applicant may not implement the proposal.

Mr. Andrews asked how a special use permit expired.

Ms. Ragsdale explained that the ordinance previously had a two-year timeframe.

Ms. Price opened the hearing for public comment.

Mr. Ethan Miller, applicant, said that the property was owned through his company, Blue Springs Land Corporation. He said that the proposal was to subdivide two lots on the southern portion of the property. He noted that one lot was not accessible from the road. He said that the site had been subject to a previous special use permit.

Mr. Miller said that lot one was 64.52 acres, and lot two was 28.77 acres. He said that the new residue parcel would be 349 acres. He said that most of the property was in forests. He said that there were two areas of agriculture. He said that the property originally consisted of two parcels totaling 695 acres. He said that under the County zoning ordinance, the total acreage could have been divided by-right into 41 or 42 parcels. He said that if the special use permit were approved, there would only be 35 subdivision lots.

Mr. Miller said that in 1981, Ms. Miller applied for and was granted SP81-01 and SP81-55 which provided for the division of the property into 33 lots containing 153 acres. He said that the effect of the special use permits was to cluster the development instead of spreading them out across the property. He said that since the original approval, approximately 89 acres of the residue had been added to the lots, mostly to the farmhouse property.

Mr. Miller said that no additional lots had been added since 1981. He said that he and his wife acquired the residue in August 1993. He said that a majority of the property had been in forest use, and the rest was mainly in agricultural hay production. He said that the proposed subdivision plan proposed to subdivide the southern portion into two lots.

Mr. Miller said that 14 acres were proposed to remain in conservation. He noted that the property was geographically separated from the rest of the property. He said that they proposed to locate the new entrance to not have to cross Ivy Creek. He said that it crosses a southern tributary at a higher elevation outside of the flood plain. He said that the new lots would qualify for land use taxation for forests, and they expected the lots to remain in those uses.

Mr. Miller said that the forests were typically harvested through clear cutting, but it was unpopular with the neighbors, so selective cuttings were used. He said that smaller tracts of forests connected to residential use were more likely to be selectively harvested.

Mr. Miller said that, as far as the water supply protection question that was asked previously, under the existing SPs that were adopted in 1981 there were no protections for the watershed. He said that is the major benefit to this project and that there is a balance to protecting the watershed and allowing the additional uses to what was granted by right. He said what they were doing would be a positive benefit to the community and that the area included about half a mile of Ivy Creek and the two tributaries shown on the slide, which had no protection but would have some after the proposal was adopted.

Mr. Gallaway left the meeting at 7:28 p.m.

Mr. Andrews thanked Mr. Miller and said he was appreciative of the added protections. He said he was still fascinated that this was taken into as a cluster subdivision, and he thought that had a lot of

merit, but there had been discussion of development rights versus real development rights. He said sometimes taking into account the terrain made it difficult to develop further. He said clearly they had the ability to do these two but he had not looked at the topographical map of the residue to see if there were appreciable impediments to what might have ever been done there.

Mr. Miller indicated to a portion of the map and said there were some very steep areas in that region. He said as a practical matter, that section of steep terrain was about 100 acres and was inaccessible to the surrounding roads because of the steep slopes. He said the only way to access it would be from across the railroad tracks to the north

Mr. Miller said the other portion of the property to the south of the steep slopes was easily accessible by extending one of two roads, including the phase 1 road that was stubbed out and intended to be available if the subdivision was expanded. He said, as Ms. Ragsdale had pointed out earlier, this was approved under a prior Board more than 40 years ago, and Ivy looked very different then. He said at that time, the area was zoned Village Residential, not RA (Rural Areas). He said since Spring Hill, all of the surrounding area had developed, and South Ivy of 2024 was very different to South Ivy of 1981. He said he would not get into if RA was still the appropriate zoning.

Mr. Andrews said he appreciated that every situation was unique which was why they were looking at this individually. He said he remembered back in 1980 or thereabouts there was a similar proposal put forward for cluster development at the Blandemar Farm and he did not think it was approved, since it was never developed.

Mr. Miller said he knew a bit of the history with Blandemar and it was interesting. He said at one point it was Canyon Ranch and that was turned down but instead Mr. Rosenstiel turned it into 21-acre lots, which were significantly not clusters. He said everyone had a different opinion about that but personally he did not think that was the best way to develop property. He said based on his experiences, it was easy to own 60 acres of forest but if you had a 21-acre farm there were lots of animals, equipment, and other obligations that made it a lot more difficult than forestry on a larger property.

Ms. Mallek said she had no questions but that she wanted to add that when the 21-acre downzoning happened, no one dreamed that there would be 21-acre front yards, which was what they ended up with.

Ms. Price opened the hearing for public comment.

