

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 18, 2022, at 1:00 p.m. Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia.

BOARD MEMBERS PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel (arrived at 2:50 p.m.), Mr. Jim Andrews, and Ms. Donna P. Price.

ABSENT: None.

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

Agenda Item No. 1. Call to Order.

The meeting was called to order at 1:00 p.m. by the Chair, Ms. Donna Price. She announced that the opportunities for the public to access and participate in the hybrid 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. Ms. Price announced the County officers in attendance and introduced Albemarle County Police Department officers Jerry Schenk and Kyle Rose.

Agenda Item No. 2. Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price requested to move item 19, ACSA202200001 531 James River Road, to the consent agenda for deferral at the applicant's request.

Mr. Andrews **moved** to adopt the final agenda as amended. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

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

Ms. Mallek said there had been a string of fatal accidents on the rural highways, and she urged the Board to try to obtain the authority to use traffic speed monitoring cameras.

Mr. Gallaway noted the shooting at a supermarket in Buffalo, New York. He said that while they lived in a society that had the right to free speech, the right came with responsibility. He said people should not be inciting people. He said the previous day was the anniversary of the Supreme Court decision in Brown v. Board of Education.

Mr. Andrews noted the press was attending the meetings—from the print, radio, and television media. He noted a Daily Progress reporter was retiring.

Ms. Price echoed Mr. Andrews' remarks. She echoed Mr. Gallaway's comments with regards to the mass shooting at a supermarket in Buffalo, New York. She said more than 1 million people had died in the U.S. from COVID-19. She noted there was a resurgence of the latest variant in the area. She said the number of infections and hospitalizations was increasing. She encouraged people to get vaccinated and to pay attention to masking.

Ms. Price announced May was mental health month. She noted the banner outside of the entrance of Lane Auditorium. She said the County would have a three-person team that would respond to mental health calls. She said the team would include law enforcement from ACPD, individuals from Fire and Rescue, and a counselor from DSS. She said it was anticipated the team would allow the County to appropriately respond to mental health concerns without it turning into a violent outcome.

Ms. Price said she had the opportunity to represent the County at various events over the past two weeks. She said she attended the Keswick Hunt Club—she noted a group of individuals had collaborated to support funding of the rebuilding of St. John Rosenwald School. She said Julius Rosenwald donated about \$5 million, which contributed to the construction of about 5,000 different school buildings and facilities around the country. She said seven of the schools were in Virginia, and they were schools for Black people during segregation.

Ms. Price said of the seven schools, two had been destroyed, three were private homes, and two—one at St. Johns Rosenwald in Keswick—was being rebuilt and would be used as a community center. She said she had attended a Farm Bureau Annual Gathering at Carter Mountain the week prior and an event sponsored by the Free Enterprise Forum. She said both of the events were opportunities as supervisors to communicate with members from the community. She said she attended a FEMA Flood Risk Review. She said it was important to get flood insurance for people living in flood plains.

Agenda Item No. 6. Proclamations and Recognitions.

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

Mr. Gallaway **moved** to adopt the proclamation recognizing May as Older Americans Month and read the proclamation aloud. Ms. Mallek **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

Ms. Marta Keane said she was the CEO of JABA and the Chair of the Charlottesville Area Alliance. She thanked the Board for recognizing the proclamation. She said the County had a population that was continuing to grow. She said the census stated 19.3% of the population was over 65. She said the theme of the year was “age my way.” She said seniors wanted to stay engaged. She said JABA had helped over 7,000 residents in 2021. She said the Alliance had held webinars on housing and transportation.

Ms. Mallek said she understood the benefits JABA provided to residents.

Mr. Gallaway said he aspired to be as old as he could be. He said “age my way” was appropriate when considering affordable housing. He said there were many financially constrained older residents in the community which made housing difficult. He said as the County worked to achieve the goals of Housing Albemarle, they needed to focus on the growing population of older residents who needed affordable housing assistance.

Mr. Andrews echoed Mr. Gallaway’s comments.

Ms. Price said she had worked with Ms. Keane and JABA on a number of occasions. She said the work the organization undertook was important.

Proclamation Recognizing May as Older Americans Month

WHEREAS, Albemarle County includes a growing number of older Americans, currently over 18 percent of the population, who contribute their strength, wisdom, and experience to our community; and

WHEREAS, our community benefits when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, Albemarle County recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently; and

WHEREAS, Albemarle County can work to build an even better community for our older residents by providing supports and services that allow for greater independence, developing infrastructure that is responsive to individual needs and preferences, and designing programs, services, and policies with people of all ages in mind.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize May 2022 as Older Americans Month. And urge every resident to recognize our older citizens' contributions, help create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.

Item No. 6.b. Proclamation Recognizing the Piedmont Family YMCA’s Cavalier Aquatics Swim Team.

Mr. Andrews **moved** to adopt the proclamation recognizing the Piedmont Family YMCA’s Cavalier Aquatics Swim Team and read the proclamation aloud. Ms. Mallek **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

Mr. Gary Taylor, Head Coach, introduced the senior athletes and where they would be attending college: Mathew Heilman, attending UVA; Teddy Cross, attending Loyola; Elizabeth Bendall, attending Northeastern; and Isabel Bradley, attending UVA. He said he was honored to receive the recognition from the Board. He said it took a lot of work to win championships, and he noted the many people involved. He said the student athletes were dedicated, and a number were involved in the competition.

Ms. Mallek said the YMCA was still under construction when she joined the Board in 2008. She noted her own children swam and her grandchildren swam. She congratulated the swimmers.

Mr. Gallaway congratulated the team on their accomplishments.

Mr. Andrews congratulated the team. He said his wife worked with the team.

Ms. Price said all four of her children were lifeguards. She noted the skills they learned were lifelong. She said she was proud of the athletes' efforts and their accomplishments.

Proclamation Recognizing the Piedmont Family YMCA's Cavalier Aquatics Swim Team

WHEREAS, the Cavalier Aquatics Vision Statement reads: Through a global mindset and provision of an outstanding athlete experience, Cavalier Aquatics will evolve into an elite YMCA/USA Club program in the region with the goal of becoming nationally recognized through positive performances in personal development, team atmosphere, community connection, and branding; and

WHEREAS, the Cavalier Process focuses on developing a love for the sport, growth of individual swim skills, athletic skills, understanding of technique, training, confidence, leadership, a sense of team/family, and learning to embrace the process through ownership, growth mindset, commitment, and resiliency; and

WHEREAS, from March 28-April 1, Cavalier Aquatics competed with 1,280 athletes from 170 Ys across 26 states in the YMCA National Short Course Swimming Championship held at the Greensboro Aquatics Center in Greensboro, North Carolina; and

WHEREAS, the Cavalier Aquatics swim team came home first place and national champions from the event with a total of 16 records broken by the team – six women's, four men's, and six YMCA National marks, which is an outstanding accomplishment as many of the teams were larger and came from much larger communities.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors do hereby recognize the Piedmont Family YMCA's Cavalier Aquatics Swim Team for their wonderful accomplishments and dedication to developing, educating, and leading the youth in our community.

Item No. 6.c. Resolution of Appreciation for Dr. Denise Bonds.

Ms. Price **moved** to adopt the Resolution of Appreciation for Dr. Denise Bonds and read the proclamation aloud. Ms. Mallek **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

Ms. Denise Bonds said she was a small part of the COVID-19 response, and it was a collective effort of her staff, the hospitals, and the government partners. She said there were nonprofit and business partners that assisted in the effort. She said the success of the effort highlighted the sense of responsibility the community felt for each other.

Ms. Bonds said there would be a COVID-19 memorial the following Tuesday, held at the Martha Jefferson amphitheater. She said it was an opportunity to honor the individuals who died in the community and to help community members who lost family members. She said further details were available on the website. She encouraged people to get vaccinated and to get booster shots.

Ms. Mallek said Dr. Bonds cared about the mission of the project. She thanked her for her efforts.

Mr. Gallaway said he had profound respect for Dr. Bonds and held her in high regard. He said she guided the County through the crisis. He said the pandemic should not have become hyper-politicized. He said Dr. Bonds was a phenomenal leader.

Mr. Andrews said a tremendous debt was owed to public health officers. He said Dr. Bonds was an exemplary public health director.

Ms. Price said Dr. Bonds had kept the County and the region among the lowest infection rates and highest vaccination rates. She said the pandemic would be worse but not for Dr. Bonds and her work.

Resolution of Appreciation for Doctor Denise Elaine Bonds

WHEREAS, Doctor Denise Elaine Bonds has completed thirty years of dedicated service as a physician in our community and the surrounding localities and has faithfully served Albemarle County and the entirety of the Blue Ridge Health District as director for seven of those years; and

WHEREAS, during her seven-year tenure as the director of the health department, Dr. Bonds served multiple districts including eight counties and two cities and oversaw several public health initiatives, including the renaming of the health district from “Thomas Jefferson” to “Blue Ridge” to reflect a more inclusive organization; and

WHEREAS, Dr. Bonds oversaw the expansion of the district’s HIV testing and prevention services, increased access to testing for sexually transmitted diseases and broadened the size and reach of the Population Health Division, including launching a robust Community Health Worker program; and

WHEREAS, Dr. Bonds provided Albemarle County and other localities with critical leadership and insight throughout the two years of the COVID-19 pandemic. Under her leadership the Blue Ridge Health District was one of the first districts to establish a dedicated resource hotline, offer community access to free drive-through COVID-19 testing, and make vaccines available in neighborhoods through the use of a mobile health unit and home-bound services, resulting in the highest vaccination rate in the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED that we, the Albemarle County Board of Supervisors, do hereby honor and commend Dr. Denise Bonds for her many years of exceptional service to the residents of Albemarle County and the Blue Ridge Health District. Her lasting legacy of health care service and the tangible results from her work to make the Blue Ridge Health District better for future generations.

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

Mr. Scott Remer said he lived in the White Hall district. He said he moved to the County 10 years ago to pursue a doctorate in systems engineering at UVA with a Jefferson Fellowship. He said he came to study how technology and its development could complement human flourishing. He said he lived in a 1920’s farmhouse with his wife in Crozet. He said he worked with a team called Hexagon Energy.

Mr. Remer said his team had submitted an application for Woodridge Solar, located in the southeast of the County in the Scottsville district. He said he was present to introduce himself to the Board. He said the project application was to provide power to 25,000 of the County’s 45,000 homes. He said the application took a heavily timbered and industrialized site and restored wetlands and preserved the land for future generations. He said they had anticipated neighbor concerns. He said he would provide site visits, and his office was downtown.

Mr. Tom Olivier said he was a resident of the Samuel Miller district. He said in March, the League of Women Voters spoke to the Board regarding its growth management policy for the new Comprehensive Plan. He said the League noted that the Intergovernmental Panel on Climate Change (IPCC) deemed population and economic growth as the main drivers of greenhouse gas emissions from fossil fuel combustion. He said the League also noted the need to manage greenhouse gas emitting activities if carbon neutrality were to be achieved. He said staff suggested that County growth management activities did not involve limiting or preventing growth.

Mr. Olivier said Board decisions often promoted or constrained growth—such as the growth area expansions and programs that created jobs that had to be filled through in-migration. He said easement programs—which the County maintained two—limited population growth. He said it was time for the County to acknowledge its influence on local population growth rates and use the influence to help the community move toward carbon neutrality. He said he had several proposals for the new growth management chapter of the comprehensive plan.

Mr. Olivier said the new growth policy should explicitly acknowledge that population and economic growth added to greenhouse gas emissions, reduced open space land sequestration capacities, and moved the County away from carbon neutrality. He said the plan should call for an estimation of the impacts of land use and economic development proposals on community greenhouse gas emissions and landscape sequestration capacities. He said the Plan should require that the greenhouse gas impacts be weighed in decisions.

Mr. Olivier said the Comprehensive Plan should call for regular assessments of the overall contributions of population and economic growth to the greenhouse gas emissions of the County. He said the analyses would allow the weighing of impacts of development proposals on climate action goals during decision making. He said they would support the assessment of the degree to which growth-related decisions by the Board were impeding climate action success. He said if the County was serious about climate action, they must understand the consequences of County growth influencing decisions.

Agenda Item No. 8. Consent Agenda.

Ms. Price noted that item 19, ACSA202200001 531 James River Road, was moved from the action agenda to the Consent Agenda for deferral at the applicant’s request.

Ms. Mallek **moved** to approve the Consent Agenda as amended. Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

Item No. 8.1. Fiscal Year 2022 Appropriations.

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

The total change to the Fiscal Year 2022 (FY 22) budget due to the appropriations itemized in Attachment A is \$1,096,892. 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 local government projects and programs described in Attachment A.

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Appropriation #2022042

Sources:	Federal Revenue	\$ 1,020,579
Uses:	FEMA’s Staffing for Adequate Fire and Emergency Response (SAFER) I Grant	\$1,020,579
Net Change to Appropriated Budget:		\$1,020,579

Description:

This request is to appropriate the remainder of \$1,020,579 in Federal Revenue for the FEMA’s Staffing for Adequate Fire and Emergency Response (SAFER) Grant I, which was originally partially appropriated in November of 2020 (FY 21).

The original appropriation of this grant was completed prior to state legislation that administratively streamlined the carry forward of multi-year grants. This appropriation request is administrative in nature, as it serves to align this grant with the updated process where grant amounts are initially appropriated in full and carried forward to future years administratively under authority established by the Board of Supervisors in the annual resolution of appropriations.

Appropriation #2022043

Sources:	State Revenue	\$16,313
Uses:	Public Schools Miscellaneous Grants Fund	\$16,313
Net Change to Appropriated Budget:		\$16,313

Description:

This request is to appropriate the Public Schools appropriation request approved by the School Board on April 14, 2022:

- Albemarle County Public Schools received an enrollment-based Career and Technical Education (CTE) Testing grant in the amount of \$7,926 and an enrollment-based CTE Equipment grant in the amount of \$8,387 from the Virginia Department of Education. The CTE Testing funds will be used to purchase industry certification exams for students enrolled in high school CTE courses. The CTE Equipment funds will be used to purchase Original Prusa 3D printers for Henley, Burley, and Jack Jouett middle schools and Micro:bit club programmable pocket-sized computers for all

middle schools.

Appropriation #2022044

Sources:	Reserve for Contingencies	\$119,000
Uses:	Department of Voter Registration and Elections	\$119,000
Net Change to Appropriated Budget:		\$0

Description:
This request is to transfer \$119,000 from the Reserve for Contingencies to the Department of Voter Registration and Elections. This funding is for accessible voter devices that were originally appropriated to be purchased in FY 21 and were delivered in FY 22.

Appropriation #2022045

Sources:	General Fund's Fund Balance	\$60,000
Uses:	Town of Scottsville	\$60,000
Net Change to Appropriated Budget:		\$60,000

Description:
This request is to appropriate \$60,000 from the General Fund's fund balance to the Town of Scottsville to support the downtown pedestrian improvement project. This \$60,000 is a portion of \$110,283 that the Town returned to the County in FY 21 after a review of probate tax receipts that were remitted to the Town instead of the County. A corresponding resolution for this request is included also on the May 18 Consent Agenda for Action.

By the above-recorded vote, the Board adopted the resolution in Attachment B to approve the Fiscal Year 2022 Appropriations as presented in Attachment A:

**RESOLUTION TO APPROVE
ADDITIONAL FY 2022 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2022042; #2022043; #202244; and #202245 are 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, 2022.

