

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on December 14, 2022 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: Ms. Donna Price, Chair; Ms. Beatrice (Bea) LaPisto-Kirtley, Vice-Chair, Ms. Ann Mallek, Ms. Diantha McKeel, Mr. Ned Gallaway, and Mr. Jim Andrews.

ABSENT: None.

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

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:05 p.m. by the Chair, Ms. Donna Price.

Ms. Price stated that the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(8), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." He said that the opportunities for the public to access and participate in the electronic meeting were posted on the Albemarle County website, on the Board of Supervisors' homepage, and on the Albemarle County calendar. He stated that participation included the opportunity to comment on those matters for which comments from the public would be received.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price mentioned that the title for Item 10, the Fiscal Year 2022 Annual Comprehensive Financial Report and Audit Results, must be amended to reflect that it was a draft report and draft results since the final report and results had not yet been received. She said that it would be received by the Board in January and would be addressed as a final report at that time. She said that the floor was open to a motion to adopt the final agenda as amended.

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

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

Ms. Mallek said the previous day, the Rivanna Water and Sewer Authority (RWSA) Board met for their monthly meeting, with a fascinating update about the Community Water Supply Plan and also the associated capital projects, which were in line over the next 15 years to carry that out. She said that she appreciated having the great presentation because it concisely put all of the work that had been done over 20 years to get them to this point. She said to look out for exciting new projects beginning in the next year or so.

Ms. Mallek said that she was glad to see that the TONY, the autonomous vehicle from Perrone Robotics, would be back at North Fork Research Park to take people through the various buildings. She said that the people in Crozet were mournful that TONY was no longer there, because it was a great success for people who did not want to drive. She said that they all received information from VDOT, Dominion Energy, and VACo (Virginia Association of Counties) about the storm that night. She asked for people to stay home if they could because they were expecting between 2/10 and 4/10 of ice, and VDOT could not do their job properly if cars were in the way. She reminded the public that 511 was the number to call for updated information about road conditions.

Ms. LaPisto-Kirtley said that she and Ms. McKeel attended a holiday party for the Albemarle County Police Department (ACPD). She said that there was a photograph of Ms. McKeel and Santa Claus that would be published later. She said it was nice to be there with the ACPD and to see so many children. She said that there were many families in attendance, and while she did not stay for the dancing, she had a lot of fun.

Mr. Andrews said that he had the privilege of attending the Community Reads event in Esmont last Thursday, for the book "Esmont, Virginia: A History," with a panel discussion of the history of Esmont. He said that he would never regret his time spent in that community. He wished everyone a very safe holiday.

Ms. Mallek said that there were copies of that book available in the little free libraries around the County.

Ms. McKeel asked if there was a way they could access the recording of that event.

Mr. Andrews said that he believed the event had been recorded.

Ms. McKeel said that if staff could provide a link so that they could access it, she would be grateful. She said that the ACPD Foundation event was very fun. She said that the Santa Claus at the event did not read books but told stories to the children, and it was a magical experience.

Ms. McKeel said that one of the outcomes around the microtransit discussions was that Monticello was in discussions with some of the providers such as the company that created TONY, because they were going to use something similar to move people around Monticello, which she thought was a great idea. She said that she had no further details but thought that it was an appropriate use for an autonomous vehicle such as that.

Ms. McKeel said that today, the JAUNT Board recognized Fran Hooper, Juandiego Wade, and Ray East for their 48 years of service on the JAUNT Board on behalf of Albemarle County. She said that it was nice that the JAUNT Board was able to recognize those individuals. She remarked that she noticed on the agenda that the JAUNT Board packet was 207 pages, confirming that they had very full packets as well.

Ms. Price said that over the calendar year, from colonial Williamsburg to Monticello, Richmond, Roanoke, Martinsville, Danville, Harrisonburg, Marian, Bristol, Newport News, Norfolk, Alexandria, Washington, D.C., and Charlottesville, she had the distinct pleasure and opportunity to participate in the Sorenson Institute's Political Leaders Program. She said that after each weekend of participation, she reported to the Board on many of the things that they did, including visits to the Virginia Institute of Marine Science, Buchanan Mines, members of the General Assembly, gubernatorial appointments, farming and livestock, education, industry, minor league sports, motor speedways, local elected, inevitable changes, innovations, and endurances.

Ms. Price said that it included 21 days, 40 meals, and 96 different presenters, and had ended last weekend. She said that she learned as much about the ongoing history of Virginia over that year as she had during her 30 years as a resident of Virginia. She said that Virginia's story was still being written, from the first permanent English settlement in Jamestown, Virginia, the use of slave labor, the American Revolution, the Civil War, segregation, Loving v. Virginia, and so many other events. She said that she could discuss the things they saw, but she would remember most the resilience of the people of Virginia.

Ms. Price said that she proudly wore the pin that represented graduation of that program, focused on more effective participation in public service, bi-partisanship, and understanding of the interplay between positions and decisions, and their impacts on the government in Virginia. She said that they finished the program at Monticello, which was located in the Scottsville Magisterial District, and she believed it was the crown jewel of their area. She said that Monticello had changed over the years since she had first visited it as a child, and she encouraged everyone to go and experience its many varied offerings. She said that the house was beautiful and historic, and was a UNESCO site, but was just a part of what could be learned there; there were so many more things to learn.

Ms. Price said that over the past three years on this Board, and especially in the past year as Chair, she came to greatly appreciate the work done by Board Clerk Claudette Borgersen, Senior Deputy Clerk Travis Morris, and their Assistant to the Clerk, Grace Tamblyn. She said that she had attended many meetings, and few of them ran as smoothly as they did in Albemarle County. She said to Mr. Walker that that was due to the work that staff did in preparing, but also the work done by the Clerk's Office to put them together. She said that she did not think there was any government organization in the region that was as well-served as they were in Albemarle County, so she wanted to give special attention and thanks to the staff of the Clerk's Office.

Ms. Price said that yesterday, she had the distinct opportunity to be at the White House for the signing of the Respect for Marriage Act by President Biden. She said that whether people did or did not support any particular legislation, the opportunity to be at the White House when the President signed a bill, particularly one as momentous as this, was something that she would never forget. She said that she had had many exciting opportunities in her life, from attending a presidential inauguration and a gubernatorial inaugural ball; she was an usher at a state funeral at the National Cathedral and a pallbearer at an Admiral's internment at the Arlington National Cemetery, to name but a few. She said that to be present on the lawn of the White House in the front row and have the opportunity to speak with and shake hands with First Lady Dr. Jill Biden, Vice-President Kamala Harris, and President Joe Biden was an experience she would never forget, particularly with this bill.

Ms. Mallek said that an addition to Ms. Price's history of Virginia was that there were nine recognized Native American tribes in Virginia, and the Monacan people were settled in Albemarle County for thousands of years. She said that it was necessary to remember that those people still lived in the County.

Ms. Price said that she appreciated that important additional information.

Agenda Item No. 6. Proclamations and Recognitions.

There were no proclamations or recognitions.

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

There were no speakers from the public.

Agenda Item No. 8. Consent Agenda.

Ms. LaPisto-Kirtley **moved** to adopt the Consent Agenda as presented. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

Item No. 8.1. Set Public Hearing for Lease of County-owned Meadows Community Center.

The Executive Summary forwarded to the Board states that the County-owned Meadows Community Center is primarily used by the residents of the Crozet Meadows and Meadowlands Apartments, with weekend and evening use available for the community. The Jordan Development Corporation began leasing the Meadows Community Center from the County in 2010. Management of the property has since transitioned to the Piedmont Housing Alliance (PHA).

The PHA wishes to continue leasing the Center, largely under a continuation of existing lease terms. The proposed new lease would have an initial term of five years, but could be either (a) terminated earlier by the County on six months' written notice or (b) renewed if the parties mutually agree. Proposed annual rent of \$6,426, adjusted for inflation, would continue. Under the proposed new lease (Attachment A), the PHA would continue to operate an office for the leasing and management of the Crozet Meadows and Meadowlands Apartments, and would also assume responsibility for the supervision and operation of the Community Center during office hours and resident events. The Community Center would continue to be available to the community after-hours by reservations through the Albemarle County Parks and Recreation Department.

The proposed lease would result in annual revenue of \$6,426, with rent for subsequent years indexed for inflation.

Staff recommends that the Board authorize advertising a public hearing to consider a proposed lease of the Meadows Community Center to the Piedmont Housing Alliance.

By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing to consider a proposed lease of the Meadows Community Center to the Piedmont Housing Alliance.

Item No. 8.2. SE202200059 Piedmont College Wireless Special Exception.

