

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 1, 2024, at 1:00 p.m. in Lane Auditorium on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

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

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeff Richardson; County Attorney, Steve Rosenberg; Clerk, Claudette Borgersen; and Senior Deputy Clerk, Travis Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m. by the Chair, Mr. Jim Andrews.

Mr. Andrews said two Albemarle County Police Department staff were present at the meeting to provide their services, Senior Police Officer Ronnie Vanderveer and Lieutenant Angela Jamerson.

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

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Agenda Item No. 4. Adoption of Final Agenda.

Mr. Andrews said that he had not heard of any amendments to the Final Agenda, and that he was looking for a motion.

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

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

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

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

Ms. McKeel stated that on April the 24, the American Red Cross held a Celebration of Heroes. She said that some Board members were present at that meeting and found it enjoyable to see some of their own being recognized. She said that she specifically wished to acknowledge Grace Foster from the Western Albemarle Rescue Squad, who was awarded the 2024 First Responder Hero Award. She said that the 2024 Christopher E. Lee Servant Leader Hero was Marta Keane from JABA (Jefferson Area Board for Aging). She said that it had been a truly wonderful ceremony, and other individuals were also recognized for their service. She said that furthermore, the Red Cross had provided 167 units of blood to the community the previous year and served 138 families in central Virginia.

Ms. Mallek reminded community members that this was a time when water and sewer agencies, along with highway departments, were doing lots of road construction and road work. She said that as a result, they had to put down rumble strips all over the place because drivers were not paying attention and putting workers at risk. She requested that people take a moment to relax and slow down in these work zones and protect their neighbors who were working for them.

Ms. Mallek requested that everyone be mindful of their water consumption due to the dry weather. She said that the urban water systems came from the countryside, so they must work together to conserve as much as possible.

Ms. Mallek said that she was thrilled to celebrate the 10th anniversary of Solarize Virginia, which was done in partnership with the Local Energy Alliance Program or LEAP. She said that LEAP was founded in 2010 and had been working for their citizens ever since. She said that the Solarize program began in 2014 and had helped over 1,400 households in Virginia install solar panels in partnership with other funders. She said that out of those installations, 300 were in their local area, resulting in over 2 megawatts of residential solar power created. She stated that they helped residents save money on their electric bills while achieving climate goals for everyone. She said that the sign-up program was now open until June 30, and people could sign up at [solarizeva.org](https://solarizeva.org).

Ms. Mallek congratulated Green Olive Tree on 45 years of service in May. She explained that it was founded in 1979 by seven ladies in Crozet, some of whom were still alive today. She said that the shop had provided new life and use for household goods and clothing for local families with growing children or those needing to start again after a fire or other calamity. She said that it had outgrown many succeeding locations supported by large groups of loyal volunteers and was now seeking a larger location.

Ms. Mallek said that from its modest beginning, the Green Olive Tree shared proceeds with over 100 organizations worldwide and given away over \$1 million in cash receipts during its 45-year history.

She said that not only have numerous clothing items been exchanged, but the Green Olive Tree had become a community center where individuals could share love and support and find an opportunity to exchange ideas and concerns, leaving feeling refreshed and uplifted. She said that it was truly a gathering place for their community.

Ms. Mallek said that on the sign-in table, there were information sheets from Veterans Services. She said that Ben Shaw, Regional Director of the Department of Veterans Services of Virginia, provided these to her. She said that contrary to what one might hear on TV advertisements, a veteran did not need to retain an attorney to receive services from the VA (Veterans Affairs) under the PACT (Patient Aligned Care Team) Act or any of the other services now being advertised. She said that Ben Shaw's team with Virginia Veteran and Family Support was also co-located with the VA Claims Office, working for care coordination and providing better services for the entire family. She requested that everyone share this information with others. She said that she would distribute copies of the brochure to each attendee so that they could carry it in their car and disseminate it wherever they go. She said that she planned to put up copies in grocery stores as well.

Ms. Mallek said that Board members and the public were invited to join VFW (Veterans of Foreign Wars) Post 2044, which was celebrating its 75th year, for the Memorial Day ceremony in Earlysville. She said that it would take place at 10 a.m. on Monday, May 27, at Earlysville Green. She said that the Second Wind Band from the Center would perform. She said that the keynote speaker would be Colonel Gary Nelson. She said that Colonel Nelson served in the U.S. Air Force for 29 years primarily as a fighter pilot and then commanded the 63rd Tactical Fighter Squadron. She said that he had taught aerospace studies at MIT (Massachusetts Institute of Technology) and Boston University and was head of Joint Forces Staff College in Norfolk, Virginia. She said that he now lived in Earlysville, and they were glad to have him for that event. She said that she hoped to see everyone there.

Ms. LaPisto-Kirtley mentioned that the Pantops Community Advisory Committee (CAC) had a great presentation by the RWSA (Rivanna Water and Sewer Authority) about all the reservoirs and water supply. She said that the presenters discussed what they were doing and what the County was doing to ensure good water in the future. She said that they found the presentation engaging due to the enthusiasm of the speakers. She recommended that any Board members or CACs interested should contact Mr. Richardson, the County Executive, to arrange a similar presentation.

Ms. LaPisto-Kirtley mentioned that May 18 marked the 50th anniversary of the founding of the Stony Point Volunteer Fire Department. She said that Chief Eggleston and herself would be attending, and they were excited about this milestone.

Mr. Gallaway mentioned that the Board had received an email regarding trespassing. He said that he wanted to clarify that the last time they discussed this issue, they had encouraged community members to call 911 if they had a trespassing issue, which was true if it was an emergency. He said that if a trespass was encountered and it was not an emergency situation, they should call the non-emergency line at 434-977-9041. He noted that the Police Department's annual report highlighted a high percentage of trespass calls addressed, indicating that this was a County-wide issue. He said that he planned to send this information to the HOA's (Homeowners Associations) in his district and clarify the information, so the issues were reported to the appropriate place based on the instructions of Colonel Reeves, Chief of Police.

Mr. Andrews mentioned that the VDOT (Virginia Department of Transportation) survey for the Route 250/Ivy Road improvement study was open on the VDOT website until May 10, 2024.

Mr. Andrews mentioned that last weekend was quite busy at the Ivy Materials Utilization Center (MUC) due to the household hazardous waste collection event. He suggested sharing photos and videos to demonstrate its efficiency and importance for residents' spring-cleaning activities. He said that upcoming events included furniture and mattresses on May 4, appliances on May 11, and tires on May 18. He said that the Ivy MUC served as a one-stop solution for un-shopping.

Mr. Andrews announced that Batesville Day would take place this Saturday, featuring a 10K race, parade, plant exchange, and more. He encouraged everyone to attend.

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Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation Recognizing May as Older Americans Month.

Ms. McKeel **moved** that the Board adopt the Proclamation Recognizing May as Older Americans Month, which she read aloud.

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

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

### **Proclamation Recognizing May as Older Americans Month**

**WHEREAS**, May is Older Americans Month, a time for us to recognize and honor older adults in Albemarle County, Virginia, and their immense influence on every facet of American society; and

**WHEREAS**, Albemarle County recognizes how, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

**WHEREAS**, Albemarle County recognizes that older Americans improve our community through intergenerational relationships, community service, civic engagement, and many other activities; and

**WHEREAS**, Albemarle County benefits when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

**WHEREAS**, Albemarle County must ensure that older Americans have the resources and support needed to stay involved in their communities, reflecting our commitment to inclusivity and connectedness; and

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the Albemarle County Board of Supervisors, do hereby recognize May 2024 to be Older Americans Month and call upon all residents to recognize the profound impact of meaningful interactions and social connections on the well-being and health of older adults in our community.

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Ms. Marta Keane, Jefferson Area Board for Aging (JABA) Chief Executive Officer, accepted the proclamation. She thanked all the Albemarle County Supervisors and staff. She said that they were not only honoring older Americans during May, but their support was evident throughout the year. She said that this recognition came at a particularly important time as the population aged 60 and above currently stood at 21% and may increase to 25% by 2030 if projections were accurate. She said that seniors were an important part of the community. She said that the theme for this year, "Powered by Connections," was particularly fitting. She said that Albemarle County facilitated connections between agencies serving seniors and created opportunities and activities to support them. She thanked them.

Mr. Pruitt thanked Ms. Keane for being here. He said that when he was initially running for this position, he had voiced his concern regarding the challenges faced in maintaining an economically and age diverse community due to economic and demographic trends. He said that it was commonly believed that his concerns were primarily for the youth of Albemarle County, which was true but only part of the story. He said that the situation could be financially burdensome for them.

Mr. Pruitt said that however, the issue extended beyond young people, as older Americans also experienced difficulties in residing within the County. He said that they might face affordability issues or struggle to access essential services. He expressed optimism about the ongoing work aimed at creating a community where individuals could prosper throughout their lives if they chose to remain in the area. He thanked Ms. Keane for all of her work.

Ms. McKeel thanked Ms. Keane for attending the meeting and accepting the proclamation. She congratulated her on being recognized as a Red Cross hero. She noted that she had also turned 74 recently. She said that it was true that many people moving into their community were over 55, making it an aging community. She said that facilities such as sidewalks benefited not only older individuals but also women with baby strollers and pedestrians walking. She said that the concept of universal design was important to address the needs of both ends of the age spectrum. She expressed gratitude towards JABA for their efforts in making connections for everyone.

Ms. Mallek said that there are numerous aspects of how JABA benefited the community as a whole. She said that what had brought her the most joy personally was the connection between very young children and everyone older at preschools and centers. She said that this socialization was especially beneficial for the elderly, as interacting with younger children can be more enjoyable than spending time with someone only 20 or 30 years younger. She said that the seniors' eyes light up in the same way when they worked together. She expressed her gratitude for making this happen and for the continued efforts to maintain it.

Ms. LaPisto-Kirtley said that she had been told that growing old was not for the faint of heart. She said that it struck her that this proclamation mentioned intergenerational relationships and community service. She said that older Americans in the County had a lot to offer, which they did in numerous ways, for which she was very appreciative. She said that she also appreciated the work of JABA, as they helped people age in place and stay within the community. She said there were several excellent facilities that catered to individuals of specific age groups while supporting independent living. She commended JABA for its efforts and considered it an honor to recognize Older Americans Month.

Mr. Gallaway said that he would like to share a poem by Maya Angelou titled "On Aging." He read:

“When you see me sitting quietly,  
Like a sack left on the shelf,  
Don’t think I need your chattering.  
I’m listening to myself.  
Hold! Stop! Don’t pity me!  
Hold! Stop your sympathy!  
Understanding if you got it,  
Otherwise, I’ll do without it!  
When my bones are stiff and aching,  
And my feet won’t climb the stair,  
I will only ask one favor:  
Don’t bring me no rocking chair.  
When you see me walking, stumbling,  
Don’t study and get it wrong.  
‘Cause tired don’t mean lazy  
And every goodbye ain’t gone.  
I’m the same person I was back then,  
A little less hair, a little less chin,  
A lot less lungs and much less wind.  
But ain’t I lucky I can still breathe in.”

Mr. Gallaway said that he loved this poem and offered it as his response to the resolution today.

Mr. Andrews expressed his appreciation for all the work that JABA did for this community to age in place. He said that he had the pleasure of running a few times per week with a much younger crowd, and although they allowed him to keep up, being with them kept him young. He said that he appreciated the intergenerational experience.

Ms. McKeel presented the proclamation to Ms. Keane.

Item No. 6.b. Proclamation Recognizing May 5-11, 2024, as Public Service Recognition Week.

Ms. Mallek **moved** that the Board adopt the Proclamation Recognizing May 5-11 as Public Service Recognition Week, which she read aloud.

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

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

**Public Service Recognition Week**

**WHEREAS**, Americans are served daily by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation working; and

**WHEREAS**, public service is among the most demanding and noble of professions; and

**WHEREAS**, Public Service Recognition Week is observed annually to celebrate and recognize the valuable service that public servants provide to the nation; and

**WHEREAS**, over 900 Albemarle County Local Government employees work tirelessly to serve our residents, businesses, and visitors, providing them with outstanding customer service while maintaining careful stewardship of the resources with which they have been entrusted; and

**WHEREAS**, we appreciate the many accomplishments and contributions made daily by these public servants.

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Albemarle County Board of Supervisors, do hereby recognize

**May 5 through May 11, 2024 as  
Public Service Recognition Week**

and call upon the Albemarle County community to recognize the significant and important contribution that public employees make to our community.

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Ms. Elizabeth-Latta Brother, Assistant Director for Performance Management, said that she would like to take a moment to thank the Board for their service as public servants and the time and effort they gave to the community. She said that on behalf of the committee and their employees, they appreciated the support provided by the Board for the work they did every day. She asked the employees present to please stand. She said that they were excited to have the opportunity to recognize the hard work of their

employees through a range of activities next week.

Ms. Brother said that there was an employee picnic scheduled on Friday, featuring a movie theme, and popcorn bars in each building. She said that additionally, there would be ongoing initiatives throughout the week, such as peer-to-peer recognition through fan mail and banners displayed at both County office buildings. She said that they would hear from some employees about why they served.

Ms. Brother said that they would take a few moments to show a video created by Aki Parker from Communications and Public Engagement. She said that while the video was being shown, she would hand each Supervisor a piece of fan mail as it was one of their ways to recognize and appreciate each other's work. She said that the employees had already ordered over a thousand of these, and they wanted to share the love with the Board.

A video showing employees from various departments expressing why they work for the County and why they work in public service was shown.

Mr. Pruitt said that something learned from the presentation was understanding how different motivations drive individuals in their roles within County government, leading them towards public service. He said that for himself, a strong desire to bring about change was a significant factor. He emphasized that there had never been any need to suggest changes regarding the quality of the workforce, which he described as exceptional and unparalleled.

Mr. Pruitt said that the dedication, talent, and commitment displayed by employees across various positions within the County were extraordinary, and it was not something he had seen in other local governments. He said that it was a great team they had built at the County. He thanked everyone present in the large audience of public servants, as well as all those who contributed to the daily functioning of the County.

Ms. McKeel said that a week would not go by without someone saying to her that their interactions with County employees were always respectful and helpful, even if they did not get what they wanted. She said that they were thrilled to have so many employees present today. She said that she wanted to point out one of the greatest slides they received during the budget cycle, which represented statistics of the services provided by the County including: 945 visitors to career centers for career counseling and job placement; \$718 million worth of building permits issues; \$345 million in valuation for certificates of occupancy; 371 families served by the Housing Choice Voucher Program; 887,000 visits to albemarle.org (the County's website); 1,493 volunteer hours served in Albemarle County parks; \$216 million in Social Services funds that were used to support families in Albemarle County; 73,588 Police calls for service; 17,542 Fire Rescue calls for service; 17,432 swimmers used County lakes; 2,027,465 visitors to County parks; and 999 smoke alarms installed. She said that these statistics represented services to their community and the hard work of their staff to make it happen. She thanked everyone in the room and those listening.

Ms. Mallek said that during her years as an observer as well as during her tenure on the Board, she had been privileged to know and work shoulder-to-shoulder with generations of staff members in Albemarle. She said that they had worked hard to facilitate positive interactions with residents all across the County and on many different issues. She said that different groups formed around the issues of their concern, and the County had been exemplary in its response and evolution of caring on all these different issues. She said that she was very privileged to be here with all of them.

Ms. LaPisto-Kirtley thanked staff. She said that as recognized in the resolution, the actions of staff were what kept their County working. She said that because of them, they made the Supervisors' lives easier. She said that they made things very efficient and did so with a lot of pride and in order to serve the public. She said that it was much appreciated. She said that she had never seen such an efficient organization in her 29 years on public service, even compared to where she had lived before. She said that she was extremely proud to be a part of this, and it was because of these staff that they made such a great difference.

Mr. Gallaway said that he was often asked by family members and friends about why he wanted to run for elected office. He said that the answer was because of the employees present. He said that it was because he enjoyed working together as a team. He said that he enjoyed policymaking and government work. He said that this was why he ran to be a Supervisor. He said that if this were an organization where the team was not strong and the execution did not play out, he did not know if he would feel that way.

Mr. Gallaway said that the total budget exceeded \$600 million, and that was funding given to the County. He said that it was their responsibility to collaborate on strategies for using these resources to provide services to their community members who trusted them with their tax dollars. He said that as Board members, they strived to do right by the employees and could confidently look their constituents in the eye, knowing that as a team, they were doing their best to fulfill the expectations of their community. He thanked the staff for their dedication and hard work, and it was an honor to collaborate with all of them.

Mr. Andrews said that the staff made them look good, which was much appreciated. He said that when people got an opportunity to volunteer with the County, they could truly appreciate how hard the County worked for them. He said that they wanted to express their gratitude for that. He thanked everyone present for being there and for their daily efforts.

Ms. Mallek presented the proclamation to Ms. Brother.

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

Mr. David Hannah, Charlottesville, said that since retiring as the Natural Resources Manager for Albemarle County in 2019, he had had minimal contact with County staff or engagement with ongoing natural resources issues. He said that however, he felt compelled to share his thoughts on the Ragged Mountain Natural Area. He said that he did not believe mountain biking was an appropriate activity at Ragged Mountain and asked that it not be allowed to go forward in the future.

Mr. Hannah said that he had no argument against biking as an activity in itself, and on the contrary, he was glad that many citizens participated in and enjoyed the activity. He said that anything that got people outside to exercise and enjoy the great outdoors was a very positive thing, especially when children and families were involved. He said that not every natural area or park was suitable for every activity.

Mr. Hannah said that he believed mountain biking at Ragged Mountain was inappropriate for two main reasons: one, it would harm wildlife and natural communities found there; and two, it removed an outdoor opportunity that was uncommon locally, which was the quiet, peaceful enjoyment and study of nature and the outdoors. He said that that was the original intent of the RMNA.

Mr. Hannah said that Ragged Mountain had been long recognized as a local hotspot for biological diversity for a long time. He said that the County's biodiversity work group reported in 2004 that it was an important site within the County. He said that the value of Ragged Mountain lies in its mostly mature, wooded, and undisturbed nature. He said that in 2016, the Center for Urban Habitats completed a survey of Ragged Mountain to identify and describe the ecosystems found there. He said that the survey was commissioned by the City of Charlottesville and includes a list of the flora, fauna, and fungi known to occur there. He said that biodiversity hotspots were also identified.

Mr. Hannah said that from this data, it was clear that Ragged Mountain was home to a variety of high-quality and unusual plant communities and wildlife species. He said that the habitat and ecosystems were sensitive to fragmentation and disturbance and were negatively impacted by human activity. He said that all forms of human intrusion into wild landscapes had certain negative effects, but what was important was the scale of the activity. He said that permitting mountain biking in the future would result in a perpetual level of high human activity and disturbance.

Mr. Hannah said that one quote from the ecosystem survey report asserted that adding more than one path through any portion of the narrow landscape that wraps the reservoir at Ragged Mountain was not conducive to ecosystem conservation. He said that in other words, controlling the number of trails and the level of activity on them was critical for maintaining the ecological integrity of Ragged Mountain. He said that he was also concerned about the overall quality of the visitor experience.

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Mr. Dan Beiker, Samuel Miller District, said that he would be unable to attend the Board meeting in two weeks when they would discuss Ragged Mountain, so he appreciated the opportunity to address it now. He said that as a mountain biking enthusiast, he loved it, and it was fun. He said that additionally, he was a wildlife biologist with 40 years of experience teaching wildlife and ecology courses at Piedmont Community College.

Mr. Beiker said that he was also president of the Ivy Creek Foundation 25 years ago when they established Ragged Mountain Natural Area. He said that he agreed with the points made by Mr. Hannah. He said that he would like to refer the committee to the Center for Urban Habitats report, a 140-page document that highlighted the unique biological richness of Ragged Mountain. He said that he could speak to the events 25 years ago when the Ivy Creek Foundation decided to make this a natural area.

Mr. Beiker said that after going through public hearings and meetings with officials, neighbors, and staff for two years, the decision was made to make this area a natural area, or a nature preserve, based on minimal disturbance while maintaining accessibility for the public. He said that they achieved this by having a limited trail system. He said that one trail went around the reservoir for foot travel only. He said that to emphasize Mr. Hannah's point, the goal was to limit the scale of activity.

Mr. Beiker said that they did not want to discriminate against bikers or any other intense activities; instead, they put everyone on an equal footing by allowing only foot travel. He said that they did not exclude anybody, and those same cyclists were welcome to traverse that area on foot. He said that the County's own website stated that local government played an important role in protecting natural resources and biodiversity. He said that each component of biodiversity, every plant, animal, and microbe, had intrinsic value or inherent worth independent of its value to people.

Mr. Beiker said that recommendations in the Comprehensive Plan and the Biodiversity Action Plan all had statements like this that started out by developing strategies, taking appropriate action, incorporating knowledge, educating, and informing. He said that here was an opportunity for local government to put those words into action. He said that by respecting the original intent of Ragged Mountain Natural Area, they stated they valued these areas enough to welcome all with minimal

disturbance.

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Mr. Kirk Bowers, Sierra Club, said that he was a 36-year resident of the Rivanna District. He said that today he spoke as Conservation Chair of the Piedmont Group Sierra Club. He said that the Piedmont Group opposed using bicycles at Ragged Mountain Natural Area for many reasons. He explained that in 1997, Ragged Mountain was proposed by the Ivy Creek Foundation with the primary goal of preserving a public natural area for quiet hiking, fishing, and wildlife observation.

Mr. Bowers said that Ivy Creek managed the property until 2014 when City Parks took over its management. He said that in 2016, a lawsuit was filed to resolve competing ordinances for uses in public parks. He noted that it was announced just a month and a half ago, in March, that two jurisdictions resolved the issue, and biking and horseback riding would be removed from activities at Ragged Mountain Natural Area. He said that however, at the April 3 meeting of the Board of Supervisors, they instructed staff to come back with a directive and information on the use of bicycles at Ragged Mountain Natural Area.

Mr. Bowers asked why this lawsuit, which was completed in March, was still an issue eight years later. He emphasized that it was a sensitive issue that had been going on for many years. He expressed his desire to see this ended. He stated that they wrote a letter to the Board yesterday, highlighting the presence of 30 miles of biking trails within five miles of Ragged Mountain Natural Area.

Mr. Bowers said that as part of their national commitment, the Sierra Club had a strong dedication to maintaining natural ecosystems. He said that they strongly supported preserving the Ragged Mountain Natural Area from further intrusion. He explained that within natural ecosystems, the natural diversity and abundance of wildlife and plants should best be preserved by means involving minimum human interference.

Mr. Bowers stated that hikers and bikers moved at different speeds, and their motivation, desired experiences, norms, setting preferences, and other needs were not the same for hikers and bikers. He said that the main concern about allowing bicycles on hiking trails was a question of safety, and he had experienced this personally since had been hiking for over 70 years.

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Mr. Neil Williamson, Free Enterprise Forum, said that the Forum was a private public policy organization focused on local government in central Virginia. He said that at this lectern, applicants had often highlighted the high cost of producing housing in central Virginia. He said that such concerns were frequently met with disdain from some who believed that developer profit was the root cause of affordability issue. He said that in the details of the Piedmont Housing Alliance (PHA) Affordable Housing Fund request going before the Board today, there was a project pro forma demonstrating the high cost of producing housing.

Mr. Williamson said that for the 60-unit Premier Circle Phase II apartments, total project costs were estimated at over \$20 million. He said that this worked out to \$334,166 per unit. He said that it should be noted that the Free Enterprise Forum had no position on the funding of the PHA proposal and sincerely appreciated the candor of the pro forma provided. He said that additionally, they observed that there was significant financial leverage from Albemarle County's involvement in this particular project.

Mr. Williamson said that the PHA was not alone in facing high housing production costs. He said that on February 1, 2024, the Virginia Department of Housing and Community Development published the cost of a federally supported Sixth Street Apartments Phase I project in Charlottesville. He said that this \$29 million-plus project would generate 47 affordable units at a cost exceeding \$621,000 per unit. He concluded that producing housing was expensive to create.

Mr. Williamson said that in a blog post yesterday, they mentioned a recent research paper by Shane Phillips of UCLA on the negative impacts of inclusionary zoning on housing production.

Mr. Williamson said that the paper's conclusion provided a roadmap: "Different tools have different strengths, and land use policy may be best suited to improving affordability in the wider housing market. While public subsidies are best for producing below-market homes, IZ (Inclusionary Zoning) aims to create affordable homes by substituting land use policy in the place of broadly shared taxes and public subsidies. He said that this analysis suggested that the public might be paying either way, and that the costs of IZ are both higher and more regressive than the alternative."

Mr. Williamson said that in this highly expensive housing market, the Free Enterprise Forum called on Albemarle to continue adjusting the Housing Albemarle program requirements (percentage of units, level of affordability, term) for the benefit of the entire community, and to produce much-needed housing for all. He said that once again, they called for more housing, everywhere, for everyone.

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Mr. Peter Krebs, Piedmont Environmental Council (PEC), said that he would be discussing bikes, because May was National Bike Month. He said that Albemarle County, Charlottesville, and the University of Virginia were hosting numerous events to celebrate cycling. He said that for himself, cycling promoted health, reduced stress, prevented greenhouse gas emissions, built social cohesion, and brought joy to communities. He said that approximately half of these events would take place in Albemarle County, either at schools, parks, or on the roads within the County. He said that he would highlight some of the

events, such as group rides and e-bike demonstrations.

Mr. Krebs said that night, there was an opportunity to try out an e-bike at Darden Towe Park at 5:30 p.m.. He said that furthermore, a series of e-bike demonstrations would take place at Lakeside Middle School on Monday, May 6, and Crozet Elementary School on May 20. He said that all Fridays After 5 in May would have a bike valet parking service. He explained that one could drop off their bike, get a ticket, and not worry about it. He said that a hangout tent and groups focusing on bike and pedestrian safety would be present, pouring drinks and earning some proceeds. He said that for instance, the Three Notch'd Trail benefited from Fridays After 5 on the 24th.

Mr. Krebs said that other favorite events included a Family Bike Fest at IX on the upcoming Sunday, National Bike Roll and Walk to School Day on Wednesday May 8th, and National Bike to Work Day on May 17th. He said that he would introduce the Bike Month Business Challenge, sponsored by their friends at Rideshare. He said that they encouraged businesses to sign up, log their miles, and potentially earn bragging rights or even win an e-bike. He said that he had flyers and bike month stickers to give to the Clerk. He wished everyone a Happy Bike Month and that he hoped to see them around.

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Ms. Peggy Gilges, Jack Jouett District, said that she had wanted to speak to the Board about Ragged Mountain a month ago but was out of town. She said that she was strongly in favor of continuing the agreement between the City and County announced in March to protect the Ragged Mountain Natural Area from overuse. She said that she acknowledged other speakers had also highlighted the importance of preserving the area as it was a biodiversity hotspot deserving ongoing protection.

Ms. Gilges said that the purpose of the Ragged Mountain Natural Area was not for recreational activities but for nature appreciation and quiet pedestrian-only trail usage, which she appreciated as an older American. She explained that the Ragged Mountain Natural Area, along with Ivy Creek, were the only two natural areas in the County, together providing approximately 13 miles of trails specifically designated for pedestrian-only use. She requested the Board of Supervisors to defend the Ragged Mountain Natural Area and honor its original establishment.

