

ACTIONS		
Board of Supervisors Meeting of June 12, 2024		
		June 13, 2024
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The meeting was called to order at 1:00 p.m. by the Chair, Mr. Andrews. All BOS members were present. Also, present were Jeff Richardson, Steve Rosenberg, Claudette Borgersen, and Travis Morris. 		
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Mentioned that she did a presentation at Rivanna Station with the goal of assisting veterans with PTSD (Post-traumatic stress disorder). <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> Announced that it was the last week of early voting for congressional primaries and that votes could be cast at the 5th Street County Office Building. Announced that on June 17, 2024, the Batteau Festival would be celebrated in Scottsville. Announced that the Scottsville Boys and Girls Club would celebrate their anniversary on June 21, 2024, from 5:00 p.m. - 7:00 p.m. Announced that the Scottsville 4th of July Parade would be held at 9:00 a.m. and that there would be events throughout the day, followed by fireworks in the evening. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Mentioning that Jennifer Whitaker, Director of Engineering from the Rivanna Water and Sewer Authority, had recently presented to the Places 29 Hydraulic Community Advisory Committee. She mentioned that she learned that mobile campers could dump waste 24/7 at the Moores Creek Advanced Water Resource Recovery Facility. Commented that Dan Eggleston, Albemarle County Fire Rescue Chief, presented at a recent Places 29 Hydraulic Community Advisory Committee regarding safety concern due to recent fires in the community. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that the Charlottesville Band would be traveling to different locations for monthly concerts and that there would be a concert at the Paramount on June 30, 2024, and at Monticello High School at a future date. Announced that the Crozet Fireman's Parade would be held on June 29, 2024, at 5:00 p.m., followed by fireworks at King Family Vineyard. Announced that the 28th Annual Earlysville Parade would be held on July 4, 2024, at 10:00 a.m. Commented that she had shared the Annual Report for Virginia Career Works with Board members. She mentioned that the previous day 		

[Link to Video](#)

<ul style="list-style-type: none"> At 5:08 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia: under subsection (1), to discuss the appointment, promotion, performance, or resignation of specific administrative employees of the county appointed by the Board of Supervisors; and under subsection (5), to discuss the expansion of an existing industry in the southern part of the county in the Scottsville Magisterial District, where no previous announcement has been made of the business's interest in expanding its facilities in the community. 		
13. Certify Closed Meeting. <ul style="list-style-type: none"> At 6:05 p.m., the Board reconvened into an open meeting and certified the closed meeting. 		
14. From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u> <ul style="list-style-type: none"> Presented the June 2024 Progress Albemarle report. 		
15. 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. <ul style="list-style-type: none"> There were none. 		
16. <u>Pb. Hrg.: Electric Vehicle Charging Fee Ordinance.</u> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED ordinance allowing the County to charge a two-part fee for public use, effective July 1, 2024, for the charging of electric vehicles at County-owned charging stations, consisting of (1) a charge of \$0.147 per kilowatt hour and (2) a dwell-time fee of \$2.00 per hour, capped at \$25.00 per session. The dwell time fee is designed to encourage users to move their EVs after their batteries are fully charged to allow maximum community utilization of the EV chargers. 	<u>Clerk:</u> Forward copy of signed ordinance to Facilities and Environmental Services and County Attorney's office. (Attachment 8)	
17. <u>Pb. Hrg.: ZMA202400002 Rivanna Futures.</u> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED ordinance approving ZMA202400002. 	<u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 9)	
18. <u>Pb. Hrg.: SP202400014 Rivanna Futures.</u> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution approving SP202400014. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 10)	
19. <u>Pb. Hrg.: Ordinance to Amend County Code Chapter 2, Administration, to Increase the Compensation of the Board of Supervisors.</u> <ul style="list-style-type: none"> By a vote of 6:0 ADOPTED ordinance. 	<u>Clerk:</u> Forward copy of signed ordinance to Human Resources and County Attorney's office. (Attachment 11)	
20. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Mentioned that the first Fire Rescue Foundation meeting was held the previous day and that they were working on the Memorandum of Understanding. <u>Ned Gallaway:</u> <ul style="list-style-type: none"> Commented that <i>Safe Streets for All</i> was now 		