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Account String	Description	Amount
3-3105-63105-324000-240900-6530	SA2022043 Revenue-State	\$16,312.82
4-3105-63105-461313-601300-6530	SA2022043 Ed & Rec Supplies	\$7,925.67
4-3105-63105-461313-800100-6530	SA2022043 Machinery/Equip-ADDL	\$8,387.15
3-5101-33500-333000-330001-9999	SA2022042 FEMA Safer I	\$1,020,579.00
4-5101-33500-432000-110000-9999	SA2022042 110000-Salaries-Regular	\$664,538.00
4-5101-33500-432000-210000-9999	SA2022042 210000-FICA	\$112,044.00
4-5101-33500-432000-222110-9999	SA2022042 222110-VRS Hybrid Retirement	\$73,586.34
4-5101-33500-432000-231000-9999	SA2022042 231000-Health Insurance	\$127,849.66
4-5101-33500-432000-232000-9999	SA2022042 232000-Dental Insurance	\$3,600.00
4-5101-33500-432000-241000-9999	SA2022042 241000-VRS Group Life Insurance	\$8,591.00
4-5101-33500-432000-270000-9999	SA2022042 270000-Worker's Compensation	\$30,370.00
4-1000-17100-413000-610700-9999	SA2022044 ES & S ExpressVote Accessible Voting Machines	\$119,000.00
4-1000-94000-499000-999990-9999	SA2022044 ES & S ExpressVote Accessible Voting Machines	-\$119,000.00
4-1000-49000-441000-560000-0029	SA2022045 Sidewalk Maintenance Contribution	\$60,000.00
3-1000-49000-352000-510100-9999	SA2022045 General Fund fund balance reduction	\$60,000.00

Item No. 8.2. Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement.

The Executive Summary forwarded to the Board states that the purpose of the Albemarle-Charlottesville Regional Jail Authority (ACRJA) is to provide secure confinement, at the local level, for local and state-responsible inmates and to enhance the public safety and welfare in the region for the protection of citizens. Created by its Member Jurisdictions - the City of Charlottesville and the Counties of Albemarle and Nelson - the ACRJA accomplishes this mission pursuant to the terms and conditions of the ACRJA Service Agreement initially adopted on November 15, 1995 and amended on March 12, 1998 and November 12, 1998. The Agreement was further amended by Resolution in 2011 to reduce the required Operating Reserve Fund to be maintained by the ACRJA, and again by Resolution in 2012 to allow the County Executive to designate an assistant County Executive to act as his alternative and to vote in his place at Jail Authority Board meetings.

At all relevant times, the ACRJ Authority Board has consisted of 11 members, including the elected sheriffs of each Member Jurisdiction; the chief executive officers of each Member jurisdiction or their designees; a currently serving member of the Charlottesville City Council and the Albemarle County Board of Supervisors; a citizen member of and appointed by the City of Charlottesville; a citizen member of and appointed by the County of Albemarle; and a citizen member jointly appointed by the City of Charlottesville and County of Albemarle.

The ACRJA Board has approved for consideration by the governing bodies of the Member Jurisdictions a restated service agreement that seeks to conform the agreement to reflect current circumstances and needs which it has determined to require amendments (1) to change the funding formula so that the per diem calculation to fund operational and debt service costs is based on each member jurisdiction's proportionate usage of the jail; (2) to establish Authority Member Jurisdictions' obligations related to capital improvements approved but not placed in service and in the event of insufficient Authority funds for debt service; (3) to change the membership of the Board of the Authority to add a third representative from Nelson County and eliminate the representative now jointly appointed by the County of Albemarle and City of Charlottesville, thereby maintaining an eleven-member Board; and (4) to update certain language and delete other language no longer applicable. The restated agreement also incorporates the Operating Reserve Fund provisions, as amended in 2011, and allows the chief executive officers of the Member Jurisdictions to designate other staff members to act as their alternates, who, if approved by their respective governing bodies, may attend and vote in their place.

The proposed amended and restated service agreement (Attachment A) has been reviewed by counsel for the ACRJA Board, the City of Charlottesville, and the Counties of Albemarle and Nelson. The Nelson County Board of Supervisors approved the agreement on May 10, 2022, and Charlottesville City Council is expected to consider the agreement on June 6, 2022.

Attached for the Board's consideration is a resolution (Attachment B) approving the Amended and Restated ACRJA Service Agreement and authorizing the County Executive to execute the Amended and Restated Agreement on behalf of the County after it is approved as to form by the County Attorney.

Staff recommends that the Board of Supervisors adopt the attached resolution (Attachment B) approving the Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement and authorizing the County Executive to execute the Agreement following approval as to substance and form by the County Attorney.

By the above-recorded vote, the Board adopted the resolution in Attachment B approving the Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement and authorizing the County Executive to execute the Agreement following approval as to substance and form by the County Attorney:

**RESOLUTION TO APPROVE THE AMENDED AND RESTATED
ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY
SERVICE AGREEMENT**

WHEREAS, the governing bodies of two or more counties, cities, or towns, or a combination thereof, are enabled to create a jail authority pursuant to Virginia Code § 53.1-95.2; and

WHEREAS, the Authority and the Member Jurisdictions (the City of Charlottesville and the Counties of Albemarle and Nelson) initially adopted a Service Agreement on November 15, 1995 with amendments adopted on March 12, 1998 and November 12, 1998 (together, the "Original Service Agreement") establishing the Albemarle-Charlottesville Regional Jail Authority, and setting forth the respective rights and obligations of the Member Jurisdictions regarding the financing, construction, and operation of the regional jail serving their jurisdictions; and

WHEREAS, Section 5.3 of the Original Service Agreement was amended in 2011 to reduce the required Operating Reserve Fund to be maintained by the Authority from 90 days, or 25% of the annual budget, to 20% of the annual budget, and added a provision to allow the Operating Reserve Fund to fall below 20% under certain circumstances; and

WHEREAS, Section 2.2 of the Original Service Agreement was amended in 2012 to allow the

County Executive to designate an assistant County Executive to act as his alternative and to vote in his place at Jail Authority Board meetings; and

WHEREAS, the Member Jurisdictions desire to further amend the Original Service Agreement (1) to change the funding formula so that the per diem calculation to fund operational and debt service costs is based on each member jurisdiction's proportionate usage of the jail; (2) to establish Authority Member Jurisdictions' obligations related to capital improvements approved but not placed in service and in the event of insufficient Authority funds for debt service; (3) to change the membership of the Board of the Authority to add a third representative from Nelson County and eliminate the representative now jointly appointed by the County of Albemarle and City of Charlottesville, thereby maintaining an eleven-member Board; and (4) to update certain language and delete other language no longer applicable. The proposed amended and restated agreement also incorporates the Operating Reserve Fund provisions as amended in 2011, and allows the chief executive officers of the Member Jurisdictions to designate other staff members to act as their alternates, who, if approved by their respective governing bodies, may attend and vote in their place.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement and authorizes the County Executive to execute the Agreement on behalf of the County once it is approved as to form and substance by the County Attorney.

Item No. 8.3. Scottsville Downtown Pedestrian Improvement Project Support.

The Executive Summary forwarded to the Board states that the Town of Scottsville is undertaking a downtown pedestrian improvement project. The total project cost is \$400,000, with \$320,000 provided through the Transportation Alternatives Program of the State's Commonwealth Transportation Board. The Town has pledged \$80,000 of local funding to support the project. The anticipated project completion is December 2024.

The Scottsville downtown pedestrian improvement project will construct sidewalks along Bird Street, Harrison Street, and Main Street, including sidewalk access to the Scottsville Library, a branch of the Jefferson-Madison Regional Library. Crosswalks and curb ramps will be installed, providing safety and ADA access.

Supporting the Town with a \$60,000 contribution for the VDOT-approved downtown pedestrian improvement project would provide a much-needed public amenity to the southern portion of the County, as well as offset a portion of the Town's required local project contribution.

Funding for the \$60,000 Scottsville downtown pedestrian improvement project would be supported by General Fund fund balance to be paid to the Town.

Staff recommends that the Board adopt the attached resolution (Attachment A) to approve the \$60,000 contribution.

By the above-recorded vote, the Board adopted the resolution in Attachment A to approve the \$60,000 contribution:

**RESOLUTION TO CONTRIBUTE FUNDING TO THE TOWN OF
SCOTTSVILLE DOWNTOWN PEDESTRIAN IMPROVEMENT PROJECT**

WHEREAS, the Town of Scottsville is undertaking a downtown pedestrian improvement project, constructing sidewalks along Bird Street to the terminus of the Levee Trail and adding missing sidewalk segments along Harrison and Main Streets, with the additions of crosswalks and curb ramps providing safety and ADA access. The Town's total project cost is \$400,000, with \$320,000 provided by the Commonwealth Transportation Board through the Transportation Alternatives Program, and the Town pledging \$80,000 to support the project; and

WHEREAS, the County generally supports the Scottsville downtown pedestrian improvement project and is willing to fund \$60,000 of the project's required local contribution.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby directs the Department of Finance and Budget to make a \$60,000 contribution to the Town for its downtown improvement project.

Item No. 8.4. Building Reuse Grant Policy.

The Executive Summary forwarded to the Board states that the Board of Supervisors and Economic Development Authority (EDA) held their last joint meeting on October 19, 2021. At that meeting, both bodies expressed support for creating a Building Reuse Grant to assist growing businesses that could not find suitable commercial or industrial space within the County and to adaptively reuse existing buildings in the development area. Each body recognized that the limited supply of commercial and industrial space creates a barrier to economic vitality and undermines the goals of Project ENABLE,

the County's Economic Development Strategic Plan. This grant would encourage and support businesses or property owners making capital investments to previously vacant commercial or industrial space to make business expansion in the County possible. Staff was directed to develop a policy for the grant that would allow its criteria to be informed by the Board and the review process to be administered by the EDA.

At its meeting on April 19, 2022, the EDA provided feedback on the draft Building Reuse Grant Policy (Attachment A). The EDA emphasized that flexibility in the program's eligibility and review criteria would be key to simultaneously supporting business growth and maximizing benefits to the broader community. As a result, the draft policy contains a limited number of minimum requirements for business eligibility, but identifies factors to be considered for a grant award, and additional factors to determine the award amount. This twostep approach has been successfully utilized for other economic development grants, such as the matching policies for the Commonwealth Development Opportunity Fund (COF) and the Virginia Jobs Investment Program (VJIP).

For this grant program in particular, the EDA agreed that all County businesses should be eligible to apply, not just "primary businesses" within target industries identified in Project ENABLE. In addition, applications that met more of the policy's desired factors should be considered for larger grant amounts than businesses that met fewer factors. One example would be a business that signed a lease for a longer period than is customary (five or more years) or was fully consistent with Project ENABLE. An essential part of the application process would require showing how the grant award would fill a critical funding gap to the vacant space becoming viable for expanded business activity.

No budget impact is anticipated. If approved, the Economic Development Office will reserve a portion of the Economic Development Investment Pool for Building Reuse Grant opportunities.

Staff recommends the Board adopt the attached Resolution (Attachment B) approving the Building Reuse Grant Policy.

By the above-recorded vote, the Board adopted the resolution in Attachment B approving the Building Reuse Grant Policy:

RESOLUTION APPROVING THE EDA BUILDING REUSE GRANT

WHEREAS, on October 19, 2021, the Board and the Economic Development Authority held their joint meeting and expressed support and interest in creating a Building Reuse Grant to assist growing businesses that could not find suitable commercial or industrial space within the County; and

WHEREAS, the Economic Development Authority has created a draft Building Reuse Grant Policy that includes criteria identified by the Board to be administered by the Economic Development Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, hereby approves the Building Reuse Grant Policy (Attachment A).

Item No. 8.5. Resolution to Support the Reintroduction of the James Spiny mussel.

The Executive Summary forwarded to the Board stated that North America has over 300 species of freshwater mussels; the majority reside in the southeastern United States, making it a worldwide diversity hotspot. Virginia, which contains 80 species, is one of the most diverse and important states for mussels. Freshwater mussels provide important ecosystem services, including maintaining water quality - each individual mussel filters upwards of 12 gallons of water per day. They are also one of the most imperiled groups of animals, with roughly 75% of all species being either extinct, endangered, threatened, or a species of concern. In Virginia's Wildlife Action Plan, 64 species are considered species of greatest conservation need.

The James Spiny mussel (JSM) primarily resides in the James River watershed in Virginia, but also in West Virginia and the Dan River watershed in Virginia and North Carolina. The JSM is a federal and state endangered species, and a priority species for recovery for the U.S. Fish and Wildlife Service (USFWS) and the Virginia Department of Wildlife Resources (DWR). An estimated 90% of JSM populations have been lost across the species' range, including from the James River. The federal recovery plan for JSM is provided as Attachment A.

DWR has been working on freshwater mussel recovery through propagation since the late 1990s, and directly with the endangered JSM for the past 15 years. The USFWS and the DWR are raising JSM at the cooperative VA Fisheries and Aquatic Wildlife Center at the USFWS' Harrison Lake National Fish Hatchery to help restore wild populations. Existing JSM populations have been augmented in six streams in Amherst, Bath,

Buckingham, Botetourt, and Nelson Counties, but to truly recover this endangered species, the mussel also needs to be reintroduced to waterbodies from which it has been lost. The James River falls into this category, as no live JSM have been found in the river since the late 1960s. Future downlisting or

delisting of JSM from its endangered status will not be possible without re-established populations in places like the James and Rivanna Rivers.

Virginia Code § 29.1-103(6) states that the DWR may “introduce any new species of game birds, game animals, or fish on the lands and within the waters of the Commonwealth, with the authorization and cooperation of the local government for the locality where the introduction occurs.” The DWR is requesting support and cooperation from Albemarle County to release JSM in the County, specifically the James River and its tributaries. Suitable habitat has been identified through DWR surveys, and mussels may be released as early as fall of 2022 at the James River near Scottsville, and potentially in other locations in the County.

A resolution supporting the reintroduction of James Spiny mussel in Albemarle is attached (Attachment B).

There is no direct budget impact from supporting DWR’s efforts to reintroduce the James Spiny mussel.

Staff recommends the Board adopt the attached resolution (Attachment B) to support efforts by the DWR to reintroduce the federally-endangered James Spiny mussel in Albemarle County.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to support efforts by the DWR to reintroduce the federally-endangered James Spiny mussel in Albemarle County:

**RESOLUTION SUPPORTING REINTRODUCTION OF
JAMES SPINY MUSSEL IN ALBEMARLE COUNTY**

WHEREAS, the James Spiny mussel, which is narrowly-restricted in its geographic range, is a federal and state endangered species and a priority species for recovery for the U.S. Fish and Wildlife Service (USFWS) and the Virginia Department of Wildlife Resources (DWR); and

WHEREAS, recovery of the James Spiny mussel from its endangered status will require reintroduction of the species to waterways where it previously occurred within the James River Watershed; and

WHEREAS, pursuant to *Virginia Code* § 29.1-103(6), the DWR may “introduce any new species of game birds, game animals, or fish on the lands and within the waters of the Commonwealth, with the authorization and cooperation of the local government for the locality where the introduction occurs”; and

WHEREAS, the DWR is recommending reintroduction of the James Spiny mussel in Albemarle County, including that portion of the James River and its tributaries within Albemarle County, and is seeking the authorization and cooperation of the County Board of Supervisors for that proposed reintroduction; and

WHEREAS, County staff concurs in the DWR’s recommendation and its proposed reintroduction of the James Spiny mussel in Albemarle County.