Ms. Gilges said that while it may be popular to expand trails there and accommodate mountain biking, as the Center for Urban Habitats had mentioned in their 2016 ecosystem survey, new trails would contribute to habitat degradation and fragmentation of plant communities and wildlife. She reminded the Board that Albemarle County had pledged to protect its natural heritage, including its biodiversity. She said that it was sad but true that humanity often displaced species due to both human needs and wants. She said that she hoped there would be community support in preserving the Ragged Mountain Natural Area.

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Mr. Kenneth Powell, Scottsville District, said that he and his wife had lived in Albemarle their whole lives. He said that his wife became disabled about ten years ago, and unfortunately in 2022 he had to give up his job because he became disabled due to heart and vascular issues. He said that a representative told him about the personal property taxes on his vehicles. He said that he had an old trailer he had been paying \$45 per year on, which was now going up to \$121.50 per year, although he only used it for storage in his yard.

Mr. Powell said that his vehicles were going up from \$1,042 per year to \$3,466 per year, an increase of \$2,424. He said that he and his wife were both disabled and on fixed incomes, and many people in the community were in similar situations. He requested that the Board reconsider the rate before raising it that high, because otherwise it would really hurt them, and he could not return to work in his condition. He requested the Board reconsider the amount they were asking for.

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#### Agenda Item No. 8. Consent Agenda.

Mr. Andrews said that he was not aware of any amendments to or anything requested to be removed from the Consent Agenda and asked if there was a motion.

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

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

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

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#### Item No. 8.1. Fiscal Year 2024 Appropriations.

The Executive Summary as forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School



Self-Sustaining, etc.

The total change to the Fiscal Year 2024 (FY 24) budget due to the appropriations itemized in Attachment A is \$450,000. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A.

**Appropriation #2024034**

<b>Sources:</b>	Charlottesville Albemarle Convention and Visitor’s Bureau (CACVB) Fund’s fund balance	\$450,000
<b>Uses:</b>	CACVB Fund	\$450,000
<b>Net Change to Appropriated Budget:</b>		<b>\$450,000</b>

**Description:**  
This request is to appropriate \$450,000 from CACVB fund balance to provide increased advertising for tourism initiatives. The County serves as the fiscal agent for CACVB.

**By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to approve the appropriations for County government projects and programs described in Attachment A:**

**RESOLUTION TO APPROVE  
ADDITIONAL FY 2024 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2024034 is approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2024.

\* \* \*

APP#	Account String	Description	Amount
2024034	3-4600-73000-352000-510100-9999	CACVB Fund Balance	\$450,000.00
2024034	4-4600-73000-481000-379300-9999	CACVB Advertising	\$450,000.00

**Item No. 8.2. Proposed 2024-2025 Holiday Schedule for Local Government Employees.**

The Executive Summary as forwarded to the Board states that in the County’s Leave policy (§ P-86), benefits-eligible local government employees are granted 12 paid holidays, except those employees following the State’s Holiday schedule.

The Leave Policy §P-86 establishes the annual holiday schedule for 12-month, benefits-eligible local government employees and also establishes the schedule for which the County office buildings will be closed to the public for day-to-day business transactions. Note that public safety and emergency services continue to operate 24 hours per day, each day of the year. Traditionally, the Board has granted an additional half-day holiday on the Wednesday preceding Thanksgiving, although this is not listed in the County’s leave policy. In this proposed schedule, the local government holidays observed are consistent with the 2023-2024 holiday schedule.

No impact to the budget is anticipated.

Staff recommends that the Board approve the proposed 2023-2024 Holiday Schedule (Attachment A).

**By the above-recorded vote, the Board approved the proposed 2023-2024 Holiday Schedule as presented in Attachment A:**

**HOLIDAY SCHEDULE  
2024-2025**

**Local Government Employees**

Thursday, July 4, 2024	Independence Day
Monday, September 2, 2024	Labor Day
Monday, November 11, 2024	Veterans' Day
Wednesday, November 27, 2024 (Half Day) Thursday, November 28, 2024 Friday, November 29, 2024	Thanksgiving
Tuesday, December 24, 2024	Christmas Eve
Wednesday, December 25, 2024	Christmas Day
Wednesday, January 1, 2025	New Year's Day
Monday, January 20, 2025	Martin Luther King Jr. Day
Monday, May 26, 2025	Memorial Day
Thursday, June 19, 2025	Juneteenth
<i>Must be taken between: Saturday, July 1, 2024 and Sunday, June 30, 2025</i>	Floating Holiday

Item No. 8.3. Tax Refund Approval Request.

The Executive Summary as forwarded to the Board states that Virginia Code §58.1-3981 requires that erroneous tax assessments shall be corrected and that a refund, with interest as applicable, be paid back to the taxpayer. Tax refunds resulting from erroneous assessment over \$10,000 must be approved by the Board of Supervisors before any payments are made.

- Staff is requesting approval from the Board for the following tax refunds to conform with Virginia Code §58.1-3981. Each refund amount listed below has been reviewed and certified by staff and the Chief Financial Officer with the consent of the County Attorney's Office. If approved:
- \$23,091.28 will be refunded to March Mountain Properties LLC due to land value change.
  - \$22,430.75 will be refunded to Pippen Hill Farm & Vineyards LLC due to business reclassification.
  - \$21,600.00 will be refunded to CMA Protection Inc due to business license being held in an affiliated business name.
  - \$24,080.45 will be refunded to Memory Lane LLC due to an improvement value change.
  - \$17,194.26 will be refunded to Medical Facilities of America due to business tangible personal property being filed and paid under this entity and an updated name and tax identification number.
  - \$16,475.10 will be refunded to Heather L Powell due to personal property being taxed in the wrong jurisdiction. \$16,442.51 will be refunded to Enterprise Leasing Co of Norfolk/Richmond due to the business location closing.
  - \$15,882.83 will be refunded to Michie P Bright Revocable Trust Agreement due to overpayment of real estate taxes.
  - \$15,709.47 will be refunded to F A Bartlett Tree Expert Co due to personal property being taxed in the wrong jurisdiction.
  - \$14,720.40 will be refunded to Luck Stone Corporation due to overpayment of real estate taxes. \$13,723.65 will be refunded to Morris Creek Yacht Club Inc due to overpayment of business license taxes. \$12,100.00 will be refunded to The Blake at Charlottesville Services LLC due to the business location closing.
  - \$12,082.40 will be refunded to Eamon E Perrell and Marcelia Perrell due to overpayment of real estate taxes. \$11,288.95 will be refunded to Pilot Travel Centers LLC due to the business location closing.

Staff do not anticipate a budget impact associated with the recommended Board action. Tax refunds are a customary part of the revenue collection process and refund expectations are included in the annual revenue budget assumptions.

Staff recommends that the Board adopt the resolution (Attachment A) to approve the refund requests and authorize the Department of Finance and Budget to initiate the refund payments:

**By the above-recorded vote, the Board adopted the resolution as presented in Attachment**

**A to approve the refund requests and authorize the Department of Finance and Budget to initiate the refund payments:**

**RESOLUTION  
REQUESTING TAX REFUNDS**

**WHEREAS**, Virginia Code §58.1-3981 requires that erroneous tax assessments be corrected and that a refund, with interest as applicable, be paid back to the taxpayer;

**WHEREAS**, Tax refunds resulting from erroneous assessment over \$10,000 must be approved by the Board of Supervisors, after being certified by the Chief Financial Officer and the County Attorney;

**NOW, THEREFORE, BE IT RESOLVED** that a refund in the amount of \$23,091.28 has been reviewed and certified due to a parcel being subdivided and that this refund shall be remitted to March Mountain Properties LLC to conform with Virginia code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$22,430.75 has been reviewed and certified due to business reclassification and that this refund shall be remitted to Pippen Hill Farm & Vineyard LLC to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$21,600.00 has been reviewed and certified due to the business license being held in an affiliated business name and that this refund shall be remitted to CMA Protection Inc. to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$24,080.45 has been reviewed and certified due to an improvement value change and that this refund shall be remitted to Memory Lane LLC to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$17,194.26 has been reviewed and certified due to amended business personal property return and that this refund shall be remitted to Medical Facilities of America to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$16,475.10 has been reviewed and certified due to property being in the wrong garage jurisdiction and that this refund shall be remitted to Heather L Powell to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$16,442.51 has been reviewed and certified due to business location closing and that this refund shall be remitted to Enterprise Leasing Co or Norfolk/Richmond to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$15,882.83 has been reviewed and certified due to overpayment of real estate taxes and that this refund shall be remitted to Michie P Bright Revocable Trust Agreement to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$15,709.47 has been reviewed and certified due to personal property being in the wrong garage jurisdiction and that this refund shall be remitted to F A Bartlett Tree Expert Co to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$14,720.40 has been reviewed and certified due to overpayment of real estate taxes and that this refund shall be remitted to Luck Stone Corporation to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$13,723.65 has been reviewed and certified due to overpayment of business license taxes and that this refund shall be remitted to Morris Creek Yacht Club Inc. to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$12,100.00 has been reviewed and certified due to business location closing and that this refund shall be remitted to The Blake at Charlottesville Services LLC to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$12,082.40 has been reviewed and certified due so overpayment of real estate taxes and that this refund shall be remitted to Eamon E Perrell and Marcelia Perrell to conform with Virginia Code §58.1-3981;

**BE IT RESOLVED** that a refund in the amount of \$11,288.95 has been reviewed and certified due to the business location closing and that this refund shall be remitted to Pilot Travel Centers LLC to conform with Virginia Code §58.1-3981;

\_\_\_\_\_

Item No. 8.4. Southwood Community Development Block Grant (CDBG) Certifications.

The Executive Summary as forwarded to the Board states that Albemarle County has received a Community Development Block Grant (CDBG) to support new infrastructure development in Phase 2 of the Southwood Redevelopment Project. Specifically, this grant shall be used to replace failing septic systems with public water and sewer services in Village 3, which will support the construction of 40

new affordable homeownership opportunities. To access these funds, the County must fulfil specific requirements, including approval of several certifications of compliance.

The following Certifications and Plans are general requirements:

Non-Discrimination Policy - The County has adopted an Equal Opportunity Policy, found in the County's Personnel Policy Manual (P-21). Attachment A is a non-discrimination certification in alignment with the County's policy aimed at safeguarding against discrimination.

Local Business and Employment Plan - The County must approve a plan of the project area boundaries and utilize businesses and lower-income residents in carrying out CDBG funded activities to the greatest extent possible. Attachment B designates Albemarle County as the project area and requires the public be notified of this through publication of an ad in the local newspaper.

504 Complaint Procedure - The County previously adopted a complaint procedure in alignment with Section 504, which concerns handicap accessibility. The Director of Human Resources is designated as the Section 504 Coordinator. Attachment C is a complaint procedure outlining responsibilities by position.

Fair Housing Certification - The Housing and Community Development Act of 1974, as amended, requires grantees of CDBG funds to take action to affirmatively further fair housing. Attachment D is a certification confirming the County's commitment to fair housing.

Residential Anti-Displacement and Relocation Assistance Plan Certification - Attachment E is a certification stating that the County will notify the public and advise the state in the event that a CDBG-funded activity will result in the demolition or conversation of residential units; furthermore, should displacement occur, the County/development owners will provide relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). Attachment E certifies the County's commitment to comply with the requirements of the URA.

There are no budget impacts associated with the approval of these certifications of compliance.

Staff recommends that the Board: 1) approve the Local Business and Employment Plan (Attachment B) and the Section 504 Complaint Procedure (Attachment C); and 2) authorize the County Executive to execute the Non-Discrimination Policy (Attachment A), the Local Business and Employment Plan (Attachment B), the Fair Housing Certification (Attachment D) and the Residential Anti-Displacement and Relocation Assistance Plan(Attachment E).


**By the above-recorded vote the Board took the following actions: 1) approved the Local Business and Employment Plan (Attachment B) and the Section 504 Complaint Procedure (Attachment C); and 2) authorized the County Executive to execute the Non-Discrimination Policy (Attachment A), the Local Business and Employment Plan (Attachment B), the Fair Housing Certification (Attachment D), and the Residential Anti-Displacement and Relocation Assistance Plan(Attachment E):**

**NON-DISCRIMINATION POLICY**

The County of Albemarle or any employee thereof will not discriminate in employment, housing or accommodations because of race, color, religion, national origin, sex or gender, age, familial status, source of income, veteran status, disability, sexual orientation or gender identity. Administrative and personnel officials will take affirmative action to ensure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted at the regular meeting of the Albemarle County Board of Supervisors

on May 1, 2024.

  
Signature of Authorized Official

**SECTION 3**  
**BUSINESS AND EMPLOYMENT PLAN**

1. The County of Albemarle designates as its Section 3 Business and Employment Project Area the County of Albemarle.
2. The County of Albemarle, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials and supplies the County of Albemarle, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
  - a. The County of Albemarle shall identify the contracts required to conduct the CDBG activities.
  - b. The County of Albemarle shall identify through various and appropriate sources including:

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the business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG program.

- c. The identified contractors and suppliers shall be included on bid lists used to obtain bides, quotes or proposals for work or procurement contracts which utilize CDBG funds.
  - d. To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The County of Albemarle and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
  - a. The County of Albemarle in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.
  - b. The County of Albemarle shall advertise through the following sources:

The Daily Progress

the availability of such positions with the information on how to apply.

- c. The County of Albemarle, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
- d. To the greatest extent feasible, the County of Albemarle, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
- 5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974*, as amended, the County of Albemarle shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted at the regular meeting of the Albemarle County Board of Supervisors on

May 1, 2024.



Signature of Authorized Official

**SECTION 504 COMPLAINT PROCEDURE  
FOR FEDERALLY FUNDED HOUSING AND COMMUNITY DEVELOPMENT PROGRAMS**

The County of Albemarle has adopted the following complaint procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) 24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints regarding alleged discrimination in the implementation of Community Development Block Grant funded programs should be addressed to: Assistant Director of Housing, Albemarle County Office of Housing, 1600 Fifth Street Extended, Suite B, Charlottesville, VA 22902, who shall assist the designated Section 504 Coordinator with Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally containing the name and address of the person filing it and briefly describing the alleged violation of the regulations.
2. A complaint should be filed within **fifteen (15) days** after the complainant becomes aware of the alleged violation. Alleged violations occurring prior to the adoption of this complaint procedure will be handled on a case-by-case basis.
3. An investigation, as may be appropriate, shall follow the filing of a complaint. The investigation will be conducted by the Section 504 Coordinator or his/her designee in a manner that is informal but thorough allowing opportunities for all parties to submit evidence relative to the complaint.
4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Section 504 Coordinator and/or the Director of Community Development and a copy forwarded to the complainant no later than **forty-five (45) days** after its filing.
5. The Section 504 Coordinator shall maintain the files and records of the County of Albemarle related to the complaints filed.
6. The complainant can request reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within **ten (10) days** and addressed to County Executive, 401 McIntire Road, Charlottesville, VA 22902.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of a Section 504 complaint with HUD. Utilization of this complaint procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the County of Albemarle complies with Section 504 and HUD regulations.

Adopted: May 1, 2024




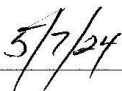
**FAIR HOUSING CERTIFICATION**  
Compliance with Title VIII of the Civil Rights Act of 1968

WHEREAS, the County of Albemarle has been offered and intends to accept federal funds authorized under the *Housing and Community Development Act of 1974*, as amended, and;

WHEREAS, recipients of funding under the Act are required to take action to affirmatively further fair housing;

THEREFORE, the County of Albemarle agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its projected funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

  
\_\_\_\_\_  
Signature of Authorized Official

  
\_\_\_\_\_  
Date

## RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN CERTIFICATION

The *County of Albemarle* will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling units as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the *County of Albemarle* will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.

The *County of Albemarle* will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104(d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The *County of Albemarle's* FY24 project includes the following activities:

**Infrastructure development, specifically the replacement of failing septic systems with public water and sewer services in Village III of the Southwood Redevelopment. This infrastructure is critical to the construction of 33 new affordable homes benefiting low and moderate-income households.**

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The *County of Albemarle* will work with the grant management staff, engineers, project area residents, and the Department of Housing and Urban Development to ensure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

  
\_\_\_\_\_  
Signature of Authorized Official

5/7/24  
\_\_\_\_\_  
Date

Item No. 8.5. Authorize a Public Hearing on Erosion and Stormwater Management Ordinance.

The Executive Summary as forwarded to the Board states that in 2016, the Virginia General Assembly adopted the Virginia Erosion and Stormwater Management Act (VESMA) to combine the existing Virginia Erosion and Sediment Control Program (VESCP) and the Virginia Stormwater Management Program (VSMP). This Act was to take effect upon the adoption of state administrative regulations. The State Water Control Board (SWCB) ultimately approved and adopted a Virginia Erosion and Stormwater Management (VESM) Regulation on December 4, 2023. Both the new state law and these implementing regulations will take effect July 1, 2024. As one of several Virginia localities subject to a Municipal Separate Storm Sewer System (MS4) permit, Albemarle County is required to also adopt and implement these new erosion and stormwater management regulations under a combined ordinance.

Staff is developing a proposed new Erosion and Stormwater Management Ordinance, following a Memorandum (Attachment A) and VESMP Consolidated Model Ordinance provided by the Virginia Department of Environmental Quality (DEQ). Though the proposed County ordinance would largely mirror state regulations, optional County-specific regulations are also being incorporated into the new ordinance.

The new ESM ordinance would replace the following articles of the County's current Water Protection Ordinance (WPO):

- Article I - General
- Article II - Administration

- Article III - Applicability of the VESCP and the VSMP to a Land Disturbing Activity or a Site Condition
- Article IV - Procedure for Submitting, Reviewing and Acting on Applications; Post-Approval Rights and Obligations
- Article V - Technical Criteria

Combining the regulations would not change requirements for administration or execution of the program, with the exception of the following two optional, staff-recommended provisions:

- Agreement in Lieu of a Plan for the construction of certain farm buildings or structures.
- Responsible Land Disturber (RLD) certification not required where an agreement in lieu of a plan for construction of a single-family detached residential structure is proposed; however, the name of an RLD certificate holder can be required if a violation occurs.

In addition to these two changes, staff recommends revising § 17-301(F) and § 17-303(B) of the current County Code to clarify when a Streamside Management Zone (SMZ) is required. SMZs apply when an activity is regulated as a forestal activity. The current wording could be interpreted to require SMZs for conversions of land to bona fide agricultural or improved pasture. Because staff believes that this interpretation is inconsistent with exemptions established in Virginia Code § 10.1-1163(B), staff proposes clarifying that SMZs are required only for activities that remain regulated as a forestal activity.

Staff will continue work on the proposed ordinance, blending the new state-mandated requirements with the County's existing optional elections, with a final proposed ordinance being completed and publicly available prior to the public hearing. The proposed ordinance would have a delayed effective date of July 1, 2024.

Combining the VESM programs is not expected to have an impact on staff time. Allowing an Agreement in Lieu of a Plan for farm buildings and structures would reduce the time required for staff to review an application, but the savings would be negligible considering the small number of these types of applications (typically 2-4 per year).

Staff recommends that the Board authorize a public hearing to adopt an Erosion and Stormwater Management Ordinance consistent with the new state law and regulations that take effect July 1, 2024, in addition to other proposed revisions.

**By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing to adopt an Erosion and Stormwater Management Ordinance consistent with the new state law and regulations that take effect July 1, 2024, in addition to other proposed revisions.**

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Item No. 8.6. SE202400003 Verizon Wireless - Colthurst Personal Wireless Facility Special Exception.

The Executive Summary as 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 the farthest point of the back of a personal wireless service facility antenna be no more than 18 inches from the facility. This special exception request is to increase the distance of the farthest point of the back of the proposed antenna to 38 inches from the facility.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve the proposed special exception, provided that the farthest point of the back of any subject antenna not project more than 38 inches from the face of the power utility structure.

**By the above-recorded vote, the Board adopted the Resolution (Attachment E) to approve the proposed special exception, provided that the farthest point of the back of any subject antenna not project more than 38 inches from the face of the power utility structure:**

**RESOLUTION TO APPROVE SE 2024-00003  
VERIZON WIRELESS – COLTHURST PERSONAL WIRELESS SERVICE FACILITY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE202400003 Verizon Wireless -- Colthurst Personal Wireless Service Facility application and the attachments thereto, including staff's supporting analysis, any comments received, all of the relevant factors in County Code §§ 18-5.1.40 and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the County's zoning regulations to at least an equivalent degree as the specified requirement and that the proposed special exception would not have adverse visual impacts.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(c) on Parcel 06000-00-002A1, as specified in the SE 2024-00003 application,, provided that the farthest point of the back of any antenna authorized by this special exception may not project more than 38 inches from the face of the power utility structure.

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Item No. 8.7. Albemarle Broadband Authority (ABBA) Quarterly Report, **was received for information.**

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Item No. 8.8. Board to Board, April 2024, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

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Agenda Item No. 9. Adoption of Calendar Year 2024 Tax Rates, Fiscal Year (FY) 25 Budget, FY 25 Pay Scales, Borrowing Resolution, FY 25-29 Capital Improvements Plan (CIP), and Appropriation of the FY 25 Budget.

The Executive Summary as forwarded to the Board states that at the May 1, 2024 Board meeting, staff will ask the Board to consider the following items:

- 1) Adoption of the Resolution to Set Calendar Year 2024 Tax Rates:** The Board held public hearings on the proposed 2024 calendar year real estate and personal property tax rates on April 24, 2024. The 2024 calendar year real estate and personal property tax rates are for the year beginning January 1, 2024 and ending December 31, 2024.
- 2) Adoption of an Ordinance to Increase the Transient Occupancy Tax Rate:** The Board held a public hearing on a proposed increase to the transient occupancy tax rate on April 24, 2024.
- 3) Adoption of the FY 25 Operating and Capital Budget:** The Board held a public hearing on the Fiscal Year 2025 (FY 25) Proposed Budget on April 17, 2024. The budget presented for adoption includes the Board's FY 25 Proposed Budget plus technical adjustments recommended by the County Executive and Board of Supervisors amendments and is for the fiscal year beginning July 1, 2024 and ending June 30, 2025.
- 4) Adoption of the Resolution to Set FY 25 Pay Scales:** County Government maintains a Classified Employee pay scale and separate Public Safety pay scales for the Police Department, Sheriff's Office, and Department of Fire Rescue.
- 5) Adoption of the Annual Resolution of Appropriations:** To provide the authority from the Board to spend these funds, the Board's adoption of an Annual Resolution of Appropriations for the fiscal year ending on June 30, 2025 is required.
- 6) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing:** In addition, the Board's adoption of a Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing is required to provide the County with the authority to use bond proceeds to reimburse capital program expenditures for the specified projects.
- 7) Adoption of the FY 25 - 29 Capital Improvement Plan (CIP):** This reflects the adopted FY 25 Capital Budget plus the out years of the plan, FY 26 - FY 29, reviewed with the Board of Supervisors during the budget development process. FY 26 - 29 will inform future long-range financial planning and are not requested for appropriation.

#### **DISCUSSION:**

- 1) Adoption of the Resolution to Set Calendar Year 2024 Tax Rates:** The FY 25 budget is based on a real estate tax rate of \$0.854 per \$100 of assessed valuation and a personal property tax rate of \$3.96 per \$100 of assessed valuation, (increased from \$3.42 per \$100 of assessed valuation), as set forth in Attachment A. The 2024 calendar year tax rates are for the year beginning January 1, 2024 and ending December 31, 2024.
- 2) Adoption of an Ordinance to Increase the Transient Occupancy Tax Rate:** If adopted, the proposed ordinance (Attachment B) would revise Chapter 15, Taxation, Article 9, Transient Occupancy Tax. The transient occupancy tax rate would increase from eight percent to nine percent, effective July 1, 2024.
- 3) Adoption of the FY 25 Operating and Capital Budget:** The FY 25 Budget for the Board's approval is detailed in Attachment C and is based on the FY 25 Proposed Budget plus the adjustments detailed below:

#### **Board of Supervisors Adjustments**

All amounts in this executive summary and attachments reflect budget decisions made through the March 27, 2024 budget work session. Adjustments made during subsequent meetings will be made within the attached resolution prior to adoption and reviewed as part of the staff presentation on May 1, 2024.

#### **County Executive Recommended Adjustments**

The County Executive recommends the following budget-neutral adjustments to the FY 25 budget:

- Allocate \$100,380 from the Department of Facilities and Environmental Services to the Department of Information Technology for a Systems Analyst position as part of a reorganization.
- Allocate \$114,560 from the Albemarle County Regional Jail (ACRJ) to the Reserve for Contingencies based on updated cost estimates from ACRJ.
- Allocate \$164,355 from the Department of Social Services (DSS) to the Police Department and \$57,969 from DSS to the Fire Department for their portions of the Human Services Alternative Response Team costs.

#### **Public Schools Adjustments**

All amounts in this executive summary and attachments reflect budget decisions made through the March 27, 2024 work session. The School Board held a budget work session on April 25, 2024.

Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 1, 2024.

- 4) Adoption of the Resolution to Set FY 25 Pay Scales:** This resolution (Attachment D) is to adopt the FY 25 Pay Scales. The Classified and Public Safety pay scales will be effective as of July 1, 2024 for all County employees.
- 5) Adoption of the Annual Resolution of Appropriations:** The Resolution of Appropriations appropriates the total County Budget, including both County government and Public School operating and capital funds, Public School special revenue funds, and other County government funds appropriations in a single resolution (Attachment E). The Annual Resolution includes the following:

#### **Board of Supervisors Adjustments**

All amounts in this executive summary and attachments reflect budget decisions made through the March 27, 2024 work session. Adjustments made during subsequent meetings will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 1, 2024.

#### **Public Schools Adjustments**

All amounts in this executive summary and attachments reflect budget decisions made through the March 27, 2024 work session. The School Board held a budget work session on April 25, 2024. Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 1, 2024.

#### **County Executive Authority**

The appropriation resolution authorizes the County Executive to do the following, with all such transfer or distributions will be reported to the Board of Supervisors as part of the County's quarterly financial report, in accordance with current practice:

- A) administratively approve budget transfers of unencumbered funds of up to \$500,000.00 per fund in the fiscal year from one classification, department, or project to another within the same fund;
- B) allocate funding between the below identified classifications and the appropriate budget line-items for expenditure:

Expenditure Classifications Eligible for Transfer Under this Resolution:

##### **General Fund**

- Business Process Optimization Reserve
  - Climate Action Pool
  - Reserve for Contingencies
  - Salary and Benefits Reserve
  - Efficiencies and Other Savings
- Capital Funds
- Advancing Strategic Priorities Reserve in CIP
  - Transportation Leveraging Fund

- C) allocate salary lapse between department budgets;
- D) administratively approve the carry-forward of outstanding grants and capital projects and programs from year to year;
- E) close out Capital projects and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance;
- F) close out grant funds; including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.
- G) administratively approve the carry-forward of outstanding balances up to \$24,000,000 for estimated encumbered purchase orders.