<p>called <i>Move Safely Blue Ridge</i> and that outreach was being conducting with various jurisdictions.</p> <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> • Mentioned that the Regional Affordable Housing Conference was on the horizon. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> • Commented on the approval of minutes earlier that day and noted that they were from September of 2022. 		
<p>21. Adjourn to July 17, 2024, 1:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:25 p.m. 		

ckb/tom

Attachment 1 – Proclamation Recognizing John Henry James Day

Attachment 2 – Proclamation Recognizing Juneteenth

Attachment 3 – Resolution Repealing Certain Personnel Policies

Attachment 4 – Resolution Approving the Scheduling of Public Hearing(s) on the Proposed Conveyance of Easements Across County-owned Parcel 062-F0-00-00-000E2

Attachment 5 – Resolution to Approve SE 2023-00034 Nix Way Tier II Wireless

Attachment 6 – Resolution to Approve Additional FY 2025 Appropriations

Attachment 7 – Resolution to Support the Smart Scale Project Applications in Albemarle County

Attachment 8 – Ordinance No. 24-A(4)

Attachment 9 – Ordinance No. 24-A(12) ZMA 2024-00002

Attachment 10 – Resolution to Approve SP2024-00014 Rivanna Futures

Attachment 11 – Ordinance No. 24-2(1)

PROCLAMATION RECOGNIZING JOHN HENRY JAMES DAY

WHEREAS, the Albemarle County Board of Supervisors has committed to sharing an inclusive history of our County as a part of our Community Remembrance Project, which includes untold and unsavory stories that have been excluded from the dominant narrative; and

WHEREAS, after the Reconstruction era in the United States, the crime of lynching succeeded slavery as a means to uphold racism and white supremacy; and

WHEREAS, John Henry James was one of at least 84 people lynched during the period of 1877-1950 in Virginia, and most importantly, the national Equal Justice Initiative has determined and documented that it was in Albemarle County where Mr. James' body was shot dozens of times and his corpse left hanging in public for hours; and

WHEREAS, no one was ever punished for this injustice that occurred in Albemarle County on July 12, 1898, though it happened at the hands of over 150 unmasked white men in the presence of the county sheriff and police chief; and

WHEREAS, it is a new era in Albemarle County and the Board of Supervisors recognizes that a history of racial injustice must be acknowledged, recognized, and remembered for community healing and that July 12, 2024, marks the 126th anniversary of the lynching of Mr. John Henry James; and

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize this tragic anniversary and continue to declare July 12th, as John Henry James Day, initially established by the Board in 2021 to remember our shared community history and as a demonstration of our commitment never to forget or to repeat this tragedy.

Signed this 12th day of June 2024.

PROCLAMATION RECOGNIZING JUNETEENTH

WHEREAS, the County of Albemarle, in keeping with the core principles of our great United States of America, believes that all persons are created equal and possess unalienable rights to life, liberty, and the pursuit of happiness; and

WHEREAS, on June 19, 1865, more than two years after the Emancipation Proclamation was signed to free all enslaved people, enslaved Americans in Galveston, Texas, were finally told that they were free from the bondage of slavery and were, for the first time recognized as citizens of our Nation; and

WHEREAS, Black Americans came to commemorate this day as Juneteenth with celebrations across the country, building new lives and a new tradition that we honor today; and

WHEREAS, the Board of Supervisors recognizes the enduring cultural and historical significance of emancipation, acknowledges the universally cherished values of liberty and justice, and emphasizes our common humanity; and

WHEREAS, the Board of Supervisors encourages all persons in Albemarle County to recommit to our shared work to ensure racial justice and equity and to commemorate the centuries of struggle and progress led by educators, civil rights advocates, abolitionists, activists, lawyers, trade unions, religious leaders, public officials, and everyday Albemarle County residents who have brought us closer to fulfilling this promise.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors do hereby recognize June 19, 2024, as Juneteenth and celebrate the joy of people finally being free.

Signed this 12th day of June 2024.