The Executive Summary forwarded to the Board states that the applicant has requested a special exception to modify County Code §18-5.1.40(b)(2)(c), which requires that antennas be mounted so that the closest point of the back of the antenna be no more than 12 inches from the facility and that the farthest point of the back of the antenna be no more than 18 inches from the facility. This special exception request is to increase the distance of the closest point of the back of proposed antenna from 12 inches to 18 inches from the facility. At no point would the back of antenna project more than 18 inches.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve the special exception, provided that no antenna project more than 18 inches from the face of the monopole to the farthest point of the back of the antenna.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment E to approve the special exception, provided that no antenna project more than 18 inches from the face of the monopole to the farthest point of the back of the antenna:

**RESOLUTION TO APPROVE
SE 2022-00059 PIEDMONT COLLEGE WIRELESS**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2022-00059 Piedmont College Wireless application and the attachments thereto, including staff's supporting analysis, any comments received, all of the factors relevant to the special exception in County Code §§ 185.1.40 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)(c) as specified in the SE 2022-00059 application, provided that no antenna authorized by this special exception may

project more than 18 inches from the face of the monopole to the farthest point of the back of the antenna.

Item No. 8.3. VDOT Monthly Report (December) 2022, **was received for information.**

Agenda Item No. 9. **Action Item:** Responding to Mid-Year Federal Policy Changes in Department of Social Services Benefits.

The Executive Summary forwarded to the Board states that the Families First Coronavirus Response Act (FFCRA) was established to create a safety net of benefits and programs for community members during the COVID-19 public health emergency. FFCRA directed states to maintain Medicaid health coverage for everyone enrolled on or after March 18, 2020. Eligibility criteria were reduced and benefits increased during the pandemic in Medicaid, Supplement Nutrition Assistance Program (SNAP), and Temporary Assistance for Needy Families (TANF), and other programs. During this period of continuous coverage, local departments of social services were instructed not to review eligibility for program recipients, which has resulted in dramatically increased caseloads. The public health emergency period is scheduled to end in early 2023, requiring all local departments of social services to resume normal enrollment and eligibility determinations.

The Virginia Department of Social Services (VDSS) is actively planning for this unwinding of public benefits and may provide localities with temporary funding to expand staffing capacity, policy changes on case requirements, and centralizing some procedures to reduce local workload. Staff are proactively addressing this increase in workload using the best information available, adopting a conservative approach, in advance of any commitments from VDSS, as a mechanism for worker retention and workforce stabilization. While a date of January 14, 2023 had been previously identified as a date certain, staff have been informed that it will be after this date and that local departments will be given 60 days' notice. Staff are positioning Albemarle County to be responsive to that notice.

As a result of the FFCRA public health emergency response, there are currently 10,455 open Medicaid cases and 3,162 open SNAP cases in Albemarle County, with each case representing several individuals. At the end of the public health crisis, every case is required to be re-evaluated to determine whether current recipients remain eligible. Current DSS staff are unable to take on the tasks of resuming normal enrollment and eligibility determination operations without additional support. Staff request permission to add 5.0 Full Time Equivalents (FTEs) to assist with this transition. Staff anticipate that these FTEs will be needed for a period of 18 - 24 months, during which DSS leadership will maintain process data to determine whether and when these activities could be accomplished sufficiently with fewer staff.

The additional 3.0 FTEs in the benefits division include an eligibility worker to process eligibility determinations, an eligibility supervisor required for approving all changes, and a DSS specialist to provide administrative support. Recruitment would commence upon the 60-day notice from VDSS.

The additional 2.0 FTEs support in the Self-Sufficiency Unit are in response to the January 2023 requirement that all TANF recipients participate in the work program and the positions requested are for an employment services worker and a childcare services worker. Recruitment will begin upon approval.

The cost of adding these five positions for approximately six months in Fiscal Year 2023 (FY 23) would amount to \$203,291 in total expenditures. The state would provide \$67,086 in reimbursement revenue for these positions in FY 23 and the County would fund the remaining \$136,205 from the Countywide Salary and Benefits Reserve that was previously appropriated as part of the FY 23 Adopted Budget. The cost of these positions in FY 24 would be reviewed and incorporated into the Social Services operating budget during the FY 24 budget development process.

Staff recommends approval of an additional 5.0 FTE to address workload concerns due to the unwinding of public health emergency benefits.

Ms. Kaki Dimock, Director of the Department of Social Services, said that the Department of Social Services (DSS) felt itself responding to some significant mid-year federal policy change, which they predicted would result in a significant increase in the workload required to manage. She said they did not think that they were capable of doing so with the current FTE (Full-Time Equivalent) count, so they were present to request that the Board consider adding additional FTEs to get through this process. She said that the end of the public health emergency benefits, known as PHE (Public Health Emergency) Unwinding, during the beginning of the pandemic, the federal safety net programs intentionally decided to create expanded eligibility and no ending of benefits during the period of time of the pandemic, which was helpful for people experiencing workforce disruptions and additional concerns for their families.

Ms. Dimock said that it had resulted in a dramatic increase in cases being managed by the Virginia Department of Social Services and therefore local departments of social services. She said that there were currently 10,500 Medicaid cases open right now, and 3,400 SNAP (Supplemental Nutrition Assistance Program) or food stamp cases. She said that because no ongoing eligibility was being determined, the caseloads increased, and when the public health emergency benefits ended, all of those cases would need to be reviewed for eligibility, which was why there was an additional workload.

Ms. Dimock said that it was confusing, because the current extension of the public health emergency benefits was scheduled to end on January 14, 2023, and they had been extended at 90-day intervals for the past 18 months. She said that it had become expected that the extension would occur, but they were informed robustly by state and federal representatives to not expect an additional extension. She said that they were also supposed to be given a 60-day notice of when the end was coming upon them, and they had not been given that notice either, so at that time, the public health notice was scheduled to end on January 14 because they had not been given an additional 90-day extension, but they also had not been given the 60-day notice.

Ms. Dimock said that this was a federal decision and was not optional for their local DSS, and the state would require them to take action immediately. She said that it would require the review of thousands of cases, and many of those changes would require supervisory approval. She said that it would require all recipients of TANF (Temporary Assistance for Needy Families) to participate in Virginia's Initiative for Education and Work beginning in January 2023, regardless of if the public health benefits were extended or not. She said that all of this was happening without much notice in advance of the state budget cycle, and it was unclear what additional support they could expect from the Virginia Department of Social Services.

Ms. Dimock said that one of the tools and options they had considered, and what they were requesting the Board's consideration for, was five additional FTEs to manage this additional workload. Those positions would include an eligibility worker to determine eligibility for those thousands of cases, an eligibility supervisor whose oversight is required for these eligibility determinations, a DSS specialist to provide additional administrative support, one FTE dedicated to employment services for those receiving TANF, and one childcare services worker to address childcare needs of those TANF recipients.

Ms. Dimock said that this request was presented to the Board with the best information available at that time, recognizing that this was a changing situation. She said that if approved, they would move to recruit and hire the employment and childcare services workers immediately because that work would become required for them in January, and they would hold off on the eligibility service worker, the supervisor, and the DSS specialist until they received the 60-day notice.

Ms. Dimock said that there was a possibility that they would receive support from the Virginia Department of Social Services, but it was unclear what that support would look like. She said that there had been many discussions but very little concrete assistance to date. She said that some of those things could include policy changes, the opportunity for Virginia Department of Social Services staff to take on some of the eligibility determinations electronically for the local departments of social services, and some of that support could come in the form of additional dollars or financial support for additional staff or overtime. She said that it was clear to her and the message from the staff that overtime was not the solution for this particular DSS, which was already taxed with a heavy workload, so as a workforce stabilization and retention effort, they were choosing to not pursue overtime as the only method. They have concerns that they would lose their staff.

Ms. Dimock said that this was likely to be an 18–24-month effort, and they would like to agree that these positions would be managed overall through natural attrition, and they had a turnover rate that allowed them to do that and would make it easier to recruit for these positions. She said that they would monitor changes in workload expectations and leverage whatever tools did come to them from the state level to ensure that they were using these resources effectively and appropriately. She said that she was delighted to have Mary Stebbins and Wanda Herman from DSS, who had more information about the unwinding process, and Thomas Unsworth from the Department of Finance and Budget to answer any questions about the budget implications for this

Ms. Dimock said that staff recommended approval of an additional 5.0 FTE in DSS to address workload concerns due to the unwinding of the public health emergency benefits.

Ms. Mallek asked if the 10,000 Medicaid cases were waiting to enter the system or were cases that were already enrolled and had to be reevaluated.

Ms. Dimock said that they were already enrolled, and as of March 1, 2020, they were told not to deny or decline anyone for benefits through Medicaid, so that expanded the roles rather than allowing normal attrition to occur.

Ms. Mallek asked if they partnered with VCWP (Virginia Career Works Piedmont). She said that she was concerned that the education, training, and jobs would be back, but without state support for those activities. She said that she would like to know if Ms. Dimock had any information on that.