NOW, THEREFORE, BE IT RESOLVED that pursuant to *Virginia Code* § 29.1-103(6), the Albemarle County Board of Supervisors hereby supports the Virginia Department of Wildlife Resources’ reintroduction of the James Spiny mussel in Albemarle County.

Agenda Item No. 19. **Public Hearing: ACSA202200001 531 James River Road (Pitsiokos).**

PROJECT: ACSA202200001 531 James River Road (Pitsiokos)

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 13600-00-00-02700; 68.58 acres

LOCATION: 531 James River Road/Valmont Lane, South of the Town of Scottsville

PROPOSAL: Request to amend the Albemarle County Service Authority Jurisdictional Area to authorize water service to structure that contain a barn first level and apartment second level. Currently, the designation is water to existing structures only and the barn/residence is not an existing structure authorized for water service.

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

OVERLAY DISTRICT(S): Flood Hazard Overlay District

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

The Executive Summary forwarded to the Board stated that pursuant to Virginia Code §15.2-5111, the Board has adopted jurisdictional areas for Albemarle County Service Authority (ACSA) projects. The boundaries of the Development Areas generally define the ACSA’s Jurisdictional Area (ACSAJA). The subject parcel (described in the Attachment A application and shown on the map in Attachment B) was designated “water to existing structures only” in 1983. Without any structures of its own that existed as of 1983, this subdivided parcel does not retain any authorization for water service. The applicant established a water connection to an existing barn/apartment (531 James River Road) without

authorization and is now seeking the ACSAJA amendment to bring the parcel into compliance (Attachment C).

As noted in the Community Facilities chapter of the County's Comprehensive Plan, changes to these boundaries outside of the Development Areas should be the exception and should only be allowed when: (1) the area to be included is adjacent to existing lines; and (2) public health and/or safety is in danger. Staff has found that the application does not meet both criteria. A detailed staff analysis is provided as Attachment D.

If this application were approved, there would be no budget impact to the County. The property owner would bear the cost of the water connection.

Staff recommends that the Board adopt the attached resolution (Attachment E) to deny the requested amendment.

By the above-recorded vote, the Board approved the applicant's request for deferral of ACSA202200001 531 James River Road.

Agenda Item No. 9. **Action Item:** Byrom Park Addition.

The Executive Summary forwarded to the Board states that Patricia Ann Byrom Forest Preserve Park (Byrom Park) is an existing County park totaling approximately 615 acres in the White Hall Magisterial District (Attachment A). In September 2021, Albemarle County Parks and Recreation (ACPR) staff was initially contacted by a private donor, Ms. Terry Grant, who expressed interest in purchasing and voluntarily donating to the County an undeveloped 65-acre property (shown in Attachment B) that adjoins Byrom Park. ACPR staff performed a site visit to the property, analyzed its suitability for park uses and operations, and expressed to Ms. Grant staff interest in and support for the proposed donation. Ms. Grant provided a donation proposal in writing on October 27, 2021 (Attachment C).

Following consultation with the Board in December 2021, County staff has continued coordinating the proposed donation with Ms. Grant and her attorney. As part of that coordination process, Ms. Grant entered a purchase contract with a target closing date of May 30. During this feasibility period, ACPR staff retained consultant Draper Aden Associates to conduct a Phase 1 Environmental Site Assessment. Completed on March 31, 2022, the assessment found "no recognized environmental conditions" at this property. Additionally, a satisfactory title search was completed on March 5, 2022.

ACPR staff remain strongly supportive and appreciative of this proposed donation of Parcel ID # 6-28C. Ms. Grant has proposed conditions for the proposed gift of land to "limit the recreational use of this parcel to people on foot" or engaged in walking, running, or hiking. ACPR staff find these proposed conditions to be acceptable.

There are no immediate budget impacts associated with this proposed gift of land. ACPR staff would be responsible for routine maintenance and land management of the donated property in perpetuity.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the County's acceptance of Parcel ID # 6-28C, and to authorize the County Executive to sign any documents required to convey the property to the County.

Mr. Tim Padalino, Chief of Parks Planning, said the request was for the Board to consider accepting a proposed donation of land for the purpose of enlarging Patricia Ann Byrom Forest Preserve Park. He said he would provide background on the proposal, summarize staff analyses, and present staff recommendations for the Board's discussion and consideration. He said the donor, Ms. Terry Grant, was unavailable to attend the meeting, but her representative, Mr. Brian Craddock, attorney at Flora Pettit, was present.

Mr. Padalino said Byrom Park totaled 615 acres, and it was located on Blackwell's Hollow Road in the Whitehall district. He said in September 2021, Albemarle County Parks and Recreation (ACPR) staff were contacted by Ms. Grant, who expressed interest in purchasing and voluntarily donating an undeveloped, 65-acre property that adjoined Byrom Park—TMP 06-28C. He said in response to the proposal, ACPR staff performed a site visit to the property, and its suitability for park uses and operations was analyzed.

Mr. Padalino said ACPR then expressed to Ms. Grant its interest in and support of the proposed donation. He said Ms. Grant provided a donation proposal in October 2021, and a copy of which was provided to the Board in Attachment C. He said staff received guidance from the Board regarding the proposal in December 2021. He said staff continued coordinating the donation and entered into a purchase contract with a target closing date of May 30, 2022.

Mr. Padalino said the property was easily and directly accessible from the existing park trailhead of Byrom Park. He said all of the required park infrastructure and improvements were already in place, meaning the County could utilize the land donation without any significant expense or delay. He said the area could accommodate approximately 2 miles of new trail, and because the parcel's topography was less steep than the existing park parcels, the trails on the donated land could include sections that were a

more moderate grade and provide greater accessibility for visitors of varying ages and abilities.

Mr. Padalino noted there would be no mountain bikes allowed on the donated portion of the park, per the donor's preference and the terms of the draft deed. He said Ms. Grant stated, "My preference is to limit the recreational use of the parcel to people on foot who were interested in the slow appreciation of the place, such as hikers, picnickers, bird watchers, and other nature lovers."

Mr. Padalino said accepting and including the vehicle into the park would mean no construction vehicles would come through the park entrance or access road, and there would be no development on the property and no perpetual private easement access would be required. He said there would be no logging or residential development. He noted the protected forest of the mountain landscape would enhance the County's ability to sequester carbon in support of the climate action plan.

Mr. Padalino said wildlife habitat would be protected in one of the County's three conservation focus areas in support of the Biodiversity Action Plan. He said the proposal supported the County's strategic plan with natural resources stewardship. He said staff in multiple departments performed a phase 1 environmental site assessment, which had been completed. He said the assessment revealed no recognized environmental conditions in connection with the subject property. He said a satisfactory title report was generated in March.

Mr. Padalino said ACPR staff concluded that the property and the donor's intended program and use of the gift of land would be a positive addition to Byrom Park. He said staff recommended that the Board adopt the provided ordinance in Attachment D to approve the acceptance of the proposed gift of land and to authorize staff to sign any documents required to complete Ms. Grant's conveyance of the property to the County.

Ms. Mallek said she supported the inclusion of less-strenuous trails. She asked if mountain bikes were permitted in the rest of Byrom Park.

Mr. Paladino said mountain bikes were permitted in the park.

Mr. Gallaway noted there would be no immediate budget impacts. He asked if the ongoing maintenance fell under the ACPR regular operational budget.

Mr. Paladino said that was correct—the funding would come from the department's operations budget.

Mr. Gallaway asked if there would be future improvements that would require budget items.

Mr. Paladino said there could be potential budget items. He noted the potential for a small number of pavilions or shelters as a trail-side amenity.

Mr. Gallaway asked if the smaller items would use the CIP process and how the items would come about.

Mr. Paladino said at that scale, it would not be a capital project unless the construction of many were bundled together.

Mr. Gallaway asked if it would be in addition to the maintenance budget or operational budget.

Mr. Paladino said that was correct.

Mr. Andrews said the property was ideally located for expanding the existing park.

Ms. Price noted her appreciation for philanthropic donations from community members.

Ms. Mallek **moved** to adopt the resolution to approve the County's acceptance of TMP 06-28C, and to authorize the County Executive to sign any documents required to convey the property to the County (Attachment D). Mr. Andrews **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. Mallek, Mr. Andrews, and Ms. Price.

NAYS: None.

ABSENT: Ms. McKeel, Ms. LaPisto-Kirtley.

**RESOLUTION ACCEPTING THE DONATION OF PARCEL 6-28C
ADJACENT TO PATRICIA ANN BYROM FOREST PRESERVE PARK**

WHEREAS, Patricia Ann Byrom Forest Preserve Park is a park located in and owned by Albemarle County, and

WHEREAS, a private donor has offered to donate Parcel 6-28C to the County to be added as park land; and

WHEREAS, the Board finds that it is in the best interest of the County to accept the proposed donation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Albemarle hereby approves the acceptance of Parcel 6-28C, and authorizes the County Executive, or his designee, to sign any documents necessary to convey the property to the County, once those documents are approved as to form and substance by the County Attorney.

Agenda Item No. 10. **Work Session:** Office of Emergency Management Overview and Elected/Appointed Official's Role.

The Executive Summary forwarded to the Board states that in November of 2019, the Board of Supervisors approved the creation of an Emergency Management Coordinator position to operate within the Department of Fire Rescue. Since that time, the community has experienced the COVID-19 Pandemic as well as several other significant emergencies and public events requiring emergency management planning, including the snowstorm/power outages of January 3, 2022. These events, and the lessons learned, highlight the need for the whole community to be involved in planning for, mitigating, responding to, and recovering from disasters (the four phases).

The Office of Emergency Management (OEM), now a Section of the Fire Rescue Department, leads the County's efforts in ensuring that the Albemarle County local government is ready and able to sustain its critical operations during a disaster. Likewise, the County OEM coordinates the efforts of the whole community, including non-governmental organizations (NGO), towards being as resilient as possible. Community resiliency is based on our collective ability to carry out the four phases when natural or humanmade disasters occur.

Board members play an important role in supporting the community in each of the four phases of disaster. Clarity on that role allows for effective and efficient communication between Board members, staff, and the community.

There is no budget impact associated with this item.

Staff recommends the Board receive the presentation of the role of elected officials during a disaster and provide feedback on the whole community philosophy and the direction of Emergency Management planning and activities.

Mr. John Oprandy, Deputy Chief of Emergency Management, said in November 2019, there was an opportunity to invest in emergency management at the County level. He said the Board was presented with information and made the decision to make the investment. He said an emergency management coordinator, Nichole Matthews, was hired and had been with the County for about 18 months. He said after the person in the previous role had left, and the County decided to increase the exposure and level of authority of the program. He said he had been made the Deputy Chief of Emergency Management. He said his career started in the Crozet volunteer fire department when he was a teenager in 1988.

Mr. Oprandy said he would discuss the Board's role as elected officials during emergency and ahead of emergencies that the County may experience. He said he would provide a brief and high-level overview of the National Incident Management System (NIMS). He said he would provide a summary of the various priorities of the department over the next years.

Mr. Oprandy said the role as election official started before a disaster struck. He said emergencies and disasters began and ended at the local level. He said the preparedness began then. He said there was the opportunity to establish a ready and resilient community. He said FEMA described characteristics of a resilient community: shared vision; long-term perspective; community involvement; political commitment; strong partnerships; and significant risk reduction measures.

Mr. Oprandy said the Board had demonstrated political commitment. He said beyond the Board's investment in the Office of Emergency Management, the Board also invested in the daily resilience of the community, such as through the Yancey Community Center, the climate action plan, and the flood plain analyses and risk assessment. He said those were all demonstrations of the Board's political commitment to the resiliency of the community.

Mr. Oprandy said local governments could not do the work alone and required the work of the community through partnerships and community involvement. He said all levels of the community—individual, neighborhoods, businesses—had a responsibility to be ready, prepared, and resilient. He said businesses may have emergency operation plans or risk assessments, and individuals may have a readiness kit prepared. He said people needed to ensure their neighbors were ready and to check if they needed help during a disaster.

Mr. Oprandy said there were community coalitions and committees that were committed to the community work. He noted the Local Emergency Planning Committee (LEPC) and the Community Emergency Response Team (CERT)—provided training through the regional ECC to neighbors so they had the training and were prepared to help each other within the first 72 hours, the most important after a disaster. He said the Thomas Jefferson Planning District Commission (TJPDC) was a group that

significantly involved the community. He noted there were various other groups, such as the Ruritan clubs, faith-based organizations, and others.

Mr. Oprandy said before they could reduce risk, the risks had to first be identified. He said the TJPDC had been involved in risk assessments for many years—a hazard identification and risk assessment (HIRA)—and the TJPDC was in the midst of a revision that the Board would receive a presentation on the next month. He said it was a revision that was reviewed every five years. He mentioned the climate vulnerability risk assessment and the flood risk assessments. He said they were assessments done by the community to determine what needed to be done to be prepared for disaster.

Mr. Oprandy said departments also performed risk assessments, and they may use the results to prioritize their own work. He said moving forward, the County would use a variation of the HIRA, a threat and hazard identification and risk assessment (THIRA). He said it was a process outline by FEMA. He said the HIRA focused on weather related natural disasters, while the THIRA included human-made disasters, such as cyber security threats, terrorist activity, shooter events, and other threats the County may experience. He said a THIRA added a focus on capability targets.

Mr. Oprandy explained FEMA defined 32 core capabilities, and those were across specific mission areas required to accomplish the national preparedness goals. He said the goal of a secure and resilient nation was easily transferred to a specific community goal of a secure and resilient Albemarle County with the capabilities required across the community to prevent, protect, mitigate, respond, and recover from threats and hazards that had been locally identified. He said the response mission area received a lot of attention.

Mr. Oprandy noted the January 3 ice storm and power outages and how some of the capabilities were used in response. He said the same core capabilities were used in the after-action report. He said when they measured the County's performance against the FEMA capabilities and reported the gap in the report to the Board. He said the framework would continue to be used because it worked well to prepare the County in specific ways.

Mr. Oprandy said ultimately, the whole community would have the capability and capacity to respond, resources would be readily available—such as generators, machinery, stockpiles of materials—and volunteers. He said personnel would be required. He said some of those capabilities were known and ready, but there were capabilities that required improvement. He said they had observed some of the areas requiring improvement in the aftermath of the January 3 storm.

Mr. Oprandy said regardless of how ready the County was, even in times when they were preparing for a planned event. He noted the Unite the Right Rally, which was planned, so the County enlisted outside help. He said the preparation for events such as Foxfield would be included, as the County brought in assistance to aid in its ability to respond. He said emergency management assistance was relied on, delivered through compact with the state and federal government. He said the County had a great relationship with the VDEM office. He noted the County was in Region 3. He said VDEM Chief Gene Stewart was present. He said Mr. Stewart would make some comments.

Mr. Gene Stewart, Chief Regional Coordinator, said he represented Region 3 which consisted of 22 jurisdictions. He said he lived in Rockingham County. He said during emergencies, everyone did not have the necessary resources. He said the solutions started out locally. He said if surrounding jurisdictions could not fulfill the request, then the Chief would receive the request and coordinate a response. He explained that to call in the National Guard, there had to be a declaration from the Governor. He said local declarations were resource requests and funding opportunities. He said local declarations were implemented to allow burn laws during fire season or to waive truck weighing regulations to allow for faster shipments.