RESOLUTION

WHEREAS, the Board of Supervisors has adopted personnel policies and procedures in the Albemarle County Personnel Policy Manual (the "Manual"), which adoption is codified in Albemarle County Code § 2-901; and

WHEREAS, the Board desires to repeal the following policies in the Manual: §P-01 Employee Relations Principles, §P-07 Personnel Policies and Goals, §P-20 Personnel Funded Through Other Than County Budget, and §P-42 Staff Representation on Committees and Task Forces.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Albemarle County, Virginia (the "Board"), hereby repeals the following policies in the Manual: §P-01 Employee Relations Principles, §P-07 Personnel Policies and Goals, §P-20 Personnel Funded Through Other Than County Budget, and §P-42 Staff Representation on Committees and Task Forces.

BE IT FURTHER RESOLVED that the Board reaffirms all other personnel policies and procedures in the Manual, previously adopted by the Board, all of which remain in full force and effect.

**RESOLUTION APPROVING THE SCHEDULING OF PUBLIC HEARING(S) ON THE PROPOSED
CONVEYANCE OF EASEMENTS ACROSS COUNTY-OWNED PARCEL 062F0-00-00-000E2**

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

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

WHEREAS, *Virginia Code* § 15.2-1800 requires public hearing(s) prior to the conveyance of these interests in County-owned real property;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the scheduling of public hearing(s) on this proposal.

**RESOLUTION TO APPROVE SE 2023-00034
NIX WAY TIER II WIRELESS**

WHEREAS, upon consideration of the memorandum prepared in conjunction with the SE2023-00034 Nix Way Tier II Wireless application and the attachments thereto, including staff's supporting analysis, any comments received, all of the relevant factors in County Code §§ 18-5.1.40 and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the County's zoning regulations to at least an equivalent degree as the specified requirement and that the proposed special exception would not have adverse visual impacts.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(b) on Parcel 09200-00-00-056B3, as specified in the SE 2023-00034 application, provided that no antenna exceed 1,882 square inches in size.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2025 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2025001 is approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2025.

**RESOLUTION TO SUPPORT THE SMART SCALE PROJECT APPLICATIONS
IN ALBEMARLE COUNTY**

WHEREAS, the County of Albemarle desires to submit applications for projects to be funded through the Smart Scale Program in the Fiscal Year 26-31 Six-Year Improvement Plan; and

WHEREAS, the County of Albemarle also desires the Charlottesville-Albemarle Metropolitan Planning Organization to submit applications for projects located within Albemarle County, to be funded through the Smart Scale Program in the Fiscal Year 26-31 Six-Year Improvement Plan; and

WHEREAS, these applications are requesting funds to implement the following projects:

Albemarle County:

1. Old Trail Drive and US 250 West Intersection Improvements
2. US 29 and Plank Road Intersection Improvements
3. Rio Road and Hillsdale/Northfield/Old Brook Improvements
4. Barracks Road and Georgetown Road Improvements

Charlottesville-Albemarle Metropolitan Planning District Commission

5. US250/Peter Jefferson Parkway and Rolkin Road Pipeline Bundle
6. I64/Fifth Street Interchange Improvement (Exit 120)
7. Barracks Road Pipeline US29/US250 Interchange and Shared Use Path
8. Barracks Road Pipeline Corridor Improvements (Georgetown Road to Emmet Street)

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby supports the submittal of the Smart Scale applications for funding of the above-listed projects on behalf of Albemarle County.

ORDINANCE NO. 24-A(4)**AN UNCODIFIED ORDINANCE TO ESTABLISH RATES FOR COUNTY-OWNED ELECTRIC VEHICLE CHARGING STATIONS**

WHEREAS, Virginia Code Section 2.2-614.5 permits Albemarle County to locate on any property under its control a retail fee-based electric vehicle charging station, and to offer from those stations electric vehicle charging at prevailing market rates,

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that:

1. A Rate for electric vehicle charging at County-controlled electric vehicle charging stations for public use will become effective on July 1, 2024. That Rate will be \$0.147 per kilowatt hour.
2. The Rate will be recalculated every fiscal year, beginning on July 1 of the new fiscal year. The rate will be equal to the electrical rate provided by the public electrical supplier, plus the actual fees that the County pays to a third party to lease and maintain the relevant electric vehicle charging station, plus the actual administrative fee that the County pays to a third party for the relevant electric vehicle charging station.
3. A fee equal to the Rate shall apply to all electric vehicle charging by members of the public at stations operated by the County.
4. The fee will be collected directly from the customer at the point of sale through a payment processing method selected by the County Executive.
5. After a vehicle has discontinued charging, it must be removed from a charging space within 30 minutes. Any vehicle in a charging space that is neither charging nor within that 30 minute period shall be fined \$2 per hour, to a maximum of \$25.