Ms. Dimock said that they certainly had strong partnerships and succeeded on multiple levels because of those partnerships. She said that in terms of the support coming from that route, it remained to be seen as well.

Ms. LaPisto-Kirtley asked to see the second slide. She was going to ask the same question as Ms. Mallek about the Medicaid cases.

Ms. Dimock said that they were open, approved cases, waiting for the eventual resumption of the eligibility requirements.

Ms. LaPisto-Kirtley asked Ms. Dimock if the five FTEs would be able to address this caseload.

Ms. Dimock said that given the numbers and given the timeline for the unwinding process, the expectation was not that all local departments of social services would accomplish this goal within 90 days, but that they were given the timeframe of at least a year, maybe a year and a half, and potential support from the state, she believed the answer was yes. She said that they made this request and approached this workload with knowing very little and sometimes confusing information.

Mr. Gallaway said that when Ms. Dimock made the statement that it was not clear what the state would do relative to funding, she was referring to funding and not the reimbursement that was in the budget impact statement in the executive summary. He asked if the \$67,000 reimbursement was safe.

Ms. Dimock said that it was safe. She said that the hope was that it would be higher than that and they would receive additional resources to support the recruitment of additional staff to cover this workload. She said that so far, they had not spoken directly about new positions for local departments of social services; rather whether the Virginia Department of Social Services could take workload pressures off of local departments. She said the mechanism was yet to be defined, which was why there was limited confidence, particularly around the timing that they would get there. She said that there had been some discussion about whether they could give local departments some additional dollars for overtime.

Mr. Gallaway asked if that would be over and beyond the \$67,000.

Ms. Dimock said yes.

Mr. Gallaway said that it had been some time since they had received a staff update, but they had accelerated some positions for DSS in the last budget process, which was affected by the reality of how quickly those positions could be filled. He asked Ms. Dimock how quickly these particular FTE positions would be filled.

Ms. Dimock said that to date, they had had very little trouble recruiting and convincing people to join them for eligibility and benefits positions, but the difficulty they faced with recruitment was in child welfare. She said that she hoped that these positions would be staffed fairly quickly.

Mr. Gallaway asked if, in the event that the \$67,000 was not a firm number, he assumed there was enough in the contingency where the remaining \$136,000 was if they had to cover more than \$136,000 that they had enough space to do so.

Mr. Doug Walker, Deputy County Executive, said that there was adequate funding, but he did not think that it would be needed. He said that all of their DSS positions did come with a 30% match from the state and these positions were similarly situated. He said that it was expected that these positions would qualify regardless, and they had never not asked for a position that was eligible that the match was then not provided, so they went into this with confidence. He said that they expected that they would get it, and if not, they had adequate funding to cover the cost.

Mr. Gallaway said that this was presented as a temporary need. He said that he did not want the department to get funded for ongoing permanent operational needs when they knew that there were some positions that may have to be funded for only another year. He asked if that made sense.

Mr. Walker said that it did make sense. He said that they had some of those preliminary conversations, acknowledging that through the budget process, they would work with staff in the Department of Finance and Budget to determine the best way to address this funding need in FY24 and also FY25. He said that it was recognized that these were temporary, and they would not want to consume ongoing operating revenues if they did not have to, but it was a decision for FY24 that had been put out there.

Mr. Andrews said that he was concerned about the timing and ability to fill the positions. He said that he was struck that this was somewhat mandated through federal policy changes that were implemented nationwide and also affected many localities throughout Virginia in the same way. He said that he did not know if there had been any conversations with other jurisdictions and how they would handle this.

Ms. Dimock said that they had certainly been in contact with other jurisdictions, and the response ran the gamut, with some jurisdictions saying that they had unfilled positions that they felt could be filled to manage the workload without additional FTEs, and others who were in a similar request scramble to provide additional overtime, some temporary support, some additional staff like they were suggesting. She said that they were all facing the same onslaught and reacting quite differently to it.

Ms. Dimock said that there was potential for other jurisdictions to recruit positions similar to theirs at the same time they were, and this was one of the times they got to benefit from being Albemarle County, and DSS positions in Albemarle County were highly sought after, so they had not experienced the same kind of workforce challenges in terms of recruitment in eligibility and benefits that they had in other parts of DSS. She said that she remained confident that even in competition that they would prevail.

Mr. Andrews said that he applauded Ms. Dimock for being proactive and prepared. He said that he was also impressed by the plan that these positions could, through natural attrition, be longer-term, which would help with any transitions that came with people leaving.

Ms. McKeel thanked Ms. Dimock for addressing this concern as quickly as possible. She said that she did not think that the public understood the critical situation that DSS had been in since the pandemic began. She expressed her appreciation for DSS staff's hard work and the overtime they had struggled with. She said that she was glad to hear that the plan was to allow attrition, because it would be difficult to hire people who knew they would not have a job after two or three years. She said that it was unfortunate that they received a mandate with no funding attached to it. She said that she understood the need to do this and was supportive of it.

Ms. McKeel asked Mr. Walker to address the email he had sent concerning foster care staff in DSS.

Mr. Walker said that he sent information to the Board to make clear the distinction that they were experiencing critical needs within the foster care unit and how those were being addressed by using current vacancies to fill those and were not asking the Board for authorization to add FTEs.

Mr. Walker said that as a distinction between where they were now with this particular need with eligibility, they were now asking for the Board to give permission to add the FTEs. He said that it would be worth further conversation with Ms. Dimock about what was being experienced in foster care and why that was also playing out at the same time, while they still were distinct issues.

Ms. McKeel said that DSS had faced many challenges with many things happening.

Mr. Walker said that it was a caseload issue that was driven by different factors.

Ms. McKeel said that was right. She said that she appreciated that they were asking the Board for more FTEs, but she also was glad that staff came up with a way to solve the foster care problem by resolving FTE needs in a different way.

Ms. Price asked Ms. Dimock if she understood this issue.

Ms. Dimock said yes. She said that she was grateful for the County support in addressing the foster care need. She said that in their foster care unit, they had seen a significant increase in the number of children in foster care in the last 18 months, and they had also had a dwindling capacity to meet the state standards in that unit, where they at first were barely reaching the mark and now were far off the mark in terms of meeting the state standards. She said that there were a number of standards that they were able to meet and a significant number of state standards that they were unable to meet, most notably in the adoption area.

Ms. Dimock said that there were two adoption standards that they were unable to meet, one of which had an adoption rate of 89%, and what they entered for the last quarter was 0, so they were in significant trouble there. She said that part of the request was for the County to consider the two FTEs for foster care, with a particular interest in hiring people with adoption experience so that they could move that needle fairly quickly. She said that they were deeply appreciative of the work that the foster care unit did, and the need did not implicate them in any way whatsoever, and this was specifically a workload issue.

Ms. McKeel reiterated the importance of the Board recognizing what was going on with the number of cases that DSS had. She said that her understanding from Mr. Walker's email was that staff worked together to figure out how to cover some of the empty positions.

Mr. Walker said that he sent the information to the Board near to this conversation so that it reinforced the interest of staff to only ask for five positions and to make the distinction of what was driving the need in both of those areas, because they were somewhat similar from a caseload, but different in what was driving the caseload.

Mr. Walker said that in the case of foster care, there were two positions that were vacant and being allocated for that purpose, one in the Department of Finance and Budget that was made perhaps permanently available due to investments made in their payroll system and advances in the new Human Resources Department (HR), which changed the need for staffing and eliminated the need for a position.

Mr. Walker said that in the Community Development Department (CDD), a Principal Planner in

Zoning was different in that it would likely be requested in the future because of the turnover in that department and the challenges they had in the time it took to recruit, hire, and onboard, that they did not see how they could do that within the context of FY23 so that the outstanding space would need to be addressed through the budget process, which the Board would see. He said that the organization came together to solve an organizational problem and not only a DSS problem.

Mr. Walker said that they had had some success in using this strategy within departments where they had been repurposed positions to meet the greatest need, but this was a good example of where they were working across departments to look organizationally. He said that the positions did not belong to the departments, but rather to the Board, so he wanted to send the information to the Board so that they had an understanding and appreciation to address that distinctly from how this needed to be addressed.

Ms. McKeel said that she brought this up because sometimes the community looked at the FTEs and the positions that the County hired and thought that the County just hired more people. She said the hiring done by the County government was meant to solve problems and to work within the organization to solve these problems as best they could. She said that upgrades to their technology allowed them to reduce the number of positions required so that that could be used somewhere else.

Ms. Dimock said that both needs were being experienced simultaneously.

Ms. McKeel said that it was sad that the foster care program and their children faced such challenges, so she was glad there was an option to solve both problems.

Mr. Walker said that when Ms. Dimock raised these concerns, she had one PowerPoint presentation broken into two sections for each issue, but each was being addressed differently.

Ms. McKeel said that it helped to be an employer of choice in this situation.