- 6) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing:** The Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing, Attachment F, allows the County to use bond proceeds to reimburse the County for capital program expenditures.
- 7) Adoption of the FY 25 - 29 Capital Improvement Plan (CIP), Attachment G:** All amounts in the executive summary and attachments reflect budget decisions made through the March 27, 2024 work session. Adjustments made during subsequent meetings will be made within the attached resolution prior to adoption and reviewed as part of the staff presentation on May 1, 2024.

Adoption of the budget, tax rates, and related ordinances by the Board will establish the Fiscal Year 2025 Operating and Capital Budgets and Calendar Year 2024 tax rates and provide the authority from the Board to spend funds included in the budget. For the adoption of the Capital Improvement Plan, FY 26 - 29 will inform future long-range financial planning and are not requested for appropriation.

Staff recommends that the Board:

- 1) adopt the attached Resolution to Set Calendar Year 2024 Tax Rates (Attachment A);
- 2) adopt the attached ordinance to increase the transient occupancy tax rate(Attachment B);
- 3) Adopt the attached FY25 Budget Resolution approving the FY 25 Budget as recommended by the County Executive and amended by the Board of Supervisors (Attachment C);
- 4) adopt the attached Resolution to Set FY 25 Pay Scales (Attachment D);
- 5) adopt the attached Annual Resolution of Appropriations (Attachment E);
- 6) adopt the attached Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing(Attachment F); and
- 7) adopt the FY 25 - 29 Capital Improvement Plan (Attachment G).

If adjustments are desired during the meeting, changes will be made within the attached Resolutions prior to adoption.

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Mr. Ryan Davidson, Deputy Chief of Budget, said that they would discuss the adoption of tax rates, FY25 budget, and the FY25-29 CIP (Capital Improvement Plan). He said there were several items for the Board to take action on that afternoon. He said that he would review each item one by one on the following slides. He said that for every item listed, he planned to provide a brief introduction and background, followed by an opportunity for Board questions or comments and discussion, and finally, the staff recommendation.

Mr. Davidson said that his comments would be brief and at a summary level since there was no new information being provided today. He said that the staff and Board had discussed each item extensively during the 15 hours of budget work sessions, their public hearings, and town hall meetings throughout the budget process. He noted that there would be some additional information for item number three.

Mr. Davidson said that he would begin by discussing the tax rate resolutions and ordinances. He said that on the screen were the four main tax rates set by the Board and balanced in the proposed budget. He said that the Board would adopt rates on three of the four taxes: real property, personal property, and transient occupancy.

Mr. Davidson said that they would start with real estate taxes, which were included in the budget at a rate of \$0.854 cents per \$100 of assessed value. He said that each penny on this rate would be worth approximately \$2.9 million. He said that if the Board were to adopt a lower rate, they would need to reduce or offset the corresponding amount in the budget for each penny change. He said that since the Board advertised a rate of \$0.854 cents per \$100 of assessed value, they could not adopt a higher rate but could go lower if desired.

Mr. Davidson said that reassessments for FY24 showed a 4.07% increase over FY23, which they had discussed previously at public hearings. He said that the lowered or effective rate of what the tax rate would need to be adjusted to in order to bring in the same amount of revenue for CY24 as for CY23 just based on increases in reassessments would be \$0.821 of assessed value.

Mr. Davidson said that the personal property tax rate applied to individual personal property such as vehicles, motorcycles, and boats, as well as business, tangible personal property, machinery, and tools. He said that the FY25 budget was based on a \$0.54 per \$100 valuation increase to a rate of \$3.96 per \$100. He said that this increase would generate approximately \$4.5 million in shared revenue that would then go through the revenue split formula with Schools, capital and debt, and Local Government.

Mr. Davidson said that the proposed rate increase would bring overall revenues from this source back to where they were in FY22 when the Board decreased this rate to mitigate the effect of the rapid rise in vehicle values during the pandemic. He said that due to continuing valuation changes in general, even with this increased rate, the average vehicle bills would remain steady, although there were always exceptions and individual situations may vary, as seen in certain cases.

Mr. Davidson said that the next item was an ordinance change related to increasing the rate of the Transit Occupancy Tax (TOT) for FY25 from 8% to 9%. He said that this rate applied to all rooms or spaces in hotels, motels, travel campgrounds, and other facilities offering rooms for fewer than 30 consecutive days. He said that each 1% increase equated to approximately \$872,000 in shared revenue that would go through the shared revenue split with Schools, capital and debt, and Local Government.

Mr. Davidson said that next he would talk about the resolutions to adopt the FY25 budget. He said that the total all funds budget was \$642.2 million. He said that the displayed charts highlighted at a high level the sources and uses of those funds. He said that as mentioned previously, there had been a couple of changes since the proposed all funds budget was advertised, and he would go over those in the next two slides.

Mr. Davidson said that first, there were a couple of County Executive recommended adjustments. He said that they were recommending allocating \$114,560 from the Albemarle-Charlottesville Regional Jail (ACRJ) to the reserve for contingencies. He said that as was common with many regional partners, they were provided an initial County contribution estimate from the ACRJ, and as they continued to work and refine their budget, they provided a reduced contribution amount by approximately \$114,000, which staff recommended be added to the ongoing reserve for contingencies amount.

Mr. Davidson explained that the next two adjustments were technical in nature and were budget neutral. He said that the first would be allocating \$100,380 from the Department of Facilities and Environmental Services (FES) to the Department of Information Technology (IT) as part of a reorganization, which involved moving a systems analyst position from FES to IT.

Mr. Davidson said that the second adjustment would be allocating \$164,355 from the Department of Social Services (DSS) to the Police Department and \$57,969 to the Fire Rescue Department for their portions of the Human Services Alternative Response Team (HART). He noted that when they initially budgeted this and put these into the budget, they were all placed in DSS, and this was just moving those to where the positions and equipment would actually be utilized. He stated that all of these adjustments were captured in the original attachments provided to the Board and posted online.

Mr. Davidson said that the next slide was about Public Schools adjustments. He said that on Thursday, April 25, the School Board adopted their final budget, which resulted in a net increase of approximately \$7 million to the all funds budget amount that was advertised for the purposes of the public hearing held on April 17. He said that the changes were primarily due to expected increases in state funding and the use of fund balance in both their School Fund and the School's Special Revenue Funds. He said that these changes were not captured in Attachment C or Attachment E included in the initial published agenda item, but the revised attachments were sent to the Board prior to this meeting and would be published online as well.

Mr. Davidson said that they would proceed to their fifth item, which was the budget. He explained that the budget was just a plan and that according to the Virginia Code, the resolution of appropriations granted authority to the County to spend money. He said that this was when the plan started to move into action and allowed them to execute what they had planned.

Mr. Davidson said that two additional things to highlight in this actual resolution were that every year, the Board granted the County Executive authority to transfer funding for very specific purposes, and for transparency, they would provide the Board with a report as part of their quarterly reports that showed the purpose and amount when this authority was utilized by the County Executive. He said that these items were more administrative in nature than policy decisions, which would be more appropriate to be brought before the Board at a regular meeting.

Mr. Davidson said that another aspect of this resolution was regarding establishing expectations for their external County partners who received County funds. He said that this included setting up expectations in reporting and separation of funding, among other things, for their external partners.

Mr. Davidson said that he would now move onto the adoption of the (CIP). He said that the total five-year FY25 to FY29 CIP shown had amounts totaling \$335 million for that five-year period. He said that these amounts were consistent with what they had presented to the Board and discussed with the School Board and Board of Supervisors throughout the budget process.

Mr. Davidson said that this resolution included the adopted FY25 capital budget, which was the only year that the Board officially appropriated, as well as the plan for the future FY26 through FY29. He said that the adoption of the out-year plan aided staff and the Board with future long-range planning and would be reviewed annually during the budget development process. He said that these out-years helped them to inform future long-range financial planning but were not being requested for appropriation at this time.

Mr. Pruitt said that he was broadly in favor of the tax mechanisms used here and identified here. He said that the staff had done some great work articulating what they thought was the appropriate way to raise funds for the priorities they set. He said that if this was the last word on tax rates and budget for this year, he would be remiss not to reiterate his strongly held position throughout this, which was that they were missing a significant opportunity to increase funding for eviction protection.

Mr. Pruitt said that he would not hold up the budget over this issue, but he did want to reiterate as they considered additional funds that eviction protection was included in staff's unfunded list. He said that hundreds of people had signed petitions and spoken publicly in favor of increased funding, demonstrating a strong, unquestioned, demonstrated, and quantifiable need for this service. He said that it was rare for them to have this amount of certainty that the need existed.

Mr. Pruitt said that additionally, there was potential for significant cost savings through other lines of County work. He said that increasing funding for emergency eviction reduction was an easy decision, and he was disappointed they could not include it this year or at this stage of the year. He said that he hoped his colleagues and staff would continue to look for opportunities to identify funding as they moved forward.

Ms. McKeel said that the budget season was challenging, even more so coming out of the pandemic and losing some sources of money that the community and they had access to. She said that she appreciated staff's hard work and the community's involvement in the process. She said that they had approximately 15 hours of budget discussion and made many decisions, but there was still a lot of work left to do. She said that as the year progressed, there would be opportunities to address some of those remaining issues. She mentioned that there were six to eight pages of unfunded actions on that list, which were not wish lists but rather important needs.

Ms. Mallek said that she agreed that every year there was a higher attainment rate of presentation of facts and understanding of details in a prompt and clear manner so it could be explained to others. She said that congratulations were due for that achievement. She asked if there was any broad level of data available on the personal property tax expected impacts. She asked if they were prepared for the example given during public comment.

Ms. Mallek said that it seemed like a significant increase, and she was unsure if this was regular or not. She said that she understood that the reason staff brought forward, and the Board approved the reduction initially was due to the broad spread of savings amongst the populace. She said that with the increases happening now, the opposite was also happening. She said that her question was about what sort of data there was regarding anomalies or anything else they could share on this topic today.



Mr. Jacob Sumner, Chief Financial Officer, said that regarding the data for personal property vehicles in the County's system, it was difficult to summarize such a vast dataset into just one or two examples; however, on average and across the entire dataset, they examined the depreciation or lowering of assessed values of those vehicles from their peak in 2022.

Mr. Sumner said that the reduction in these assessments, combined with the proposed tax increase, would generally result in a nearly equal tax bill compared to the previous year. He said that it would vary for several reasons; not everyone would experience this, but most people would see a similar tax bill as they did last year.

Mr. Sumner noted that their personal property tax relief also factored into this calculation and varied from vehicle to vehicle based on value since the relief only applied up to the first \$20,000 of assessed value. He said that there were different changes in individual vehicles, such as one vehicle being assessed at a lower percentage than another. He said that on average, though, they anticipated most residents would have very similar tax bills this year, but exceptions would occur here and there.

Ms. Mallek asked if it was correct to say that if the assessed value of the vehicle, according to the national standard, had decreased, then more vehicles may qualify for the relief percentage than before when their values were higher.

Mr. Sumner said that staff took that into account when calculating the taxes.

Ms. LaPisto-Kirtley said that she respected Mr. Pruitt's comments and hoped that at their midpoint, additional funds could be found for eviction prevention. She said that however, they would have to see if anything came about at that time. She said that they also had to realize that SAFER (Staffing for Adequate Firefighters and Emergency Response) grants were coming due within the next several years, which meant the County would have to make up that balance.

Ms. LaPisto-Kirtley said that she did not know the exact amount, but it would be a lot of money because they were paying for all those firefighters and EMTs (Emergency Medical Technician). She said that they must keep this in mind, but it was important to note that additional monies may become available in six months, at which point they could tweak some things. She said that as Ms. McKeel said, they had eight pages of unfunded items they could not fit into the budget in order to keep it balanced.

Ms. LaPisto-Kirtley said that Mr. Richardson, County Executive, and his team worked very hard to balance everything, and they had a really good budget despite not having everything they wanted. She said that they had not raised their real estate tax rate, which had been stable for six years now. She said that while the personal property tax had fluctuated, there were reasons for that as well. She said that she supported the budget.

Mr. Gallaway said that there were certain items in the budget that had not been funded, which caused him concern, similar to Supervisor Pruitt's worries. He said that if he were able to find a way to include these unfunded items, he would consider using the reserve for contingencies, just as Supervisor Pruitt suggested.

Mr. Gallaway said that, however, he decided against making such a request because he had come to understand how the reserve for contingencies fund functioned within their organization. He said that he wanted to be explicit about some of the things that were missing from the budget. He said that there was no allocation for emergency assistance funds or a DSS position, nor was there a community development position needed to expedite application processing.

Mr. Gallaway asked about the process that would take place if, after the voted-on budget had been approved, someone approached the County Executive or CFO (Chief Financial Officer) and reported that the emergency assistance fund had run out with eight months remaining and ongoing requests were still coming in, he asked how they would address this situation. He said that similarly, he wanted to know how the reserve for contingencies could be used due to a need arising or an existing allocation being depleted.

Mr. Sumner said that regarding the reserve for contingencies they already had, they broke those down into whether they were funded with ongoing revenues or one-time revenues. He said that this classification helped in determining the need and where to fund that from. He said that they tried to ensure they were not funding ongoing costs with one-time funding. He said that throughout the fiscal year, staff gathered additional information such as tax collection rates and local economic trends. He said that they evaluated the revenues and spending to ensure they stayed within the currently appropriated budget.

Mr. Sumner said that taking all of that into context, they assessed the need before them, whether it was for emergency assistance or a new position to enhance services. He said that the County Executive had authority, under one of the resolutions that would be voted on later in the day, to use some reserve for contingency funds. He said that staff reported these back to the Board quarterly as part of their quarterly reports, which were included as an attachment.

Mr. Sumner said that at a high level, the process involved gathering as much information as possible. He said that early in the fiscal year, they had less data than later, but they had more budget availability at the beginning. He said that they then took all this information into account, considered the need from a holistic perspective, including County services, community needs, and remaining fund

balances.

Mr. Gallaway said he appreciated the response and believed it was essential for community members to understand that. He said that he assumed that the department heads were aware they could take action, if necessary, even during mid-fiscal year.

Mr. Gallaway said that he wanted to discuss the car issue and expressed his difficulty in understanding the personal property tax increase for cars. He said that he presumed that the individual who spoke earlier did not arbitrarily calculate 200% or 300% increases in car values but likely consulted County staff and received accurate information.

Mr. Gallaway said that he assumed that the information that was communicated was different or was wrong. He said that if vehicle values remained consistent year over year, tax bills should increase accordingly. He said that however, a \$0.54 tax rate increase should not result in 100%, 200%, or 300% value increases, which did not make sense to him. He requested clarification on this concern, suggesting it might be just a miscommunication of the values on a tax bill.

Mr. Sumner said that staff would take a look at that particular situation. He said that what came to his mind was comparing vehicle data from one year to another. He said that specifically, he would be interested in the number and types of vehicles listed on last year's tax bill compared to this year's, as well as their values. He said that he acknowledged opportunities for adjustments due to people buying or selling vehicles throughout the calendar year. He said that without having the specific details immediately available, he would need to conduct further research to look at that.

Mr. Gallaway said that he would not delay the vote today but would provide information regarding what the gentleman who spoke earlier had discussed. He said that this was an area he was familiar with, and he found the list of vehicles confusing despite being somewhat informed on the subject. He said that his specific question related to car values declining was: considering the increased rate, should they still expect a shortfall in revenue due to decreasing values?

Mr. Gallaway said that conversely, if vehicle values unexpectedly increased or an unforeseen factor affected revenue, there may be additional funds generated beyond expectations. He asked what would happen to these extra funds, suggesting they might contribute to the end-of-year surplus. He said that in that case, he would propose discussing with the Board what to do with those excess funds, considering the options of either keeping or not keeping them. He said that he supported the rate increase and understood its rationale, which aimed at equalizing back to a specific time period. He said that the items for which additional revenue was utilized were critical and important. He said that otherwise, he would not have supported this particular tax increase.

Mr. Gallaway said that however, public safety positions had faced significant challenges in recent times. He said that in just the last 30 days they had to operate at full capacity more than probably three or four times during this period. He said that there may have been other events that he was unaware of. He said that those positions needed to be filled. He said that regarding the gentleman who spoke earlier today, he believed that this was the reason for the tax increase. He said that it was crucial to fill all public safety positions.

Mr. Gallaway said that he hoped staff would give a good response to the gentleman because if they have miscommunicated information, that was creating some stress. He said that this could be addressed through better training and could help with other people who call in and ask about their tax bill.

Mr. Gallaway said that regarding the Schools amount, if the Schools did not receive the projected funding from state, he needed clarification on their confidence level with the state's projection. He asked what their contingency plan was if the state did not provide the \$7 million they were expecting.

Mr. Sumner said that during the School Board meeting when they approved their budget, he observed in the details that there was \$700,000 of state revenue contingency. He said that this meant if the budget returned from the state was \$700,000 less than what they had anticipated and included in this budget, they could make a reduction in their budget without affecting any other additional expenditures. He said that they would merely decrease that contingency.

Mr. Sumner said that the basis of their state revenue was what was in the conference budget sent to the governor, so that was their starting point. He said that any difference from that amount would first go towards the contingency they had set up and then, after that, they would need to look at additional expenditure reserves should that funding be less.

Mr. Gallaway said that the initial estimate was \$8 million, and now they projected a total of \$7 million. He said that he did not expect them to not receive any of it; they would receive some portion of \$7 million. He said that the variance could be more than \$700,000.

Mr. Davidson said that he would like to clarify one point regarding the state amount increase in the School's budget. He said that it was not the entire \$7 million. He said that some of that was funded through the use of fund balance for them. He said that the actual increase amount was closer to \$4.7 million or \$4.8 million, which was still a significant figure, but not the full \$7 million. He said that the remaining portion came from fund balance usage.

Mr. Gallaway said that if they got down to a budget gap of \$2 million or \$3 million, it would be

more reasonable than doing stark cuts and reductions. He said that they knew they would have to go to expenditures and make some decisions in that case. He said that revenue could not cover the shortfall if the state did not come through.

Mr. Andrews said that there would likely be budget amendments throughout the year, which was an important part of the process. He said that the compromises reached at this point were acceptable to him, but he hoped for opportunities to revisit them in the future. He said that he was supportive of the budget at this point. He said that he was very concerned about the vehicle values discrepancy. He said that a quick calculation showed that the increase should be approximately 15%, which was different from the percentages they had seen. He said that however, it should be noted that these were averages and not based on any specific property.

Mr. Andrews asked if there was a motion to adopt the Resolution to Set Calendar Year 2024 Tax Rates in the form of Attachment A.

Ms. McKeel **moved** that the Board of Supervisors adopt the Resolution to Set Calendar Year 2024 Tax Rates (Attachment A).

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

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

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**RESOLUTION TO SET  
CALENDAR YEAR 2024 TAX RATES**

**BE IT RESOLVED** that the Board of Supervisors of Albemarle County, Virginia, does hereby set the County Levy for Calendar Year 2024 for general County purposes at:

- (1) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of real estate;
- (2) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of manufactured homes;
- (3) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of public service property;
- (4) Three Dollars and Ninety-Six Cents (\$3.96) on every One Hundred Dollars for assessed value of personal property;
- (5) Three Dollars and Ninety-Six Cents (\$3.96) on every One Hundred Dollars for assessed value of business personal property that is not classified as machinery and tools, merchants' capital, or short-term rental property, with an original cost of less than Five Hundred Dollars (\$500.00); and
- (6) Three Dollars and Ninety-Six Cents (\$3.96) on every One Hundred Dollars for assessed value of machinery and tools; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors orders the Chief Financial Officer of Albemarle County to assess and collect County taxes on all taxable property, including all taxable real estate and all taxable personal property.

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Mr. Andrews asked if there was a motion to adopt an Ordinance to Amend the Transient Occupancy Tax Rate in the form of Attachment B.

Ms. Mallek **moved** that the Board of Supervisors adopt the Ordinance to Amend the Transient Occupancy Tax Rate (Attachment B).

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

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

\* \* \* \* \*

ORDINANCE NO. 24-15(2)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, TAXATION, ARTICLE 9, TRANSIENT OCCUPANCY TAX, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article 9, Transient Occupancy Tax, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

**By amending:**  
Sec. 15-901      Transient occupancy tax imposed; amount.

**Chapter 15. Taxation**

**Article 9. Transient Occupancy Tax**

**Sec. 901              Transient occupancy tax imposed; amount.**

A transient occupancy tax is hereby imposed on the use or possession of all rooms or spaces in hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms for fewer than 30 consecutive days as follows:

- A.        *Tax rate.* The rate of this tax is nine percent of the amount charged for the use or possession.
- B.        *Applicability of Virginia Code §§ 58.1-3819 and 58.1-3826 to this article.* Except as otherwise provided in this article, Virginia Code §§ 58.1-3819 and 58.1-3826 apply to this article.
- (11-28-73; 8-15-74; 4-13-88; 3-19-97; § 8-41; Code 1988, § 8-42, Ord. No. 98-8(2), 6-10-98; § 15-901, Ord. 98-A(1), 8-5-98; Ord. 08-15(1), 10-1-08; Ord. 17-15(1), adopted 6-14-17, effective 8-1-17; Ord. 19-15(1), 4-17-19; Ord. 21-15(5), 12-1-21; Ord 22-15(4), 5-4-22, effective 7-1-22; Ord. 24-15(2), 4-17-24 effective 7-1-24)

**State Law reference** - Va. Code §§ 58.1-3819 , 58.1-3826 .

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

Mr. Andrews said that they had a revised budget resolution, and asked for a motion to adopt the fiscal year operating and capital budget in the revised form distributed by Mr. Davidson as updated Attachment C.

Ms. McKeel **moved** Ms. McKeel moved that the Board of Supervisors adopt the fiscal year operating and capital budget in the revised form distributed by Mr. Davidson as updated Attachment C.

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

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

\* \* \* \* \*

**FY 2025  
BUDGET RESOLUTION**

**BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia:**

- 1) That the budget for the County for the Fiscal Year beginning July 1, 2024 is made up of the County Executive’s Recommended Budget document and the amendments made by the Board of Supervisors.
- 2) That the budget for the County for the Fiscal Year beginning July 1, 2024 is summarized as follows:

General Fund	\$437,974,231
Less Transfers to Other Funds	(244,488,824)
<b>Net County Government - General Fund</b>	<b>\$193,485,407</b>
School Fund	\$269,407,627
Less Transfer to Other Funds	(7,261,501)
<b>Net Public Schools - School Fund</b>	<b>\$262,146,126</b>
School Special Revenue Funds	\$25,953,238
Less Transfer to Other Funds	(1,176,142)
<b>Net Public Schools - Special Revenue Funds</b>	<b>\$24,777,096</b>
County Government - Other Funds	\$37,582,200
Less Transfer to Other Funds	(7,347,277)
<b>Net County Government - Other Funds</b>	<b>\$30,234,923</b>

<b>Capital Projects Funds</b>	
County Government Capital Fund (net of transfer to School Capital Fund)	\$35,142,256
School Projects Capital Fund	70,683,083
<b>Total Capital Projects Funds</b>	<b>\$105,825,339</b>
Less Transfer to Other Funds	(2,865,800)
<b>Net Capital Projects Funds</b>	<b>\$102,959,539</b>
<b>Debt Service Funds</b>	
County Government Debt Service Fund	\$11,769,605
School Debt Service Fund	16,823,405
<b>Total Debt Service Funds</b>	<b>\$28,593,010</b>
<b>TOTAL COUNTY BUDGET</b>	<b>\$642,196,101</b>

3) That the budget for the County for the Fiscal Year beginning July 1, 2024 as described in 1) and 2) above is approved.

Mr. Andrews requested a motion to adopt the Resolution to Set the FY25 Salary Scales in the form of Attachment D

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the Resolution to Set the FY25 Salary Scales (Attachment D).

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

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

\* \* \* \* \*

**FY 2025 PAY SCALES RESOLUTION**

**WHEREAS**, the County’s budget for the Fiscal Year beginning on July 1, 2024, includes funding for compensation based on the pay scales for the County as described in the attached COUNTY OF ALBEMARLE Classified Salary Scale Effective July 1, 2024 through June 30, 2025, and the attached COUNTY OF ALBEMARLE Classified Public Safety Pay Scales Effective July 1, 2024 through June 30, 2025, for each of the Police Department, Fire Rescue Department and Sheriff’s Office (collectively, the “FY 2025 Salary Scales”); and

**WHEREAS**, County staff have recommended to the Board of Supervisors of Albemarle County that it approve the Salary Scales as proposed;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Albemarle County approves the FY 2025 Salary Scales effective on July 1, 2024, for employees on the 14-day pay cycle and July 1, 2024, for employees on the 28-day pay cycle.