**ORDINANCE NO. 24-A(12)
ZMA 2024-00002**

**AN ORDINANCE TO AMEND THE ZONING MAP FOR
PARCELS 03200-00-00-005C0, 03300-00-00-00100,
03300-00-00-001D0, 03300-00-00-01000, AND 03300-00-00-01400**

WHEREAS, application ZMA 2024-00002 was submitted to rezone 172 acres on Parcels 03200-00-00-005C0, 03300-00-00-00100, 03300-00-00-001D0, 03300-00-00-01000, and 03300-00-00-01400 from Planned Residential Development (PRD) and Rural Areas (RA) to Light Industry (LI); and

WHEREAS, on May 14, 2024, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2024-00002;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2024-00002 and their attachments, the signed Proffers dated May 16, 2024, the information presented at the public hearings, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-27.1 and § 18-33.6, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2024-00002, subject to the signed Proffers dated May 16, 2024.

**RESOLUTION TO APPROVE SP2024-00014
RIVANNA FUTURES**

WHEREAS, upon consideration of the staff reports prepared for SP202400014 Rivanna Futures and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-27.2, 18-26.2, 18-26.3, and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400014 Rivanna Futures to permit "Independent offices; within structure not established or not vested until after April 3, 2014" on those portions of Parcels 03200-00-00-005C0, 03300-00-00-00100, 03300-00-00-001D0, 03300-00-00-01000, and 03300-00-00-01400 zoned Light Industry (LI).

ORDINANCE NO. 24-2(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, ARTICLE 2, BOARD OF SUPERVISORS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, Article 2, Board of Supervisors, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 2-202 Compensation of the Board of Supervisors.

Chapter 2. Administration**Article 2. Board of Supervisors****Sec. 2-202 Compensation of the Board of Supervisors.**

The Board of Supervisors' compensation is as follows:

- A. *Salary.* The salary of each member is \$20,199 per year, effective July 1, 2024.
- B. *Stipend for the chair.* In addition to the salary, the chair shall receive an annual stipend of \$1,836.
- C. *Stipend for the vice-chair.* In addition to the salary, the vice-chair shall receive a stipend of \$612.00 per year.

(6-13-84; 5-8-85; 5-14-86; 7-1-87; 7-6-88; 6-7-89; Ord. of 6-13-90; Ord. of 8-1-90; Ord. of 8-7-91; Ord. of 7-1-92; Ord. No. 95-2(1), 6-14-95; Ord. No. 98-2(1), 6-17-98; Code 1988, § 2-2.1; § 2-202, Ord. 98-A(1), 8-5-98; Ord. No. 99-2(1), 5-5-99; Ord. No. 00-2(1), 6-7-00; Ord. 01-2(2), 6-6-01; Ord. 02-2(2), 5-1-02; Ord. 03-2(1), 6-4-03; Ord. 04-2(1), 6-2-04; Ord. 05-2(1), 6-1-05; Ord. 06-2(1), 6-7-06; Ord. 07-2(1), 6-6-07; Ord. 08-2(2), 6-4-08; Ord. 11-2(1), 5-4-11; Ord. 12-2(1), 5-2-12; Ord. 13-2(1), 5-1-13; Ord. 14-2(1), 6-4-14; Ord. 15-2(1), 6-3-15; Ord. 16-2(1), 6-1-16; Ord. 17-2(2), 6-7-17; Ord. 18-2(2), 4-11-18; Ord. 18-2(3), 6-13-18; Ord. 19-2(1), 6-5-19; Ord. 21-2(1), 6-16-21, Ord 22-2(1), 6-1-22, effective 7-1-22; Ord. 23-2(3), 5-3-23, effective 7-1-23; Ord. 24-2(1), 6-12-24, effective 7-1-24)

State law reference -- Va. Code §§ 15.2-1414.1, 15.2-1414.3.

This ordinance is effective on and after July 1, 2024.