Ms. Price said that she agreed with Ms. McKeel's comments and the additional information she asked to discuss. She said that in a County Executive form of government, the Board of Supervisors had one function, which was to vote, and after they voted, the County Executive implemented those decisions. She said that most of what the public saw related to land use and CDD because those were all public records. She said that the public did not see how significant DSS was because they dealt with matters of privacy and personal information that did not become a part of the public record.

Ms. Price said that what Ms. McKeel mentioned was that it was important for their community to understand the extent of work and the contacts that DSS had with thousands upon thousands of community members that was otherwise invisible. She thanked Ms. Dimock for the work she and her department did to take care of those who were most in need of that type of assistance.

Ms. Mallek said that they had always had more approved positions from the state than they were able to fill. She asked if these new five that they were activating were a part of that category.

Ms. Dimock said that these were new FTEs that were not a part of the existing count, either according to the Virginia Department of Social Services or Albemarle County.

Ms. Mallek said that she understood. She said that she understood that families across generations were probably terribly stressed, but she would like to know if the Family First adoption program was still having success.

Ms. Dimock said that she did not know the answer to that, but she could ask Mary Stebbins to address that question.

Ms. Mary Stebbins, DSS Deputy Director, asked if Ms. Mallek was referring to placing children with kinship families with the goal of adoption.

Ms. Mallek said yes.

Ms. Stebbins said that they had had very good success rates in kinship care, where their numbers indicated that about half of the children were with family or fictive kin placement. She said that they did an extensive family-finding effort, with a staff member whose sole purpose was to find families, and in addition, within child welfare, they brought in other people when they had emergent needs to do family finding to vet family so that when a child entered foster care or needed alternative placement, family was sought first every time. She said that they had good success and had some of the higher numbers in the state for kinship care.

Ms. Mallek thanked Ms. Stebbins for everything they did to help these vulnerable children.

Ms. McKeel **moved** that the Board to approve the staff recommendation for an additional five FTEs in the Department of Social Services. Ms. Mallek **seconded** the motion.

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

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

Ms. Price said that before the next item, she would like to make reference to the Blue Ridge Health District ceasing COVID-19 vaccinations effective December 30, 2022. She said that she was unsure if that was directly or indirectly related to some of the information that Ms. Dimock mentioned. She said that she received her bivalent vaccination shortly before this meeting, and it was important that everyone get their shots. She said that after the Blue Ridge Health District ceased to provide them, vaccinations could still be obtained at commercial drugstores such as Walgreens or CVS. She said that vaccinations were not only meant to protect yourself but also to protect others.

Ms. McKeel urged the public to get flu shots as well.

Ms. Price said that she now considered the COVID-19 vaccinations to be similar to the flu shot in that there kept being new variants that they must work to increase efficacy for. She said that it was important for those 65 years and older to get pneumonia and shingles vaccines.

Ms. McKeel said that at she was unsure of the exact date, but at one point, Japan required flu shots for young children, and they reduced the mortality rate of elderly people by 50%, because grandparents were not getting the flu. She said it was important to get vaccinated against the flu.

Agenda Item No. 10. **Presentation:** Fiscal Year 2022 Annual Comprehensive Financial Report and Audit Results.

The Executive Summary forwarded to the Board states that each year, the Board of Supervisors is presented an audited Annual Comprehensive Financial Report for the Board's review and acceptance, in accordance with Virginia Code §15.2-2511.

At its meeting, the Board will be presented the recently completed Fiscal Year 2022 (FY 22) Annual Comprehensive Financial Report. As in previous years, the Annual Comprehensive Financial Report contains a detailed accounting of the County's financial operations for the 2021-2022 Fiscal Year.

Highlights of the Annual Comprehensive Financial Report include:

1. The Transmittal Letter to the Board of Supervisors and the community, providing a summary of the County's geographic, demographic, economic, and financial features.
2. The Independent Auditor's Report, which states the auditor's opinion on the fair presentation of the County's respective financial position as of June 30, 2022.
3. The Management's Discussion and Analysis, providing a summary of the County's financial activity for the fiscal year, including tables and graphs.
4. A determination as to the County's FY 22 financial position's compliance with the Board's fund balance and debt policies.
5. Detailed information about the County's financial activity for the fiscal year, including statistical tables that provide historical economic and demographic information, as well as the auditor's Compliance Report.

The Annual Comprehensive Financial Report was presented to the Board's Audit Committee at its meeting on November 30, 2022, by Robinson, Farmer, Cox Associates, the County's external auditing firm.

There is no budget impact related to the presentation and acceptance of the FY 22 Annual Comprehensive Financial Report.

Staff recommends that the Board accept the FY 22 Annual Comprehensive Financial Report.

Mr. Jacob Sumner, Assistant CFO (Chief Financial Officer) for Policy and Partnerships, said that he would introduce the draft FY22 Annual Comprehensive Financial Report and Audit results. He said that David Foley with Robinson, Farmer, Cox (RFC), the auditing firm, was present today and would lead the remainder of the presentation. He said that they met with the audit committee on November 30 to go over preliminary results and the draft. He said that they were still in the draft phase and there was work that had commenced since November 30, but they were not quite there yet.

Mr. Sumner said that there were some big things that had occurred in the auditing and accounting realm that would materially change their financial statements and add different sections to their financial statements. He said that the core of their financial statements, such as the general fund, school, and operating fund, were in good shape and he would not expect those to change materially from the draft presented today, but there would be a few potential changes that could occur. He said that this year's audit encountered different challenges, and one of those was in staffing. He said that they were still in search of a controller who led the accounting efforts, and in absence of a controller, they had a team

effort in working through that year's fiscal year and their audit.

Mr. Sumner said that there was a new accounting pronouncement from a governing body called the Governmental Accounting Standards Board (GASB), which created standards for which they presented and reflected their financial reports. He said that a new pronouncement came out that was implemented this year called GASB-87 which revolved around leases. He said that leases before this standard were categorized as more of an operating lease, which was handled in a fund statement, or capital lease, which would look more like a fixed long-term asset. He said that this changed a lot for leases, and to that effect, it required a lot of research, additional reviews, and detailing of leases and things that qualified as leases. He said that in doing that, it took a lot of time and effort in researching documents and then applying the accounting treatment to each of those.

Mr. Sumner said that they had relied upon some outside sources to help them in this effort, and they wanted to ensure they did it correctly, which was part of the intent of presenting this draft material today. He said that on the auditor's side, it meant that they needed to do additional work, so RFC was reviewing the details along with staff to ensure that their statements were presented appropriately with this new lease standard, and the new sections in their footnotes had the correct language included. He said that it was typically a 185-page document that they produced, and he expected it to expand by a few pages.

Mr. Sumner said that today would include a review of the draft, and then they would bring back the final version to the Board, which he expected to be before them in January. He said that the final weeks of the calendar year would be used to wrap up the work needed, and on the Consent Agenda in January, they would present the final results. He said that he anticipated inclusion in the executive summary of some of the highlights of the financial statement, particularly emphasis on revenues and expenditures for FY22, and the fund balance at the end of the year. He said that this important information would be used in the FY24 budget process. He said that he would also be including a section on adherence to the financial policies, because they wanted to use solid numbers from an audited financial statement standpoint. He said that he wanted to recognize the accounting staff and all those partners who worked across multiple departments and offices to get this report and audit completed.

Ms. Mallek asked for Mr. Sumner to introduce any of those staff who were present.

Mr. Sumner said that Chase Chandler was the Accounting Manager and led the Accounting Unit. He said that Shenandra Usher, the Assistant CFO for Operations who oversaw Accounting as well as budget staff, was also present. He said that Ms. Nelsie Birch, CFO, provided great guidance to staff as they went through these efforts.

Mr. David Foley, Robinson, Farmer, Cox Associates, said that he was the partner in charge of the County's audit. He said that as Mr. Sumner noted, they were in the process of working through the final steps of completing the audit, and the County had to implement a new GASB this year, the lease standard, which was a significant standard. He said they were going through procedures to make sure that everything was correctly accounted for and noted, and that they would continue to work with County staff to get the audit completed.

Mr. Foley said they had issued drafts of the three documents as part of the audit, and that he would begin with the annual comprehensive financial report. He said that three different reports were included in the annual comprehensive financial report, and that they had met with the audit committee two weeks before and went through all of the draft items they had issued in detail, and that he would now just give a brief overview and the highlights.

Mr. Foley said that the first was on PDF page 8 of the report and comprised the independent auditor's report. He said that it stated that they performed an audit on the County's financial statements, and this was where they issued the opinion on the County's financial statements. He said that they anticipated issuing an unmodified opinion on the County's financial statements, which was the cleanest opinion an auditor could give on a set of financial statements and meant that the financial statements had been prepared in accordance with generally accepted accounting principles.