Mr. Stewart said VDEM did not have warehouses of equipment, but they had resources to find what the County required. He said all 138 jurisdictions in the state were part of a state-wide mutual aid agreement. He explained the agreement stipulated that the jurisdictions would aid other jurisdictions, and they would establish agreements as to payment and usage. He said if resources could not be found within the state, then the request moved to the Emergency Management Assistance Compact (EMAC).

Mr. Stewart said the request went nationwide, and first went to unimpacted states. He said the Board members were the liaisons for their districts. He said when citizens came to the Board trying to get maintenance done in the aftermath of disasters, then the Board should be able to transfer the request to the Emergency Management office directly to ensure a timely response. He said he would escalate the request as needed, but it should first be addressed locally.

Mr. Stewart said disasters happened locally. He said the public assistance at the federal level was essentially an application for a refund for services and materials already rendered. He said the state received the federal funding which was then distributed locally. He said every disaster began and ended at the local level.

Mr. Oprandy said the process for preparedness was cyclical. He said it would be regularly worked on—identifying risks, estimating capabilities, identifying where improvements needed to happen, and delivering the improvements. He said validating the capabilities was a priority for the following years. He said the capabilities would be validated through training and exercises. He said the office planned to learn from conducting the exercises. He noted there was an active shooter exercise at UVA, and ACPD and Fire and Rescue were involved.

Mr. Oprandy said the legal basis for NIMS was from a couple presidential directives—mandates required to be followed for every incident. He said he would use the example of a hurricane to explain the different levels of response. He said NIMS described four mechanisms that formed a comprehensive approach to incident management with each its own function and team of leaders. He said field personnel used the Incident Command System (ICS) for all of the tactical activities. He said there was an Incident Commander (IC) in charge of the effort. He said if the incident were large or complex, it would require further support, so an Emergency Operations Center (EOC) would be opened.

Mr. Oprandy said the EOC was activated to provide further support and each EOC had its own director. He said the EOC could be virtual and did not have to be physical. He said a Multiagency Coordination Group (MAC Group) was a policy group, a senior level leadership group, that coordinated on policy level decision making. He said there was a Joint Information System (JIS) that integrated incident information and public affairs from a variety of organizations to ensure accurate, coordinated public messaging among all incident personnel. He said the public information officer (PIO) led the effort. He said a function of the PIO was to provide senior leaders and officials with talking points for communicating with the public. He said the PIO undertook communicating directly with the public through various channels.

Mr. Oprandy said the ICS, EOC, and MAC Group were scalable, and would scale based on the size and complexity of any incident. He said the ICS was used on a daily basis. He said if the incident was significant enough for media interest, then the PIO would coordinate the media response using the ICS. He said when an EOC was activated, then the incident had become complex or large. He said the MAC Group was activated depending on the complexity.

Mr. Oprandy noted during the pandemic, there was a group of senior leadership from the City, the County, UVA, the Health Department, and hospitals to discuss policies, priorities, decisions, and coordination. He said when an EOC was activated or a MAC Group was formed, then the PIO took on more responsibility. He said they would coordinate through many PIOs using the JIS. He said there needed to be a coherent, consistent, and accurate message. He said PIOs had to be responsible with their message. He noted the messaging was a difficult job. He said forward planning had to be utilized to respond quickly, and trouble spots had to be identified.

Mr. Oprandy said elected officials had responsibilities when disasters started. He said they had a role in declaring a local emergency and determining when the emergency had ended. He said during an emergency, the Director of Emergency Management, Mr. Richardson, would need to make a number of policy decisions that would require support from the Board. He said the Board had experience from the pandemic.

Mr. Oprandy said the PIO may engage with the Board directly. He said the voice of a Board member along with public safety officers was powerful. He said statements from the Board provided confidence that there was a local response. He said if a Board statement were necessary, the PIO would assist. He said the Board played a role in combating misinformation. He said the Board would receive questions from the public, so the Board should be able to provide vetted and accurate information.

Mr. Oprandy said the Board acted as a liaison. He said the Board would be provided with a point of contact with an EOC if a disaster struck or was anticipated. He said the point of contact could change depending on the scenario. He said the priorities would be shared with the Board, and the Board would share those priorities with their constituents. He said the priorities would include life safety, incident stabilization, and property and environmental conservation. He said the Board would receive requests from desperate people, so the Board should communicate the requests to the point of contact and to the Emergency Management Office.

Mr. Oprandy said the best work was done in collaboration. He said the office would reach out to the Board if there were bureaucratic or policy issues that the Board could address for the office. He said when there was public assistance declared for the County, people often interpreted they would receive individual assistance even though that was not the purpose of such assistance. He said the Board should be able to set the expectations for public assistance, and the information could be provided ahead of emergencies along with training and education.

Mr. Oprandy provided a graphical summary of the structure of the emergency response. He said there were responsibilities of the Director of Emergency Management. He said the director had the responsibility to understand the impact of the incident and the continuity of the jurisdiction's day to day operations. He said the director shaped the jurisdiction's direction and priorities and coordinated activities between the Board and other government entities. He said the director would resolve resource allocation conflicts.

Mr. Oprandy said he planned to work on an implementation plan for emergency management priorities and activities over the next months. He said implementation would take one to three years. He said the County Emergency Operations Plan (EOP) would be finalized. He said plan was being addressed through a workgroup from the ECC Board. He said there would be more work to formalize a continuity of operations plan. He said the County would continue to participate in planning processes and engage the community and stakeholders.

Ms. Mallek noted there was a presentation she attended on turning school facilities into fuller capacity shelters with showers and kitchens. She said information was important.

Mr. Gallaway said he fielded questions to Mr. Richardson.

Mr. Oprandy said if the point of contact were to change, then Mr. Richardson would alert the Board.

Mr. Gallaway asked if an emergency was first reported to a Board member, should they contact Mr. Richardson with the emergency. He asked what the chain of command was and how to appropriately handle the issue.

Mr. Oprandy said if it was early in the incident, then people should always be encouraged to call 911. He said hotlines would be communicated to the Board to inform the public. He said there would always be a point of contact provided to the Board.

Mr. Gallaway said smaller incidents were still an emergency. He said a point of contact would not be organized for a car crash, but the Board would still go through Mr. Richardson to provide details and updates. He said there was a chain of command, and individuals who changed the chain were not helpful. He asked if the effort to clean up the debris from the winter storm would be included under Emergency Management.

Mr. Stewart said if the trees fell over a state-maintained road, then it was VDOT responsibility. He said afterwards, it was up to contractors and the debris management plan. He said Mr. Oprandy had developed and would be improving the debris management plan. He said if the debris fell on private property, then the government did not respond.

Mr. Gallaway said constituents were still bringing up issues with the roads.

Mr. Stewart said the debris clearance was right at the border of the right-of-way. He said contractors were clearing debris back off from the roads, but at a lower priority.

Mr. Gallaway noted pedestrians were facing issues accessing the right-of-way. He noted the dissemination of information was done electronically. He asked if there was a plan to distribute information to citizens if the technology was not available.

Mr. Oprandy said they had faced a similar issue during the winter storms. He said they could work to create a formal plan. He mentioned the CAPE staff. He said he had discussed with the Fire and Rescue PIO regarding a formal plan. He said there would be a formal plan for future incidents.

Mr. Gallaway suggested that once the plan was ready, it come before the Board for an update and review.

Mr. Andrews said there needed to be more Emergency Management updates and reports to the Board. He said emergency communications were important. He said he wanted to receive training and to become familiar with the role of the Board.

Mr. Oprandy said many people were involved in maintaining consistent and accurate communication.

Ms. Price said Mr. Andrews had not even attended a Board meeting when the January 3 storm hit. She said Mr. Richardson had scheduled the presentation before the Board. She noted the County had professionals who were prepared for emergency response. She noted VDOT had removed 800,000 cubic yards of tree debris from the early January winter storms. She said the Board should be informed so they can perform their duty without impeding the response.

Ms. Mallek noted the community response during the storm. She asked if the organization had input with its utilities to address the tree cover on the wires through the County. She said practice scenarios and activities should be held.

Mr. Richardson said Mr. Stewart regularly communicated. He said the Board provided a consistent level of support to the Emergency Management personnel and staff. He said the best organizations were anchored and able to redeploy employees to respond to the event. He said a report would be provided to the Board once an emergency communication plan was finalized with the CAPE and Emergency Management departments.

Non-Agenda Item. **Recess.** The Board recessed its meeting at 2:52 p.m. and reconvened at 3:09 p.m.

Agenda Item No. 11. **Work Session:** COVID-19 Reconstitution Update.

The Executive Summary forwarded to the Board states that on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic. On March 12, 2020, the County Executive, acting as the Director of Emergency Management, declared a local emergency because of the COVID-19 pandemic pursuant to Virginia Code 44-146.21, and this declaration was confirmed by the Board of Supervisors on

March 17, 2020. Beginning on April 1, 2020, all public meetings have been held virtually, pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.

On March 30, 2020, Albemarle County closed its office buildings to the public and transitioned to virtual service delivery, with key exceptions in public safety, inspections, and maintenance. Throughout the pandemic, adjustments have been made to County operations in-line with guidance and best practices from federal and state public health and safety agencies.

At its March 2, 2022 work session, the Board provided direction to begin meetings of the Board, Planning Commission, and School Board in April 2022 and for staff to return to the Board to receive an update on COVID-19's impacts on County operations and to consider moving forward with meetings for other Boards and Commissions.

As part of this work session, staff will present an update on COVID-19 metrics, report on hybrid meeting observations, and propose a timeline to beginning "virtual access" meetings for "Tier 2" public bodies – Architectural Review Board, Board of Zoning Appeals, Board of Equalization, Broadband Authority, and Economic Development Authority. A proposed timeline for Tier 3 public bodies (all remaining) will be shared in the work session.

There is no budget impact associated with this work session.

Staff recommends the Board receive the update and discuss timely elements of Reconstitution.

Ms. Price announced Ms. McKeel was in the building and would be joining the meeting. She said Ms. McKeel would provide a report from the meeting she attended in Richmond.

Mr. Trevor Henry, Assistant County Executive, said a team was present to discuss the public meetings and continued reconstitution work. He said he would present along with Mr. Andy Herrick and Ms. Emily Kilroy. He said an update would be provided on the latest COVID-19 metrics. He said Ms. Kilroy would provide a summary of the trends and assessments. He said Mr. Herrick would discuss the legal framework related to FOIA and changes that occurred at the state level. He said he would provide a discussion on Tier 2 and Tier 3 and the staff recommendation for returning to in-person meetings.

Ms. Emily Kilroy, Director of Communications and Public Engagement, said she would review the COVID-19 metrics. She said the data painted a changing picture. She said Albemarle County had been yellow or green on the CDC COVID-19 community level for the past 10 weeks, as had most of the commonwealth. She said the past week, many more counties were yellow. She provided a graph of the new daily cases over the previous 6 months for the County. She said the trend line was a 7-day moving average and the bars represented the daily reported cases.

Ms. Kilroy noted there was an increase in the trendline and case levels were comparable to the levels of mid-February at the end of the holiday surge. She provided a chart that included data on the hospitalization of COVID-19 patients in the County area to the fall of 2020. She said there were indications that the strain would not lead to as many hospitalizations or deaths as other variants due to many factors such as higher vaccination rates and more effective treatments.

Ms. Kilroy said the UVA model had changed significantly over the past weeks. She said the model from the Biocomplexity Institute had proved helpful over the course of the pandemic in understanding the forecasted direction and magnitude of cases. She said the County was at the beginning of a projected spring surge that would continue into the summer with a projected peak in early July of about 3,100 daily cases.

Ms. Kilroy said it was higher than what they saw during the winter surge. She said the change caused the Biocomplexity Institute to issue a report about why the prediction increased. She said the report stated that there was an undercount in the prior wave because of the confluence of the holidays, winter storms, and general lack of testing capacity. She said institute believed the winter surge was higher than the projected spring surge, but in terms of documented cases, the spring surge was projected to be higher. She noted the reliance on at-home tests and how those did not always end up in the official documentation.

Ms. Kilroy said the institute issued a Health Districts Growth Trajectory report. She said the Blue Ridge Health district, formerly the Thomas Jefferson Health District, was in surge, along with other districts in the commonwealth. She said Mr. Herrick would present on the legal framework which continued to evolve.

Mr. Andy Herrick, Deputy County Attorney, said he would provide a synopsis on the virtual public meeting rules that were in effect. He said the local emergency expired on March 16 when the Board declared the end of the local emergency. He said the continuity of government ordinance remained in effect for an additional six months. He said that represented a change in what Mr. Kamptner had previously presented.

Mr. Herrick said the ordinance had an extension of six months beyond the end of the emergency. He said Mr. Kamptner had indicated the period was 12 months because the state enabling authority allowed for a 12-month period after the emergency was ended in the ordinance. He said the County's

ordinance was adopted prior to the amendment to the state law. He said the ordinance would need to be amended to allow for the 12-month period. He said staff did not recommend or suggest an extension, and they hoped to return to normal government operations at the end of the six months.

Mr. Herrick said the continuity of government ordinance authorized the virtual public meetings. He said FOIA did not allow virtual meetings. He said authority for most but not all virtual meetings would expire with the continuity of government ordinance. He said the FOIA requirements would be reinstated, including that members of the public body be physically assembled, the members of the public have open access to the physical meeting location, the quorum of the public body must be among those in physical attendance, and virtual access to a meeting of a public body was allowable.

Mr. Herrick said there was an amendment to the Boards rules of procedure to allow for remote participation of individuals who might be absent due to some emergency at the Board's April 6 meeting. He said state law had been amended to allow for greater remote participation by individual absent members. He said effective September 1, HB 444 would amend FOIA to allow for more remote participation and some all-virtual meetings.

Mr. Herrick said all-virtual meetings were limited, and no all-virtual meetings were allowed for local government bodies, such as the board of supervisors, school boards, planning commissions, ARBs, or zoning appeals boards. He said those bodies could not have virtual meetings. He said those that could have virtual meetings were limited to two per year or 25% of the meetings, whichever was greater. He said there were other limitations articulated in the bill. He said his office was working on proposed procedures to allow the Board and other public bodies to take full advantage of the amendments in HB 444. He said proposed rules for procedure would be provided for the Board's consideration prior to the effective date of the new state law.

Mr. Henry said staff established a tiered approach in its recommendation for other legislative bodies to return to normal operations. He said the tiered approach resulted in the in-person meetings for the legislative bodies—the Board, School Board, and Planning Commission. He said the second tier included the authorities and decision-making bodies, and the third tier included the committees and boards which were advisory and would return to meet in-person.

Mr. Henry said it was recommended that the second and third tier bodies remain in virtual meetings until September 1. He said unless conditions changed over the summer, the second tier would use a virtual public access model, and the third tier would return to in-person meetings after September 1. He said hybrid meetings were the highest level of production and required the most resources. He said the virtual public access meeting applied to the ARB, the Board of Zoning Appeals, Board of Equalization, Broadband Authority, and the Economic Development Authority.