\* \* \*

COUNTY OF ALBEMARLE Classified Salary Scale				
Effective July 1, 2024 through June 30, 2025				
Pay Grade	Minimum Annual	Midpoint Annual	Maximum Annual	Range Spread
25	\$33,498	\$40,197	\$46,897	40%
26	\$36,177	\$43,413	\$50,648	40%
27	\$39,071	\$46,886	\$54,700	40%
28	\$42,197	\$50,637	\$59,076	40%
29	\$42,067	\$54,688	\$67,308	60%
30	\$45,433	\$59,063	\$72,692	60%
31	\$49,067	\$63,788	\$78,508	60%
32	\$52,993	\$68,891	\$84,788	60%
33	\$57,232	\$74,402	\$91,571	60%
34	\$61,811	\$80,354	\$98,897	60%
35	\$66,756	\$86,782	\$106,809	60%
36	\$72,096	\$93,725	\$115,354	60%
37	\$77,864	\$101,223	\$124,582	60%
38	\$84,093	\$109,321	\$134,549	60%
39	\$90,820	\$118,066	\$145,312	60%
40	\$98,086	\$127,512	\$156,937	60%
41	\$105,933	\$137,713	\$169,492	60%
DLB	\$114,406		\$230,589	NA

Police Department July 1, 2024 – June 30, 2025																												
Hourly Rate Step Scale			* 2% increase between steps																									
Police Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Police Captain	10.00%								\$45.10	\$46.00	\$46.92	\$47.86	\$48.81	\$49.79	\$50.79	\$51.80	\$52.84	\$53.89	\$54.97	\$56.07	\$57.19	\$58.34	\$59.50	\$60.69	\$61.91	\$63.15	\$64.41	\$65.70
Police Lieutenant	10.00%							\$40.19	\$41.00	\$41.82	\$42.65	\$43.51	\$44.38	\$45.26	\$46.17	\$47.09	\$48.03	\$48.99	\$49.97	\$50.97	\$51.99	\$53.03	\$54.09	\$55.18	\$56.28	\$57.41	\$58.55	\$59.72
Police Sergeant	10% (above Master Police Officer)							\$36.54	\$37.28	\$38.05	\$38.81	\$39.58	\$40.37	\$41.18	\$42.01	\$42.85	\$43.70	\$44.58	\$45.47	\$46.38	\$47.30	\$48.25	\$49.22	\$50.20	\$51.20	\$52.23	\$53.27	\$54.34
Animal Protection Supervisor	5.00%			\$32.17	\$32.83	\$33.50	\$34.18	\$34.88	\$35.59	\$36.32	\$37.04	\$37.78	\$38.54	\$39.31	\$40.10	\$40.90	\$41.72	\$42.55	\$43.40	\$44.27	\$45.15	\$46.06	\$46.98	\$47.92	\$48.88	\$49.85	\$50.85	\$51.87
Master Police Officer	5.00%								\$34.59	\$35.28	\$35.98	\$36.70	\$37.44	\$37.44	\$38.19	\$38.95	\$39.73	\$40.52	\$41.33	\$42.16	\$43.00	\$43.86	\$44.74	\$45.64	\$46.55	\$47.48	\$48.43	\$49.40
Senior Police Officer	5.00%							\$31.04	\$32.29	\$32.94	\$33.60	\$34.27	\$34.96	\$35.66	\$36.37	\$37.10	\$37.84	\$38.59	\$39.37	\$40.15	\$40.96	\$41.78	\$42.61	\$43.46	\$44.33	\$45.22	\$46.12	\$47.05
Police Officer First Class	5.00%			\$27.86	\$28.41	\$28.98	\$29.56	\$30.15	\$30.76	\$31.37	\$32.00	\$32.64	\$33.29	\$33.96	\$34.64	\$35.33	\$36.04	\$36.76	\$37.49	\$38.24	\$39.01	\$39.79	\$40.58	\$41.39	\$42.22	\$43.07	\$43.93	\$44.81
Police Officer		\$25.50	\$26.01	\$26.53	\$27.06	\$27.60	\$28.15	\$28.72	\$29.29	\$29.88	\$30.47	\$31.08	\$31.71	\$32.34	\$32.99	\$33.65	\$34.32	\$35.01	\$35.71	\$36.42	\$37.15	\$37.89	\$38.65	\$39.42	\$40.21	\$41.02	\$41.84	\$42.67
Estimated Salary Annualized at 2080 Hours																												
Police Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Police Captain									\$93,800	\$95,676	\$97,590	\$99,541	\$101,532	\$103,563	\$105,634	\$107,747	\$109,902	\$112,100	\$114,342	\$116,629	\$118,961	\$121,340	\$123,767	\$126,243	\$128,767	\$131,343	\$133,970	\$136,649
Police Lieutenant								\$83,601	\$85,273	\$86,978	\$88,718	\$90,492	\$92,302	\$94,148	\$96,031	\$97,952	\$99,911	\$101,909	\$103,947	\$106,026	\$108,147	\$110,309	\$112,516	\$114,766	\$117,061	\$119,402	\$121,791	\$124,226
Police Sergeant				\$71,531	\$72,991	\$74,481	\$76,001	\$77,552	\$79,134	\$80,717	\$82,331	\$83,978	\$85,658	\$87,371	\$89,118	\$90,901	\$92,719	\$94,573	\$96,464	\$98,394	\$100,362	\$102,369	\$104,416	\$106,505	\$108,635	\$110,807	\$113,023	
Animal Protection Supervisor	5.00%			\$66,914	\$68,280	\$69,673	\$71,095	\$72,546	\$74,027	\$75,537	\$77,048	\$78,589	\$80,161	\$81,764	\$83,399	\$85,067	\$86,769	\$88,504	\$90,274	\$92,080	\$93,921	\$95,800	\$97,716	\$99,670	\$101,663	\$103,697	\$105,771	\$107,886
Master Police Officer	5.00%								\$71,940	\$73,379	\$74,847	\$76,344	\$77,871	\$79,428	\$81,017	\$82,637	\$84,290	\$85,975	\$87,695	\$89,449	\$91,238	\$93,063	\$94,924	\$96,822	\$98,759	\$100,734	\$102,749	
Senior Police Officer	5.00%							\$64,563	\$67,171	\$68,515	\$69,885	\$71,283	\$72,708	\$74,162	\$75,646	\$77,159	\$78,702	\$80,276	\$81,881	\$83,519	\$85,189	\$86,893	\$88,631	\$90,404	\$92,212	\$94,056	\$95,937	\$97,856
Police Officer First Class	5.00%			\$57,942	\$59,101	\$60,283	\$61,488	\$62,718	\$63,973	\$65,252	\$66,557	\$67,888	\$69,246	\$70,631	\$72,044	\$73,484	\$74,954	\$76,453	\$77,982	\$79,542	\$81,133	\$82,755	\$84,410	\$86,099	\$87,821	\$89,577	\$91,369	\$93,196
Police Officer		\$53,040	\$54,101	\$55,183	\$56,286	\$57,412	\$58,560	\$59,732	\$60,926	\$62,145	\$63,388	\$64,655	\$65,949	\$67,268	\$68,613	\$69,985	\$71,385	\$72,813	\$74,269	\$75,754	\$77,269	\$78,815	\$80,391	\$81,999	\$83,639	\$85,312	\$87,018	\$88,758

For employees on this pay scale with the following degrees, certifications, or working in the following capacities, increase salary by:

\$1000 for Associates or \$2000 for Bachelors degree  
\$1500 for Detective Certification

COUNTY OF ALBEMARLE Classified Public Safety Pay Scale																													
Fire Rescue July 1, 2024 - June 30, 2025																													
Salary Step Scale		*2% increase between steps																											
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	
Fire Rescue Battalion Chief	15.00%										\$97,044	\$98,985	\$100,965	\$102,984	\$105,044	\$107,144	\$109,287	\$111,473	\$113,702	\$115,977	\$118,296	\$120,662	\$123,075	\$125,537	\$128,047	\$130,608	\$133,221	\$135,885	
Fire Captain II	5.00%									\$82,731	\$84,386	\$86,074	\$87,795	\$89,551	\$91,342	\$93,169	\$95,032	\$96,933	\$98,872	\$100,849	\$102,866	\$104,923	\$107,022	\$109,162	\$111,346	\$113,573	\$115,844	\$118,161	
Fire Captain	15.00%								\$77,247	\$78,792	\$80,368	\$81,975	\$83,615	\$85,287	\$86,993	\$88,732	\$90,507	\$92,317	\$94,164	\$96,047	\$97,968	\$99,927	\$101,926	\$103,964	\$106,043	\$108,164	\$110,328	\$112,534	
Master Fire Fighter/EMT	5.00%						\$65,854		\$67,171	\$68,515	\$69,885	\$71,283	\$72,708	\$74,162	\$75,646	\$77,159	\$78,702	\$80,276	\$81,881	\$83,519	\$85,189	\$86,893	\$88,631	\$90,404	\$92,212	\$94,056	\$95,937	\$97,856	
Senior Fire Fighter/EMT	5.00%						\$61,488	\$62,718	\$63,973	\$65,252	\$66,557	\$67,888	\$69,246	\$70,631	\$72,044	\$73,484	\$74,954	\$76,453	\$77,982	\$79,542	\$81,133	\$82,755	\$84,410	\$86,099	\$87,821	\$89,577	\$91,369	\$93,196	
Fire Fighter/EMT	5.00%	\$53,040	\$54,101	\$55,183	\$56,286	\$57,412	\$58,560	\$59,732	\$60,926	\$62,145	\$63,388	\$64,655	\$65,949	\$67,268	\$68,613	\$69,985	\$71,385	\$72,813	\$74,269	\$75,754	\$77,269	\$78,815	\$80,391	\$81,999	\$83,639	\$85,312	\$87,018	\$88,758	
Hourly Rate at 2080 Annual Hours																													
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	
Fire Rescue Battalion Chief	15.00%										\$46.66	\$47.59	\$48.54	\$49.51	\$50.50	\$51.51	\$52.54	\$53.59	\$54.66	\$55.76	\$56.87	\$58.01	\$59.17	\$60.35	\$61.56	\$62.79	\$64.05	\$65.33	
Fire Captain II	5.00%									\$39.77	\$40.57	\$41.38	\$42.21	\$43.05	\$43.91	\$44.79	\$45.69	\$46.60	\$47.53	\$48.49	\$49.45	\$50.44	\$51.45	\$52.48	\$53.53	\$54.60	\$55.69	\$56.81	
Fire Captain	15.00%								\$37.14	\$37.88	\$38.64	\$39.41	\$40.20	\$41.00	\$41.82	\$42.66	\$43.51	\$44.38	\$45.27	\$46.18	\$47.10	\$48.04	\$49.00	\$49.98	\$50.98	\$52.00	\$53.04	\$54.10	
Master Fire Fighter/EMT	5.00%								\$31.66	\$32.29	\$32.94	\$33.60	\$34.27	\$34.96	\$35.66	\$36.37	\$37.10	\$37.84	\$38.59	\$39.37	\$40.15	\$40.96	\$41.78	\$42.61	\$43.46	\$44.33	\$45.22	\$46.12	\$47.05
Senior Fire Fighter/EMT	5.00%						\$29.56	\$30.15	\$30.76	\$31.37	\$32.00	\$32.64	\$33.29	\$33.96	\$34.64	\$35.33	\$36.04	\$36.76	\$37.49	\$38.24	\$39.01	\$39.79	\$40.58	\$41.39	\$42.22	\$43.07	\$43.93	\$44.81	
Fire Fighter/EMT	5.00%	\$25.50	\$26.01	\$26.53	\$27.06	\$27.60	\$28.15	\$28.72	\$29.29	\$29.88	\$30.47	\$31.08	\$31.71	\$32.34	\$32.99	\$33.65	\$34.32	\$35.01	\$35.71	\$36.42	\$37.15	\$37.89	\$38.65	\$39.42	\$40.21	\$41.02	\$41.84	\$42.67	
Hourly Rate at 2496 Annual Hours																													
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	
Fire Rescue Battalion Chief	15.00%										\$38.88	\$39.66	\$40.45	\$41.26	\$42.08	\$42.93	\$43.78	\$44.66	\$45.55	\$46.46	\$47.39	\$48.34	\$49.31	\$50.30	\$51.30	\$52.33	\$53.37	\$54.44	
Fire Captain II	5.00%									\$33.15	\$33.81	\$34.48	\$35.17	\$35.88	\$36.60	\$37.33	\$38.07	\$38.84	\$39.61	\$40.40	\$41.21	\$42.04	\$42.88	\$43.73	\$44.61	\$45.50	\$46.41	\$47.34	
Fire Captain	15.00%								\$30.95	\$31.57	\$32.20	\$32.84	\$33.50	\$34.17	\$34.85	\$35.55	\$36.26	\$36.99	\$37.73	\$38.48	\$39.25	\$40.03	\$40.84	\$41.65	\$42.49	\$43.34	\$44.20	\$45.09	
Master Fire Fighter/EMT	5.00%						\$26.38	\$26.91	\$27.45	\$28.00	\$28.56	\$29.13	\$29.71	\$30.31	\$30.91	\$31.53	\$32.16	\$32.81	\$33.46	\$34.13	\$34.81	\$35.51	\$36.22	\$36.94	\$37.68	\$38.44	\$39.21		
Senior Fire Fighter/EMT	5.00%						\$24.63	\$25.13	\$25.63	\$26.14	\$26.67	\$27.20	\$27.74	\$28.30	\$28.86	\$29.44	\$30.03	\$30.63	\$31.24	\$31.87	\$32.51	\$33.16	\$33.82	\$34.49	\$35.18	\$35.89	\$36.61	\$37.34	
Fire Fighter/EMT	5.00%	\$21.25	\$21.68	\$22.11	\$22.55	\$23.00	\$23.46	\$23.93	\$24.41	\$24.90	\$25.40	\$25.90	\$26.42	\$26.95	\$27.49	\$28.04	\$28.60	\$29.17	\$29.76	\$30.35	\$30.96	\$31.58	\$32.21	\$32.85	\$33.51	\$34.18	\$34.86	\$35.56	



Hourly Rate at 2912 Annual Hours																												
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Fire Rescue Battalion Chief	15.00%										\$33.33	\$33.99	\$34.67	\$35.37	\$36.07	\$36.79	\$37.53	\$38.28	\$39.05	\$39.83	\$40.62	\$41.44	\$42.26	\$43.11	\$43.97	\$44.85	\$45.75	\$46.66
Fire Captain II	5.00%										\$28.41	\$29.56	\$30.15	\$30.75	\$31.37	\$31.99	\$32.63	\$33.29	\$33.95	\$34.63	\$35.32	\$36.03	\$36.75	\$37.49	\$38.24	\$39.00	\$39.78	\$40.58
Fire Captain	15.00%										\$27.06	\$28.15	\$28.71	\$29.29	\$29.87	\$30.47	\$31.08	\$31.70	\$32.34	\$32.98	\$33.64	\$34.32	\$35.00	\$35.70	\$36.42	\$37.14	\$37.89	\$38.64
Master Fire Fighter/EMT	5.00%										\$23.53	\$24.00	\$24.48	\$25.47	\$25.98	\$26.50	\$27.03	\$27.57	\$28.12	\$28.68	\$29.25	\$29.84	\$30.44	\$31.05	\$31.67	\$32.30	\$32.95	\$33.60
Senior Fire Fighter/EMT	5.00%						\$21.12	\$21.54	\$21.97	\$22.41	\$23.31	\$23.78	\$24.26	\$24.74	\$25.24	\$25.74	\$26.25	\$26.78	\$27.32	\$27.86	\$28.42	\$28.99	\$29.57	\$30.16	\$30.76	\$31.38	\$32.00	
Fire Fighter/EMT	5.00%	\$18.21	\$18.58	\$18.95	\$19.33	\$19.72	\$20.11	\$20.51	\$20.92	\$21.34	\$21.77	\$22.20	\$22.65	\$23.10	\$23.56	\$24.03	\$24.51	\$25.00	\$25.50	\$26.01	\$26.53	\$27.07	\$27.61	\$28.16	\$28.72	\$29.30	\$29.88	\$30.48

For employees on this pay scale with the following degrees, certifications, or working in the following capacities, increase annual salary by:

- \$1000 for Associates or \$2000 for Bachelors degree  
Fire Rescue Dept. specific:
- \$10,000 for Advanced Life Support (ALS)
- \$1000 for Driver Pump Operator (DPO)
- \$1000 for Technical Rescue Technician (TRT)
- \$1000 for Hazardous Materials Technician (HAZMAT)

COUNTY OF ALBEMARLE Classified Public Safety Pay Scale																																	
Sheriff's Office July 1, 2024 - June 30, 2025																																	
Hourly Rate Step Scale    *2% increase between steps																																	
Sheriff's Office Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Sheriff's Office Sergeant	10.00%				\$32.53	\$33.20	\$33.87	\$34.56	\$35.27	\$35.99	\$36.72	\$37.47	\$38.24	\$39.02	\$39.80	\$40.59	\$41.41	\$42.23	\$43.08	\$43.94	\$44.82	\$45.72	\$46.63	\$47.56	\$48.51	\$49.48	\$50.47	\$51.48	\$52.51	\$53.56	\$54.64	\$55.73	
Sheriff's Office Master Deputy	5.00%													\$35.47	\$36.18	\$36.90	\$37.64	\$38.40	\$39.16	\$39.95	\$40.75	\$41.56	\$42.39	\$43.24	\$44.10	\$44.99	\$45.89	\$46.80	\$47.74	\$48.69	\$49.67	\$50.66	
Sheriff's Office Senior Deputy	5.00%									\$31.21	\$31.83	\$32.47	\$33.12	\$33.78	\$34.46	\$35.15	\$35.85	\$36.57	\$37.30	\$38.04	\$38.81	\$39.58	\$40.37	\$41.18	\$42.00	\$42.84	\$43.70	\$44.57	\$45.47	\$46.38	\$47.30	\$48.25	
Sheriff's Office Deputy First Class	5.00%						\$28.01	\$28.57	\$29.14	\$29.72	\$30.32	\$30.92	\$31.54	\$32.17	\$32.82	\$33.47	\$34.14	\$34.83	\$35.52	\$36.23	\$36.96	\$37.70	\$38.45	\$39.22	\$40.00	\$40.80	\$41.62	\$42.45	\$43.30	\$44.17	\$45.05	\$45.95	
Sheriff's Office Deputy	5.00%	\$24.16	\$24.64	\$25.14	\$25.64	\$26.15	\$26.68	\$27.21	\$27.75	\$28.31	\$28.87	\$29.45	\$30.04	\$30.64	\$31.25	\$31.88	\$32.52	\$33.17	\$33.83	\$34.51	\$35.20	\$35.90	\$36.62	\$37.35	\$38.10	\$38.86	\$39.64	\$40.43	\$41.24	\$42.06	\$42.91	\$43.76	
Sheriff's Office Deputy Non LEO and/or Recruit		\$23.01	\$23.47	\$23.94	\$24.42	\$24.91	\$25.40	\$25.91	\$26.43	\$26.96	\$27.50	\$28.05	\$28.61	\$29.18	\$29.77	\$30.36	\$30.97	\$31.59	\$32.22	\$32.86	\$33.52	\$34.19	\$34.88	\$35.57	\$36.28	\$37.01	\$37.75	\$38.51	\$39.28	\$40.06	\$40.86	\$41.68	
Estimated Salary Annualized at 2080 Hours																																	
Sheriff's Office Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Sheriff's Office Sergeant	10.00%				\$67,665	\$69,046	\$70,455	\$71,893	\$73,360	\$74,858	\$76,385	\$77,944	\$79,535	\$81,158	\$82,781	\$84,437	\$86,126	\$87,848	\$89,605	\$91,397	\$93,225	\$95,090	\$96,991	\$98,931	\$100,910	\$102,928	\$104,987	\$107,086	\$109,228	\$111,413	\$113,641	\$115,914	
Sheriff's Office Master Deputy	5.00%													\$73,780	\$75,256	\$76,761	\$78,296	\$79,862	\$81,459	\$83,088	\$84,750	\$86,445	\$88,174	\$89,938	\$91,736	\$93,571	\$95,442	\$97,351	\$99,298	\$101,284	\$103,310	\$105,376	
Sheriff's Office Senior Deputy	5.00%									\$64,916	\$66,214	\$67,538	\$68,889	\$70,267	\$71,672	\$73,106	\$74,568	\$76,059	\$77,580	\$79,132	\$80,714	\$82,329	\$83,975	\$85,655	\$87,368	\$89,115	\$90,898	\$92,715	\$94,570	\$96,461	\$98,390	\$100,358	
Sheriff's Office Deputy First Class	5.00%						\$57,116	\$58,259	\$59,424	\$60,612	\$61,824	\$63,061	\$64,322	\$65,609	\$66,921	\$68,259	\$69,624	\$71,017	\$72,437	\$73,886	\$75,364	\$76,871	\$78,408	\$79,976	\$81,576	\$83,208	\$84,872	\$86,569	\$88,300	\$90,066	\$91,868	\$93,705	\$95,579
Sheriff's Office Deputy	5.00%	\$50,254	\$51,259	\$52,284	\$53,330	\$54,396	\$55,484	\$56,594	\$57,726	\$58,880	\$60,058	\$61,259	\$62,484	\$63,734	\$65,009	\$66,309	\$67,635	\$68,988	\$70,368	\$71,775	\$73,210	\$74,675	\$76,168	\$77,691	\$79,245	\$80,830	\$82,447	\$84,096	\$85,778	\$87,493	\$89,243	\$91,028	
Sheriff's Office Deputy Non LEO and/or Recruit		\$47,861	\$48,818	\$49,794	\$50,790	\$51,806	\$52,842	\$53,899	\$54,977	\$56,077	\$57,198	\$58,342	\$59,509	\$60,699	\$61,913	\$63,151	\$64,414	\$65,703	\$67,017	\$68,357	\$69,724	\$71,119	\$72,541	\$73,992	\$75,472	\$76,981	\$78,521	\$80,091	\$81,693	\$83,327	\$84,993	\$86,693	

For employees on this pay scale with the following degrees, certifications, or working in the following capacities, increase salary by:

\$1000 for Associates or \$2000 for Bachelors degree

Mr. Andrews requested a motion to adopt the Annual Resolution of Appropriations in the revised form distributed by Mr. Davidson as updated Attachment E.

Ms. McKeel **moved** that the Board of Supervisors adopt the Annual Resolution of Appropriations in the revised form distributed by Mr. Davidson as updated Attachment E.

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

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

\* \* \* \* \*

ANNUAL RESOLUTION OF APPROPRIATIONS			
OF THE COUNTY OF ALBEMARLE			
FOR THE FISCAL YEAR ENDING June 30, 2025			
A RESOLUTION making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 2025; to prescribe the provisions with respect to the items of appropriation and their payment; and to repeal all previous appropriation ordinances or resolutions that are inconsistent with this resolution to the extent of such inconsistency.			
BE IT RESOLVED by the Albemarle County Board of Supervisors:			
SECTION I - COUNTY GOVERNMENT			
That the following sums of money be and the same hereby are appropriated from the GENERAL FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2025:			
Paragraph One: ADMINISTRATION			
	Board of Supervisors		\$794,435
	Executive Leadership		\$3,916,855
	Human Resources		\$2,025,597
	County Attorney		\$1,714,338
	Finance & Budget		\$9,790,485
	Information Technology		\$8,768,969
	Voter Registration and Elections		<u>\$1,552,970</u>
			\$28,563,649
Paragraph Two: JUDICIAL			
	Clerk of the Circuit Court		\$1,351,868
	Commonwealth's Attorney		\$2,531,965
	Sheriff		\$4,269,229
	Circuit Court		\$128,772
	General District Court		\$38,300
	Magistrate		\$5,725
	Juvenile Court		\$144,465
	Public Defender's Office		<u>\$181,983</u>
			\$8,652,307
Paragraph Three: PUBLIC SAFETY			
	Police Department		\$27,934,600
	System-Wide Fire Rescue Services		\$26,476,041
	Crozet Volunteer Fire Department		\$206,868
	Earlysville Volunteer Fire Company		\$218,978
	East Rivanna Volunteer Fire Company		\$224,031
	North Garden Volunteer Fire Company		\$113,882
	Scottsville Volunteer Fire Department		\$165,843
	Seminole Trail Volunteer Fire Department		\$504,900
	Stony Point Volunteer Fire Company		\$233,924
	Western Albemarle Rescue Squad (WARS) (including Contingency: WARS MOU)		\$511,698
	Emergency Communications Center		\$4,720,486
	Albemarle Charlottesville Regional Jail		\$4,560,092
	Blue Ridge Juvenile Detention Center		\$580,250
	Charlottesville Albemarle SPCA		\$804,093
	Virginia Juvenile Community Crime Control Act (VJCCCA)		<u>\$52,231</u>
			\$67,307,917
Paragraph Four: PUBLIC WORKS			
	Facilities and Environmental Services		\$9,302,739
	Rivanna Conservation Alliance - Streamwatch		\$30,000
	Rivanna Solid Waste Authority (RSWA)		\$2,526,205
	Thomas Jefferson Soil and Water Conservation		<u>\$138,899</u>
			\$11,997,843
Paragraph Five: HEALTH AND WELFARE			
	Health and Human Services		\$25,915,708
	Community Safety Contingency		\$100,000
	Albemarle Housing Improvement Program (AHIP)		\$445,619
	American Red Cross		\$25,000
	Boys & Girls Club		\$59,987
	BRACH - System Coordination Program		\$25,000
	The Bridge Line		\$29,173
	Central Virginia Community Justice		\$30,000
	Charlottesville Free Clinic		\$116,699
	Charlottesville/Albemarle Health Department		\$909,670
	Child Health Partnership		\$342,634
	Computers4Kids		\$15,351
	Foothills Child Advocacy Center		<u>\$46,583</u>

		The Fountain Fund	\$18,200
		Georgia's Friends	\$25,000
		The Haven	\$17,104
		Habitat for Humanity	\$75,000
		Jefferson Area Board for Aging (JABA)	\$416,728
		Legal Aid Justice Center	\$42,652
		Light House Studio	\$17,308
		Literacy Volunteers	\$29,016
		Local Food Hub	\$10,000
		Meals on Wheels	\$10,816
		Monticello Area Community Action Agency (MACAA)	\$48,000
		Offender Aid and Restoration (OAR)	\$178,563
		OAR Criminal Justice Planner Program	\$25,966
		OAR Local Probation	\$34,288
		OAR Pretrial Services	\$31,339
		On Our Own	\$10,279
		PACEM	\$710
		Partner for Mental Health	\$15,600
		Piedmont Court Appointed Special Advocates	\$10,000
		Piedmont Family YMCA	\$10,816
		Piedmont Housing Alliance (PHA)	\$65,714
		Piedmont Virginia Community College	\$25,658
		ReadyKids	\$77,187
		Reclaimed Hope Initiative	\$25,000
		Region Ten	\$826,760
		Sexual Assault Resource Agency (SARA)	\$22,729
		Shelter for Help in Emergency (SHE)	\$98,775
		United Way	\$161,000
		Women's Initiative	<u>\$15,000</u>
			\$30,406,632
		<b>Paragraph Six: PARKS, RECREATION AND CULTURE</b>	
		Parks & Recreation	\$5,128,531
		100 Black Men of Central Virginia	\$2,500
		Artisans Studio Tour	\$2,500
		Charlottesville/Albemarle Convention and Visitor's Bureau	\$1,150,441
		Charlottesville Ballet	\$2,500
		Charlottesville Band	\$8,000
		Charlottesville Opera	\$2,500
		Charlottesville Symphony	\$2,500
		Creciendo Juntos	\$2,500
		Crozet Arts	\$2,500
		The Front Porch	\$2,500
		Jefferson-Madison Regional Library	\$5,503,305
		Lighthouse Studio/Vinegar Hill Theater	\$2,500
		Live Arts	\$15,000
		Music Resource Center	\$2,500
		New City Arts Initiative	\$2,500
		Paramount Theater	\$2,500
		Virginia Discovery Museum	\$5,000
		Virginia Festival of the Book	\$12,500
		Virginia Film Festival	\$12,500
		Virginia Theatre Festival	<u>\$5,000</u>
			\$11,870,277
		<b>Paragraph Seven: COMMUNITY DEVELOPMENT</b>	
		Department of Community Development	\$9,272,059
		Office of Economic Development	\$800,597
		Central Virginia Partnership for Economic Development	\$57,747
		Central Virginia Small Business Development Center (CVSBDC)	\$68,069
		Community Investment Collaborative	\$25,000
		Virginia Career Works - Piedmont Region	\$23,099
		Central Shenandoah Planning District Commission	\$7,090
		Charlottesville Area Transit	\$1,859,184
		Jaunt	\$3,317,693
		Regional Transit Partnership	\$25,000
		Contingency: Micro-transit Grant	\$1,741,887
		Thomas Jefferson Planning District Commission	\$165,171
		Virginia Cooperative Extension Service	<u>\$256,902</u>
			\$17,619,498
		<b>Paragraph Eight: REVENUE SHARING AGREEMENT</b>	
		Revenue Sharing Agreement	\$17,760,728
		<b>Paragraph Nine: TAX REFUNDS, ABATEMENTS, &amp; OTHER REFUNDS:</b>	
		Refunds, Abatements, and Tax Relief	\$2,162,600