Mr. Foley said that the other two reports from them were in the back of the report, beginning on PDF page 144. He said that in accordance with government auditing standards, they issued a report on the County's internal controls over financial reporting and anticipated this report would be a clean report with no significant deficiencies or material weaknesses noted in the County's control. He said that issued as a separate document this year was a management letter containing recommendations they had for enhancement of internal controls, and that was reviewed with the audit committee in detail.

Mr. Foley said that the third and final report was the report on the County's compliance with the major federal grant programs, so as part of the audit, in addition to looking at the financial statements and numbers, whenever an organization expended more than \$750,000 in federal grant funds, they were required to undergo a single audit under the course of uniform guidance. He said that for the federal grant programs, the OMB (Office of Management and Budget) issued a compliance supplement that listed all of the various compliance requirements that the County and Schools had to comply with in carrying out

federal grant programs.

Mr. Foley said that as part of the audit, they reviewed that checklist to ensure the County and Schools were in fact in compliance with those requirements. He said that they anticipated that report to be clean as well, with no significant deficiencies or weaknesses in the County's compliance with its own major federal grant programs. He said that all three reports that would be included in the County's annual financial report were clean, and that they would continue to work with the County to complete the audit and issue the final documents.

Mr. Gallaway said that his questions had been answered at the meeting with the audit committee. He commended that some of the things noted in the documents were organizational changes, so if a summary or review of that were given, it would be helpful for the Board to hear.

Ms. Nelsie Birch, CFO, said that sometimes they had to go backward to go forward in their organization, and they continued to be in that position where they discovered situations that were not in best practice and required change or discovered areas where additional resources were required. She said that a few areas of considerable challenge for them were on the fixed assets side, or physical things in the community that they had paid for and the ability to appropriately account for that. She said that during the previous year's budget, the Board supported resource restructuring for the Department of Finance and Budget, and they put a full-time accountant on that section.

Ms. Birch said that one of the best things that came out of the CARES (Coronavirus Aid, Relief, and Economic Security) Act program was that they realized that they did not have the structure in place in the Department of Finance and Budget to be able to support a large grant program such as that. She said that since that time, they had moved some positions around and created a grants unit that was housed out of the Office of Management and Budget, which had allowed for fuller support of departments with respect to ensuring they understood grant requirements as they entered into them, compliance reporting required, and making a determination whether a grant was one they should be pursuing. She said that those were things that they did not do then as much as they did now, and they had further requirements because of the level of grant funding that they received, and that took a lot more reporting, compliance and review.

Ms. Birch said that they had also had an enormous amount of grant funding come through ARPA (American Rescue Plan Act), including over \$40 million infused into the County that they had to properly account for. She said that this allowed for them to have better reporting at the end of the year.

Ms. Birch said that more specifically, some of the things mentioned in the management letter related to payroll testing. She said that they went through a major overhaul of the payroll system, and it was no surprise that the auditors would do extra testing and determine if there were issues that remained. She said that the testing only showcased items of issue back in February, which had since been fixed as they moved through the new system and reporting, so it was not as concerning as if it would have been if they had not actually fixed that issue.

Ms. Birch noted that the areas of Board support where they had provided additional staffing or the core systems modernization work had begun to pay dividends, and they were getting better reporting out of their payroll system, and that allowed for the offer of a position to DSS.

Ms. Birch said that the last was for their financial system, which was in their plan, so there should be more of this as they continued, but as she mentioned, there would be some steps back before they moved forward.

Ms. Mallek said that the fact that they had worked out many of the issues surrounding grant applications meant that they would have more opportunities to get them moving forward. She said that she was excited to provide this service to the community.

Ms. Birch said that she had received thanks for this offering of a different service internally than had ever been provided before.

Ms. LaPisto-Kirtley said that she was happy to hear the remarks of Ms. Birch and knew that their moving in the right direction was due to Ms. Birch and her team's work.

Mr. Gallaway said that the internal control or major deficiency or material weakness was not present in their audit and that it was a clean audit, and the things noted in the audit committee were things that staff was already aware of and had process changes in. He said that from the perspective of both an auditor and the people the auditor was reporting to, all of the things that were potential issues were already being addressed.

Ms. McKeel said that she was appreciative of the advanced technological improvements being made in their organization. She said that it was not unusual for governments to be slow in upgrading technology and keeping current systems, but they should not be only focused on resources for the community and allow their own systems to lag. She said that these upgrades would benefit the

community as well, and Ms. Birch had described it as such.

Ms. Price said that Ms. Birch's leadership and her highly motivated team had brought to the Board several areas that were antiquated and caused complications, and then led them out of it to complete replacement.

Mr. Gallaway said that in addition to getting rid of antiquated systems, it also reduced human touch that slowed them down and made it easier for errors to be covered up or not known to exist, however, once moving to an automated or systemized approach, it helped with integrity and efficiencies in the system.

Ms. McKeel said that there was more transparency for the public with this new system.

Ms. Price said that transparency and open government was imperative for public confidence. She added that they were receiving this presentation for information at this point and were not accepting it as the final report, as the final report would be presented to the Board in January.

Ms. Birch said that most of the team in the Office of Management and Budget were always behind the scenes, trying to make things work that had not historically worked. She said that many of the Board had been through a lot with the County and had seen some of the challenges they had, and it was wonderful for the team to hear the kind words because it has been hard work for them.

Ms. McKeel said that some issues always happened as they moved to new systems, and it was to be expected.

Agenda Item No. 11. **Work Session:** Five-Year Financial Plan.

The Executive Summary forwarded to the Board states that long-range financial planning is part of the County's adopted financial policies: "The County will develop and annually update a long-range five-year Financial Plan. The Financial Plan will include a review of revenue trends and expenditures from the prior years' projections of revenues and expenditures, as well as future costs and the financing of the Capital Improvement Plan."

A long-range financial plan is different from the annual budget in that it emphasizes where the County may be headed at the end of the plan rather than the coming fiscal year. This planning can provide a helpful framework to inform the annual budget to ensure funding recommendations are aligned with County priorities. It also provides a framework to illuminate discussion around questions such as:

- a) Are the County's operating and capital plans in alignment? For example, if the County starts constructing a new facility in the capital budget, is it able to open and operate it in a future operating budget - can the decisions being made today be afforded in future years?
- b) What long-term strategies or policies could be considered to change the long-term trajectory of the financial plan?

The Five-Year Financial Plan is the next step in the County's long-term financial planning process, where to date:

- On August 24, 2022, the Board held a Strategic Planning Retreat for Fiscal Years 2024 - 2028 (FY 24 - 28).
- On September 7, the Board updated the County's Financial Management Policies and approved a FY 24 budget calendar
- On September 21, the Board held a work session on the FY 24 - 28 Strategic Plan Draft
- On October 5, the Board received an Economic Outlook Report presented by Dr. Sheryl Bailey, Visiting Professor of Practice, Virginia Tech
- On October 19, the Board adopted the FY 24-28 Strategic Plan goals and objectives.
- On November 2, the Board held the first Five-Year Financial Plan work session that focused on County Government services.
- On December 7, the Board held a joint Five-Year Financial Plan work session with the School Board.

Next, in accordance with the budget development schedule, the series of work sessions to review long-range financial planning information prior to the annual budget process will continue on December 14.

During this work session, staff will present and facilitate continued discussion on the Five-Year Financial Plan presented on November 2, 2022. The assumptions in the plan will continue to be updated in the annual budget development process and subsequent financial plans.

Long-range financial planning connects long-range fiscal planning with strategic priorities and provides an important context for the annual budget process.

Staff recommends that the Board share feedback and questions on the long-range Five-Year Financial Plan.

Mr. Andy Bowman, Chief of Budget, said that there were three items as part of the five-year financial plan information. He said that that included their desired outcomes and agenda to review the

past actions from August to the present and all of the long-range planning, where they were in the process to implement the County's Disposable Plastic Bag Tax, and at last week's meeting with the School Board, they heard a desire for the long-range Lambs Lane campus project. He said that the Supervisors acknowledged that it may be time to start the discussion about the adjacent transportation improvements, which they could begin today.

Mr. Bowman said that today was the eighth meeting since late August that focused on long-range strategic and financial planning. He said that the scheduling order and purpose of these meetings had been intentional so that they were connected, and the Board had provided feedback and direction as they headed into the FY24 budget process in February.

Mr. Bowman said that beginning with the Strategic Plan, through the summer of 2022, staff prepared potential goals and objectives based on the community's challenges and opportunities. He said that in August, the Board provided input and direction around six drafted Strategic Plan goals and related objectives. He said that the Board held discussions around how they could have different approaches to those challenges and opportunities, and they received community input through September and October. He said that that led to a process that concluded on October 19 when the Board adopted the FY24-FY28 Strategic Plan with the six goals shown on the slide he presented.