Mr. Henry said it was not the same level of production. He said it was recommended two of the boards meet in Lane Auditorium—the Board of Zoning Appeals and the ARB. He noted the Board of Zoning Appeals used to meet in the auditorium, and the ARB used to meet in Room 241. He said if the ARB returned to Room 241, they would have to return to printing out the paperwork and diagrams. He said using the auditorium would allow the ARB to use digital media and laptops to access documents. He said staff made the recommendation to cut down on the volume of paper used. He said the remaining of the second-tier bodies would meet in Room 241.

Mr. Henry said for virtual public access, the members of the body would be present together for the meeting, and there would be A/V connected so the meeting could be viewed remotely and so participation could happen remotely. He said it was more limited than the hybrid meetings and less connected. He said board and committee members had to be present, and the meeting was FOIA accessible.

Mr. Henry said in-person meetings was geared towards the boards and committees with a geographical basis. He said the third-tier bodies were advisory in nature. He said the complexity and cost of providing A/V support to those bodies led staff to recommend in-person meeting procedures. He said staff recommended that the second and third tier bodies remain virtual until September 1 at which point the bodies would return to their respective meeting procedures. He said there could be a follow up meeting in the second meeting of August.

Ms. McKeel said the virtual hybrid option was up in the air due to decisions in the General Assembly. She said members of the Board requesting to attend the meeting virtually for personal reasons were permitted two meetings per year. She said for medical related issues, more than two virtual attendances were permitted. She asked if this was true.

Mr. Herrick said there were specific parameters that allowed individual members to participate remotely.

Ms. Cynthia Hudson, County Attorney, said the Board recently amended its own rules to conform to FOIA. She said it allowed for an unlimited number of times a member could participate remotely due to medical reasons.

Mr. Herrick said the bodies that could meet entirely virtually—not the Board—could either meet virtually twice per year or for a total of 25% of their meetings.

Ms. McKeel said there were changes to come.

Ms. Mallek requested that Lane Auditorium be available for the Veteran's Day celebration.

Mr. Gallaway asked if access to the monitors was part of the reason for the ARB using Lane Auditorium for meetings.

Mr. Henry said that was correct.

Mr. Gallaway noted the paper was required because the ARB did not have access to the monitors.

Mr. Henry said the alternative would be to supply the ARB with laptops which could be considered.

Mr. Gallaway said he did not have an issue with the ARB using Lane Auditorium. He suggested that Room 241 be renovated. He said the Board used the room for work meetings.

Mr. Andrews said since the public would be able to watch and participate in the meetings, then there should be training how to run one of the meetings.

Mr. Henry asked if Mr. Andrews referred to training of the public or training of the staff.

Mr. Andrews said he meant training of the staff operating the meeting.

Mr. Henry said training had been done for staff running the second-tier meetings. He said the training would be repeated as they approached September.

Mr. Andrews asked if the third-tier meetings would have virtual public participation.

Mr. Henry said the staff recommendation had no virtual access to the third-tier meetings.

Ms. Price said she did not have an issue returning to pre-pandemic procedures with regards to the Board of Zoning Appeals meeting in Lane Auditorium. She said she was hesitant to expand the use of Lane Auditorium for more meetings because she believed there was a degree of formality that existed with the auditorium. She said familiarity bred contempt. She said if the auditorium became available to more and more groups, then the degree of formality expected in meetings would be diminished. She asked if it were possible to provide technology to Room 241 that would limit the need to print papers.

Mr. Henry said there were ways to provide the technology. He said it would be a budget item as it was not previously considered.

Ms. Price said she would like to know what the costs of providing the technology to Room 241 were. She said she was reluctant to expand the utilization of Lane Auditorium. She noted the chart of the UVA COVID-19 pandemic model. She asked how the data from the previous waves compared to previous projections of the UVA model. She wanted to know a sense of how accurate the projections were, and how accurate the projections were moving forward.

Ms. Kilroy said the model provided a range of case volumes. She said the most recent model had a maximum peak of 5,000 daily cases. She said the data was adjusted to what was actually observed. She said a spreadsheet could be sent to the Board so that they could review how the model had changed over time. She said the official count for the winter surge was lower than observed. She said the UVA model had been helpful in understanding the direction and magnitude of the pandemic. She said the surges typically followed the surges that were predicted.

Ms. Price said it would not be easy to statistically report how accurate the model was. She assumed the surges were consistent with the surges predicted by the model.

Ms. Mallek said she did not have comments on this topic but did have comments on the use of Lane. She said before they sent staff off to do a lot of pricing and things, she would like to know if it was reasonable to have a discussion to make sure what the other interests were. She said this was because having been attending meetings in here since 1982, she did not feel that having people come here was in any way diminishing the importance, and she thought people really appreciated coming to this comfortable, accessible space, and it actually built more support for a feeling of sense of belonging in their community to be able to come in here. She said she had a different view and said that she did not perceive a benefit from keeping it to be a special or royal place.

Mr. Andrews stated that he shared Supervisor Mallek's sentiments on this as a public auditorium, public facility, and should be used as such.

Ms. Price said she came with 20 years as a trial attorney where the courtroom was considered a different place than a conference room. She said they had a difference of opinion, and she would not necessarily ask County staff to spend a lot of time, but she would like to know what the costs might be if there was no objection by the Board.

Ms. McKeel said she had no objections to information and thought it would be good.

Mr. Gallaway said he did not object. He said he viewed it more from a pragmatic standpoint that if they had more people, they needed a bigger space. He said his bigger point was that they, especially after the pandemic, had outmaneuvered or outgrown how they worked in meetings, and their facilities were not allowing them to keep pace with how they actually operated. He said they had done a fantastic job of getting this facility ready for that, and the current topic aside, that room and some others in this building he did not think lived up to the School Board, ARB, or anyone's. He said it probably needed some sort of redesign to make it more functional for the bodies that met in there, whether it was they or whoever. He said he would think even for staff, there had to be limitations to having their leadership team in there. He said the old-school model of everyone getting into a room and looking at one screen did not allow for work. He said he thought that probably needed to be reimaged.

Ms. McKeel said those were points well taken and she agreed well.

Mr. Henry said to summarize, the Board had accepted the staff recommendation. He said there was a question around the ARB and its location. He said he did not think it was a heavy lift to get a little bit of information, and they could plan to come back to the meeting in August with a short update. He said they could see where they were with the community with that as well.

Ms. Price said she appreciated it. She said the information was helpful even though it appeared the consensus of the Board was to open Lane more than she would have. She said that was the consensus of the Board and that was how decisions were made. She said they thought they needed to look at upgrading 241 in any event.

Mr. Henry said they had done a lot of upgrades related to the AV side of that, but they could evaluate the facility side.

Ms. Price thanked Mr. Henry.

Agenda Item No. 12. **Presentation:** Virginia Department of Transportation (VDOT) Quarterly Report.

Ms. Carrie Shephard greeted the Chair and members of the Board. She said it was her second time being there in person in her two years of being here, so it was nice to be back again. She said the first slide was largely unchanged from last time, but she would point out that the Route 702 Fontaine Avenue bridge replacement over Morey Creek, which was the first one under "State of Good Repair," went to AD in March and they did not receive any bids. She said it would be going back to AD in June 2022, where hopefully when that went back out they got some bids and could get that project going.

Ms. Shephard said the Route 29 Solutions project had the Hydraulic Package well underway. She reminded the Board they had a public hearing scheduled for May 25, which was next Wednesday evening, 5 p.m. – 7 p.m. at the Hillsdale Conference Center, 550 Hillsdale Drive. She said they had a website available as well for additional materials if anyone was interested. She said she believed that went out as a news release. She said as far as the Design-Build projects, the Diverging Diamond Interchange (DDI) at Exit 124 was ongoing as well and there were no changes with the completion date at this point in time.

Ms. Shephard said however, the Route 151/250 roundabout was tentatively scheduled to finish 6 months early assuming that everything went well. She said otherwise, the completion was scheduled for February 2023 in the worst case. She noted that for the Route 20/649 roundabout at Proffitt they expected next week in the Tuesday or Wednesday timeframe for traffic to be switched to the actual roundabout configuration, and that was on target to be completed no later than the fall.

Ms. Shephard said the Design-Build bundle #2 was unchanged from last time. She said they still had a couple of years before getting started on any of these projects. She said as far as their Rural Rustic roads, she said they had a specialty crew in place just focusing on the Rural Rustics. She said they had some ground to cover and a little bit of catching up to do. She said they had just finished prepping Red Hill School Road, which involved ditching, pipe replacement, and tree trimming. She said Red Hill School Road was currently for the hard-surfacing, and the crew had moved onto Harris Creek Road, which should not take very long, and next week she expected them to move onto Burnt Mill and Hammocks Gap, and the goal was to have all four of those complete by the end of June, and then they would move onto the next ones on the list.

Ms. Shephard said as far as their construction activities, Route 240 bridge rehabilitation was still underway. She said they expected that to be completed in mid-July. She said one item she left off the list was the Route 810 Blackwell's Hollow bridge replacement. She said that was a superstructure replacement and substructure repairs; the road was scheduled to be closed May 23, which was this coming Monday, through July 29. She said there was no posted detour but there was a temporary pedestrian bridge in place for walkers, runners, and cyclists, and they did have message boards out beginning on May 9 to let the public know.

Ms. Shephard said for traffic engineering, the items on the slide were listed in the report so she would not go into too much depth, but these were the ones they had completed. She said they had a couple pending sign installations. She said there some additional enforcement recommended specifically for Pen Park Road, for which a speed study had been completed, and at Burnley Station Road. She said as far as their traffic engineering requests that were under review, they had a no parking request under

review at Dick Woods Road and Miller School Road.

Ms. Shepherd said they were still looking at the Old Ivy Road pedestrian accommodations. She said on Wesley Chapel Road they expected to have that signed here shortly. She said she believed the speed data was being reviewed currently and they should have the final study shortly. She said lastly, Rio Mills Road and Berkmar Connector, which came from Supervisor Mallek, had a sight distance and signage review which they were investigating right now. She said she would follow up with her when they had a plan in place.

Ms. Shepherd said the current slide about land use had not changed much. She said the only addition was that Belvedere Phases 5A and 5B had internal road network construction that was ongoing. She said they were continuing to monitor these projects and provide support when necessary and requested. She said the last thing she would mention was a quick update on their debris removal efforts. She said as of right now, the Culpeper District total in debris removal was 1.2M cubic yards, which was over 20,000 truckloads.

Ms. Shepherd said Albemarle alone, which excluded the interstate, was not completed yet, but was at 205 cubic yards, which was not including the interstate which totaled in at 215 cubic yards. She said this week they were working on Routes 250, 692, 712, and 706, and their goal continued to be to finish before Memorial Day. She said with that she would stop here and asked if there were any questions and concerns to direct towards her.

Ms. McKeel asked if they were still planning on getting to some of the urban roads like Barracks Road that came off of the 250 bypass, and some of those more local roads, because they still had some tree debris on those urban roads. She said she did not know what it took to complete that.

Ms. Shepherd said she would check. She said it was still a collaborative effort between contractors and their staff. She said it had been a lot to coordinate, so if their contractors were not planning to do it then they would, and she would check on that.

Ms. McKeel thanked Ms. Shepherd. She said she drove by the ramp coming off the 250 bypass where the concrete drain was clean, and they were not getting debris on the road and ramp, which was wonderful. She thanked her for the Woodlands Road meeting, and she knew she had some takeaways, but it was a great discussion and she appreciated her help. She said it was twice now she had met with the residents of Woodlands Road and she appreciated it. She asked if when Ms. Shepherd referenced the Old Ivy Road pedestrian accommodations on one of the last slides that she was referring to the pedestrian accommodations across the old bridge deck.

Ms. Shepherd said they were replacing a bridge on 810 Blackwell's Hollow, and for that bridge they were providing pedestrian accommodations.

Ms. McKeel said the slide said, "Old Ivy Road pedestrian accommodations." She said maybe she had misread it.

Mr. McDermott said they were working together on this. He introduced himself as Kevin McDermott, Transportation Director for Albemarle County. He said the reference on the slide he noticed was actually talking about a study that VDOT and Albemarle County were looking at for pedestrian accommodations under the railroad pass at the eastern end of Old Ivy Road. He said this had been done because it had been a concern of many for a long time; UVA had brought this up to them because they had a lot of development from UVA happening on that road, so they were trying to find a better way to accommodate those pedestrians, and he knew VDOT and the Traffic Engineering Department were coming together to look at it.

Ms. McKeel thought it was talking about the bridge at the other end, but that was okay. She said that was good to know, and that area flooded all the time. She said she had an email that came in recently about the flooding problem. She said they were looking together at that triangle area around STAB, and she wondered if they had any ideas on how to fix that area, which was terrible.

Ms. Shepherd said yes, they were. She said that kind of went into the pedestrian accommodations as one whole generalized area project.

Ms. McKeel asked if that was all included together.

Ms. Shepherd said yes.

Ms. McKeel said it was great they were still working on that. She said she went through there the other day, and STAB was letting out. She said there was a huge number of cars because they all drove, rode, and were mostly transported in individual cars. She said she recalled when this Board gave STAB the okay to move the school from Ivy Road to that location that they promised to stagger their times to avoid that very issue. She asked if they were actually staggering their times, because they were having a huge impact on that triangle, which was complicated enough.

Mr. McDermott said yes, that was one of the conditions of approval for that school, and he said it had just come to their attention that they may not be staggering that, and they were talking to their code enforcement staff about how to address that situation. He said they were looking into it, because they were aware.

Ms. McKeel said they were aware. She said it was not a criticism, but when they had these conditions they put on and had no way to track or enforce them other than by complaint, it was concerning. She said that was not a criticism of staff, but a criticism of 13 conditions that they had no way to know whether it was happening.

Mr. McDermott said he agreed. He stated again that they would work with their code enforcement; it had been brought to their attention and they were looking into it.

Ms. Mallek said they mentioned specialty crews working on Rural Rustics. She asked if those were contractors again or local forces they had assembled.

Ms. Shepherd said it was their state forces.

Ms. Mallek said she was glad to hear that, because Blufton Road was a nightmare continuing because of what happened before. She said she was glad to see they were lowering the speed at Rio Mills, because many people were using that road, and she noticed traffic behind her when she down it because they wanted to go 60 mph. She asked to please put on the list adding more 35 mph signs if it was reasonable on Blake House Road on the gravel section. She said that was another gravel road where many people walked and they were having problems with people going by very fast and having to race for the ditch.

Ms. Mallek said if it was also possible because of the density of the houses and where it curved when it was paved to Reas Ford it may be appropriate to have 35 mph be consistent instead of going to 45 mph when getting to pavement, because it was easier for people's brains to manage that all the way through and for enforcement to handle it as well. She said they could investigate whether that was reasonable or not. She said they both mentioned the Old Ivy Road study, which was an extension of this STARS thing where they proposed closing the loop from the bypass to eastbound 250, which would have been a horrendous disaster. She asked if that particular element would be coming back again.

Ms. Shepherd said no.

Ms. Mallek said okay. She said there was a great effort to reduce the eastbound traffic at the Ivy exit and limiting that for real to people going west. She said it had the local traffic sign, which was great, but no one paid any attention. She said they went down there and turned left at Old Ivy Road or turned left at the bridge and went east on Route 250. She said if there was a way for their engineers to stop that and put everyone onto the loop, it would help a tremendous amount with the people trying to get to those businesses in the corner.