Paragraph Ten: OTHER USES OF FUNDS			
	Transfer to School Operations		\$195,048,815
	Transfer to Capital Projects and Debt Service Funds		\$40,930,847
	Transfer to Water Resources Fund		\$2,022,963
	Transfer to Economic Development Authority Fund		\$310,000
	Reserve for Contingencies		\$1,718,155
	Efficiencies and Other Savings		(\$250,000)
	Salary and Benefits Reserve		\$1,100,000
	Early Retirement		\$752,000
			\$241,632,780
Total GENERAL FUND appropriations for the fiscal year ending June 30, 2025:			\$437,974,231
To be provided as follows:			
	Revenue from Local Sources		\$385,608,405
	Revenue from the Commonwealth		\$30,244,111
	Revenue from the Federal Government		\$9,256,666
	Non-Revenue Receipts		\$213,496
	Transfers In from Other Funds		\$7,208,172
	Use of Fund Balance		\$5,443,381
Total GENERAL FUND resources available for fiscal year ending June 30, 2025:			\$437,974,231
SECTION II: GENERAL FUND SCHOOL RESERVE FUND			
That the following sums of money be and the same hereby are appropriated for GENERAL FUND SCHOOL RESERVE FUND purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:			
Paragraph One: GENERAL FUND SCHOOL RESERVE FUND			
	Transfer to the School Fund		\$2,135,000
Total GENERAL FUND SCHOOL RESERVE FUND appropriations for fiscal year ending June 30, 2025:			\$2,135,000
To be provided as follows:			
	Use of Fund Balance		\$2,135,000
Total GENERAL FUND SCHOOL RESERVE FUND resources available for fiscal year ending June 30, 2025:			\$2,135,000
SECTION III: REGULAR SCHOOL FUND			
That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:			
Paragraph One: REGULAR SCHOOL FUND			
	School Fund Expenditures		\$269,407,627
Total REGULAR SCHOOL FUND appropriations for fiscal year ending June 30, 2025:			\$269,407,627
To be provided as follows:			
	Revenue from Local Sources (General Fund Transfer)		\$195,048,815
	Revenue from Other Local Sources		\$2,051,815
	Revenue from the Commonwealth		\$68,377,855
	Revenue from the Federal Government		\$618,000
	Transfers		\$1,176,142
	Transfer from General Fund School Reserve Fund		\$2,135,000
Total REGULAR SCHOOL FUND resources available for fiscal year ending June 30, 2025:			\$269,407,627
SECTION IV: OTHER SCHOOL FUNDS			
That the following sums of money be and the same hereby are appropriated for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:			
Paragraph One: OTHER SCHOOL FUNDS			
	Other School Funds		\$25,953,238
Total OTHER SCHOOL FUND appropriations for fiscal year ending June 30, 2025:			\$25,953,238

To be provided as follows:				
		Revenue from Local Sources		\$6,866,205
		Revenue from the Commonwealth		\$3,419,914
		Revenue from the Federal Government		\$10,509,760
		Transfers		\$3,758,692
		Use of Fund Balance		\$1,398,667
Total OTHER SCHOOL FUND resources available for fiscal year ending June 30, 2025:				\$25,953,238
SECTION V: OTHER COUNTY GOVERNMENT FUNDS				
That the following sums of money be and the same hereby are appropriated for OTHER PROGRAM purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:				
Paragraph One: OTHER COUNTY GOVERNMENT FUNDS				
		CACVB Fund		\$2,712,676
		Children's Services Act		\$14,276,423
		Commonwealth's Attorney Delinquent Fines and Fees		\$23,741
		Courthouse Maintenance		\$22,390
		Darden Towe Memorial Park		\$563,710
		Disposable Plastic Bag Tax Fund		\$120,000
		Economic Development Authority		\$630,080
		Economic Development Fund		\$1,702,530
		Grant Funds		\$2,562,444
		Housing Assistance Fund		\$5,836,385
		Internal Service Funds		\$1,863,535
		Old Crozet School Operations		\$119,891
		Regional Firearms Training Center - Capital		\$276,932
		Regional Firearms Training Center - Operations		\$97,524
		Tourism		\$2,615,976
		Water Resources		\$2,022,963
Total OTHER COUNTY GOVERNMENT FUNDS appropriations for fiscal year ending June 30, 2025:				\$35,447,200
To be provided as follows:				
		Revenue from Local Sources		\$5,041,209
		Revenue from the Commonwealth		\$10,388,151
		Revenue from the Federal Government		\$6,491,002
		Transfers In from Other Funds		\$11,761,778
		Use of Fund Balance		\$1,765,060
Total OTHER COUNTY GOVERNMENT FUNDS resources available for fiscal year ending June 30, 2025:				\$35,447,200
SECTION VI - COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND				
That the following sums of money be and the same hereby are appropriated from the COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2025:				
Paragraph One: ADMINISTRATION				
		County Server Infrastructure Upgrade		\$661,200
		Core Systems Modernization		\$100,000
		Voting Machine Replacements		\$300,000
				\$1,061,200
Paragraph Two: JUDICIAL				
		Court Facilities Addition/Renovation		\$6,000,000
Paragraph Three: PUBLIC SAFETY				
		Fire Rescue Apparatus Replacement Program		\$3,903,000
		Fire Rescue Station Renovations		\$500,000
				\$4,403,000
Paragraph Four: PUBLIC WORKS				
		County Office Building Space Renovations		\$1,400,000
		County Government Maintenance/Replacement Programs		\$3,095,760
		Ivy Landfill Remediation		\$896,069
		Moores Creek Septage Receiving Station		\$109,441
		Northern Convenience Center Development		\$500,000
		Regional Firearms Training Center Capital Reserve - County Share		\$46,491
		Woolen Mills Trailhead ADA Compliance		\$635,000
				\$6,682,761

Paragraph Five: PARKS, RECREATION & CULTURE				
		Biscuit Run Park		\$6,169,170
		Darden Towe Park Field Rebuild		\$650,533
		Urban Pocket Park		\$150,000
				\$6,969,703
Paragraph Six: COMMUNITY DEVELOPMENT				
		Transportation Leveraging Program		\$5,100,000
Paragraph Seven: OTHER USES OF FUNDS				
		Cost of Issuance		\$1,544,914
		Project Management and Administrative Services		\$2,285,678
		Community Non-Profit Capital Process - Bennett's Village		\$65,000
		Community Non-Profit Capital Process - Earlysville Volunteer Fire Company		\$800,000
		Community Non-Profit Capital Process - Seminole Trail Volunteer Fire Department		\$230,000
		Borrowed Proceeds Transfer		\$59,827,647
				\$64,753,239
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2025:				\$94,969,903
To be provided as follows:				
		Revenue from Local Sources (General Fund Transfer)		\$8,728,959
		Revenue from Local Sources (Other Transfers)		\$22,390
		Revenue from Other Local Sources (including proffers)		\$1,495,682
		Borrowed Funds		\$78,790,612
		Use of Fund Balance		\$5,932,260
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2025:				\$94,969,903
SECTION VII: PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND				
That the following sums of money be and the same hereby are appropriated from the PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:				
Paragraph One: EDUCATION (PUBLIC SCHOOLS)				
		Project Management Services		\$533,631
		School Bus Replacement		\$1,760,000
		School Capacity #1 - High School Capacity and Improvements - Center 2		\$6,000,000
		School Capacity #2 - Southern Elementary School		\$45,537,452
		School Maintenance/Replacement Program		\$13,574,000
		School Renovations		\$2,860,000
		School Network Infrastructure		\$418,000
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2025:				\$70,683,083
To be provided as follows:				\$105,825,339
		Revenue from Local Sources (County Govt Capital Programs Transfer)		\$59,827,647
		Revenue from Local Sources (General Fund Transfer)		\$4,211,018
		Revenue from the Commonwealth		\$270,000
		Use of Fund Balance		\$6,374,418
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2025:				\$70,683,083
SECTION VIII: DEBT SERVICE				
That the following sums of money be and the same hereby are appropriated for the function of DEBT SERVICE to be apportioned as follows from the COUNTY GOVERNMENT DEBT SERVICE FUND and the PUBLIC SCHOOLS DEBT SERVICE FUND for the fiscal year ending June 30, 2025:				
Paragraph One: PUBLIC SCHOOLS DEBT SERVICE FUND				
		Debt Service - Public Schools		\$16,823,405
Total PUBLIC SCHOOLS DEBT SERVICE appropriations for fiscal year ending June 30, 2025:				\$16,823,405
To be provided as follows:				
		Revenue from Local Sources (Transfer from General Fund)		\$16,418,782
		Revenue from the Commonwealth		\$324,468
		Revenue from the Federal Government		\$80,155
Total PUBLIC SCHOOLS DEBT SERVICE resources available for fiscal year ending June 30, 2025:				\$16,823,405

Paragraph Two: COUNTY GOVERNMENT DEBT SERVICE FUND			
	Debt Service - County Government		\$11,769,605
Total COUNTY GOVERNMENT DEBT SERVICE appropriations for fiscal year ending June 30, 2025:			\$11,769,605
To be provided as follows:			
	Revenue from Local Sources (Transfer from General Fund)		\$11,572,090
	Revenue from Local Sources (Transfer from Water Resources Fund)		\$197,515
Total COUNTY GOVERNMENT DEBT SERVICE resources available for fiscal year ending June 30, 2025:			\$11,769,605
GRAND TOTAL - DEBT SERVICE FUNDS			\$28,593,010
TOTAL APPROPRIATIONS INCLUDED IN SECTIONS I - VIII OF THIS RESOLUTION FOR THE FISCAL YEAR ENDING June 30, 2025			
RECAPITULATION:			
Appropriations:			
Section I	General Fund		\$437,974,231
Section II	General Fund School Reserve Fund		\$2,135,000
Section III	School Fund		\$269,407,627
Section IV	Other School Funds		\$25,953,238
Section V	Other County Government Funds		\$35,447,200
Section VI	County Government Capital Improvements Fund		\$94,969,903
Section VII	Public Schools Capital Improvements Fund		\$70,683,083
Section VIII	Debt Service		\$28,593,010
			\$965,163,292
Less Inter-Fund Transfers			(\$322,967,191)
GRAND TOTAL - ALBEMARLE COUNTY APPROPRIATIONS			\$642,196,101
SECTION IX: EMERGENCY COMMUNICATIONS CENTER			
That the following sums of money be and the same hereby are appropriated from the EMERGENCY COMMUNICATIONS CENTER FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2025:			
Paragraph One: EMERGENCY COMMUNICATIONS CENTER FUND			
	Emergency Communications Center		\$10,054,441
Total EMERGENCY COMMUNICATIONS CENTER FUND appropriations for fiscal year ending June 30, 2025:			\$10,054,441
To be provided as follows:			
	Albemarle County		\$4,698,198
	City of Charlottesville		\$2,429,298
	University of Virginia		\$1,865,682
	Revenue from Other Local Sources		\$284,378
	Revenue from the Commonwealth		\$772,892
	Revenue from the Federal Government		\$3,993
Total EMERGENCY COMMUNICATIONS CENTER FUND resources available for fiscal year ending June 30, 2025:			\$10,054,441
SECTION X			
All of the monies appropriated as shown by the contained items in Sections I through IX are appropriated upon the provisos, terms, conditions, and provisions herein before set forth in connection with said terms and those set forth in this section. The Chief Financial Officer and Clerk to the Board of Supervisors are hereby designated as authorized signatories for all bank accounts.			
Paragraph One			
Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional, and proportionate appropriations - the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full.			
	Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all		
	realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said		
	fiscal year by the Board of Supervisors.		



Paragraph Two									
All revenue received by any agency under the control of the Board of Supervisors included or not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by the said agency under the control of the Board of Supervisors without the consent of the Board of Supervisors being first obtained, nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation.									
Paragraph Three									
No obligations for goods, materials, supplies, equipment, or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for items exempted by the Albemarle County Purchasing Manual shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual, the County Attorney, and the Purchasing Agent or Chief Financial Officer. The Purchasing Agent shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency, or individual.									
In the event of the failure for any reason of approval herein required for such contracts, said contract shall be awarded through appropriate action of the Board of Supervisors.									
<u>Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County Purchasing Manual shall not be considered obligations of the County, and the Chief Financial Officer shall not issue any warrants in payment of such obligations.</u>									
Paragraph Four									
Allowances out of any of the appropriations made in this resolution by any or all County departments, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the rate established by the County Executive for its employees and shall be subject to change from time to time.									
Paragraph Five									
All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Chief Financial Officer.									
Paragraph Six									
Any funds appropriated herein to recipients who are not directly governed by the Board of Supervisors ("External Recipients") may be used only for the exclusive and singular purpose for which the funds are appropriated, subject to any additional conditions as stated in the Approved Budget, County policies, County agreement with the External Recipient, or as otherwise required or proscribed by law or ordinance. External Recipients have an affirmative fiscal duty to account for the appropriate and most responsible use of the funds and, as an express condition of the appropriation and in addition to other reporting requirements, must provide an accounting and such other reports as are requested by the County, in a form determined by the Department of Finance and Budget and within 30 days of any such request. External Recipients must be able to at all times account for any County funds appropriated to them separate from donations from any other source. Failure to adhere to these conditions or to the purposes for which the appropriations are made may, among other remedies, affect future appropriations. The Department of Finance and Budget is authorized to withhold transfers of appropriated funds to any External Recipient until any pending requests for reporting and accounting have been met to the County's satisfaction. If any funds allocated to an External Recipient remains unused at the end of FY 25, the unspent balance must be returned to the County unless a County agreement with the External Recipient, an agreement to which the County is a party pertaining to the funding terms of the External Recipient, or the applicable law, provides otherwise. These foregoing conditions shall be deemed incorporated into any agreement with an External Recipient executed after May 1, 2024.									
Paragraph Seven									
The County Executive is authorized to:									
1) administratively approve budget transfers of unencumbered funds of up to \$500,000.00 per fund in the fiscal year from one classification, department, or project to another within the same fund;									
2) allocate funding between the below identified classifications and the appropriate budget line-items for expenditure:									
Expenditure Classifications Eligible for Transfer Under this Resolution:									
General Fund									
- Business Process Optimization Reserve									
- Efficiencies and Other Savings									
- Climate Action Pool									
- Reserve for Contingencies									
- Salary and Benefits Reserve									
Capital Funds									
- Advancing Strategic Priorities Reserve in CIP									
- Transportation Leveraging Fund									
3) allocate salary lapse between department budgets;									
4) administratively approve the carry forward of outstanding grants and capital projects and programs from year to year;									
5) close out Capital projects and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance;									
6) close out grant funds; including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.									
7) administratively approve the carry forward of outstanding balances up to \$24,000,000 for estimated encumbered purchase orders.									
Paragraph Eight									
The Chief Financial Officer is hereby authorized to transfer monies from one fund to another, from time to time as monies become available, sums equal to, but not in excess of, for the appropriations made to these funds for the period covered by this resolution of appropriations.									
Paragraph Nine									
All resolutions and parts of resolutions inconsistent with the provisions of this resolution shall be and the same are hereby repealed.									
Paragraph Ten									
This resolution shall become effective on July 1, 2024.									

Mr. Andrews requested a motion to adopt the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing in the form of Attachment F.

Ms. Mallek **moved** that the Board of Supervisors adopt the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing (Attachment F).

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

recorded vote:

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

\* \* \* \* \*

**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE  
EXPENDITURES WITH PROCEEDS OF A BORROWING**

**WHEREAS**, the Board of Supervisors of Albemarle County, Virginia (the “Borrower”) has or intends to acquire, construct and equip various capital improvement projects described in the Borrower’s Capital Improvement Program (as it may be amended from time to time), including but not limited to projects undertaken for the following governmental and public purpose categories: (a) County administration, (b) judicial, (c) parks, recreation and cultural, (d) community development, (e) public safety, (f) public works, (g) schools, (h) transportation, (i) water resources and (j) solid waste (collectively, the “Project”); and

**WHEREAS**, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the “Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both.

**NOW, THEREFORE, BE IT RESOLVED** by the Albemarle County Board of Supervisors that:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the “Bonds”) or to incur other debt to pay the costs of the Project in an amount not currently expected to exceed \$92,342,429.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure); (b) a cost of issuance with respect to the Bonds; (c) a nonrecurring item that is not customarily payable from current revenues; or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.
5. The Borrower intends that the adoption of this Resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. This Resolution shall take effect immediately upon its passage.

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Mr. Andrews requested a motion to adopt the FY 25-29 Capital Improvement Plan in the form of Attachment G.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the FY 25-29 Capital Improvement Plan (Attachment G).

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

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

Mr. Davidson thanked the staff and the members of the Board for their dedicated work and collaboration during the budget process.

\* \* \* \* \*

**BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia:**

- 1) The County Executive has prepared and recommended a Five-Year Capital Improvements Plan (CIP) to the Board of Supervisors and that plan is included in the Budget Document and was presented at Budget Work Session #3 on March 13, 2024 and at Budget Work Session #4 on March 25, 2024, with project discussion and amendments by the Board of Supervisors at additional budget work sessions.
- 2) The Board of Supervisors of Albemarle County hereby adopts the Five-Year Capital Improvements Plan for FY 25 - 29 as summarized below:

CIP Expenditures (net of transfers)		FY 25 - 29
Administration	\$	6,632,213
Judicial	\$	6,000,000
Public Safety	\$	18,648,438
Public Works	\$	26,095,652
Parks, Recreation, & Culture	\$	23,457,590
Community Development	\$	30,033,035
Other	\$	17,930,833
Public Schools	\$	206,780,355
Total CIP Expenditures	\$	335,578,116

**Recess.** The Board recessed its meeting at 2:39 p.m. and reconvened at 3:00 p.m.

Agenda Item No. 10. **Action Item:** SE202300037 6712 Jarmans Gap Road Homestay.

The Executive Summary as forwarded to the Board states that the applicant is requesting a special exception for a homestay at 6712 Jarmans Gap Road.

Resident Manager. Pursuant to County Code § 18-5.1.48(d), the applicant is requesting authorization under County Code § 18-5.1.48(b)(2) for a resident manager to fulfill the residency requirements for a homestay use.

Please see Attachment A for full details of staff’s analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the proposed special exception for a homestay use at 6712 Jarmans Gap Road to authorize a resident manager to fulfill the residency requirements.

Ms. Lea Brumfield, Senior Planner II, said that the presentation was for Special Exception 202300037, located at 6712 Jarman’s Gap Road. She explained that this property consisted of a 22-acre parcel in Crozet with two dwellings. She said that the first dwelling, a four-bedroom farmhouse built around 1910, was proposed for use as the homestay.

Ms. Brumfield said that the second dwelling, a two-bedroom cottage constructed before 1900, served as the full-time residence of a renter who would act as the resident agent for the homestay. She said that Blairbrook Farm LLC owned the parcel, which was in turn owned by Ms. Lori Ballenger, who lived out of state. She said that she intended to retire to the property eventually and to rent it out as a homestay until then, necessitating the special exception request.

Ms. Brumfield said that by-right, the 22-acre land permitted up to five guest sleeping spaces within a single-family dwelling or an accessory structure built before August 7, 2019, provided that the property was occupied by its owner. She said that as this parcel was rented and owned by an LLC (Limited Liability Company), the owner requested a special exception to allow her resident agent to fulfill residency requirements for the homestay. She said that if the special exception were approved, the owner would need to apply for a zoning clearance at that point.

Ms. Brumfield said that during the process, the homestay structure would undergo inspections for building and fire safety. She said that the owners would also notify their neighbors with contact information for their responsible agent, who could be reached in case of emergencies or disturbances related to the homestay. She said that homestays were required to provide guest parking on-site at a rate of one parking space per guest bedroom.

Ms. Brumfield said that the two aerial photographs, which were included in the staff report, showed the location of the two dwellings in the parcel in the image on the left. She said that the close-up of the structure proposed for use as a homestay was shown in the image on the right.

Ms. Brumfield said that, as seen on the left, the parcels proposed for the homestay use were located in the center of the parcel. She said that the resident agent's dwelling was located near the front entrance of the parcel off of Jarmans Gap Road.

Ms. Brumfield said that the next aerial showed the sighting of the proposed homestay structure with vegetation on all sides, which was also visible on the previous parcel in the GIS (Geographic Information System) aerial as well.

Ms. Brumfield said that staff would like to note the factors to be considered for a special exception. She said that due to the nature of their special exceptions, which did run with the land, they had analyzed the use based on the property itself and the use in the greater context of the neighborhood. She clarified that the use was not permission for an individual resident agent but rather a land use decision that is for a resident agent in general.

Ms. Brumfield said that the confirmation of a resident agent living on the parcel full-time occurred during the zoning clearance process and then during the short-term rental registry updates every year. She stated that staff did not believe that the general use of a homestay with a resident agent on this parcel proposed any adverse impacts to the surrounding neighborhood, public health, safety, or welfare, and that the proposed special exception was consistent with the Comprehensive Plan and is consistent in size and scale with the surrounding neighborhood. She said that as such, staff recommended the motion provided.

Mr. Pruitt said that in the application, he could not locate a clear image of the resident manager's residence. He said that although there were multiple pictures of the farmhouse, there was no visible representation of the resident manager's cottage where the two individuals currently resided. He asked if staff could provide any images of that particular dwelling.

Ms. Brumfield said that the cottage was not included in the presentation. She said that it was a small, white structure with approximately two bedrooms. She said that no pictures were shown during the presentation, but they could be found on Redfin.

Mr. Pruitt asked if they had encountered homestay requests previously where an individual served as both a client and an employee. He asked about situations where the tenant paid rent while also receiving compensation as a property manager.

Ms. Brumfield stated that staff did not investigate the specifics of the legal transactions between the parties involved. She said that there was a similar scenario near Michie Tavern, which was situated across the street. She said that in this location, there was an individual acting as both the resident agent and the resident manager for those homestays residing in a house.

Mr. Pruitt said that this specific situation was related to his concern about this specific type of special exception. He said that it seemed that they did not have an effective method for verifying whether it was a short-term or long-term rental was lacking, or whether it was an actual resident manager scenario. He asked if this was actually getting around the purpose of having a resident manager, or if the individual was genuinely fulfilling that role. He mentioned that there was no letter from the proposed resident manager; instead, there was documentation provided by the applicant. He said that his concerns on this were not enough to hold this up, but that this was one way in which he did not like the homestay regulations.

Ms. Brumfield said that she was unsure how familiar Mr. Pruitt was with the part of the process after the special exception was approved, but part of the homestay clearance involved sending contact information for the responsible agent to all abutting property owners. She said that this included contact information where they could be reached at any point during a homestay stay. She said that the resident agent may not be the responsible agent; they might be someone contracted from an organization like Stay Charlottesville, managing the property. She said that the resident agent here was primarily for meeting residency requirements on the property.

Mr. Pruitt said that he appreciated the explanation, but it did not make him feel better. He said that it basically illustrated that they had worked out a way around the desire to have a homestay be owner-occupied in a way that did not even resemble owner occupation. He said that there was just another tenant on the property that was not filling the role of responsible agent; they were filling the specific paperwork role.

Ms. Brumfield said that there were a number of owner-occupied homestays that used these services.

Ms. McKeel asked if Ms. Brumfield could explain the annual confirmation process the County performed.

Ms. Brumfield said that with the exemptions written into the state code, if it was a registered bed and breakfast with the health department or if it had been a homestay under a different set of legislation under the health department, they were exempt from this regulation. She said that all of the ones being

discussed today would not be exempt. She said that these establishments fell under the short-term rental registry.

Ms. Brumfield said that an applicant needed to renew their short-term rental registry annually. She said that at that time, the Fire Marshal or one of their inspectors visited the property for a fire inspection to ensure that windows were not painted shut, there were no electrical wires where they should not be, and that the fire extinguisher was not expired. She said that they confirmed with the resident agent's contact information to verify they were living there.

Ms. McKeel clarified that staff would make an annual appointment with them to discuss those items.

Ms. Brumfield said yes, all inspections were made based on appointments, and they did not execute any surprise inspections.

Ms. Mallek asked how complaints from neighbors would be addressed.

Ms. Brumfield said that inspectors could knock on the door if there was a violation. She said that inspectors could not trespass.

Ms. Lisa Green, Manager of Code Compliance, said that when a complaint was received, they adhered to the established process for all complaints. She explained that after receiving the complaint, her team would contact the property owner and arrange for a thorough on-site inspection.

Ms. Mallek said that when this process began, they had wanted to keep the residential components intact. She said that it seemed that this had evolved due to the legal demands for the LLC not being a person. She said that while it was a great location, she hoped the owner would come back and live in the house in a few years.

Ms. LaPisto-Kirtley said that to clarify, the purpose of having a resident manager, whether it was the property owner or someone living there managing the property, was for neighbors to report issues such as excessive noise or other disturbances. She explained that the requirement was that there must have been someone available to address complaints, ensuring that the owner or resident manager responded to the complaint, not the governing body, in order to save time and maintain efficiency.

Ms. Brumfield said that the resident agent might not necessarily be the responsible agent when it comes to unhosted stays. She explained that in unhosted stays on a large rural areas parcel, there was nobody in residence. But the County has required that someone must still be available within an hour to handle complaints and resolve issues, even if the owner was away. She said that consequently, in most instances, the responsible agent was the same person as the parcel's resident; however, in some cases, they may be a different person.

Ms. LaPisto-Kirtley said that perhaps the owner of the parcel also owned another parcel, and this property was inherited, and they did not reside there but wished to keep the property by generating income for taxes and maintenance purposes. She asked if this was why they allowed this.

Ms. Brumfield said that the requirement for a resident to dwell on the property was linked to concerns about it not being a residential property. She said that first, it must be recognized as a residential property. She said that secondly, there needed to be an individual present to handle issues. She said that they were two separate problems with two separate solutions. She said that even though they might occasionally be the same person, they were not always the same person.

Mr. Andrews said that if he understood correctly, this property belonged to someone who did not reside within the County and had acquired it with the intention of potentially living there at some point in the future. He said that at present, they were generating income through a tenant occupying the small house and utilizing the homestay for the main house, which seemed like what the Board was trying to avoid. He acknowledged that this separate from the questions of who served as the responsible agent and who acted as the resident manager, and he recognized that they had resident managers who were not the responsible agents. He asked whether in most cases whether they had an owner who was at least nearby or it was zoned in an LLC but the owner was still essentially there.

Ms. Brumfield said that they did have one situation where the resident agent was the relative of someone who lived out of state.

Mr. Andrews said that they were a direct family member in that case. He said that this specific situation appeared to be that someone owned property in Albemarle County as an investor and was finding a way to make money off of it.

Ms. Brumfield said that she would advise caution when applying the regulations based on the owner's residence. She said that legal precedent suggested that such differential application may not have been considered permissible, to apply the regulations differently based on where the owner resided, whether it was in the state or in the area.

Mr. Andrews asked if the owner had any other properties elsewhere that they were operating as homestays.

Ms. Brumfield said that she was not aware of any.

Mr. Andrews asked if that could be found out through the County's application process.

Ms. Brumfield said that staff searched for them within Albemarle County, but it was not possible to know if there was anything out of state or in other municipalities.

Mr. Pruitt said that he was not in favor of this proposal, and he would like to explain why. He said that if he were to infer the intention behind the requirement for an on-site resident manager, he believed it was to prevent disabling existing housing stock and instead maintain or increase its residential capacity. He said that by allowing a vacant home to be used solely as an Airbnb or Vrbo property, they would be disabling that housing stock.