Mr. Bowman said that staff would now propose projects and initiatives that aligned with these objectives and develop schedules and resource alignment as they prepared the FY24 annual budget and the FY24-FY28 Capital Improvement Plan (CIP). He said that the intention was to build their work and resource plans, connect the Strategic Plan, and balance those with their customer service mandates as they progressed on these initiatives. He said that this would continue into the annual budget process, and beyond that, based on what was funded in the FY24 budget process. He said that the Office of Performance and Strategic Planning would begin regular updates and regular reporting to the Board and the community progress on those.

Mr. Bowman said that in September, the Board reviewed the County's financial management policies and made some updates. He said that the reason this was happening now was because of the potential of economic uncertainty, so this was an opportune time to review the County's financial management policies. He said that they knew that when they had moved on from a landscape after the CARES, ARPA, and other large federal funding formula allocations may not be there, that competitive opportunities would be.

Mr. Bowman said that they knew that in the next five years, they would have prepared for three bond issuances and rating reviews from the three major credit agencies.

Mr. Bowman said that finally, a regular review of their policies demonstrated solid financial management. He said that while they could not always predict what would happen next, sound policies could ensure that they were agile to respond to whatever circumstances may be further around the corner than they could see. He said that the most notable updates were that the Board of Supervisors strengthened the Budget Stabilization Reserve, and they also simplified the sharing of revenues among County Government and Albemarle County Public Schools (ACPS), among operations, debt service, and capital costs. He said that those updates were already being incorporated into the County's five-year financial plan that they began review of in November, which was work that would continue into the FY24 annual budget process.

Mr. Bowman said that in October, the Board received the economic outlook report, with three major takeaways that the County's overall economy was strong, the County did tend to follow state and national trends and would not be immune to a large-scale change in national, state, and global economies, and that given the collective reading of the economic signs, it was prudent to prepare for a potential decline in the economy. He said that there were two next steps in this report, which were that staff was preparing a memo at the Board's request about how staff and the Board could use this report in preparing revenue projections and what other policy tools may be out there.

Mr. Bowman said that in November, they held the first five-year plan meeting for this year that focused on two outcomes, which were to inform the Board of some long-range planning assumptions and to show some initial alignment with the Board's Strategic Plan with what the County's long-range financial outlook was. He said that the graph on the slide was from that presentation and showed a long-term gap. He said that it was a work in progress as they head to FY24, but they knew that there was a lot of information that was unavailable at this time. He said that the Board had the opportunity to give feedback.

Mr. Bowman said that this continued into last week, when they discussed with the School Board the approach to the CIP. He acknowledged that they were building a CIP with updated realities, such as increased project costs, increased borrowing costs, and an uncertain environment for the supply chain and availability of raw materials. He said that as the CIP continued to be updated, that would continue to be guided by the Strategic Plan, but he did want to take a moment, as they heard from ACPS to talk about what was currently in the CIP as of today. He said that much of it was what the Board had previously approved. He said that there was also a lot of work currently underway appropriated for FY23 that would extend into multiple years and that would support the Board's Strategic Plan. He said that all of

the projects shown on the slide had been appropriated in FY23 Capital Budget Projects, including from Schools the Mountain View School Expansion Project and the High School Center II Concept, and from County Government, the appropriation of the last phase of the Courts Complex Project, which will extend over several years, funding for Biscuit Run Park, funding for Transportation Leveraging Projects, a Street Sweeper, the Southern Convenience Center, the Core Systems Modernization, and other maintenance and replacement programs, which are a key part of their current capital budget .

Mr. Bowman showed a slide of what was on the horizon for FY24-FY28. He said that the initial appropriation of Biscuit Run was currently underway, with additional funding to be added in FY24, and again in FY27. He said that the Transportation Leveraging Program continued to be a regular part of the CIP from FY24 through FY27. He said that they had included a placeholder for the Strategic Plan update and Comprehensive Plan update over the next four years, which was a decision made by the Board to hold some of the County's financial policy and not fully obligate it in the last budget process, recognizing that the Strategic Plan and Comprehensive Plan process AC44 were underway.

Mr. Bowman said that the Northern Convenience Center was contemplated for FY24, and toward the bottom of the slide were the school renovations, and the design and construction of school capacity projects #2 and #3, which would be the elementary schools in the southern and northern feeder pattern that they heard from the School Board last week. He said that across all years were the maintenance replacement programs and obligations. He said that as they could see, FY28 was much more open-ended than the others because there was not an adopted CIP for FY28 last year, and how far they got on that would depend on the work completed in the first four years, with project costs and timing affecting that.

Mr. Bowman said that the next step in financial planning was the annual budget process. He said that they would return on February 22, when the County Executive would present a recommended budget and five-year CIP. He said that a public hearing would then be held on March 1 and would continue with other public engagement through that time. He said that from March 8 to April 12, there were six Board work sessions scheduled with some on an as-needed basis, and then on May 3, the budget would be adopted.

Mr. Ryan Davidson, Deputy Chief of Budget, said that he would be providing the Board with an update on the County Disposable Plastic Bag Tax. He said that during the FY23 budget process, the Board of Supervisors approved an ordinance authorizing the County to enact the Disposable Plastic Bag Tax. He said that part of those discussions included that communication would be given to the Board about any updates in the plan for the usage of those dollars.

Mr. Davidson said that the state gave the authority to localities to pass an ordinance for 5 cents per each disposable plastic bag provided to shoppers at local grocery stores, convenience stores, pharmacies, drugstores, et cetera, and the uses of those revenues were very prescriptive and limited to the areas shown on the slide, specifically for various environmental projects and for providing reusable plastic bags to the recipients of SNAP (Supplemental Nutrition Assistance Program) or WIC (Women, Infants, and Children) benefits. He said that the ordinance passed by the Board had an effective date of January 1, 2023, and based on that timing, they were estimating \$20,000 in revenue as part of the FY23 budget.

Mr. Davidson said that although this was a small budget item in terms of dollar amount, it received a lot of staff attention because of the amount of the community that was affected by it. He said that for FY23, the planned use for this funding was to provide reusable shopping bags for recipients of SNAP and WIC programs, and the adult beneficiaries of these programs were eligible to receive two bags per adult while the supplies lasted. He said they would love to do more, but that they didn't have an unlimited source of revenue for the program at that time. He said they would discuss the potential of additional bags being distributed to the community when they discussed FY24 options.

Mr. Davidson said that distribution of these reusable bags would begin in January and would happen at various community locations such as the Yancey Community Center, Greenwood Community Center, Northside Library, and the Department of Social Services (DSS). He said that there would be a specific time period they would inform the public of to pick up their bags at the locations, however, the bags would continuously be available at DSS at the Albemarle County Office Building on 5th Street throughout this entire period and as long as supplies last.

Mr. Davidson said that this program served as an opportunity to connect with the Buy Local Program. He said that all of the bags that would be distributed would be branded with the Buy Local campaign logo and would provide further exposure to that program as well. He noted that the City of Charlottesville was also enacting a plastic bag tax that went into effect on January 1, 2023. He said that they spoke with City staff, and the County's approach was consistent with what City staff was doing, so they felt that with both localities enacting a similar program at the same time, the more they could mirror each other, the less confusion there would be among citizens and businesses in the community.

Mr. Davidson said that because this was a new program for the community, the CAPE (Communications and Public Engagement) team put together a comprehensive outreach program. He

said that staff from Revenue Administration compiled a list of businesses that would be directly affected by this change, and their newly onboarded community connectors would be going in person to these local businesses to provide business information kits and help them know where to find information that answered questions they had as a business or questions that their customers may have.

Mr. Davidson said that once the final distribution dates were set, that information would be thoroughly communicated to the public through means such as press releases, social media, webpage banners, flyers, emails, and others. He said that the hub of information would be the website www.albemarle.org/BringYourOwnBag and would include frequently asked questions, distribution information, additional business kit information, and other information.

Mr. Davidson said that the future uses of this revenue would be evaluated as they progressed through the FY24 budget process and would be communicated with the Board. He said that looking at the potential options for FY24, they would evaluate the demand for reusable bags for FY23, and based upon that demand, would decide whether to provide additional bags to the public. He said that they would also work with the Facilities and Environmental Services Division to identify environmental program options that were executable in FY24.

Mr. Davidson noted that the FY23 budget contained six months of revenue, so for FY24, they would have the benefit of a full year of collection and a full year of revenue to do more than the reusable bags. He said that at the November 2 Board meeting, stemming from a question from a Board member, they talked to the revenue analyst more, and this was one of the projects they had that staff person researching, as well as researching other localities that enacted this before the County did, and tell them if the revenue assumptions should be adjusted.

Ms. Mallek said that she hoped the reusable bags would not be made of plastic. She said that there were natural materials to make bags out of, and she would be glad to volunteer to gather information in any way to ensure they used something that would definitely help people in the long run.