Mr. Gallaway thanked Ms. Shepherd for her help in resolving questions from residents. He said he appreciated the update on the debris cleanup. He said he knew one of the ones he forwarded was Carrsbrook where it looked like half of it had been done. He asked if there was a way for citizens to track the schedule of the plans and where they were going so they could see when they were getting to the specific roads.

Ms. Shepherd said there was not really. She said there was a system the contractors were using, but it was permissions-only.

Mr. Gallaway said he understood. He said Earlysville Road and Carrsbrook Drive were the two that had come up in his district. He said people were just asking the wind question, and he thought everyone accepted it was a massive effort, and if the interstates were still being cleared as of recently, these other roads would eventually be coming along. He said those were the two he knew of in his district that had recently come up. He said also on Carrsbrook Drive and Marlboro Court, he was receiving issues about speed and pedestrian and biking conflicts. He said the question being asked by the Carrsbrook HOA was when they had temporarily rerouted when Route 29 was being worked on, they had put in temporary speedbumps, and they asked why the speedbumps could not be done all the time if they could do it when the volume increased for the road project that was happening.

Mr. Gallaway said he had asked this before, but when an HOA or community came together and talked about traffic calming, he would like to know if he directed them to Mr. McDermott or VDOT directly. He said Carrsbrook Drive he thought would be a difficult task and had said as much to them to get speedbumps or other traffic calming measures permanently on that road, but they also would like to know and have some follow-up on that. He asked again if he should tell them to get their association together and have a meeting with VDOT or a combination of the County and VDOT. He asked what he should do to help those communities when they brought that topic up.

Ms. Shepherd said they could probably start there. She said generally, they started with a speed study that was requested by the Board, and the results of that speed study guided their next steps. She said for the VDOT traffic calming process, if the speed study came back and they essentially determined there was not a speeding problem, which meant the speeds were not 10 mph or over the speed limit, their process stopped at that point in time, but that did not mean there were no options, it just meant for VDOT assistance, it stopped there. She said they had been working closely with Mr. McDermott, and if there was a need to have a community meeting, they would probably both be more than willing to do so.

Mr. Gallaway said he would imagine there had been a speed study done in the past on Carrsbrook Drive. He said he did not know when that would have occurred, but on behalf of that

community, he was asking that perhaps a speed study was necessary then, and specifically that Carrsbrook and Marlboro Court area was where some conflicts were happening that were problematic. He said he appreciated the efforts at the diverging diamond construction at work on Pantops, and while there were some delays due to the construction, it was being managed very well. He said the delays he had seen that had really backed things up were last night when there was a wreck in the construction zone, but the construction itself did not seem to create major delays and backups. He said on a road that could do it all by itself even without construction, he wanted to commend them for the way that was going.

Mr. Gallaway said something to flag for the fourth quarter report this year for Transportation, VDOT, and maybe Facilities and Environmental Studies (FES), because he knew on July 1 they authorized a new position that could be working about their medians and maintenance of the medians. He said he would hope that by the end of the year they could flag that hired position and ask how the relationship had kicked off and how they were doing. He said that would be past the growing season, but he wanted to note that that position would hopefully be onboarded and they would get that program going, because right now they saw things growing out of storm drains and concrete. He said he looked forward to the solution they had planned. He thanked Ms. Shepherd.

Mr. Andrews said he really appreciated this report and the list. He said he was thrilled about Old Ivy Road pedestrian accommodations, which he knew had come up before. He said there were two aspects to this, which were the road improvements and the cleanup. He asked if they were getting the information they needed about the cleanup. He asked if that was something where it came through because someone complained to the Board and then brought it forward, or somewhere in the County, was there some sort of proactive way to recognize when issues might be arising, because as someone mentioned, in some cases it might not have been that storm, but afterwards they saw a tree that was hanging, and he would send an email, but he was unsure if they were getting the information or feeling like the communications were working.

Ms. Shepherd said to feel free to always send her an email if there was a concern. She said they had their area headquarters staff that drove their routes quite frequently, so they had a good pulse, but of course if something had changed and they had not seen it, they always welcomed the emails or the work orders, so to feel free to do that, but they had staff continuously on the roads to make sure they were catching all of that.

Mr. Andrews said with respect to the projects, he knew now was not the time to add on different projects, but he was in communication with Mr. McDermott and constituents had concerns about different roads that had come up in recent days, so they would carry that conversation on as well.

Ms. Shepherd said okay.

Ms. Price said beyond or outside of specific development applications that they received, she received more inquiries from constituents about roadways than anything else, and they were collectively and individually so responsive. She said she wanted to publicly thank them for the way they very quickly took action on those inquiries. She said she could not keep up with the amount of debris. She said it was 600,000 cubic yards, then it was 800,000 cubic yards, which she mentioned earlier today, and now it was 1.2M cubic yards. She said the mountain they were removing was incredible. She thanked both their department and the contractors for the work they did to clear the roadways. She said it helped to at least temporarily satisfy constituents when she was able to say it was 1.2M cubic yards that they had removed.

Ms. Price said she also wanted to follow up on Ms. McKeel's questions to Mr. McDermott and the response in terms of difficulty of enforceability on some of the conditions. She said they recently had an application for a development on a very narrow road, a road she actually rode this week to see it for herself and got to drive her truck over a downed tree. She said she was thankful she had a high-riding truck so she was able to get over it, because there was no place to back up for almost two miles. She said so, to have proposals with so many conditions that were almost impossible to monitor, much less enforce, was something they always had to remember when making a decision on a proposal.

Ms. Mallek said in the discussion about the speedbumps, they had them in Ashcroft after ten years of discussion with her predecessors to finally get approval because the neighborhood was getting through-traffic of construction vehicles. She said with whatever hurdles were achieved with that process, she would like to know if those could be transferred to other neighborhoods. She said she knew when neighborhoods were asking for speed control, her question was if they had local authority to do more than what VDOT said met the rules. She said she did not need the answer immediately.

Ms. Mallek said on a different subject, with the rains they had been having over the last several weeks, there were huge piles of leaves jamming up against people's personal culverts from 50 yards of deep ditch. She asked if that was something they should ask neighbors to clean up or if VDOT had a vacuum to clean them. She said the water was now coming out onto the road and around the whole culvert system because there was a cubic yard of leaves piled up there. She said she did not know who she would call about that.

Ms. Shepherd said it depended.

Ms. Mallek said she would take some pictures and Ms. Shepherd could decide.

Non-Agenda Item. Motion to Allow Remote Participation.

Ms. Price said Supervisor LaPisto-Kirtley requested to participate remotely in the Board of Supervisors meeting in accordance with applicable Board rules of procedure enacted pursuant to the Freedom of Information Act. She said Supervisor LaPisto-Kirtley was not able to attend the meeting in person due to a medical condition. She said the floor would entertain a motion to support or approve Supervisor LaPisto-Kirtley's remote participation in the meeting due to her inability to attend because of a medical condition.

Ms. Mallek **moved** to allow Ms. LaPisto-Kirtley to participate remotely. Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

Ms. Price asked the Clerk to let Supervisor LaPisto-Kirtley to participate via Zoom.

Ms. Borgersen said they were working on a systems issue.

Ms. Price asked Ms. Hudson if they were unable to resolve the volume issue, would it be permissible to vote through a show of hands on a motion.

Ms. Hudson said she believed it would be preferable if she called in with audio over a cell phone.

Ms. Kilroy asked Ms. LaPisto-Kirtley to try to address the Board again.

Ms. LaPisto-Kirtley asked if the Board could hear her.

Ms. Hudson said the Supervisor's location needed to be stated for the record.

Ms. Price asked Ms. LaPisto-Kirtley to state where she was physically located for the record.

Ms. LaPisto-Kirtley said she was located at 1137 Club Drive, Keswick, Virginia, 22947.

Agenda Item No. 13. Closed Meeting.

At 4:14 p.m., Mr. Andrews **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1) To discuss and consider matters related to the terms of service of appointees to various County boards and commissions. Under Subsection (6) to discuss and consider the investment of public funds for a public purpose where bargaining is involved and where, if made public initially, the financial interest of the County would be adversely affected; and
- Under Subsection (8) to consult with legal counsel employed by the County regarding specific legal matters regarding economic development and investment of public funds and requiring the provision of legal advice.

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

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

NAYS: None.

Agenda Item No. 14. Certify Closed Meeting.

At 6:02 p.m., Mr. Andrews **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

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

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

NAYS: None.

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

Mr. Richardson greeted Chair Price and the members of the Board. He said this was the regular meeting every month where he gave the County Executive's Report, and he would like to publicly thank the CAPE Office for the work they did to pull the information together. He said there was staff present to

answer any questions the Board may have, and if there were questions they could not answer, they would follow up accordingly.

Mr. Richardson said the first slide was to talk to their public and the Board about the AC44 Working Group. He said they met for the first time this week. He said they were excited to welcome this group of 19 community members to meet monthly and serve as a sounding board and share information about how to get involved in the comprehensive plan work with their networks of friends, neighbors, and colleagues that would happen over the next six months. He said the AC44 team had also been popping up all over the County, introducing the plan and the history of the comprehensive planning and growth management of Albemarle County.

Mr. Richardson said for those who had not been able to catch their mobile field office, continue to watch the County webpage and AC44 newsletters about information regarding virtual events and opportunities. He said right now, there was a background on the history of land use planning in the County and the County's history, and a questionnaire about growth management at their project hub, which was at "engage.Albemarle.org/AC44".

Mr. Richardson said on Earth Day, Albemarle County launched its new online Environmental Stewardship Hub. He said the Environmental Stewardship Hub was designed to provide a central location where residents of their community could learn about the County's efforts to steward their natural resources through different programs and initiatives. He said it was also a place where people could learn about simple actions they could take to participate in climate action, protect biodiversity and clean water, and reduce waste going to their landfills. He said the creation of the hub was initiated as part of the Stream Health Initiative's new landowner education project and was implemented by a team of staff working across the organization with significant input from members of two advisory committees: the Natural Heritage Committee, and the Solid Waste Advisory Committee. He said the hub could be reached at "Albemarle.org/Stewardship" or by going through the "Community" section at the top of their website.

Mr. Richardson said over the years, the Board had given guidance on more than one occasion to look at opportunities to partner with their schools in the classroom. He said that was very good advice from this Board, because there were so many opportunities. He said with the support of their Superintendent and administration partners at public schools to do that. He said what was shown on the slide were three days in April when staff went to five schools, 1st grade through 8th grade to learn about environmental stewardship and participate in a "Love Albemarle" cleanup at their school. He said over 800 gallons of trash was collected at these events. He said they were so excited to present this series in partnership with the school division. He said there was a lot of energy and a lot of support from their teachers.

Mr. Richardson said the Lambs Lane Master Plan took another important step forward last week. He said this project of the Albemarle County Schools had put forward a vision for how the schools along Lambs Lane could orient towards a cohesive campus and work together to provide amenities that served the entire community

Mr. Richardson continued that Albemarle County Adjuvans Foundation and the Community Climate Collaborative (C3) received a grant award from Partners for Places. He said this \$10,000 would be used to understand the distribution of energy burden in Albemarle County. He said this project would help Albemarle County better understand where households paid an outsized proportion of regular energy costs due to the housing condition and material efficiency. He said they would incorporate this analysis into their climate action plan implementation and their climate resilience planning process. He said the project would commence in late summer and fall of 2022, and they expected to receive the results back next spring.

Mr. Richardson said on Monday, May 23 at the County Office Building parking lot on McIntire by the new EV charging stations to view, ride, or drive a variety of light-duty electric vehicles. He said from 3 p.m. to 5 p.m., fleet managers and vehicle operators were invited to take a test drive of one of the several on- and off-road electric vehicles that were the future of landscape and park maintenance. He said from 5 p.m. to 6 p.m., community members were invited to view a demonstration of the vehicles and learn more about Albemarle County's commitment to climate action in their operations.

Mr. Richardson said on May 19, in partnership with TJPDC, VDOT was hosting a virtual public meeting on a Route 29 corridor study that was underway that ran across Albemarle and Green Counties. He said more information on joining the virtual meeting could be found at "tjpd.org." He said on May 25, from 5 p.m. to 7 p.m., at the Hillsdale Conference Center, VDOT would be hosting a design public hearing for improvements to the Hydraulic/Route 29 intersection that were funded through SmartScale. He said this project included a pedestrian bridge over US-29, bus shelters, reconstructed intersections at Angus Road and Route 29, at the Hillsdale and Hydraulic.

Mr. Richardson said earlier this month, Parks and Recreation, the Department of Wildlife Resources, the Kingfishers, and the Thomas Jefferson chapter of Trout Unlimited, hosted the annual Kid's Fishing Day where they encouraged children to come out and give fishing a try. He said there was great participation and some great catches. He said he would now ask Mr. Henry to give an update on some of their summer programs, including their summer beaches and lakes.

Mr. Henry greeted the Board and introduced himself as Trevor Henry, Assistant County Executive. He said he was in front of them two weeks ago giving them an update on their parks' summer programs and the status of their lifeguards. He said the good news was that they had some success and

recruited a handful more, so they were now in a position where they would be opening all three swim parks. He said it was still at reduced days and hours, but all three would be opening starting next weekend, which was Memorial Day weekend. He said they continued to recruit, and the Human Resources Department was sponsoring a job fair tomorrow. He said they were optimistic they may even pick up some additional staff who might be able to expand their week.

Mr. Henry reminded the Board that they tested each lake weekly for algae because they had problems with algae blooms over the past few years. He said two of their lakes, Chris Green and Mint Springs had maintenance treatment every other week. He said they would continue to monitor that, which was affected by long durations of high heat or sometimes a large storm would affect the levels. He said they would continue to monitor and treat, and if they needed to take action, they would communicate it out, as necessary.

Mr. Richardson said last week they celebrated Police Week and Police Officers Memorial Day. He said Police Week was an observance in the United States that paid tribute to the local, state, and federal police officers who had died and been disabled in the line of duty. He said he would like to publicly thank the Police Foundation and many of their community partners for recognizing the police officers for the work they did every day. He said staff was at the police headquarters last week several times, because it was an extremely busy week for their police department as they answered a high volume of calls and also took a moment to eat lunch, take a break, and enjoy the nice things the community members did for the police department.

Mr. Richardson said on an individual basis, last week he was in the field with their police department for about half a shift, and if they had never had an opportunity to do a ride along with their police department, he encouraged them to work through himself or the Police Chief if they ever had the opportunity to be in the field for a couple of hours. He said it was truly an eye-opening learning opportunity to see the wonderful customer service their men and women provided in the field to community members. He said they solved problems on the spot, were resilient and polite, and they saw phenomenal work when people were in their greatest moment of need.

Mr. Richardson said this week was National EMS Week, a time to celebrate EMS practitioners and the important work they did in localities across the nation. He thanked all the EMS practitioners in their community who ran with their own Albemarle County Fire Rescue, CARS, UVA, and the City. He said everything he said about the police officers he could repeat again about the wonderful EMS people in their community. He said they were true public servants and worked when other people had time off and were there when the community needed them the most.

Mr. Richardson showed a slide with a screenshot from their latest conversation with the Chief. He said after a successful live conversation as part of Colonel Reaves introduction to the community, their own Director of Community and Public Engagement, Emily Kilroy, sat down with Chief Dan Eggleston to have a long-form conversation about how Albemarle County Fire Rescue continued to evolve, and the services to meet the community's needs. He said they hoped to continue the series, because it was a great way to share some of the big picture challenges and opportunities that were across the County and gave community members an opportunity to ask questions. He said both videos were on the County's YouTube channel and would be featured on the "Let's Talk Albemarle" podcast.