Mr. Pruitt said that if this proposal was not approved, the alternative would likely be a long-term rental property available on the market. He said that if it was approved, they would have a bed and breakfast operation, which was not in line with the zoning or the intent of the regulation. He said that this proposal contradicted the purpose of the law and did not align with the County's goals for enabling housing stock in a way that was not necessarily true of all homestays that came before the Board. He said that if staff disagreed with this characterization, he would like to hear more about why.

Ms. Brumfield said that she believed it could be a concern the Board could address that was not written into the regulations themselves and was not applied to previous approvals. She said that they had approved homestays for residences multiple times, which was by right if the owner lived on the property. She said that there were parcels with more than two dwellings and the owner lived in one and rented the other, which were dwellings which could be in housing stock. She said that they did not currently have a way to deny that if they lived on the parcel. She said that this would be applying that regulation differently.

Mr. Andrews said that he was still trying to figure out where they were drawing the line. He said that he understood they should not be concerned about the owner's actual residence. He said that they had discussed how the LLC structure was not something they were hoping would enable a company to purchase properties throughout the County and use them as homestays by placing a tenant as the resident manager. He asked how they made that distinction.

Ms. Brumfield said that she was not prepared to propose new legislation at that time.

Mr. Andrews said that he was referring to the authority that existed to differentiate between an entity operating as a business and one using their property for supplementary income as a convenience for the owner.

Mr. Gallaway said that when they voted on the homestay regulations disagreed with a lot of the things being said there, and that the special exception process was a way forward to grant property owners the ability to use their property as they desired. He said that there was some level of that which was the property owner's right and their prerogative to use the property as they wished. He said that many restrictions not implemented were wanted by the Board; however, the final agreement was special use permits as a way to at least consider it so it could return before the Board. He said that every time these homestay matters come to the Board, they wanted to rehash the ordinance.

Mr. Gallaway said that if they must do that, then they needed to reenter the ordinance door where they did not put these applicants through this process each time. He said that he believed Mr. Andy Herrick's review of the change in state code by July 1 would likely alleviate some concerns because it could tie them to the property owner rather than the property itself. He said that he was in the minority then and he would be in the minority now.

Mr. Gallaway said that this was a person who purchased property, and that they could use it as a long-term rental, and they could use it for whatever by-right purpose they had the ability to do. He said that if they denied it and they could not use it as an Airbnb, they would still have to find another way to use it, as Mr. Pruitt said. He said that however, that went against what they bought the property for. He said that the homestay use was restricted even on them for different things. He said that the responsible agent should handle the impacts if they were addressed.

Mr. Gallaway said that some of them were in favor of just a responsible agent because the impacts were the main concern. He said that everyone was concerned about potential issues like parties, noise violations, or other incidents. He said that the responsible agent was meant to address those issues. He said that Supervisor Randolph used Aspen's homestay regulation as an example, which only required a responsible agent to deal with impacts, not the use. He said that they could debate every homestay special exception, but if they were unhappy with the ordinance, they must address that issue directly.

Ms. LaPisto-Kirtley said that she agreed with Mr. Gallaway. She said that they had allowed for LLCs to have homestays. She said that none of them wanted to have a company that came in and purchased a lot of properties, and that many have their homes in LLCs for their protection. She said they had many exceptions to the rule, which was why people came before the Board to be judged on an individual basis. She said that they could not assume this was purchased for a business opportunity.

Mr. Andrews said that he wanted to clarify that he was not against this particular case. He said that in part, because it had been mentioned that this was something looked into regarding whether they

were doing this elsewhere in the County, he simply asked the question of if they had addressed this in the ordinance. He said that he agreed with Mr. Galloway; they could not address it now.

Mr. Andrews said that he wanted to hear the answer to understand if they were considering an owner who had just acquired one property or an owner doing this throughout. He said that this question had been raised many times in connection with these homestays in the past, so he wanted to ensure he understood.

Ms. Brumfield said that it would definitely require some in-depth study. She said that there were numerous family LLCs in the County owned by entire generations of people. She said that the LLC may own five different properties with homestays, where each individual family member resided. She said that there may be another guest house or basement available for rental purposes. She emphasized that they needed to think about this matter thoroughly, as it might become complex.

Ms. McKeel asked if the County Attorney or Deputy County Attorney had anything further to add to the discussion.

Mr. Andy Herrick, Deputy County Attorney, said that he encouraged the Supervisors to review their draft resolution. He said that the staff recommendation was for approval, so their draft resolution was also for approval. He said that it listed out the considerations which Ms. Brumfield had also covered in her presentation with four specific points.

Mr. Herrick said that he suggested that regardless of whether the Board chose to approve or deny this, they should articulate their reasons using the considerations listed in the ordinance. He said that for example, if the Board wished to deny it, they should find that it was inconsistent with the Comprehensive Plan or adverse to neighboring parcels. He said that these were the considerations in the ordinance. He said that as long as the Board's findings were framed within that context, it would be appropriate.

Ms. McKeel said that she would like to return the conversation to the specific topic being discussed. She said that if they wished to talk about the ordinance at a different time, they could agree to do so and then continue with that discussion.

Mr. Herrick said that if the Board decides to deny this proposal, he would note that the staff-prepared resolution was one of approval. He said that if the Board wanted to deny it, they might require extra time to create a resolution to deny that incorporated those findings.

Ms. McKeel said that she understood Mr. Pruitt's concerns about removing properties from their housing stock. She said that this was not a criticism of the specific case at hand. She said that based on her experience and thoughts, this was a Rural Area, and she was more concerned about Airbnbs or short-term rentals in the Development Area where they had been losing affordable housing stock due to rollovers to short-term rentals. She said that this situation did not apply here. She said that therefore, she felt comfortable with this and had no further questions.

Ms. Mallek said that her thoughts on this issue was that they must evaluate this application based on the rules today. She said that she had concerns and lots of memories about previous debates going forward. She said that she remembered Amelia discussing how, for the owner, they could only have one property designated as their primary residence. She said that this was why there was a specific number of days.

Ms. Mallek said that they then encountered difficulties with LLCs, which had never quite meshed well, except for those family situations and properties here and there that had unique circumstances. She said that this created a trap for other properties that did not meet these characteristics. She said that in terms of solutions, she would ask their legal staff to consider going forward and respond as they could.

Ms. Mallek asked if they had authority to state that this was only for occupied properties moving forward, making it more restrictive than in the past. She asked if this was a solution that prevented what she believed she read nationally, which was an overwhelming trend of hedge fund individuals owning thousands of these properties under different LLCs with no one checking or verifying.

Ms. Mallek said she did not have enough expertise on this matter to know what opportunities they may have to obtain better information from the start. She mentioned that the main legal question was whether they had the authority to require an affidavit stating that all residential LLC properties must be listed in Albemarle County. She said that this would provide some way to know. She said that many applications, such as those behind Cloverfields and in Rivanna, had been upfront about their family LLC status and residence.

Ms. Mallek said that however, this particular application was less clear. She said she was concerned about this lack of clarity but also recognized that it met all four criteria outlined in Attachment F. She said that therefore, she could not vote against it because changing the rules mid-process would be unfair. She said that she looked forward to further discussions on this topic and addressing questions related to more recent buildings or new structures proposed, which brought back the discussion of the need to be standing before 2019. She said that they could talk about this at a later date.

Mr. Andrews, hearing no further comments from the Board, said that this was in the White Hall District, and that he would turn to Ms. Mallek for a motion.

Ms. Mallek **moved** to adopt the resolution as presented in Attachment F to approve the proposed special exception for a homestay use at 6712 Jarmans Gap Road to authorize a resident manager to fulfill the residency requirements.

Mr. Gallaway **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

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**RESOLUTION TO APPROVE SE2023-00037  
6712 JARMANS GAP ROAD HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE2023-00037 6712 Jarmans Gap Road Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the proposed special exception:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the 6712 Jarmans Gap Road Homestay, the Albemarle County Board of Supervisors hereby approves a special exception to authorize a resident manager to fulfill the residency requirements for a homestay use on Parcel 05500-00-00-02400, pursuant to Albemarle County Code § 18-5.1.48(b)(2).

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Agenda Item No. 11. **Action Item:** SE202300014 2020 Wingfield Road Homestay.

The Executive Summary as forwarded to the Board states that the applicant is requesting a special exception for a homestay at 2020 Wingfield Road.

**Accessory Structure.** Pursuant to County Code § 18-5.1.48(d), the applicant is requesting authorization under County Code § 18-5.1.48(c)(1)(ii) to use an accessory structure for a homestay use.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the proposed special exception to authorize the use of an accessory structure for a homestay use at 2020 Wingfield Road.

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Ms. Lea Brumfield, Senior Planner II, said that the next item was Special Exception 202300014, which was located at 2020 Wingfield Road. She said that the property in question was a 2.65-acre Rural Area parcel situated within the Ivy Creek area of the Jack Jouett District. She said that the parcel contained a single-family dwelling and a guest cottage.

Ms. Brumfield said that previously, the guest cottage had been equipped with a kitchen and used as a long-term rental; however, this modification was not in accordance with the development rights applicable to Rural Areas. She said that at present, the property was occupied by its owners who were seeking a special exception to utilize the guest cottage, an accessory structure on a Rural Area parcel less than five acres, as a venue for a two-bedroom homestay.

Ms. Brumfield explained that, by right, the 2.65-acre plot was permitted to rent up to two guest sleeping spaces within the single-family dwelling. She said that the applicants were requesting to use the existing structure as the homestay location for the two-bedroom homestay. She said that parking would be provided off-street, and the property owners would be required to be on-site during all rentals since unhosted stays were not permitted on parcels of less than five acres.

Ms. Brumfield said that if the special exception were granted, the owners would then apply for a homestay zoning clearance. She said that during this process, the structure would undergo inspections for building and fire safety, and the owners would notify their neighbors, providing them with contact information for their responsible agent.

Ms. Brumfield said that as they had discussed with the applicant, they confirmed they were aware that the structure would need to be returned to an accessory structure before the homestay clearance could be approved. She said that this was because the full kitchen added for the long-term rental made the cottage into a full dwelling and a 2.65-acre plot could legally only contain one dwelling. She said that the cottage was initially constructed as an accessory structure and did not receive approval as a full



dwelling or single-family dwelling. She said that there was currently a zoning violation on the parcel for the structure as a dwelling because it was in violation of the development rights allowance on the Rural Area parcel.

Ms. Brumfield said that the aerial photograph showed the location of the proposed homestay at the yellow star in relation to the owner's dwelling, marked by the red star. She noted that one could see the internal circular driveway that would be directly in front of the homestay. She said that on the next slide, the location of the proposed homestay was marked with the yellow star in relation to neighboring dwellings. She noted that the parcel directly to the left of the homestay location was unoccupied and contained only equipment sheds.

Ms. Brumfield said that after submitting the staff report to the Board on the Granicus process, they received comments from neighbors concerned about homestay uses. She said that they preferred the structure be used as a full-time rental, which unfortunately was not permitted. She said that neighbors were also concerned about the general character of the neighborhood but did not have specific complaints or concerns about the individual property owner or the overall use of the individual cottage. She said that in general, they were simply not in favor of homestays in the neighborhood.

Ms. Brumfield said that considering factors for a special exception, they must evaluate adverse impacts to the surrounding neighborhood, adverse impacts to public health, safety, and welfare, whether the special exception was consistent with the Comprehensive Plan, and whether it was consistent in size and scale with the surrounding neighborhood.

Ms. Brumfield said that as they reviewed this application as a land use decision with permission for use as an accessory structure, the proposed two-bedroom rental was already existing and permitted by right on the parcel. She said that staff believed that it did not pose adverse impacts of concern for special exceptions. She said that staff recommended the provided motion.

Mr. Pruitt said that he had no questions but would like to point out the difference from the previous parcel and how it changed his concerns in this case. He said that in this instance, they were actually creating additional capacity rather than reducing it. He said that the building was currently unusable for human habitation; it could not be used as a homestay or long-term rental, and that this was being proposed due to the zoning violation. He said that this proposal created new capacity without taking away from any existing stock. He said that therefore, he was broadly supportive.

Ms. McKeel said that she was surprised when she read the packet. She explained that she was very familiar with this property because she had been knocking on its door for years and years. She said that the people who purchased it did so in 2019, but for many years, there was a motion-sensor fake bird in one of those trees that would chirp when someone approached it. She said that she had seen that tree many times over the course of 27 years, waiting for the bird to chirp to her. She said that usually the people were not home, so it was just her and the bird.

Ms. McKeel said that having said that, she had no problem with this proposal in theory. She said that her concern, though, was that when they bought the property in 2019, it was abandoned. She said that she was trying to determine the zoning violation history and help her understand how this would rectify and bring them into compliance. She asked if staff knew the background of the zoning violation.

Ms. Brumfield stated that the zoning violation was logged recently due to an examination of the homestay listing on Airbnb, which was part of the homestay work. She said that it was discovered that there was a kitchen present in the property. She said that upon further investigation, staff confirmed that the parcel did not have development rights for that. She said that the history of the building and the cottage revealed they were built as accessory structures.

Ms. Brumfield said that the current owners explained that prior to their ownership, there was a full-time tenant residing there. She said that when they purchased the property, that structure already had a kitchen in place. She said that the zoning violation was new because it was not reported earlier; however, the situation had been ongoing for an extended period of time. She said that one of the neighbors who contacted her mentioned one of the renters who lived there full-time for years with her children. She said that it was a full-time dwelling for multiple people long before these owners acquired the property.

Ms. McKeel said that this is a good example of how their process was working to some extent because staff caught it, which was really good. She said that she recalled vaguely that particular situation but never paid any attention. She said that she was more interested in the fake bird in the tree rather than trying to figure out what was going on in that accessory building. She said that regardless, it was good that they were coming into compliance. She said that the property to the left Ms. Brumfield mentioned had a shed on it, and there were occasionally horses in that field. She said that she had seen horses there within the last year.

Ms. LaPisto-Kirtley clarified that they would remove the kitchen in order to be in compliance.

Ms. Brumfield said that was correct.

Ms. LaPisto-Kirtley said that it was unfortunate that as a result, it could not be used as a long-term rental, but she understood the reasoning behind the requirement. She said that at that point, the only thing they could offer would be a homestay situation. She asked if parking was available on-site for the

dwelling.

Ms. Brumfield said yes, there was a circular driveway in front of the structure.

Mr. Gallaway asked why the application came before the Board if they were not in compliance with current zoning. He asked why they would not wait until they were in compliance. He asked if it was such a simple fix that they were just moving forward.

Ms. Brumfield said that they were following the process of the violation, which was received after they received the application. She said that they were following the normal process of working with the property owner and applicant to pursue the clearance, but they did need to bring this before the Board.

Mr. Gallaway said that the application stated they were removing the kitchen stove appliance.

Ms. Brumfield said that that was the definition of a kitchen per Community Development.

Mr. Gallaway said that it appeared to be an easy fix. He said that if there was a property in violation, the approval of the Board did not fix the violation, so the property owner must still do something to correct the violation. He said that if they were not in compliance and were requesting something new or different, he wondered why they would not have to be compliant before seeking permission for another change.

Ms. Green, Manager of Code Compliance, said that during the application process, it was discovered that this structure existed as a dwelling rather than just an accessory structure, which led to the violation. She said that the property owner was currently addressing the issue, and they understood that they had violated the ordinance. She said that according to the ordinance's definition of a dwelling, which required permanent provisions for cooking, eating, sleeping, and sanitation, the solution was straightforward. She said that typically, this involved removing the permanent provisions for cooking. She said that it was a simple fix and was already in progress.

Mr. Gallaway said that they were trying to expedite the application and provide good customer service, but if it was a big violation, he would assume it would be put on hold until step one was completed.

Ms. Brumfield said that they had reached an understanding with the property owner regarding the removal of the kitchen, and the application had been submitted quite some time ago, in 2023.

Mr. Gallaway stated that in previous instances where applications were denied, it was because of compliance concerns. He said that it seemed this particular application did not appear to be the fault of the current applicant, whether intentionally or unintentionally.

Mr. Andrews said that if there were no further questions, this was in the Jack Jouett District.

Ms. McKeel **moved** that the Board of Supervisors adopt the Resolution to approve SE 202300014 2020 Wingfield Road Homestay (Attachment F).

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

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

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**RESOLUTION TO APPROVE SE2023-00014  
2020 WINGFIELD ROAD HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE2023-00014 2020 Wingfield Road Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exception:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the 2020 Wingfield Road Homestay, the Albemarle County Board of Supervisors hereby approves a special exception to authorize the use of an accessory structure for a homestay use on Parcel 04400-00-00-06500.

The Executive Summary as forwarded to the Board states that the applicant is requesting a special exception for a homestay at 1030 Woodlands Road.

**Accessory Structure.** Pursuant to County Code § 18-5.1.48(d), the applicant is requesting authorization under County Code § 18-5.1.48(c)(2)(ii) to use an accessory structure built after August 7, 2019 for a homestay use on a parcel of five acres or more in the Rural Areas zoning district.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the proposed special exception to authorize use of an accessory structure built after August 7, 2019 for a homestay use at 1030 Woodlands Road.

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Ms. Lea Brumfield, Senior Planner II, said that lastly, they had Special Exception 202400002, located at 1030 Woodlands Road. She said that this proposal was also for an accessory structure. She said that it was on a 5.35-acre Rural Area parcel in the Jack Jouett District. She explained that the parcel currently contained a single-family dwelling and a garage built around or shortly after 2019, and it previously contained a shed to the rear of the property, which was recently removed.

Ms. Brumfield said that the applicants who reside on the property in this single-family dwelling were proposing to build a three-bedroom structure for use for their family members and also as a homestay. She said that by right, the 5.35-acre parcel was permitted to rent up to five guest sleeping spaces within a single-family dwelling or a previously existing accessory structure as of August 7, 2019.

Ms. Brumfield said that the applicants were requesting to build a two-story structure that they have noted in their application materials was the same footprint as their existing garage and which they had also noted would be built on the site where the shed previously stood. She said that as the owners did reside on the parcel and it would meet setbacks, the use itself was by right, and the only exception required was for the new structure.

Ms. Brumfield explained that if the special exception was approved, the homestay owners would then apply for a zoning clearance. She said that during that process, the structure used for the homestay would be inspected for building and fire safety and the owners would send notice to their neighbors providing contact information for their responsible agent. She stated that as they had discussed with the applicant and they had confirmed they were also aware, this structure would also not be able to be constructed as a full dwelling as the property may only legally contain one dwelling, as it only had one development right, which was in use for the single-family dwelling.

Ms. Brumfield said that displayed on the slide was an aerial image of the proposed homestay structure's location in relation to the existing property owner's dwelling. She noted that the property owner recently completed driveway construction projects, so now the driveway came from the actual street on Woodlands instead of from the neighbor's driveway. She said that the previous location of the neighbor's driveway went directly to the property owner's property border.

Ms. Brumfield said that the next aerial showed the proposed homestay location in relation to neighboring dwellings. She said that this was an older aerial taken before the shed was removed, but its location was still very clear here. She said that as discussed with the property owner, the proposed homestay structure would be located further away from the property boundary than the shed was to meet setback requirements for the homestay use.

Ms. Brumfield said that staff would like to note the factors to be considered for a special exception. She said that due to the nature of the special exceptions, which were on the land, staff analyzed this use based on the property itself, and its use in greater context of the neighborhood. She said that reviewing this application as a land use decision with permission for use of an accessory structure built after August 7, 2019, on a Rural Area parcel of greater than five acres, the accessory structure was comparable in size to existing accessory structures on this parcel and additionally on neighboring parcels.

Ms. Brumfield said that the proposed homestay use of the three-bedroom rental was permitted by right within the primary dwelling or an existing structure on the parcel. She said that the applicant also noted that they may, regardless of homestay approval, build the structure for their personal use as it was something they intended to use heavily.

Ms. Brumfield said that with the permission of a by-right accessory structure for any use other than a homestay in mind, staff did not believe that this general use of a homestay would propose any adverse impacts to the surrounding neighborhood, public health, safety, or welfare, and that the proposed special exception was consistent with the Comprehensive Plan and consistent in size and scale with the surrounding neighborhood. She said that staff recommended the final motion for approval.

Mr. Pruitt said that he did not have any issues with this one. He said that it made him think about what the Board was more broadly accomplishing with their homestay ordinance and how they were altering what was economically the highest and best use of property. He stated that they already knew that a Rural Area home sitting on 3.9 acres was significantly less expensive on the market than a Rural Area home sitting on 4.1 acres because the highest and best use of that plot economically was significantly different due to an additional development right.

Mr. Pruitt said that when they normalized, making it easy, to have accessory use as an Airbnb for that additional unit, they were further altering what the highest and best use economically was in that now. He said that this, one would expect, was going to be reflected in home prices. He said that he would expect that if this became something that the Board approved more frequently, if this became a much more normal pattern of business, what they were going to see were much more costly home prices that would be eligible for an easy and effective Airbnb as an accessory development.

Mr. Pruitt said that to the point where maybe they were functionally compelling people to, if they had a 4-acre or more plot, that they were going to basically be economically compelled into being a petty landlord because the home prices were going to start reflecting that as a likely use. He said that this was definitely his biggest concern with the first application they approached today.

Mr. Pruitt said that it was very much his concern that it changed the highest and best use of the land. He said that it was also something he saw here. He said that he frankly saw it with the previous application, which he supported. He said that this was all just to say he would like to foreshadow what he hoped would be an interesting discussion if and when they revisited that based on the changes to the enabling legislation.

Ms. Brumfield said that Mr. Pruitt had described a 4-acre parcel having two development rights. She explained that in many cases, parcels over two acres still only retained one development right due to historical divisions. She said that this particular parcel was over five acres in size; however, it could still only have one dwelling because when the larger parcel was divided to create this parcel, it was not afforded multiple development rights.

Mr. Pruitt thanked Ms. Brumfield for the clarification. He said that he was still growing accustomed to understanding how development rights worked in the Rural Area and had found it to be complicated.

Ms. McKeel asked if the gravel pad on the property was where the previous structure had been located before removal.

Ms. Brumfield said that was correct.

Ms. McKeel asked if they would be adjusting that.

Ms. Brumfield said yes. She said that the building approval process would look at that, and they would ensure they were building it to meet primary structure setbacks. She said that if they were not, they could build it but would not receive a homestay clearance.

Ms. McKeel asked if the residents would be living in this house.

Ms. Brumfield said yes, that was the indication. She said that staff would confirm that during the homestay clearance process.

Ms. McKeel asked if staff had confirmed that.

Ms. Brumfield said yes. She said that it would be their primary structure and home. She said that it was also the mailing address on the application.

Ms. Mallek asked for clarification regarding the time of construction. She said that everything was basically built after the ordinance was adopted, which stated that it should only apply to structures prior to the adoption of the ordinance. She asked how this was reconciled.

Ms. Brumfield said that the ordinance permits a homestay to be in a single-family dwelling or an accessory structure built before August 7, 2019. She explained that if they were doing a homestay in a room in the basement, for example, in their single-family home, which would be permitted by right. She clarified that because they were building a new accessory structure, which was what triggered the need for the special exception.

Ms. Mallek asked if the home were built after 2019, it would be allowed to have the use in the home with people there.

Ms. Brumfield said yes.

Ms. Mallek said that at that point, the former shed was rebuilt. She thanked Ms. Brumfield for the clarification.

Mr. Andrews brought the matter to the Board for a motion

Ms. McKeel **moved** that the Board of Supervisors adopt the Resolution to approve SE 202400002 1030 Woodlands Road Homestay (Attachment F).

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

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

NAYS: None.

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**RESOLUTION TO APPROVE SE2024-00002  
1030 WOODLANDS ROAD HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE2024-00002 1030 Woodlands Road Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exception:

- (i) would not cause adverse impacts to the surrounding neighborhood;
- (ii) would not cause adverse impacts to the public health, safety, or welfare;
- (iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
- (iv) would be consistent in size and scale with the surrounding neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the 1030 Woodlands Road Homestay, the Albemarle County Board of Supervisors hereby approves a special exception to authorize the use of an accessory structure built after August 7, 2019 for a homestay use on Parcel 04400-00-00-004B1.

Agenda Item No. 13. **Action Item:** Recommendations for the Affordable Housing Fund.

The Executive Summary as forwarded to the Board states that since Fiscal Year 2019, Albemarle County has maintained a Housing Fund to support housing initiatives that further the County's strategic and housing goals, which were adopted by the Board on July 7, 2021. The County has received two requests for funding from Piedmont Housing Alliance (PHA) and the City of Charlottesville.

Albemarle County has received a request for funding support in Fiscal Year 2024 (FY 24), from PHA. PHA submitted a formal request for financial support as part of the Albemarle County FY 24 budgeting process through the Community Non-Profit Capital Request Process on December 9, 2022 (Attachment A). Staff recommended that the item be considered for funding from the Housing Fund.

The City of Charlottesville has requested the County partner with them on the completion of a homeless services assessment. The County's share of the cost to complete the assessment is \$100,000.

Staff evaluated both requests for Housing Fund support and found them to be in alignment with Albemarle County's affordable housing goals.

Staff recommends funding PHA's request for \$2,025,000 to support the construction of 60 units of affordable housing for low-income families and seniors in Phase II of the Premier Circle project. The units will be built to Enterprise Green Communities and Passive Housing energy efficiency standards, providing benefits to residents through increased durability, healthier interiors, and reduced utility bills. Residents will also have access to PHA's resident services, financial coaching, and housing counseling services, as well as onsite resident services provided by Virginia Supportive Housing. If awarded, PHA will use these funds to help leverage additional funding through the Low-Income Housing Tax Credit program.

Staff recommends partnering with the City of Charlottesville to complete a homeless services assessment.

The study will evaluate the operational effectiveness of the current Continuum of Care and identify the appropriate number of shelter beds needed to serve the Charlottesville area. The City of Charlottesville will match the County's contribution to the cost of the study.

If approved, the Housing Fund balance will be reduced by a total of \$2,125,000 from the current unprogrammed balance of \$2,645,311.62. If approved, the Housing Fund would have an available balance of \$520,311.62 that can be used to support other housing projects.

Staff recommends the Board approve the funding requests from Piedmont Housing Alliance for \$2,025,000 and the City of Charlottesville for \$100,000 using funds from the Housing Fund Reserve.

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Ms. Stacy Pethia, Assistant Director of Housing, stated that before the Board was a request for support through the Housing Fund for two projects. She said that the first one was led by Piedmont Housing Alliance (PHA) at Premier Circle Phase 3. She said there were three phases to Premier Circle. She said that the first was the project aimed at creating 80 units of permanent supportive housing called the Virginia Supportive Housing Project. She said that the second phase involved some commercial space that fronted along Route 29. She said that the third phase included additional affordable housing built by PHA, targeted towards families and seniors with incomes at or below 60% of AMI (Area Median Income).

Ms. Pethia said that the second funding request came from the City of Charlottesville and Chief Dimock, focusing on a joint study to assess homeless services in the City and County. She said that regarding PHA's Premier Circle project, this was targeted affordable rental housing for households with

incomes at 60% AMI or less. She said that as a reminder, as of April 1, 2024, the median income increased to \$124,200 per household, and that the 60% AMI level now opened up more opportunities for families than before.