Mr. Doug Easter, Jack Jouett District, said that he and his wife intended to purchase the first lot. He acknowledged the staff time involved in the process. He said that he agreed with the proposed special use permit conditions. He said that they did not have intentions to subdivide the property.

Ms. Price closed the public hearing.

Mr. Andrews said that he was supportive of the proposal.

Ms. Mallek said that she was supportive of the proposal.

Ms. LaPisto-Kirtley said that she was supportive of the proposal.

Ms. Price noted the impacts to the Comprehensive Plan. She said that Mr. Gallaway had to step away from the meeting.

Mr. Andrews **moved** to adopt the Resolution to Approve SP202200030 (Attachment D), subject to the conditions contained therein.

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

AYES: Mr. Andrews, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.

NAYS: None.

ABSENT: Mr. Gallaway.

RESOLUTION TO APPROVE SP202200030 SPRING HILL FARM

WHEREAS, upon consideration of the staff reports prepared for SP 202200030 Spring Hill Farm and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(28) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas zoning district, 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 SP 202200030 Spring Hill Farm, subject to the conditions attached hereto.

* * *

SP202200030 Spring Hill Farm Special Use Permit Conditions

1. Further division of the residue of Parcel 58-95 shall require amendment of this special use permit.
2. No further division of proposed Lot 1 and/or proposed Lot 2 is permitted.
3. Development of existing Parcel 58-95 (including proposed Lots 1 and 2) must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Preliminary Subdivision Plat prepared by Kirk Hughes and Associates, last revised 1-06-23. To be in accord with the Preliminary Subdivision Plat, development must reflect the following major elements essential to its design:
 - a. Location of proposed Lots 1 and 2
 - b. Location of Conservation Areas
 - c. Location of entrance and access to proposed Lots 1 and 2Minor modifications to the Plat that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
4. Only one dwelling unit is permitted on each new lot (proposed Lots 1 and 2).
5. Stream buffers must be established and maintained consistent with Sec. 17-601 of Chapter 17 of the Albemarle County (the "Water Protection Ordinance") along all streams located on Lots 1 and 2 and Conservation Areas A and B as shown on the Preliminary Subdivision Plat; provided, however, that any existing entrance driveway and stream crossing that is permitted under the Water Protection Ordinance may remain within the stream buffer. A tree planting plan within the stream buffers to protect the currently open (non-forested) areas adjacent to the streams must be approved by the Agent, in consultation with the County Engineer, prior to the final subdivision plat creating the two new Lots 1 and 2. Prior to Lot 1 or Lot 2 engaging in agriculture, a best management practices plan must be approved by the Agent, which may at a minimum include:
 - Fencing livestock out of streams;
 - Installing alternative watering systems for livestock;
 - Planting riparian buffers with native vegetation; and
 - Establishing nutrient management plans.
6. Land clearing for residential development (including accessory structures such as sheds or pools) may not exceed two acres per parcel. This condition does not apply to agricultural or forestry use(s) of existing Parcel 58-95 (including proposed Lots 1 and 2). For purposes of this condition, land clearing for the construction of agricultural buildings, such as barns for the storage of tractors and other agricultural equipment, is considered agricultural use and not residential development.

Agenda Item No. 16. Closed Meeting.
Agenda Item No. 17. Certify Closed Meeting.

Agenda Items No 16 and 17 were not held since no additional Closed Meeting was required.

Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda.
Item. No. 18.a. Letter to DEQ Opposing the Repeal of the Regional Greenhouse Gas Initiative.

Ms. Price noted that an item had been added, a letter to DEQ (Virginia Department of Environmental Quality) opposing the repeal of the regional greenhouse gas initiative.

Ms. Mallek said that it may be helpful for the Board to approve the action to reverse the governor's decision.

Mr. Andrews said that he was supportive of the measure.

Ms. McKeel said that she was supportive of the measure.

Ms. LaPisto-Kirtley said that she was supportive.

Ms. Price said that she was supportive.

Ms. Mallek **moved** that the Board authorize the Chair to sign a letter to DEQ opposing the repeal of the Regional Greenhouse Gas Initiative.

Mr. Andrews **seconded** the motion. Roll was called and the motion passed by the following recorded vote:

AYES: Mr. Andrews, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.

NAYS: None.

ABSEMT: Mr. Gallaway.

Item No. 18.b. Other Matters.

Ms. McKeel requested an update from the County Executive on the process for Hydraulic Road and the Lambs Lane Campus safety study. She said that a safety officer had been involved in a hit-and-run at Albemarle High School.

Agenda Item No. 19. Adjourn to March 22, 2023, 3:00 p.m. Room 241.

At 7:46 p.m., the Board adjourned its meeting to March 22, 2023, 3:00 p.m., Room 241. Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

Chair

Approved by Board
Date: 02/19/2025
Initials: CKB