Mr. Richardson said the Department of Social Services provided an on-site food pantry for families in crisis. He said they were accepting non-perishable and personal care products through the end of May at both of the County Office Buildings. He said this was one example of how staff went above and beyond to try and meet the complex needs of the people they served. He said he spoke to Kaki Dimock last week, and she said she needed his help to fill these bins because they were concerningly low, and the community members needed these basic items when they were in need. He said he knew their County staff would meet the call and fill these bins.

Mr. Richardson said the current slide was in recognition of Mental Health Awareness Month. He said several prominent buildings in the community had green lights placed in the windows this week, and the building they were in was included. He said the green light represented shining a light on mental health, aiming to remove the stigma around talking about mental health.

Mr. Richardson said the length of his presentation reflected the amount of work, collaboration, and activity that was going on in their community and within their organization. He said the final slide presented was to tell the Board about the organizational leadership team's work over the last two weeks. He said over the last two weeks, they had over 18 hours of dedicated time with department heads. He said the slides shown were of one afternoon two weeks ago when they sent the OLT, consisting of about 16 people, in four different directions. He said one group went to Crozet to look at Barnes Lumber, one group went south to learn about Yancey Community Center, one group stayed close in town to learn more about the Broadway footprint, and all of them were out there walking and learning, which was how people really saw things.

Mr. Richardson said one group headed north on 29, almost to the county line, to look at all the residential and commercial growth on the Rio-29 corridor. He said they met back up that afternoon and debriefed on all the things they had learned by being in the field. He said it was a great amount of time, and they all shared interesting observations. He said this was as they hopefully stepped out of the pandemic, this was an opportunity for them to spend time in the field and learn from being in the field. He said that concluded his report for May. He apologized for the length but hoped they saw the energy and excitement their organization had to be outside in the community and active with the community they

served.

Ms. Price thanked Mr. Richardson.

Ms. McKeel said she heartily endorsed the idea of breaking up into groups and staff getting into the community, because so often they stayed in their offices and departments. She said she too had participated in a ride-along in the past, and she recalled being impressed with how the police interacted with a teenager and his parents. She said another thing she had no idea of until she did the ride-along how beautifully the City and County cooperated around an issue that was on the border in the urban area. She said the County needed help because of staffing, and it was a good experience to see how well they worked together to solve the problem. She said it was great they recognized the police and number of police officers who had died. She said many people in the public did not realize that more police officers died of COVID-19 during the pandemic by multiples than died from violence. She said that was easy to forget, because they were out there every day with the public.

Ms. Mallek said learned a lot. She said there had been so much going on that she appreciated it, and she was glad to learn about staff getting out into the community. She said it really helped when they had the months to walk along that Ms. Filardo had organized around Easter and other things. She said getting a lot of residents and staff people together could really make some progress on solving problems, and she thought that was wonderful.

Mr. Gallaway asked if the electric vehicles discussed were vehicles they had already brought on and were demonstrating, or if they were ones they were considering getting and it was a demo for them to decide if they were the right vehicles.

Mr. Greg Harper, Chief of Environmental Services, said these were not vehicles the County owned. He said there were a few vehicles made by a company in Oregon called ArchiMoto that happened to be on loan to the Virginia Clean Cities Organization, and they were bringing those over. He said there were three vehicles from UVA that they used for landscaping, including an electric cargo bike and a gator-type vehicle that was electric. He said the point was to expose City staff, County staff, and UVA staff to each other's items. He said UVA had the most items right now, so they were doing a good job helping them learn what was out there.

Mr. Gallaway said it was a demo day for them to decide what they might want to use for their purposes.

Ms. McKeel said she believed they had seen an order from UTS that they had ordered four electric buses, which was great progress. She said it would be interesting to see how those buses perform for them.

Ms. Price clarified that UTS stood for University Transit System.

Ms. McKeel clarified that it was the bus system for the University of Virginia.

Mr. Andrews appreciated the comments about the Fire Rescue and Police, and he would like to participate in a ride-along at some point. He said he would be there for the electric vehicles.

Ms. Price said she echoed the others' comments. She said she understood everyone on County staff had worked hard to be there for the community, and the way they were engaging with them was incredible, so she thanked them for that.

Agenda Item No. 16. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Price addressed Mr. Pickett and said before he began speaking, she had a comment she would like to make. She said she would like to remind him and other members of the public that this was a work meeting held in public and not a public forum for any topic. She said this was reflected in their procedural policies for matters from the public, which could be one of three areas: items on the agenda not listed for public hearing, matters previously considered by the Board, or matters pending before the Board. She said if his comments did not relate to one of those three topics, then he would be asked to end his comments. She asked Mr. Pickett to continue.

Mr. Pickett asked when he should speak about something he would like to speak about. He asked when would be an appropriate time.

Ms. Price said it was not here if it was not one of those three topics.

Mr. Pickett said he understood and he heard her. He asked when would be an appropriate time to speak before the Board.

Ms. Price said that was not what this was. She said this was a Board meeting.

Mr. Pickett said he understood that. He asked if she heard him. He asked when would be an appropriate time.

Ms. Price asked for the microphone to be muted.

[microphone muted from 3:22:02pm to 3:23:27pm]

Ms. Price asked Ms. Hudson at this point if it was appropriate to ask the Officer to ask the gentleman to leave.

Ms. Hudson said at this time, if the gentleman would not comply with her instructions, she would repeat them again, and perhaps that was the next step she might take.

Ms. Price thanked Ms. Hudson. She repeated to Mr. Pickett that he was welcome to comment upon items on the agenda not listed for a public hearing, matters previously considered by the Board, or matters pending before the Board. She said if it was not under one of those three topics, then she would ask him to leave the meeting.

Mr. Pickett said he understood and respected that. He said he had a question for them. He asked if he could ask a question.

Ms. Price said they did not engage in back-and-forth debate.

Mr. Pickett said he wished her the worst and left.

Agenda Item No. 17. **Public Hearing: VDOT/Albemarle County FY23-28 Secondary Six-Year Plan: Unpaved Road Policies & Review Process; and Cove Garden Road Rural Rustic Road Designation.** To receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2023 through 2028 in Albemarle County, and on the Secondary System Construction Budget for Fiscal Year 2023.

The Executive Summary forwarded to the Board states that this agenda item addresses three related road issues. First, a public hearing has been scheduled to receive input on the County's proposed Secondary Six-Year Plan (SSYP) FY 23-28 (Attachment A). The SSYP allocates funding for construction, maintenance, and improvement of roads in the state secondary system (roads with a route number of 600 or higher). The funds allocated to Albemarle County through the SSYP include state and federal funds for a variety of road improvements. The SSYP for Albemarle County is updated and approved annually and identifies the funding source, use, and levels allocated for the immediate fiscal year. The SSYP also identifies projected funding allocations for the next five fiscal years.

At its March 16, 2022 Work Session, the Board supported the proposed SSYP, priorities, and recommendations with no changes requested. Attachment B is the Executive Summary from that Work Session and Attachment C is the Report on the SSYP Priorities and Recommendations. Attachment D is the FY 23 Albemarle County Priority List for Secondary Road Improvements, Unpaved Roads.

Second, at its March 16 Work Session, the Board also recommended that staff update the Unpaved Road Policies & Review Process to include additional specificity on the manner in which a request to pave a road is made. This update (Attachment G) involves the way that support for the paving is demonstrated. Additionally, staff has provided clarity on the list kept of Unpaved Roads Sections Removed by the Board of Supervisors.

Finally, staff is recommending a Resolution designating Route 633 (Cove Garden Road) as a Rural Rustic Road (RRR), to be funded for paving in FY 23. The SSYP includes funds dedicated to paving unpaved roads in the County under the RRR paving program. The RRR paving program is the preferred approach to paving low-volume roads with a goal of retaining the traditional rural lane ambience, while improving the road surface within the current right-of-way. The process for identifying and prioritizing RRR paving projects is defined in the Unpaved Road Policies and Review Process (see Attachment G).

When a paving priority is advanced, funds are allocated to the road and the road becomes a project in the SSYP. Within one year before paving the road, adjacent landowners are notified by letter and given an opportunity to comment. Following that comment period, the Board may choose to designate by Resolution the road as an RRR or not. If a road is designated, the Virginia Department of Transportation (VDOT) would initiate the paving process.

No updates have been made to the proposed SSYP since it was presented to the Board on March 16, 2022. The line item "Future Unpaved Account" represents funds projected for FY 26-28 that are not currently assigned to any project identified in the Proposed SSYP. As these fiscal years approach, staff will identify paving projects for the Board to consider as options for this funding. All Telefee funding in FY 23 is committed to the Berkmar Extension Revenue Sharing project. Beyond FY 23, all future Telefee funds are listed under the line item "Countywide Traffic Services". These funds can be reallocated in the future to another project if one is identified.

The SSYP allocates funding to pave public unpaved roads from the County Priority List for Secondary Road Improvements, Unpaved Roads (Attachment D) that have been the subject of petitions by property owners and supported by the Board. Staff has received no public comment on the FY 23-28 SSYP.

At the March 16, 2022 SSYP Work Session, staff discussed clarifications to the Unpaved Roads Policies and Review Process. These clarifications include what amount of support is required to be provided with a paving request and direction on how that support is demonstrated and how the list of Unpaved Roads Sections Removed by the Board of Supervisors is managed. Attachment G is an updated version of that Policy document with strikethroughs to identify how the document was changed. A petition signed by 2/3 of the owners adjacent to the road segment requested to be paved must be included with the request.

In FY 23, Albemarle County will receive funds to pave the currently unpaved sections of Route 633 (Cove Garden Road). After the Work Session, notification letters were sent to property owners on that road requesting comment on the proposed RRR paving. Staff has received no public comment on the RRR designation of Route 633.

Cove Garden Road is in an area of the County designated by the Comprehensive Plan as Rural Area and is zoned accordingly. The Rural Area designation discourages new homebuilding and subdividing, and supports low intensity uses such as agriculture, forestry, and protection and preservation of natural resources. There is no pending development, and it is unlikely that any future development would be of an intensity that would increase traffic on Cove Garden Road due to the Rural Area designation. Following any RRR paving, VDOT performs a traffic engineering study to determine the appropriate speed. RRR's have a maximum 35 mph posted speed limit. Speed bumps or other traffic calming modifications are typically done through VDOT's traffic calming process and not as part of the RRR paving process.

Adoption of these Resolutions would have no impact on the County budget. The SSYP outlines the proposed expenditure of State/VDOT secondary road construction funds allocated to the County. These resolutions authorize VDOT to expend those state funds on the selected projects. The SSYP does not require the expenditure of County funds unless the Board directs the appropriation of additional funding to a project, such as through the revenue sharing program.

After the public hearing staff recommends:

1. That the Board adopt the attached Resolution (Attachment F) approving the FY 23-28 Secondary Six-Year Plan and authorizing the County Executive to sign the Plan.
2. That the Board approve the updated Unpaved Road Policies and Review Process (Attachment G).
3. That the Board adopt the attached Resolution to designate Route 633 (Cove Garden Road) as a Rural Rustic Road (Attachment H).

Mr. McDermott greeted the Board. He said tonight they would be holding the public hearing for the Albemarle County Secondary Six-Year Plan for FY23-28. He said his presentation would cover three topics related to this Secondary Six-Year Plan, and they would have the public hearing that was required to approve that plan. He said the first topic in his presentation would be on the actual Albemarle County Secondary Six-Year Plan, which would require a vote to adopt a Resolution (Attachment F) approving and authorizing the County Executive to sign that plan. He said the second topic would be on the updates to the Unpaved Roads Policy and Review Process. He said the third update would be Cove Garden Road Rural Rustic designation, which would also require a vote adopting the Resolution (Attachment H) designating Cove Garden Road as a Rural Rustic road.

Mr. McDermott said the Secondary-Six-Year Plan allocated funding for construction, maintenance, and improvement of roads in the state secondary system. He said this was updated and approved by the Board of Supervisors annually, and they held a work session on that in March of this year. He said this year, \$868,079 is available in FY23 funds that must be appropriated to paving unpaved roads. He said at their chairs, he had left an updated copy of the Secondary Six-Year Plan. He said it happened regularly that as they moved through the process, VDOT provided updates that changed the funding amounts slightly. He said the draft plan they looked at the work session and that they initially had provided online had some slightly different numbers on that, and the amount of funding had increased a little bit on each of the years within the Six-Year Plan, so the version they had in the paper copy reflected that change, which was the \$868,079 in unpaved roads funds.

Mr. McDermott said that funding was focused on paving those high-priority projects from the Albemarle County priority list of secondary road improvements. He said the two projects that were fully funded in this year were Red Hill School Road and Cove Garden Road. He said there was also \$333,433 available in telefee funds, and all of that funding in FY23 would be dedicated to the Berkmar Drive Connection to Airport Road Revenue Sharing Project. He said that project was funded through revenue sharing, and they used some of the telefee money to buy down the cost of the local and revenue-sharing portions of that funding.

Mr. McDermott said the map displayed showed the unpaved roads that were on the priority list right now. He said the roads in green were roads removed by the Board, the roads in red were roads on the paving priority list currently, and the roads in blue were unpaved roads not currently prioritized for paving. He said that covered the information that was available in the Secondary Six-Year Plan. He said he would now move onto the Unpaved Roads Policy and Review Process. He said during the work session, they discussed some minor updates they thought would be prudent to make to this policy that was approved back in 2015 originally. He said he had made those updates in the version they could see in the packet, and he would go over some of those highlights here, but he wanted to walk them through the entire process so everyone was fully aware of how they moved through this.

Mr. McDermott said first, the County received the concern for the unpaved road, then they verified general interest and support for paving if that was determined to be the appropriate measures. He said this was one of the items they did change; previously there was no definition for what met that verifying of general interest and support for paving. He said at the Board's direction, they looked at how road naming was done in the County. He said road naming required a petition with signatures of at least two-thirds of the property owners abutting that segment, so that was how they had addressed this issue in the unpaved roads policy process.

Mr. McDermott said from now on, if a road were requested to be paved, they would require a petition signed by at least two-thirds of the owners abutting that segment, or segments with primary access from that. He said sometimes there was a road that came directly off of it, and all of those people had to use that segment of road to access their property, and they thought it would be prudent to allow them to weigh in on that as well, so that was now included in that under #2 of that policy.

Mr. McDermott said the next item was after they determined there was support for paving, VDOT would go out and evaluate that road for eligibility to show they can pave it, and if it was possible under a Rural Rustic program or what other types of improvements they might need to make to it. He said the Rural Rustic Road potential was determined at that time, and then the paving request was prioritized. He said by Board direction, projects may be prioritized ahead of others previously requested if they had higher volumes of traffic, if they had crash incidences on them, or if they were a through-road versus a dead-end road. He said the Rural Rustic Roads were also prioritized over non-Rural Rustic Road projects.

Mr. McDermott said to clarify, Rural Rustic Roads had to meet a requirement of a certain width to be able to be constructed without having to widen or do any additional work. He said the overall work had to be minimal for it to meet the rural rustic standards. He said in the spring work session, like the one they had in March, would be when the Board approved that priority list. He said if a new road were brought to staff's attention during that year, they would bring it to the Board during the spring work session and ask to add it to the list. He said this previous time, there were no new roads added. He said another section that was changed with the Unpaved Roads Policy and Review Process was that they had an Unpaved Roads Sections Removed by Board of Supervisors List.