Ms. Pethia said that the project aimed to build approximately between 40 and 60 units of affordable rental housing, targeted towards family and senior households with incomes between 30% and 60% of AMI. She said that units could be allocated to anyone within that income range. She said that the units would remain affordable for 30 years in compliance with the low-income housing tax credit regulations.

Ms. Pethia said that this project was part of a larger affordable housing initiative comprising 140 affordable units, done in partnership with Virginia Supportive Housing and the Blue Ridge Area Coalition for the Homeless. She said that their total project cost was approximately \$22.05 million, and Piedmont Housing Alliance requested \$2.025 million. She said that staff recommended they provide the full amount for the project, which would result in a total funding commitment of \$2,025 million, representing 10% of the total project cost. She said that this aligned with County policies and Strategic Plan Goal four, quality of life, and Objective two in Housing Albemarle, aimed at increasing the supply of long-term, affordable, and workforce rental housing in Albemarle County.

Ms. Pethia said that regarding the second request from the City of Charlottesville, it was for a homeless services assessment, examining not only the number of shelter beds that would be appropriate for the area but also evaluating the overall effectiveness of the current system. She said that the assessment goals would evaluate the operational effectiveness of the current continuum of care system, including organizations like Blue Ridge Area Coalition of the Homeless (BRAC), PACEM (People and Congregations Engaged in Ministry), and The Haven. She said that this would help identify the number of shelter beds needed to effectively serve the area.

Ms. Pethia said that the consultant for this project would be procured through a joint procurement process between the City of Charlottesville and Albemarle County. She said that the City would match the County's contribution of \$100,000 to the project.

Ms. Pethia said that both requests aligned with County policies, specifically Strategic Plan Goal four, quality of life, and Objective 10 in Housing Albemarle, which was work to end and prevent homelessness. She said that staff recommended fully funding both requests from the housing fund reserve.

Mr. Pruitt said that they did not often have opportunity to look so closely at the capital stack, which he appreciated greatly. He said that he had a few questions on this request, which he realized was coming from PHA and not the County. He asked if Ms. Pethia could explain what was typical and what may be unusual for this project type. He said that he noticed that only about half of the capital stack was loan capital to the developer, and otherwise was heavily grant-driven. He said that his impression was that it was not typical, so he would like to ask if Ms. Pethia felt that it was normal as a function of how deeply affordable it was so that it needed a high grant portion in the capital stack.

Ms. Pethia said that most affordable housing developers utilized a range of funding sources. She said that an illustration could be found in the Crossings of 4th and Preston situated across the street. She said that at the final stage, they had 17 distinct funding sources, with the majority being grants from state, federal, and local entities.

Mr. Pruitt said that in relation to this topic, they had a leverage ratio of one to ten, which was quite impressive considering how effective this project had been. He questioned whether the high effectiveness was solely due to its being an excellent use of Low-Income Housing Tax Credit (LIHTC) funds because it was so deeply affordable or if there were other contributing factors as well.

Ms. Pethia said that it was correct that it was easier to achieve that great leverage when LIHTC funds were used for a project.

Mr. Pruitt said that they had an additional \$2 million for the housing fund. He said that he was concerned about how many digits were left in the housing fund after this disbursement. He asked when the funding would be available for them.

Ms. Pethia said that the additional \$2 million approved through the budget would appear on July 1.

Mr. Pruitt said that there was another point he wanted to bring up, which was that this funding was not for shelter beds but rather for transitional housing for low-income individuals who were moving from shelters to more permanent housing options. He said that their neighboring area had several programs designed to assist with this transition, such as financial assistance.

Mr. Pruitt said that these included a family program, an acronym run by CRHA (Charlottesville Redevelopment and Housing Authority), and their local voucher, the CSRAP (Charlottesville Supplemental Rental Assistance Program) voucher, which was half for homeless interventions. He asked if there were any tools available to help people make the financial leap from zero-cost shelters to living in heavily subsidized homes. He said that while they were subsidized, it was not an insignificant cost in Albemarle, where housing options for 30% to 50% of AMI still had four-digit rental amounts.

Ms. Pethia said that it was too early to determine what they would be at this point. She said that in the permanent supportive housing section of the project, the County had granted numerous housing choice vouchers that would be project-based. She said that at present, there were approximately 25 traditional vouchers that they were project-basing there. She said that residents who received one of those vouchers would contribute 30% of their income towards rent, while the remaining amount would be covered by the voucher. She said that additionally, 15 more mainstream vouchers would be given to individuals with disabilities.

Ms. Pethia noted that PHA had not yet requested project-based vouchers for their part of the project. She said that however, they were obliged, as a federally funded development, to accept housing choice vouchers. She said that as a result, many people in the community would have access to suitable accommodations using their vouchers once the project was completed. She said that furthermore, they collaborated with numerous local organizations to assist in transitioning individuals from shelters into traditional housing arrangements.

Mr. Pruitt said that he had slight concern regarding the involvement of project-based vouchers in making projects successful. He acknowledged that this approach might admit defeat for managing housing stock effectively from the perspective of ensuring people had placed in the community where they could locate a mobile voucher. He said that the desire for project-based vouchers seemed to stem from the difficulty in locating people with mobile vouchers. He said that this was how it appeared to him when considering project-based vouchers.

Ms. Pethia said that having worked for a housing authority in a larger city in the past, housing authorities could project-base up to about 20% of their vouchers awarded. She said that most housing authorities made a concerted effort to do this not because they were concerned about housing costs and being able to utilize vouchers, but because it was another tool. She said that it was another way for some people to not have to go out and search; they may not be savvy enough to do that on their own.

Ms. Pethia said that it secured a good number of units for a longer term as opposed to many families who, for various reasons, not just high housing costs, were not always skilled at securing their own units. She said that they were not in a place that they needed, and so they cycled through those vouchers.

Ms. Pethia said that project-based vouchers guaranteed a number of units over the long term. She said that they were units that they had available for people who needed them. She said that if one had a voucher and rented a unit from someone and moved out, there was no guarantee that they would rent it to another voucher holder. She said that this just guaranteed that they had units available for people who needed them.

Ms. McKeel said that the \$2 million was significant, but this amount highlighted the importance of having flexibility with the money they had on hand to utilize for various opportunities that may arise in the future. She said that she liked how they continued to emphasize financial coaching and housing counseling services. She said that these support services would be available for those who obtained these units, ensuring their success.

Ms. Pethia said that was correct. She said that Virginia Supportive Housing would indeed provide those services to the residents living in the 80 units reserved for permanent supportive housing. She said that they had agreed to make these services available to individuals who moved into the additional units that PHA had constructed.

Ms. McKeel clarified that the study being performed by the City and the County would be carried out by a consultant, so Ms. Pethia would not be doing the study.

Ms. Pethia said that was correct.

Ms. McKeel clarified that the results of the study would be brought back to the City Council and Board of Supervisors.

Ms. Pethia said that was correct. She said that the method aimed to determine if there was sufficient shelter space for homeless individuals in their community. She said that there had been some debate regarding the appropriate number needed, so this approach served as one way to arrive at that figure and avoid merely guessing about additional shelter beds required. She said that it could also assist in identifying other actions necessary to improve the current services provided. She said that this information could be utilized to create a long-term plan.

Ms. McKeel said that the data would be beneficial for the City and County to use in assisting each other in providing a sufficient number of beds.

Ms. Pethia said that they would likely examine best practices not only in Virginia but also nationwide to provide insights on how to proceed.

Ms. McKeel noted that this would help them reach a group of people they had been unable to reach effectively in the past.

Ms. Mallek asked when they would know if it would be 40 units or 60 units constructed, as the difference was major considering the funding being provided.

Ms. Pethia said that some of it would be based upon how much LIHTC funding was awarded, and some of it would come down to simple site plan issues.

Ms. Mallek asked if the funding would be phased so it was based upon what deliverables would be, or if it was handing over the money and seeing what they got.

Ms. Pethia said that the funding would firstly be conditional upon the award of an LIHTC. She said that with all projects funded in this way in the past, the agreement had been that they would not provide the money up front, although there had been special exceptions. She said that it would provide them with invoices for a specific stage of the project.

Ms. Mallek said that she would like to know more about what the new study would provide.

Ms. Pethia said that the details of what the study would include were currently being discussed. She said that this conversation involved the City Manager, Sam Sanders, and Kaki Dimock, the Chief of Human Services.

Ms. Mallek asked if the Board would receive a report on what the details of the study would be.

Ms. Pethia confirmed that was correct.

Ms. Mallek asked what happened if the tax credits were not awarded.

Ms. Pethia said that the County would not provide funding unless the project moved forward.

Ms. Mallek said that she was confused by the description of this being transitional housing, as it was also mentioned that some of the residents would stay for the long term.

Ms. Pethia said that Virginia Supportive Housing had been highly successful in assisting people transition from chronic homelessness into permanent housing. She explained that there were some individuals who may not be able to progress due to their age or chronic health issues that make independent living challenging. She said that consequently, Virginia Supportive Housing and permanent supportive housing projects never forced anyone to leave if they did not feel prepared. She said that such actions would undermine the program's purpose and the individuals themselves.

Ms. Mallek clarified that Phase 3 would be more long-term residential housing, as opposed to Phase 1, which was more transitional housing.

Ms. Pethia said that was correct. She said that Phase 3 would be more traditional residential housing.

Ms. LaPisto-Kirtley said that she was interested in hearing the details later regarding the study. She said that she understood the \$2 million for Premier Circle was coming out of the current housing fund. She asked if that was correct.

Ms. Pethia confirmed that was correct.

Ms. LaPisto-Kirtley asked if the entire amount would be used to ensure Premier Circle came to fruition.

Ms. Pethia confirmed that was correct.

Ms. LaPisto-Kirtley clarified that it was not part of the study.

Ms. Pethia said that was correct; they were two separate projects.

Mr. Gallaway asked if this study would be an update to a previous study or if it would be a new study that goes beyond any previous attempts.

Ms. Pethia said that she was not aware of which study had been conducted previously; therefore, this would be a new study with a very specific focus. She said that to her knowledge, the previous studies she knew of did not assess and evaluate their current system of care for homelessness. She said that this would be a significant aspect of this study, in addition to examining how many shelter beds were necessary to effectively serve their area. She said that this study was broader than merely investigating the specific problem.

Mr. Andrews said that he was interested in learning more about the study's methodology, which could be discussed in future meetings. He said that they were looking for a motion.

Ms. McKeel **moved** that the Board of Supervisors approve the funding requests from Piedmont Housing Alliance for \$2,025,000 and the City of Charlottesville for \$100,000 using funds from the Housing Fund Reserve.

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



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

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Agenda Item No. 14. Closed Meeting.

At 4:19 p.m., Mr. Pruitt moved the Board of Supervisors convene a closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia:

- under subsection (1):
  - to discuss and consider appointments to various boards and commissions including, without limitation, Crozet Community Advisory Committee, Albemarle County Board of Equalization, Historic Preservation Committee, JAUNT Board of Directors, Piedmont Family YMCA Board of Directors, Places 29 (North) Community Advisory Committee, Police Department Citizens Advisory Committee, Albemarle County Social Services Advisory Board and Village of Rivanna Community Advisory Committee; and
  - to discuss the assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation of a specific administrative employee of the county appointed by the Board of Supervisors;
- under subsection (3), to discuss or consider the acquisition of real property for transportation improvements, a public purpose, in the White Hall Magisterial District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County; and
- under subsection (8), to consult with legal counsel regarding specific legal matters requiring legal advice relating to the possible exercise of authority under (i) Virginia Code § 15.2-1901.1 to acquire real property for transportation improvements, and (ii) Virginia Code § 15.2-1716.1 imposing liability for expenses incurred in responding to terrorism hoax incidents, bomb threats, or malicious activations of fire alarms.

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

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

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Agenda Item No. 15. Certify Closed Meeting.

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

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

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

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Item No.16. Boards and Commissions:

Item No. 16.a. Vacancies and Appointments.

Ms. McKeel **moved** that the Board appoint the following individuals to boards, committees and commissions:

- **Appoint** Mr. Andrew Bowers to the Crozet Community Advisory Committee, with said term to expire on March 31, 2025.
- **Appoint** Mr. Leonard Mailloux as the Jack Jouett District representative, Mr. David Norford as the Rivanna District representative, and Mr. David Mitchell as the White Hall District representative to the Board of Equalization with terms to expire on December 31, 2024.
- **Reappoint** Mr. Carter Montague to the Historic Preservation Committee with said term to expire on June 4, 2027.
- **Appoint** Ms. Elizabeth Engle to the Piedmont Family YMCA Board of Directors, with said term to expire on January 31, 2026.
- **Appoint** Ms. Renae King to the Village of Rivanna Community Advisory Committee, with said term to expire on March 31, 2026.

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

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

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Agenda Item No. 17. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report provided.

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Agenda Item No. 18. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Adrienne Eichner said that she received an email before this meeting saying that decisions were already finalized. She said that she was aware from a phone call with Mr. Andrews yesterday that the 1:00 p.m. and 6:00 p.m. meeting would be considered, and decisions would be made after that. She said that she was very disappointed that they sent out an email saying that they had already made their decisions. She said that firstly, she wanted to know how the \$2 million budget was decided upon for affordable housing and how it would be used.

Ms. Eichner asked how she could get answers to her questions when the Board members did not answer her phone calls and he asked why she even called him about affordable housing and dirty water in Charlottesville. She said that regarding her questions about how many emergency shelters Albemarle County had, the answer was none. She said that she asked Mr. Andrews yesterday how many shelters Albemarle County provided, and he said that he could not find any. She said that it was true; there were none. She said that they donated funds to two shelters in town that were overloaded, not successful, and not using their funds properly.

Ms. Eichner said that she knew for sure that one was turning away hundreds of women per year who did not have shelter during an emergency with their domestic partners. She said that she herself was turned away twice. She said that it had been a very difficult year for her. She asked if they knew that the Social Services office was closed and could only be reached remotely. She said that Mr. Andrews had suggested she contact Social Services, and she spent about six hours speaking with a representative and she found out there was no office she could go to in person.

Ms. Eichner asked if they knew that the Airbnbs they were allowing to happen in homes in Charlottesville were empty homes. She said that she noticed an empty home on Solomon Road that had no personal items in it at all; it was empty. She explained that this was because it was being used as a full rental for Airbnb and was contributing to the affordable rental problem. She said that the Board knew this was an issue, as it had been discussed multiple times before, and they knew about it but continued to allow it to happen.

Ms. Eichner said that people would not be able to rent them, and it hurt her feelings that they were allowing strangers to rent out empty homes rather than allowing people to live in them as affordable housing. She said that she wanted to know what nonprofits they were donating to for affordable housing help and emergency shelters.

Mr. Andrews requested that Ms. Eichner end her comments since her time had expired.

Ms. Eichner continued stating that the Board did not answer her phone calls and she left them three voicemails. She asked how she could get in touch with her representatives when they did not have offices or return her communications.

Mr. Richardson stated that staff from the Social Services Department were available and ready to assist Mr. Eichner.

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Agenda Item No. 19. **Public Hearing: SP202300016 Charlottesville Climbing Gym**.

PROJECT: SP202300016 Charlottesville Climbing Gym

MAGISTERIAL DISTRICT: Jack Jouett

TAX MAP/PARCEL: 06000-00-00-046C0

LOCATION: 2200 Old Ivy Road

PROPOSAL: Request to amend an existing special use permit (SP201200001) for an indoor climbing gym. The proposal includes an expansion of the existing special use permit for an indoor athletic facility from 2,000 square feet to 6,125 square feet for climbing, bouldering, strength and fitness, yoga space, kids zone, retail space, locker rooms, storage, a group fitness room, and a small office associated with the gym use.

PETITION: A special use permit request under Section 18-23.2.2 (14) for an indoor athletic facility.

ENTRANCE CORRIDOR: Yes

ZONING: CO Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT: AIA – Airport Impact Area; EC – Entrance Corridor Overlay District; and Steep Slopes – Managed

COMPREHENSIVE PLAN: Community Mixed Use – residential (up to 34 units/acre), community scale retail, service and office uses, places of worship, schools, public and institutional uses. In Neighborhood 7 of the Southern and Western Neighborhoods Master Plan.

The Executive Summary as forwarded to the Board states that at its meeting on March 12, 2024, the Planning Commission (PC) voted 5:0 (Mr. Carrazana and Ms. Firehock were absent) to recommend approval of SP202300016 with the condition recommended in the staff report.

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

Though the PC public hearing included discussion about future pedestrian safety measures along the frontage of the property on Old Ivy Road, improvements have not yet been determined. The applicant is not proposing any site changes with the proposed special use permit.

Staff recommends that the Board adopt the resolution approving SP202300016 Charlottesville Climbing Gym (Attachment D), provided that the indoor athletic facility use not exceed 6,125 square feet.

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Mr. Syd Shoaf, Senior Planner, said that he would present staff's proposal for Special Use Permit SP 202300016, Charlottesville Climbing Gym. He said that this was a request to amend an existing special use permit for an indoor climbing gym on a 0.94-acre lot in the Development Area. He said that the subject property was located west of the Charlottesville City limits after the intersection of Ivy Road and Old Ivy Road. He said that the tax map parcel was 60-46C, and the site's address was 2200 Old Ivy Road.

Mr. Shoaf said that the entire parcel measured approximately 0.94 acres and contained an existing structure. He explained that the site was zoned Commercial Office and was affected by the Steep Slopes Managed Overlay District and the Entrance Corridor. He said that in the Comprehensive Plan, it was part of Neighborhood 7 of the Southern and Western Neighborhoods Master Plan and was designated as Community Mixed Use.

Mr. Shoaf said that the existing building spanned around 13,378 gross square feet. He said that it housed office space, retail, and a portion of the building site was used for an indoor athletic facility for up to 2,000 square feet that was approved with SP201200001. He said that additionally, there were 49 existing parking spaces on the site.

Mr. Shoaf said that the proposal was a special use permit to amend SP 201200001 for an indoor climbing gym. He said that as mentioned in the previous slide, the current special use permit allowed indoor athletic use for up to 2,000 square feet, and the applicant was proposing to increase the use for up to 6,125 square feet.

Mr. Shoaf said that displayed was a screenshot of the concept plan that was provided as an attachment in the staff report. He said that the applicant had proposed minimal changes to the site itself. He said that the proposed building footprint would remain the same but proposed raising the existing two-story building to three stories. He said that the site currently had 49 parking spaces, which were compliant with the required parking for the requested recreation use. He said that additionally, the applicant proposed remodeling the bicycle parking area and adding more landscaping to the site.

Mr. Shoaf reiterated that the existing site footprint remains unchanged but added that the proposed building height increases from 16 feet and 1 inch to 32 feet and 4 inches for a three-story structure. He explained that although Old Ivy Road was not part of the Entrance Corridor, the Architectural Review Board (ARB) reviewed the proposal due to its potential impacts on Ivy Road, an Entrance Corridor. He said that the ARB had no objections, and Albemarle County's Fire Rescue (ACFR) did not raise any issues with the increased height.

Mr. Shoaf stated that the special use permit application was assessed based on the factors for consideration outlined in the Zoning Ordinance. He said that staff believed that the proposed special use permit would not be detrimental to adjacent parcels, would not change the character of the nearby area, would continue to be in harmony with the Commercial Office zoning district, and was consistent with the Comprehensive Plan. He noted that there was one recommended condition, which was that the indoor athletic facility shall not exceed 6,125 square feet.

Mr. Shoaf said that in sum, there were three factors favorable. He said that the first was that it was consistent with the review criteria for special use permits contained in the Zoning Ordinance. He said that the second was that the use was consistent with the Land Use Plan. He said that third, it provided an additional athletic facility option for people who lived and worked in the area. He said that staff found no factors unfavorable. He said that staff recommended approval with the condition as recommended in the staff report.

Ms. McKeel said that the only complaint or concern she had received as the Supervisor for that area was that some employees of businesses in that building were parking along Old Ivy Road. She said that police put up no-parking signs to stop it due to the poor visibility for people pulling out. She said that she wanted to ensure those no-parking signs remained in place because people could use the two parking lots.

Mr. Shoaf said that it would be more appropriate for the applicant to verify if the parking signs were still present. He said that if the proposal was approved, there might be a minor amendment or a letter of revision, which would allow them to confirm that no parking signs remained in place on the property.

Ms. Mallek asked if there was any update since the staff report concerning a provision for a sidewalk across the frontage.

Mr. Shoaf said that there was no update. He said that the Virginia Department of Transportation (VDOT) had released draft recommendations for the Old Ivy Road corridor study. He said that from his understanding, a couple of proposals were available for public comment; however, nothing had been finalized yet. He said that he had spoken with the applicant, who was receptive to whatever recommendations came out and willing to work with the County and VDOT after the outcome was known.

Ms. Mallek said that they may have to donate right-of-way or something to make it possible.

Mr. Shoaf said that if something was required, they would work with staff.

Mr. Andrews opened the public hearing. Seeing no speakers, he asked if the applicant had a presentation.

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Mr. Eric Woolley said that he was with Woolley Engineering, the design consultant for this project. He said that joining him was Mike Kinnick with Rock Revolution. He said that he believed this was an appropriate use for the structure, as it was currently unoccupied. He explained that the proposed changes would increase the volume by raising the height to three stories but would not add another floor. He said that some of the floor area would be eliminated. He said that before discussing further details, he invited Mr. Kinnick to speak about Rock Revolution and their background.

Mr. Mike Kinnick said that he was the co-founder of Rock Revolution. He explained that his wife and he founded the company in early 2023 to bring a new modern climbing facility to the community. He said that rock climbing was not just about scaling walls; it was about conquering fears, building strength, and fostering camaraderie. He said that as they watched their daughters challenge themselves to reach new heights on the walls, they witnessed their resilience, problem-solving skills, and mental fortitude develop.

Mr. Kinnick said that it was their desire to provide these benefits to the broader community. He stated that Rock Revolution promised exhilarating experiences and profound community benefits. He said that the impact of Rock Revolution would extend far beyond their climbing walls by providing a safe and inclusive space for all ages and backgrounds. He said that they believed that investing in activities like rock climbing can help combat sedentary lifestyles, reduce stress, and promote overall health.

Mr. Kinnick said that they planned to actively engage with local schools, organizations, and charities to promote outdoor recreation, environmental stewardship, and youth development through programs that would introduce the sport of rock climbing indoors with the goal of getting people to eventually climb outdoors, where the benefits of being in nature would only enhance the positive impact of the sport. He said that they planned partnerships that would offer opportunities for underserved populations to experience the excitement of climbing and help them discover their own potential. He said that in the gym, safety would be their top priority.

Mr. Kinnick said that their staff were certified for the Climbing Wall Association (CWA) certification programs and adhered to industry-leading safety standards produced by the CWA, the leading indoor rock-climbing gym association in the country. He said that this ensured that every visitor could enjoy their experience with peace of mind. He said that in conclusion, Rock Revolution would not just be a gym; it would be a catalyst for positive change in the community by promoting active lifestyles, fostering community engagement, and prioritizing safety. He said that they were paving the way for a healthier, happier future for members, guests, and staff alike.

Mr. Woolley said that displayed on the slide was an image of the structure, and if one came from the City through the underpass beneath the railroad, the first visible feature was the southern face, and what would be exposed was two stories. He said that moving to the right on the page, the no-parking signs could be seen, so they were still in place. He said that the north side had one story exposed due to a significant grade change across the site. He said that their aim was to save as much existing vegetation as possible and minimize site work. He said that they would be confined to changing the footprint itself.

Mr. Woolley said that the next slide showed the site plan, which included Old Ivy Road and Ivy Road. He said that this was an Entrance Corridor and had undergone ARB review. He said that the two existing parking lots would remain unchanged, providing enough spaces to meet County code minimums, and they had an excess of parking for Mr. Kinnick's needs. He said that they planned to add shade trees to offset any non-code-compliant parking spaces and include a bicycle facility for indoor storage or sheltered storage.

Mr. Woolley said that the current use was Commercial Office, and the change to a climbing gym would attract more people and increase the number of trips. He said that however, the peaks would be declining because they would be open for a longer period of time and have more back-and-forth visitors versus having everyone coming and going at the same time. He said that the offset was virtually nil to the current system.

Mr. Woolley said that the next slide was the south face, which they had been discussing previously. He pointed out the existing roof and then showed the north face with one floor exposed. He

said that the plan was to remove the roof and raise it up to three stories, creating an open space in certain areas. He said that the first floor would be removed in a particular portion of the facility, allowing for a tall climbing wall area.

Mr. Woolley said that displayed next was the architectural rendering that had already been reviewed by ARB. He said that they believed it fit the character of the neighborhood well. He said that a small feature would be added to mark the arrival point, and any mechanicals would be screened discreetly. He said that the structure fit the surrounding area's character. He said that he had further slides available for context regarding the VDOT study. He said the City and County were working together to improve the Ivy Corridor, which could impact this site eventually. He said that they had studied the documents and looked forward to the findings of the study.

Ms. McKeel said that her Citizens Advisory Committee (CAC) was very enthusiastic about the project presented. She said that she would like the no-parking signs to stay in place until VDOT dealt with that road. She said that she believed the applicant was prepared for anticipating changes to the road in the future.

Mr. Woolley said that they were. He said that in the area Ms. McKeel was discussing, on the southern side of the roadway, all the presentations he had seen from the VDOT study showed a proposed 10-foot-wide shared use path in that area. He said that if that was the case, he doubted there would be any opportunities for parking in the future.

Ms. Mallek asked if the applicant would consider making a temporary path along that roadway for people walking to access the site prior to VDOT's future improvements.

Mr. Woolley said that they had discussed what potential options there were for improving that area near the underpass, and they felt it did not make much sense to put a hardscape path there, but perhaps a mulched or gravel path was possible to define a pedestrian walkway.

Ms. LaPisto-Kirtley asked if they were planning to install a sidewalk in front of the building or not.

Mr. Woolley said no.

Ms. LaPisto-Kirtley asked if that was because it would be a sidewalk to nowhere.

Mr. Woolley said that it would be a sidewalk that would end abruptly. He said that it was also where the incline was very steep as a critical slope.

Ms. LaPisto-Kirtley said that she hoped other developments could create a sidewalk in the area.

Mr. Woolley said that there was a shared use path proposed for their side of the road, on the south side of Old Ivy. He said that they proposed building a sidewalk for the north side. He said that in a couple of scenarios, they were making the underpass even more narrow and allowing only one-way traffic. He said that one of the proposals was to have a stoplight on each end and one-way traffic on the underpass, along with a raised sidewalk in the underpass. He said that in the second proposal, the option was to completely block it. He said that in that scenario, they would only have traffic coming in one direction under the underpass, and a do-not-enter sign that turned the parking lot into a quasi-turnaround area.

Mr. Gallaway asked how they would limit the number of users at the facility during any given time.

Mr. Kinnick said that they would abide by fire code restrictions. He said that it was usually slightly busier in the mornings before work, less busy during the day, and then became busier again during the evenings. He said that there were some counters that were shown on the website for people to see how busy it was, so that may offset it.