Mr. Andrews said that the decision of which bags to provide could be fraught, and he hoped there would be more research on that because there were environmental costs associated with any bag they may choose. He said that having participated in litter pickups around the County, they were successful efforts at community building and at cleaning up the type of litter that was created by plastic bags. He said that the Solid Waste Alternatives Advisory Committee (SWAAC) at their most recent meeting discussed the possibility of collecting and recycling gently used bags as another part of this process.

Mr. Davidson said that those were all things that had been discussed with the Facilities and Environmental Services Division and would be under consideration.

Ms. McKeel said that it was a great idea to recycle the gently used bags, and to be able to donate bags to be used was a great idea. She said that Wegman's was phasing out plastic bags as of the first of the year, and Kroger and Harris Teeter were also going to be doing that as well. She asked Mr. Davidson if that had been factored into their discussions and if it changed the response or dynamic at all. She said that it was great to include SNAP and WIC recipients, and if grocery stores were beginning to phase it out, they needed to have a way to verify that the people receiving the bags were those who were a part of the program.

Mr. Davidson said that they looked at the verification process, but did not want to make the process too onerous for the individuals that needed these bags, and that it was part of the details that were still being worked out for the distribution of the bags. He said that they had asked the revenue analyst to look at the other localities' experiences with the private companies phasing out plastic bags, and they would continue to ask those localities who have a little more experience and data.

Ms. McKeel said that Wegman's was making adjustments to its systems to track this information as well.

Ms. Price said that tax regulation ordinances were not simply for revenue generation, but a way for a government to demonstrate values and to modify behavior, and the cigarette tax and plastic bag tax related to that area. She said that the \$20,000 in estimated revenue was for six months of 2023, and then they would look at a full year for FY24.

Mr. Davidson said yes.

Ms. Price said that as more businesses used or provided fewer plastic bags, they could anticipate the behavior changes they sought were going up and the revenues likely would go down. She said there was more than just a gross calculation to get the \$20,000 number, but she would like to understand better. She said that at 5 cents per bag, it would be 400,000 bags, with 87,000 adults and 22,000 being seniors, so they could identify the basic population that would be making purchases subject to the plastic bags.

Ms. Price said that she hoped that the behavior changes would occur and there would be fewer

single-use plastic bags generated, resulting in less pollution of roadways, trees, and waterways. She said that she would like to understand what the revenue estimation would be for the future. She said that at some point they may no longer need the program because the behavior had changed, and it had been a total success. She said she did not see that \$20,000 in revenue for 6 months or \$40,000 for a year was the big budget item that they were dealing with.

Ms. Price said that she wanted them to be careful that if they were using a program to identify recipients of no-cost plastic bags they did not stamp them as free bags for poor people, because it stigmatized individuals and made people less likely to use these bags, which would undercut their objective.

Mr. Bowman said that the bags would be branded with the Buy Local campaign logo that was underway, which was part of staff's recommendation as part of the implementation of this program.

Ms. Price said that it had to be something that anyone in the community would likely be using.

Mr. Bowman said exactly.

Ms. Mallek said that she went to a store that gave 5 cents back if a customer used reusable bags for their groceries, and she hoped that other stores would implement that as another incentive.

Ms. Jessica Hersh-Ballering, Principal Planner for Transportation, said that Albemarle County Public Schools (ACPS) had identified a long-term vision for the development of the Lambs Lane campus, which included the construction of a loop road connecting to Hydraulic Road at Lambs Road to the north and Georgetown Green to the south. She said that at the same time, there were existing transportation concerns along Hydraulic Road near the Lambs Lane campus. She said that these concerns included gaps in the pedestrian and bicycle networks, as well as vehicle crashes involving severe injuries, and these concerns were outlined on the info sheet.

Ms. Hersh-Ballering said that both the proposed loop road and any potential improvements to the Hydraulic corridor would need to be studied further. She said that further study would allow ACPS and County staff to understand constraints and develop realistic cost estimates for all projects. She said that this kind of early planning work allowed them to make better grant applications and ensure that when those grants were awarded, the projects stayed within budget.

Ms. Hersh-Ballering said that these points were emphasized by VDOT staff at the recent MPO (Metropolitan Planning Organization) Policy Board meeting when the Culpeper District engineer noted that they could reduce contingency costs and make their projects more competitive by doing more planning work before submitting project applications. She said that this had been done on revenue-sharing applications before, namely Eastern Avenue and the Berkmar Extension, and both of those projects were funded.

Ms. Hersh-Ballering said that additionally, the construction of a loop road would impact the Hydraulic corridor, just as any improvements to the Hydraulic corridor would impact the function of the loop road, and as such, there would be a benefit to studying the campus and corridor improvements together. She said that the additional study of the corridor and loop roads would be completed by consultants and led by departmental staff as well as staff from Facilities Planning and Construction (FP&C), CDD (Community Development Department), and/or Albemarle County Public Schools. She said that this study would take at least four months from issuing notice to proceed to the consultant, and the cost of the study would likely be between \$100,000 and \$300,000 depending on the scope and detail requested.

Ms. Hersh-Ballering said that transportation projects were on incredibly long timelines, and the next major opportunity to apply for state funding for transportation projects would be revenue sharing in the upcoming round. She said that for the upcoming round, applications would be due in July 2023 and final applications would be due in October 2023 and if successful, the funding would be awarded in 2028. She said that following revenue sharing, the next opportunity for funding would be SMART SCALE, which was on a similar timeline to revenue sharing, but applications were made in even years, so if successful, awarded SMART SCALE funds would be available in 2029.

Ms. Hersh-Ballering said that this indicated that funding still needed to be identified to complete the additional study needed to prepare competitive grant applications for the loop road and corridor improvements. She said that the funding would be needed to be available as soon as possible to complete the study in time to submit an application in the coming rounds of transportation grant funding.

Mr. Gallaway clarified that they had a transportation issue that could be mistaken for just a ACPS project, but the issues must be kept connected because the solution to the intersection involved the ACPS's loop road. He asked for the rating of that intersection in crash data and safety reporting.

Ms. McKeel read from the report that the segment of Hydraulic Road immediately north of Lambs Road ranked 27th among VDOT-maintained roadway segments in need of safety improvements, and that

was in the Culpeper District.

Mr. Gallaway asked the number of roads that the rating was out of.

Ms. Hersh-Ballering said that it was the top one hundred.

Mr. Gallaway said that in the entire Culpeper District, sitting outside of a school in the County was number 27, which explained the urgency and the rationale behind it. He said that if they were to just fix the intersection as a transportation project and did nothing for the one-in-one-out aspect of that particular school campus, nothing would be fixed. He said the loop road was critical to getting the intersection fixed and functional.

Mr. Gallaway said that if they could go through the revenue sharing, when it was a high-ranking issue in the district and was so near a school, he hoped that VDOT could fast-track the project, and if it was revenue sharing, which he saw more than SMART SCALE for this from a timing standpoint and because they were more likely to get it because they would share in the cost, they could share state dollars and free up monies to use for other projects with what was shared from the state. He asked if they knew where the funding would come from to fund the study.

Mr. Walker, Deputy County Executive, said that the recommended source of funding was the Capital Advancement Strategic Plan Reserve, a fund of \$2 million available that was currently unobligated.

Mr. Gallaway reminded the Board that this was the same spot that they pulled funds from to pay for the Rio Road Corridor Study, and this was a fund that had only been around for a couple of years, but this would be consistent with the past use. He said that he supported moving this item forward so that it could be considered in the next round of revenue sharing.

Mr. Andrews said that he was supportive of moving this forward, and understood that without the study, they could not approach these other avenues, so it was necessary.

Ms. McKeel reminded the Board that the information about this had been sent twice to the Board via email. She said that she was very supportive, and those roads in the area were interconnected because there were traffic jams every day. She said that it had an economic development piece because of the roads involved and the movement of people. She asked if Ms. Hersh-Ballering could speak about the timing issue.

Ms. Hersh-Ballering said that the study would take at least four months once they got notice to proceed for the consultants and given that preapplications for revenue sharing were due in early July, they would like to begin this quickly.

Ms. McKeel said that the Places 29 Hydraulic Community Advisory Committee (CAC) had talked often about the struggles of pedestrians in the area, which was unsafe as a road. She asked Mr. McDermott about a report about how to improve this road that was shelved, and much of the report was not implemented and the area had completely changed again. She said that they should attempt to impact not only the campus but the lives of the people who lived in the area and those who tried to use the roads for transportation.

Ms. Price said that Mr. McDermott, Acting Director of Planning, had acknowledged that it had been about ten years since the report had been done.

Mr. Andrews appreciated the allusion to the memo received by the Board, but he wanted to ensure that the information was publicly available.

Mr. Walker asked what the question was.

Ms. McKeel said that the information provided to the Board by email should be publicly available.

Mr. Walker said that it was a public document, and while not broadly distributed, it was available as public information.