Mr. Gallaway said that he was wondering how the parking would be during busy times.

Mr. Kinnick said that despite the issue with the train underpass, there was actually a fair amount of pedestrian and cyclist traffic along the road, so they hoped this would alleviate pressure on parking.

Mr. Andrews said that there were several new housing developments proposed for that area, including within the City limits. He said that these provided a great opportunity for people to use the applicant's facilities. He emphasized the importance of safety with rock climbing. He said that his son's best friend became a paraplegic after slipping during rock climbing at a gym that was not adequately set up.

Ms. McKeel said that Old Ivy Road was a focus for VDOT due to congestion issues. She said that it was the subject of a pipeline study by VDOT, meaning that it was considered an area of urgent need. She said that this did not guarantee immediate action; recommendations may still take longer than average VDOT projects. She said that as a pipeline study, they are expedited, possibly taking five to seven years instead of 10 to 12. She said that Mr. Andrews was correct that the new housing developments would completely change the density of the area. She said that there would be an extra exit onto Leonard Sandridge, preventing everyone from exiting onto Old Ivy Road.

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Mr. Andrews closed the public hearing and the matter rested with the Board for final comments. Hearing none, he said they were ready for a motion.

Ms. McKeel **moved** that the Board of Supervisors approve Special Use Permit SP202300016, and to adopt the Resolution (Attachment D).

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

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

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**RESOLUTION TO APPROVE SP 202300016  
CHARLOTTESVILLE CLIMBING GYM**

**WHEREAS**, the Charlottesville Climbing Gym applied for the expansion of a previously-approved special use permit (SP 2012-01), and

**WHEREAS**, the amendment application is identified as SP202300016 Charlottesville Climbing Gym ("SP 2023-16"); and

**WHEREAS**, on March 12, 2024, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of an amended SP 2023-16; and

**WHEREAS**, upon consideration of the staff reports prepared for SP2023-16 and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-23.2.2(14) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the amended special use would:

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

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves SP 202300016 Charlottesville Climbing Gym, provided that the indoor athletic facility use not exceed 6,125 square feet.

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Agenda Item No. 20. **Public Hearing: Public Hearing to Consider an Easement to the ACSA across Parcel 061A0-03-00-000B1.** To consider granting a sanitary sewer line easement to the Albemarle County Service Authority across property owned by the County (Parcel 061A0-03-00-000B1). This sewer line easement would service the nearby Rio Point development.

The Executive Summary as forwarded to the Board states that the developer of the Rio Point project, located at the intersection of John Warner Parkway and Rio Road, is currently working through the site plan approval process with County staff. Though the project is within the Albemarle County Service Authority (ACSA) jurisdictional area for both water and sewer service, the site does not have access to sewer utilities because the nearest sewer line is located to the south, across Meadow Creek. During site plan review, the ACSA indicated that the most feasible and desirable route for extending sewer utilities to the Rio Point site would require establishing a new ACSA sewer easement across Parcel ID 061A0-03-00-000B1, which is owned by Albemarle County (Attachment A).

Virginia Code § 15.2-1800 requires a public hearing prior to the conveyance of most County-owned property, including this proposed easement interest. A proposed subdivision plat (Attachment B), currently under review with staff, shows the location of the proposed sewer easement on Parcel ID 061A0-0300-000B1. The easement would grant ACSA rights to construct and maintain the sewer utilities on the parcel.

If this conveyance were approved, the Rio Point developer has agreed to compensate the County for the easement's estimated fair market value of \$5,337.49.

Staff recommends that, after holding the public hearing, the Board adopt the attached resolution (Attachment C) to authorize conveyance of the proposed easement, upon final review and approval as to form.

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Mr. Cameron Langille, Principal Planner, said that he would be giving staff's presentation on a request to establish an ACSA (Albemarle County Service Authority) sanitary sewer easement on Albemarle County-owned land. He said that the tax map parcel number was 61A-03-0B1 and it was located in the Rio Road East area. He explained that this easement would allow for the installation of sanitary sewer lines across the County-owned property, enabling future connection to sewer utilities to the Rio Point development, approximately 260 feet to the north. He said that this development was

currently undergoing site plan review and was situated at the intersection of Rio Road East and John Warner Parkway.

Mr. Langille said that according to Virginia Code Section 15.2-1800, a public hearing must be held whenever there was a disposal of county land, or an easement conveyed to any entity. He said that as such, they were holding a public hearing on this item.

Mr. Langille said that displayed on the screen was an aerial view of the property, highlighting the property in yellow with a star. He said that John Warner Parkway was to the west and Rio Road East was to the east. He said that the property was located at the west end of the Village Square neighborhood, while the Waldorf School, a private school, was immediately to the east.

Mr. Langille said that the Rio Point project would be built on the property which consisted of two parcels, one of which was off-screen. He said that the next slide showed a subdivision plat under review that demonstrated where the ACSA Sanitary Sewer Easement would be located on the property. He explained that the nearest existing sewer lines were in Village Square, at an open space parcel with an existing easement.

Mr. Langille said that there was another easement plat under review to enlarge the easement and allow a connection to be made to the County parcel. He said that the ACSA easement was 20 feet wide and runs south to north. He said that there was a third easement plat on this property, which was undeveloped, where the ACSA sewer line would be extended further north and get to the Rio Point project. He said that in total, the area of the easement on the County piece of land was 4,649 square feet, which was 0.107 acres.

Mr. Langille stated that the staff recommendation for this item was to approve the request to authorize conveyance of the proposed easement on Tax Map Parcel 61A-03-0B1. He said that this action aligned with the infrastructure and placemaking goal of the County's Strategic Plan for FY24 to FY28. He added that the developer of the Rio Point project was also proposing to reimburse the County the fair market value for the area of that easement, which amounts to \$5,337.49. He said that they had worked with the County assessor to confirm this estimated fair market value.

Mr. Langille said that there was an attachment, Attachment A, containing correspondence directly with ACSA staff, where they verified their work with Rio Point developers' consultants, specifically civil engineers and surveyors, to evaluate different routes for sewer line extension. He said that ultimately, this chosen alignment had the least County involvement and minimal environmental impacts.

Mr. Langille said that any other possible alignments would require crossing Meadow Creek, which was near these properties and posed challenges due to its 100-year floodplain, WPO (Water Protection Ordinance) stream buffers, preserved steep slopes. He said that ACSA indicated that crossing the creek would necessitate an aerial crossing, raising security concerns about exposed pipes. He said that this alignment allowed for complete burial of the sewer line. He said that staff recommended approval of this request.

Mr. Pruitt noted that the main reason the County owned it was for potential use as a road extension at some point in the undetermined future. He asked if this depth would prevent any frustration of uses.

Mr. Langille said that this piece of land became County property in 1985. He said that a plat for Village Square neighborhood designated this parcel as part of the future John Warner Parkway. He explained that as it turned out, the parkway was constructed further west. He said that the greenway system was on the east side of John Warner Parkway between the road and this parcel. He said that the County owned it, and that he did not believe that there was any realistic expectation that a spur would come off of John Warner that would connect to this project, so no roads were expected to be built there. He said that the applicant had worked with civil engineers, and they confirmed that the pipes would be buried at a safe depth.

Ms. Mallek stated that the original right-of-way for Warner Parkway was designed as four lanes; however, only two had been constructed. She said that as long as they remained outside of that area, that could be done in 20 years without causing any utility issues.

Mr. Langille said that was correct.

---

Mr. Andrews opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board. There being no additional comments, he said they were ready for a motion.

Mr. Gallaway **moved** that the Board of Supervisors adopt the Resolution (Attachment C) to authorize conveyance of the proposed easement, upon final review and approval as to form.

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

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



RESOLUTION APPROVING CONVEYANCE OF A SANITARY SEWER EASEMENT  
ACROSS COUNTY-OWNED PARCEL 061A0-03-00-000B1

WHEREAS, the County owns Parcel 061A0-03-00-000B1 along Meadow Creek;

WHEREAS, the developer of the Rio Point project and the Albemarle County Service Authority (ACSA) have requested that the County grant a sanitary sewer easement across this Parcel to the ACSA;

WHEREAS, the developer of the Rio Point project has offered to compensate the County for the easement's estimated fair market value of \$5,337.49; and

WHEREAS, a public hearing was held pursuant to Virginia Code §15.2-1800 to consider the proposed conveyance of this easement;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the proposed conveyance of a sanitary sewer easement across Parcel 061A0-03-00000B1 to the Albemarle County Service Authority, and authorizes the County Executive to sign any documents needed to effect this conveyance on behalf of the County once those documents have been approved as to form and substance by the County Attorney.

VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 5/21/2024

Instrument Type: DE

Number of Parcels: 1 Number of Pages: 6

[ ] City [X] County ALBEMARLE COURT  
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[X] Grantor: 58.1-811 (A) (3) AND 17.1-266

[X] Grantee: 58.1-811 (A) (3) AND 17.1-266

Business/Name

1 X Grantor: COUNTY OF ALBEMARLE

Grantor:

1 X Grantee: ALBEMARLE COUNTY SERVICE AUTHORITY (ACSA)

Grantee:

Grantee Address

Name: ALBEMARLE COUNTY SERVICE AUTHORITY (ACSA)

Address: 168 SPOTNAP ROAD

City: CHARLOTTESVILLE State: VA Zip Code: 22911

Consideration: \$0.00 Existing Debt: \$0.00 Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00 Fair Market Value Increase: \$0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [ ] City [ ] County Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 06100-03-00-000B1

Short Property Description:

Current Property Address:

City: CHARLOTTESVILLE State: VA Zip Code: 22901

Instrument Prepared By: WOODS ROGERS PLC Recording Paid By: WOODS ROGERS PLC

Recording Returned To: WOODS ROGERS VANDEVENTER BLACK

Address: 123 E. MAIN ST, 5TH FLOOR

City: CHARLOTTESVILLE State: VA Zip Code: 22902



RECORDED IN  
ALBEMARLE COUNTY, VA  
JON R. ZUG  
CLERK OF CIRCUIT COURT  
FILED May 21, 2024  
AT 01:01 pm  
BOOK  
START PAGE  
END PAGE  
INST # 202400003972  
TOTAL NUM PAGES 7

EMJ (Only)



**This document prepared by:**  
Steven W. Blaine, Esq. (VSB No. 25857)  
Woods Rogers Vandeventer Black PLC  
123 East Main Street, 5<sup>th</sup> Floor  
Charlottesville, Virginia 22902

**This Deed is exempt from recordation taxes and fees pursuant to §§58.1-811 (A) (3) and 17.1-266, respectively, of the Code of Virginia (1950) as amended and the Constitution of Virginia, Article X, Section 6 (a) (1).**

**Albemarle County**  
TMP# 061A0-03-00-000B1

This **DEED OF EASEMENT**, made this 6<sup>th</sup> day of May 2024, is by and between **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, Grantor of the first part, and **ALBEMARLE COUNTY SERVICE AUTHORITY** (the "ACSA"), Grantee of the second part, whose address is 168 Spotnap Road, Charlottesville, Virginia 22911.

**WITNESSETH:**

WHEREAS Grantor is the owner of real property located in Albemarle County, Virginia, received by dedication for future Meadow Creek Parkway from Salasco Service Corporation as shown on a plat of record in the Clerk's Office of the Circuit Court of Albemarle County, Virginia (the "Clerk's Office") in Deed Book 864, page 350;

WHEREAS Grantor has agreed to grant to ACSA a permanent sanitary sewer line easement to construct, install, operate, maintain, repair, replace, relocate, and extend such line and any appurtenances thereto. The easement is shown on the following plat:

A plat prepared by Timmons Group, entitled "Plat Showing 20' ACSA Sanitary Sewer Easement on the Lands of County of Albemarle, Tax Map Parcel 061A0-03-00-000B1, Rio Magisterial District Albemarle County, Virginia" dated November 15, 2023, last revised March 1, 2024, which plat is attached hereto and made a part hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of all of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY with SPECIAL WARRANTY unto ACSA, its

successors and assigns, a perpetual right of way and easement to construct, install, operate, maintain, inspect, protect, repair, replace, relocate, remove, change the size of and a sanitary line consisting of pipes, equipment, and appurtenances to such pipes and equipment, over, under and across the real property of the Grantor located in Albemarle County, Virginia, and to access any other adjacent easement held by ACSA, the location of the easement hereby granted and the boundaries of the property being more particularly described on the Plat as "New ACSA Sanitary Sewer Easement - 20' Centered on As-Built Location Hereby Dedicated to the ACSA Area = 4,649 SF (0.107 AC.) (the "Easement")"; PROVIDED HOWEVER, that it is expressly understood and agreed that ACSA shall not be deemed to have accepted the conveyance set forth hereinabove until such time as the same shall have been evidenced by the affirmative acceptance thereof in accordance with the usual and customary practices of ACSA.

Reference is made to the Plat for the exact location and dimension of the Easement hereby granted and the property over which the same crosses. Notwithstanding anything to the contrary in the Plat, the exact location of the Easement is centered on the as-built location of the applicable sewer line.

As part of the Easement, ACSA shall have the right to enter upon the above-described property within the Easement for the purpose of installing, constructing, operating, maintaining, inspecting, protecting, repairing, replacing, relocating, removing, changing the size of and extending a sanitary sewer line and appurtenances thereto within such Easement, and the right of ingress and egress thereto as reasonably necessary to construct, install, operate, maintain, inspect, protect, repair, replace, relocate, remove, change the size of and extend such sanitary sewer line within the Easement. If ACSA decides in its sole discretion that it is unable

reasonably to exercise the right of ingress and egress over the right-of-way, ACSA shall have the right of ingress and egress over the property of Grantor adjacent.

Whenever it is necessary to excavate earth within the Easement, ACSA agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions as nearly as practicable to the same condition as prior to excavation, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation; provided, however, that ACSA shall have no obligation to restore permeable pavers, stamped concrete, or similar surfaces within the Easement.

Grantor, its successors or assigns, agrees that no trees, shrubbery, fences, structures, buildings, over-hangs or other improvements or obstructions shall be placed within the Easement conveyed herein.

The Easement provided for herein shall include the right of ACSA to trim, cut, and remove any trees, shrubbery, fences, structures, buildings, over-hangs or other improvements or obstructions and take other similar action reasonably necessary to provide economical and safe sewer line construction, installation, operation, maintenance, inspection, protection, repair, replacement, relocation, removal, and extension. ACSA shall have no responsibility to the Grantor, its successors or assigns, to replace or reimburse the cost of said trees, shrubbery, fences, structures, buildings, over-hangs or other improvements or obstructions that are removed or otherwise damaged.

The facilities constructed by ACSA within the Easement shall be the property of ACSA and its successors and assigns, which shall have the right to inspect, rebuild, remove, repair, relocate improve and make such changes, alterations and connections to or extensions of its

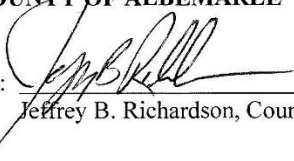
facilities within the boundaries of the Easement as are consistent with the purposes expressed herein.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO DEED OF EASEMENT]


WITNESS the following duly authorized signature and seal:

COUNTY OF ALBEMARLE

By:   
Jeffrey B. Richardson, County Executive

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Charlottesville to-wit,

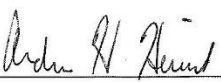
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of May 2024,  
by Jeffrey B. Richardson, County Executive, on behalf of the County of Albemarle.

  
Notary Public

My Commission Expires: Oct 31, 2027

Commission No.: 7153762

APPROVED AS TO FORM:

By:   
County Attorney



**SURVEY NOTES:**

1. PROPERTY & ZONING INFORMATION:
- OWNER: COUNTY OF ALBEMARLE  
REFERENCE: NO RECORD FOUND  
COUNTY TAX MAP NUMBER: 61A-03-B1 (061A0-03-00-000B1)  
PROPERTY ADDRESS: N/A  
OWNER ADDRESS: 401 MCINTIRE ROAD, CHARLOTTESVILLE, VA 22902  
ZONED: RESIDENTIAL R-4  
APPLICABLE ZONING DISTRICTS: PRESERVED STEEP SLOPES OVERLAY, FH FLOOD HAZARD OVERLAY, EC ENTRANCE CORRIDOR OVERLAY, AND AIA AIRPORT IMPACT AREA OVERLAY DISTRICTS
2. THE PROPERTY INFORMATION SHOWN HEREON IS COMPILED FROM EXISTING LAND RECORDS AND A FIELD SURVEY BY THIS FIRM BUT DOES NOT CONSTITUTE A BOUNDARY SURVEY AS DEFINED BY DPOR & THE COMMONWEALTH OF VIRGINIA.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.
4. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH NETWORK GPS (LEICA SmartNET) OBSERVATIONS.
5. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0287D, PANEL 287 OF 575, EFFECTIVE DATE FEBRUARY 4, 2005, THE LANDS SHOWN HEREON LIES IN: (1) SHADED 'ZONE AE' 1% ANNUAL CHANCE FLOODWAY, (2) 'ZONE AE', AREAS SUBJECT TO THE 1% ANNUAL CHANCE (100 YEAR) FLOODPLAIN AND (3) UNSHADED 'ZONE X' AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
6. NO PLACES OF BURIAL WERE OBSERVED ON THE PROPERTY DURING THE COURSE OF THE SURVEY.
7. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN THE MEADOW CREEK WATERSHED PER COUNTY GIS.
8. THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A WATER SUPPLY PROTECTION AREA.
9. THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN AN AGRICULTURAL-FORESTAL DISTRICT.
10. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN AN ENTRANCE CORRIDOR OVERLAY AREA.
11. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN AN AIRPORT IMPACT AREA.
12. THE PROPERTY HEREON IS SUBJECT TO THE STEEP SLOPES OVERLAY DISTRICT (MANAGED & PRESERVED).
13. ACSA SANITARY SEWER EASEMENTS ARE TO BE CENTERED ON AS-BUILT LOCATIONS.
14. THE STREAM BUFFER(S) SHOWN HEREON SHALL BE MANAGED IN ACCORDANCE WITH THE ALBEMARLE COUNTY WATER PROTECTION ORDINANCE.

**OWNER'S**

THE PLATTING DESCRIBED I  
SEWER EASE  
ALBEMARLE  
FREE CONSE  
THE UNDERS  
IF ANY.

FOR: COUNTY

BY: *[Signature]*

(PRINT NAME)

STATE OF: VA

COUNTY OR CITY

THE FOREGOING

THIS IS A TRUE AND

BY: *[Signature]*

NOTARY PUBLIC

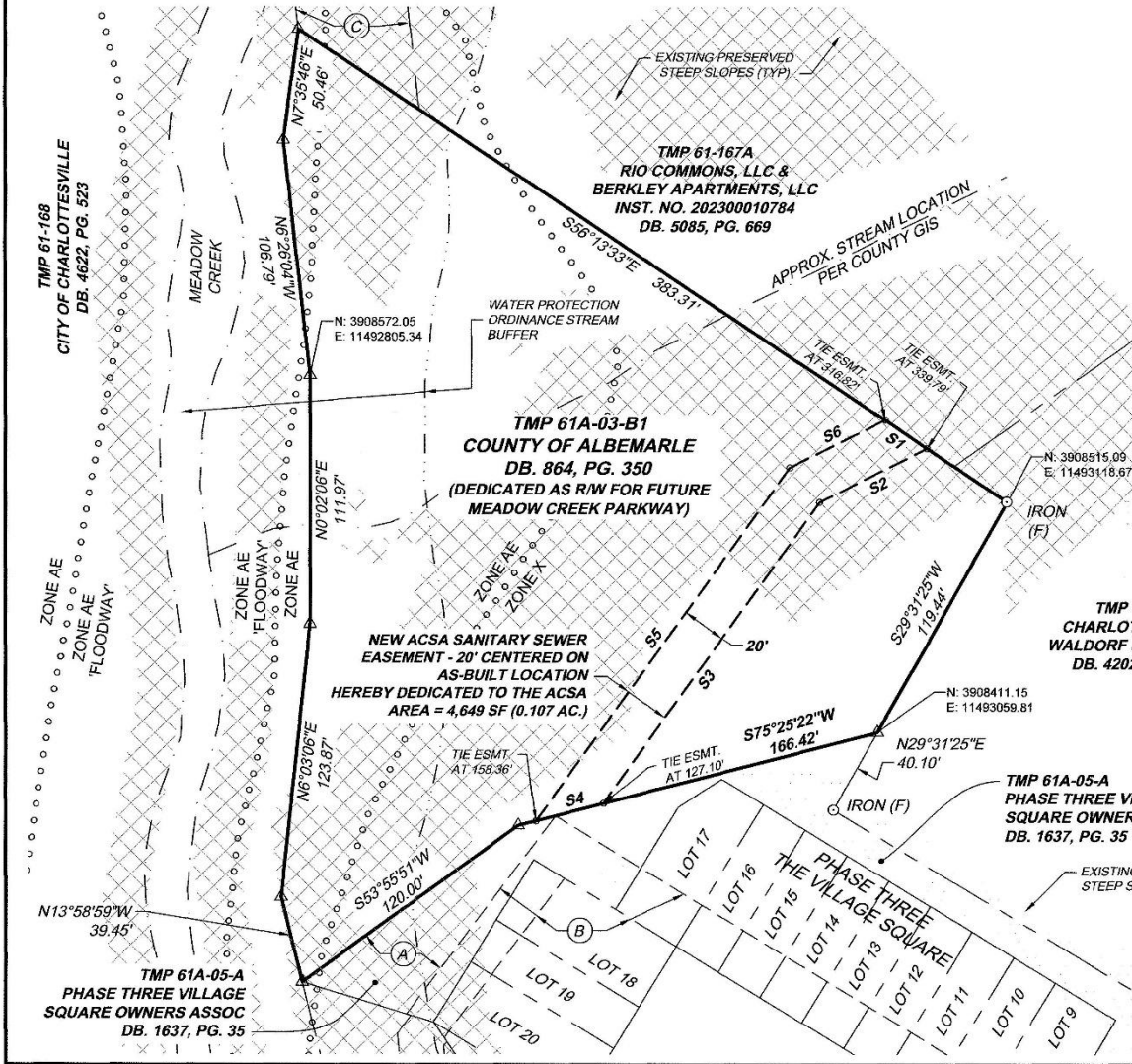
MY COMMISSION

Register

**OWNER'S AD**

COUNTY OF ALBEMARLE  
401 MCINTIRE ROAD  
CHARLOTTESVILLE, VA 22902

Y:\04\51816-Rio\_Point\DWG\51816-AV-SPESMT-OFFSITE\_61A-03-B1.dwg | Plotted on 3/1/2024 3:01 PM | by Joe Medley







**Official Receipt**  
**Albemarle Circuit Court**  
**Jon R. Zug**  
**501 E. Jefferson St**  
**Charlottesville, VA 22902**  
**(434) 972-4083**

Receipt For : WOODS ROGERS PLC  
Cashier : EMJ

Instrument Type : DE  
Instrument # : 202400003972  
Pages : 6  
# Plat Pages : 1  
1st Grantor : COUNTY OF ALBEMARLE  
1st Grantee : ALBEMARLE COUNTY SERVICE AUTHORITY (ACSA)  
Consideration: 0.00  
Value: 0.00  
Receipt # : 2024-127376  
Date : 05/21/2024 01:01pm  
Document : 3 of 3  
Grantor Ex : Y  
Grantee Ex : Y  
Pct : 100.000000000%  
1st City: Y

Item #	Description	Qty	Unit Cost	Extended
035	VOF	1	3.00	3.00
301	Clerk 1-10 Pages	1	14.50	14.50
145	VSLA	1	3.50	3.50
106	TTF	1	5.00	5.00
301	Clerk Fee	1	13.50	13.50
145	VSLA	1	3.50	3.50
106	TTF	1	5.00	5.00
035	VOF	1	3.00	3.00
Document 3				51.00
Grand Total				167.00
Check 84074				-167.00
Balance				0.00

Agenda Item No. 21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Pruitt said that they now had the first new member of the Village of Rivanna CAC (Community Advisory Committee), and they were looking forward to meeting soon this summer. He encouraged those living in the Village of Rivanna CAC catchment area to consider applying if interested. He said that material about the application process had been made available; he invited anyone with questions to reach out to him.

Mr. Pruitt acknowledged a recent initiative from Mr. Gallaway that had taken off, which was the RHP (Regional Housing Partnership). He said that they started convening small groups on different key focus areas, including rural housing, urban housing, and homelessness. He said that these groups will be convening individual focus groups for different stakeholders and elected officials.

Mr. Pruitt said that he attended the first meeting that took place yesterday. He said that it was an exciting conversation with a lot of different stakeholders, including developers and County electeds, identifying the individual problems they saw in the realm of housing. He noted that Ms. McKeel and he both noted how their priorities seemed surprisingly consistent when asked to identify the three most important things from a list of 35.

Ms. McKeel said that she would like to inform everyone that Ann Wall and she had been invited to join representatives from the City of Charlottesville, specifically CAT (Charlottesville Area Transit), some City Councilors, and possibly others, to visit Champaign-Urbana to examine their mass transit system. She noted that Champaign-Urbana partnered with both public and private sectors and had implemented hydrogen fuel cell technology in their transportation.

Ms. McKeel said that after more than 50 years of service, they continued their commitment to environmental sustainability with a low to zero emission fleet consisting of hybrid and hydrogen fuel cell electric buses. She said that she and Ms. Wall were scheduled to leave on May 17. She expressed her excitement about returning and sharing her experience about hydrogen-fueled electric buses, which sounded quite exciting.

Ms. Mallek asked Ms. McKeel if she could bring back information regarding their combined university and urban transit system.

Ms. McKeel agreed with Ms. Mallek and stated that Champaign-Urbana was a university town and the County needed to model transportation in a similar way.

Ms. LaPisto-Kirtley said that when she visited Finland, she noticed that they had electric buses, which she shared with Garland Williams.

Mr. Gallaway reminded the public that the Long-Range Transportation Plan was accepting



feedback until May 21 when the Policy Board was taking final action. He said that they could view the plan at the TJPDC (Thomas Jefferson Planning District Commission) or MPO (Metropolitan Planning Organization) website and share their thoughts if they had not already done so.

Ms. Mallek stated that the Ivy corridor study was open until May 10.

Mr. Andrews said that on the previous Monday, there was an Agricultural Forestal District (AFD) Committee meeting, and they would learn more about it on the May 15 since it was subject to further Board discussion. He said that one item of concern was that only four members would be able to be there, which constituted a quorum because there were now only seven members.

Mr. Andrews said that there had been some concerns expressed regarding long-serving members who had reached their term limits. He acknowledged that there were ways to work around this issue to some extent, but it may be something they needed to revisit in the future to ensure they did not face similar situations where they lacked enough people to advise them on something. He planned to bring this up for comment.

Agenda Item No. 22. Adjourn to May 15, 2024, 2024, 1:00 p.m., Lane Auditorium.

At 6:48 p.m., the Board adjourned its meeting to May 15, 2024, 1:00 p.m., Lane Auditorium. Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

Chair

Approved by Board
Date: 08/06/2025
Initials: CKB