Ms. Price said that she wanted to give Ms. Mallek and Ms. LaPisto-Kirtley the opportunity to make comments.

Ms. Mallek said that this was the core for 25% of students in the County, and in addition to the economic development side, the public safety side and fact that Station 8 had to go down that road for a large percentage of their trips, and it was a major way to town for everyone in the northern half of the White Hall District. She asked if there was a consultants list of prequalified groups so an entire RFP would not need to be done.

Ms. Hersh-Ballering said that there were consulting teams on call, but it depended on how

expensive the study would be, which would determine whether or not they needed to use the RFP process.

Mr. Kevin McDermott, Acting Director of Planning, affirmed that there were multiple consultants on their term contract who could be contacted to get the study started quickly. He said that they had to talk about staff time internally and ensure that they had management ready to go for the process, but it could begin quickly.

Ms. LaPisto-Kirtley said that she hoped that if this was going on for ten years that they could bring it over the goal line and that it would not take another ten years to complete.

Ms. Price said that she supported the other Supervisors' comments, and there was no doubt about the priority the Board put toward resolving this issue. She asked Mr. Walker if he had all the information he needed.

Mr. Walker said it would be helpful for the Board to authorize the County Executive to utilize up to \$300,000 from the Strategic Plan Reserve for this purpose. He said that the executive had delegated authority, but this would make it clear in the record that the Board supported using the monies for this purpose.

Mr. Gallaway pointed out that the amount was up to \$300,000.

Mr. Walker said that was correct.

Ms. McKeel **moved** to authorize the County Executive to utilize up to \$300,000 from the Strategic Plan Reserve for the Lambs Lane Campus and Adjacent Transportation Improvements presented by staff. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

Ms. McKeel said that this was a good example for a positive action for the County Government and for ACPS when they worked together to solve problems and benefit the entire community.

Ms. Price asked Mr. Bowman if he had any further information.

Mr. Bowman said that this concluded staff's presentation.

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

a. Year in Review.

Mr. Walker said that Ms. Emily Kilroy would present the year in review.

Ms. Emily Kilroy, Assistant to the County Executive, said that she wanted to spend some time and give space to reflection and gratitude. She said that every activity in the video that was highlighted from this year was an investment of resources, including time, materials, and people, to meet a need that the community had articulated. She said that the Board had made decisions at every meeting to set policy, evaluate programs, and appropriate resources. She said that one area that the County had grown over the past several years was in their communications and audiovisual functions, and she hoped that was reflected in the video. She said that the specific people who worked to create the video were Abby Stumpf, Serena Gruia, Bridgette Butynski, Aki Parker and Chris Simmons.

Ms. Kilroy played a video.

Ms. Mallek said she appreciated all of this information.

Ms. LaPisto-Kirtley said that she would like to receive this information to review further.

Ms. Kilroy said that the link would be provided as soon as it was available.

Mr. Gallaway said that the concept and presentation were a great way to distribute the information, and the participants appeared to be enjoying it, so it would be fun for people to engage with.

Mr. Andrews said that he appreciated the content and presentation.

Ms. McKeel said that she had visited some of the sites and found lots of interesting things she had not been aware of. She said that the Buy Local campaign gave Scottsville a position on there, as it should.

Ms. Price said that she frequently heard people in the community voice their unawareness of opportunities and events in the County, but it was clear to her that the County was doing everything possible to ensure there were multiple overlapping ways to receive information as long as people put a little bit of effort in to reach that awareness.

Agenda Item No. 13. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said that she neglected to mention that morning that there was a report done by the Thomas Jefferson Soil and Water Conservation District (TJSWCD) that gave information about all of their education programs and the tens of thousands of adults and children who had participated over the last five years. She encouraged people to research the stewardship opportunities available and the federal resources to help.

Ms. LaPisto-Kirtley said that she neglected to mention earlier that Ms. Emily Kilroy was present at the ACPD holiday party, along with Bridgette Butynski and Abby Stumpf.

Mr. Gallaway said that the Regional Housing Partnership held their quarterly meeting, and they were happy to welcome Delegate Hudson as a guest, who talked about affordable housing from a state legislator's perspective. He said that some things that may be happening this session included short-term rentals, accessory dwelling units, and anything the legislature may do to try to restrict the locality's ability to make land use decisions. He said that Ms. Hudson also mentioned "rack reform," which would be line items like a Dominion Energy bill would have on it where they are getting money back for capital projects but could be in the base pay anyway, and there was potential bi-partisan support for this item.

Mr. Gallaway said that at the MPO (Metropolitan Planning Organization), they were reminded of how contingencies were calculated into projects and how as a strategy, they could try to lessen the contingencies, which served as a tool to get transportation projects done. He said that there could be follow-up there that was of interest to the Board. He continued that his CAC (Community Advisory Committee) meeting last week included a presentation of a small section of County-owned botanical garden property, and he had yet to see the full strategic plan for the botanical garden, which was a phenomenal plan. He said that the land use application would be easy to review, but the presentation at the Board level would be helpful to hopefully get some more audience to that.

Mr. Gallaway said that as the chair of the Regional Housing Partnership, he made a presentation to the Green County Board of Supervisors along with Keith Smith, the vice chair, and it would be fun to continue to go to the different Boards, including their own Board, after the start of the year.

Mr. Andrews asked if the Green County presentation was recorded and available.

Mr. Gallaway said that he believed so but did not know for sure. He said the presentation was concise, and TJPDC (Thomas Jefferson Planning District Commission) followed with a grant they were participating in.

Mr. Andrews asked when the next meeting was being held.

Mr. Gallaway said that Fluvanna County would likely be next, but they did not have a date due to conflicts with the presenters' schedules. He said that they would probably be in Albemarle to give the same presentation and finish with Charlottesville, Nelson, and Louisa, which had yet to be scheduled.

Ms. McKeel asked if the information that Ms. Hersh-Ballering shared about the Lambs Lane Road study could be made available.

Mr. Andrews said that it was not included in the Board packet.

Ms. McKeel confirmed that it was not a part of the Board packet. She asked if it could be made available for those who wanted to access it.

Mr. Walker said that they would take that as a follow-up.

Ms. McKeel said that the Regional Transit Partnership met recently, and they invited Sally Hudson and Creigh Deeds, because the consultant who had been hired to look at the potential creation of a regional transit authority was presenting, and it was great to have those representatives present and listening. She said that they were continuing work at the partnership around the idea of a transit authority, very early in the stages at that point. She said they had a consultant working with them on what the governance model would look like if they moved to that authority. She said that it was very preliminary information.

Ms. McKeel said that her CAC met that week, and Michael Culp, Director of Broadband Accessibility and Affordability Office, presented on broadband connectivity and affordability specifically for

the urban ring, and he did an excellent job. She said that people were amazed at the progress being made, and she encouraged other Supervisors to invite Mr. Culp to their CAC meetings. She said that another presenter at the CAC meeting was Garland Williams, who talked about the future of transit and specifically what the urban residents were interested in, which was the installation of bus shelters and improvements to bus stops.

Ms. LaPisto-Kirtley said that the 29-North CAC meeting included the announcement of two newly-hired people called "Community Connectors" and the discussion of an AC44 progress update. She asked if it was possible for them to produce a video that gave the latest information regarding the CACs to be shared among all of the CACs.

Ms. Price said that tonight and tomorrow, the 22nd, and the 27th had very cold temperatures and precipitation predicted, and she asked the community to be prepared for that.

Ms. Price said that she attended the Scottsville Town Council meeting on Monday, and the discussion largely centered around plans for the tire plant. She said that as they knew, the things that happened within the jurisdiction of the town of Scottsville were not in the jurisdiction of Albemarle County for development purposes, but there were impacts on the County for the decisions made in the town of Scottsville.

Ms. Price said that currently, there was an application being considered that would create about 200 apartments in the tire plant, and if that was not approved, there was industrial by-right development, so the town was dealing with those competing interests. She said that the things that were brought up were without regard to which of the developments may be approved, questions about water pressure and supply issues in the Town based upon either a high residential increase or industrial; response times for fire and rescue; the impact on traffic, and infrastructure. She said that those were all things that the County should be cognizant of if some of that development did take place.

Ms. Price said to ACPD and ACFR to be safe out there.

Agenda Item No. 14. **Closed Meeting.**

At 3:44 p.m., Mr. Andrews **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider:
 1. The annual performance of the County Executive.

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

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

Agenda Item No. 15. **Certify Closed Meeting.**

At 4:09 p.m., Mr. Andrews **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: Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Mr. Gallaway, Mr. Andrews, and Ms. Price
NAYS: None.

Agenda Item No. 16. Adjourn to January 4, 2023 at 1:00 p.m. in Lane Auditorium.

At 4:11 p.m., the Board adjourned its meeting to January 4, 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.

Chair

Approved by Board
Date: 11/06/2024
Initials: CKB