Mr. McDermott said that was a list that was added, and as he mentioned, there were those roads shown in green on the map that had been removed previously by Board members. He said now, the policy and review process identified that the list existed and those roads would remain on the list until the Board voted to remove them to the Paving Priority List, and a new request may be submitted as described in #2 above. He explained that if it were removed from the list, it would have to go back to the beginning and be petitioned, as usual it would come back to the Board for another vote at that time at the spring work session.

Ms. McKeel asked if it started over again.

Mr. McDermott said yes, the process would start back over again if another request came in for that road. He said Step 10 in the process was that prior to construction in the year of construction, when the road was finally proposed to be paved in that year, they sent out a letter to all the adjacent landowners to provide notice of that potential upcoming paving and offering them the opportunity to provide public comment. He said the Board would receive that public comment and approve or deny the road for paving as appropriate, then VDOT would go ahead and schedule and perform the paving within the next year or as their schedule fit. He said that was the final chance when the Board could remove the item and the public was made fully aware of the project and had the opportunity to comment.

Mr. McDermott said the next piece of the presentation was Coles Rolling Road Rural Rustic Designation. He said this was in step 10 of that process. He said a Rural Rustic Designation required a resolution from the Board, which could be seen in Attachment H of their packet. He said approving this resolution would allow paving of a 2.52-mile segment of Route 633, Cove Garden Road. He said that could be seen down in the southwestern corner of the County, just off of Route 29. He said the segment went from about 1.75 miles east of 29 to about 1.1 mile west of Plank Road. He said the two ends of that road were already paved previously, and they were only paving the center of it.

Ms. Price said she was confused. She said the title of the slide said, "Coles Rolling Road" but the topic in the middle bullet said, "Cove Garden Road." She said Coles Rolling Road was in the Scottsville District and Cove Garden Road appeared to be in the Samuel Miller District. She asked him to clarify.

Mr. McDermott apologized for that. He said the heading was a mistake, and it was supposed to be Cove Garden Road. He said Cove Garden Road was the road they sent out notices for and was the road that was proposed to be paved. He said Coles Rolling Road had already been paved in the past year.

Ms. Price thanked Mr. McDermott.

Mr. McDermott apologized and said his mind went to that previous project when he wrote that slide and missed it in his review. He said again that Cove Garden Road was the segment they were proposing to be paved and sent out notices for. He said the public request came in 2015. He said as he mentioned, those notifications were sent to 49 property owners adjacent to this segment. He said the full segment could be seen on the slide, and as he mentioned, only the center of Cove Garden Road was

proposed for paving.

Mr. McDermott said out of those 49 letters that were sent, they received responses from 7 property owners, 6 of them were emphatically in support of this and said they had been asking and hoping for this for years and said that all the other property owners they knew of supported this. He said he did not hear from any property owners who objected to the paving. He said one other property owner did say they tentatively supported it. He said there was a slight difference in their wording, but 6 did say they emphatically supported it, and one said they tentatively supported it. He said no responses objected to this.

Mr. McDermott said the staff recommendations and motions were shown on the current slide. He said they would need to hold the public hearing for the Secondary Six-Year Plan approval, and staff recommended that they approve that Secondary Six-Year Plan. He said they also recommended they approve the update to the Unpaved Roads Policy and Review Process, and that they approve the designation of Route 633, Cove Garden Road, as a Rural Rustic Road.

Ms. Mallek asked if she should separate out discussion of the unpaved roads policy for later and do the two things they had to vote on together, or if she could go down her list of questions all the way through.

Mr. McDermott said he would be happy if they could go through it all right now and then open up for public hearing and come back for additional ones.

Ms. Mallek asked if Cove Garden did not have a petition and was in the interval of between when petitions were required and the new process that would begin, in the last 5 or 10 years when it went away.

Mr. McDermott said that was correct. He said when it came in, it was prior to the adoption of the process that required a certain number or any demonstration of public support at the time of submission.

Ms. Mallek asked if that was the one they were about to start. She said it did exist prior to 2010, and that was fine but she just wanted to clarify that. She said that one was \$600,000. She said he mentioned a benefit to it was that it connected two roads, so it was basically a cut-through to somewhere. She said she hoped the residents there were aware of how much faster people would be going. She said if she had not heard from them, they at least had a chance. She said she shared with them and the Board some information she had received a few days ago about the work other counties whose attorneys had come up with a different interpretation of what the state code said, and that even though they had been told forever that it was only paving by a succession of people in Ms. Shephard's position, that only improvements to the road were acceptable using gravel road money.

Ms. Mallek said she hoped they would make a concerted effort to find out from the people in Loudoun and other Counties who had been working on this for a while what they had learned and what it would become, because there were so many different users, and each of them had heard from different constituencies, especially people who lived in a geographic area who walked on Ridge Road for recreation, and that particular one was not on the list right now, but there were others whose roads were on the list who would not be able to walk anymore, and she thought people had used the Reservoir Road to walk on a lot and now was impossible because the ditch was far below the road surface, and even cars were having trouble safely navigating there because the speeds were so fast.

Ms. Mallek asked for them to please look into it and advise how they could perhaps in their priority list they were talking about under #5 in the plan that they talked about the values of other uses in addition to just getting people as fast as they could get there in cars, because the multiple different users that other Counties had benefited from had helped them build community and economic success as well.

Mr. McDermott said that he was aware of the Loudoun County program, and they were reaching out to them to see how they addressed that, and he had also spoken to Ms. Shephard about ways they may be able to use those funds that, in the past he had been told were only designated for paving unpaved roads, to potentially do maintenance on roads. He said they were looking into that. He said he agreed entirely and said there should be a better process for identifying which roads they wanted to pave.

Ms. McDermott said as a matter of fact, their suggestion in planning was to have that be a piece of the multi-modal transportation piece of the comprehensive plan. He said they would like to fold into a piece of the multi-modal transportation plan a way to look at rural roads and unpaved roads and how they could better assess whether or not those were appropriate to be paved. He said he agreed there may be a lot of times when they did not want to pave every road. He said in the past that was kind of the goal, but it may not be the goal anymore.

Ms. Mallek asked if on the #2 on the screen right now, this could be a work in process as far as this policy and review.

Mr. McDermott said absolutely.

Ms. Mallek asked if before roads were added, if one person called up and requested, did that immediately happen or could they finish the next round of iteration on this #2 before they added even more things to the list with one person out of hundreds requesting something. She said a concern of hers had always been some real estate salesperson saying that a road would be paved the next year, which

was told to hundreds of people along Dick Woods Road for decades, and it was the primary running area for Western Albemarle High School and other running clubs. She said they made a good case many years ago to take that road off the list and prevent this misrepresentation that happened so regularly.

Ms. Mallek said the other thing that troubled her in this process was that the Board had to make an affidavit that there was no development that was going to happen, and she had never seen any information on where they got that information to make that decision. She said they were saying it to get the money, and then some short period of time afterwards with a lovely, newly paved road there came a 10- or 15- house development. She said they were not being held accountable for that and it seemed odd. She said she hoped there was a solution they could come up with for that as well.

Mr. McDermott said what they had in #2 changed the standards for how they reviewed those. He said they would not be able to look at this again and would not accept any new roads onto the list until at least a year from now when they came back, because that was the only time they ever updated it, and that would give them time to evaluate some of these other processes like Loudoun County uses and whether or not there were other ways to use that funding, or a better standard that they could possibly incorporate into their comprehensive plan. He said this was a good opportunity to look at it.

Ms. Mallek thanked Mr. McDermott.

Mr. Andrews asked when the policy applied. He said for example, White's Mountain Road was on the list, but not until 2025. He asked if it would apply in that case or not.

Mr. McDermott said as the policy was written right now, when White's Mountain Road came up for paving, which right now was projected to be in 2025, they would send those letters to everyone on the roadway and give them an opportunity to be aware of the project and comment on the project. He said nothing would happen on that road until they got all those comments back and the Board had the opportunity to review those comments and make a decision as to whether or not they wanted to move forward with the paving. He said he would point out the Board could remove a project according to the policy that they had there on road segments removed by Board of Supervisors. He said they could remove it at any time that he was before them or they could call him and bring it up if they wanted to separately, but they had that prerogative.

Mr. Andrews said he was just trying to understand it. He asked to see slide 5. He said #2 and the two-thirds was for anything that would be added after this then.

Mr. McDermott said exactly.

Mr. Andrews said it did not apply.

Mr. McDermott said at this point, that only applied to roads that had not been added to the list at all.

Mr. Andrews said they were not added to the list at all.

Mr. McDermott said this was the policy they had been operating on if they wanted to remove roads at any time, and that would send the project back to #2 if a request came in again.

Mr. Andrews said he would like to understand where it said "two-thirds of owners abutting or had primary access." He said there were many places in the rural area that were not on the road, and there were people who owned multiple parcels that may only be hayfields. He asked how they counted for the two-thirds.

Mr. McDermott said it was the property owner, and according to the policy, if a property owner owned more than one property adjacent to the road, that still only counted as one vote.

Mr. Andrews said okay. He thanked Mr. McDermott.

Ms. Price commented that she appreciated the revised policy requiring a greater consensus among the property owners. She said she believed that was very appropriate. She asked if there were any other questions. Seeing none, she said she would now open the public hearing. She said the Clerk informed her that they had no in-person signups but did have an online signup.

Mr. Lonnie Murray said he lived at 5643 Sugar Ridge Road. He said as a person who lived on a gravel road that was scheduled to be paved, Sugar Ridge Road, and was removed and put on the Do Not Pave List, he fully supported the Board of Supervisors looking at what Loudoun had done to help protect gravel roads. He said as a parent with two children, they did not get sidewalks in the rural areas, and if his road were paved, it would be unsafe for his daughters to walk to their friends' houses or ride their bikes. He said their neighborhood would also become a cut-through for unwanted traffic from the winery to the Sugar Hollow Reservoir.

Mr. Murray said as a runner, he also chose his home because of the gravel road, and they welcomed cyclists and runners in their neighborhood as they helped slow the speed of traffic. He said this issue of cut-throughs was very important, and they had prioritized cut-throughs, but it was important to note that would make these roads much more dangerous once they were paved. He said he thought

there should be a better process for citizens to get their road removed from the list. He said he noticed that White Mountain Road had remained on the list with public opposition for years. He said all that time, as Ms. Mallek noted, real estate agents would market to people who bought properties on the road that they should not worry and the road would be paved, and that was a problem.

Mr. Murray said given that paving rural roads ran contrary to the comprehensive plan for rural area protection and biodiversity, any opposition should be given more consideration, any paving should have to justify how it helped meet their comprehensive planning goals. He said they also needed to do more to explicitly consider all forms of traffic on the road, not just cars elicit input about paving from running and cycling groups. He said there was great data they could gather, objective data about use by running and cycling groups, and even heat maps they could see. He said after all, races like the Charlottesville 10-Miler and Charlottesville Marathon as well as countless other running and cycling races bring significant revenue to their County. He said thinking about the Charlottesville 10-Miler and how many people were in that, stayed at restaurants and hotels, resulted in a lot of revenue to their County that was very important.

Mr. Murray said they should also consider the impact on historical resources as Loudoun County had done. He said ideally, this proposed paving should go before the Planning Commission before going to the Board of Supervisors to be evaluated for consistency with the comprehensive plan. He thanked the Board and said he would be more than willing to provide additional suggestions and input. He said it had also been suggested that a working group be formed with Loudoun County on rural road protection. He added that he had some concerns about Red Hill Road. He said staff noted there were some legacy zoning on that road and this would provide access to that legacy zoning. He reminded the Board that part of the Rural Road Designation said “whereas the Board was unaware of any pending development that would significantly affect their existing—”

Ms. Price said if Mr. Murray had additional comments, he was welcome and invited to email those to the Clerk.

Ms. Price said the public hearing was now closed and the matter was back before the Board.

Ms. Mallek numbers 13-25 on the matrix, which were not yet funded, and some of them had 30 cars or something like that, she would like to know if it would make sense to remove them now and wait for the process to be improved. She said they were basically going back to the process that was in place in the 1990s, which was when there had to be consensus before these hundreds of thousands of dollars were being spent. She said the White Mountain people had been there for the last ten to say please do not do this. She said #25 said “BOS request for Fox Mountain Road” but that was in her district and she did not request that, so she did not know how that got there. She said it was full of twists and turns and would be expensive to do, so she did not know how that was on there, but he could let her know later.

Mr. McDermott said he was looking at it right now. He said the list had been inherited, so some projects were prior to this.

Ms. Mallek said she was glad she pointed it out then, so he had a chance to look and not adopt something that was not current. She said she hoped she was not just looking at the wrong page. She said she was also confused about Stony Point Pass was listed in the Unpaved Roads Removed by Board in 2019, yet it showed up again on the priority list in numbers 5 and 6 here. She said she was confused and needed clarification.

Mr. McDermott said there were multiple segments on Stony Point Pass. He said one segment was up there in numbers 5 and 6, which were actually the two end segments, and there was a center segment as well. He said VDOT allowed them to break that up into different segments they could decide the paving on. He said that was the answer for Stony Point Pass. He said the segment in the middle was not able to be paved under the Rural Rustic standards according to VDOT because the level of work that it would require, whereas the two segments on the end that were listed as numbers 5 and 6 would be able to be paved under the Rural Rustic standards.

Ms. Mallek said okay. She said it was the same mileage as the other side that said it was removed. She said that was why she was confused. She said she did not have any other questions.

Mr. Gallaway said to Supervisor Mallek’s point, he would guess that if they were going to a new process, anything that had been approved for paving with no objection would be allowed to move, but anything on a list that maybe should not be, he would not have an issue with that going back through whatever due process they would have to do. He said then it would just go back and get a re-look, and if it went through that process and got removed, there they had it. He said to take any specific action now through some sort of new process, they could allow the things they knew were going to happen to do so, and everything else was on hold until it was run through the new process.

Ms. Mallek asked if those that were not funded now they would be coming back to them anyway after the new process was established.

Mr. McDermott said exactly. He said as they had it right now, nothing on the top of the list of unpaved roads had been approved except for Red Hill School Road. He said that was the only one the Board had approved for paving. He said if they moved forward with Cove Garden tonight, that would be the other one. He said everything else was on the list, but none of them had been approved for paving,

they had just been approved to be added to the list for potential paving.

Mr. Gallaway said that was correct.

Mr. McDermott said the Board could remove any or all of those at any point in time and put them on the Do Not Pave List, and that would require a resident to submit a new request with that two-thirds.

Mr. Gallaway said he understood. He commented that Mr. Murray got cut off on the Red Hill topic, so he encouraged him to write the remainder of that comment in so they could see what he had to say.

Mr. Andrews said he also thought it made sense to pull back on the ones not yet going through and apply the new process, although if they had been requested, it seemed that first step could be taken, and they could proceed from there rather than just waiting. He said he would like to see slide 9 again.

Ms. Price asked what Mr. Andrews said.

Mr. Andrews asked to see slide 9. He said he would like to see where they were going with this.

Mr. McDermott clarified that #3 was Cove Garden Road. He said #1, because there were updated numbers, the motion would likely want to state to approve the updated or as-presented Six-Year Plan to clarify it was not the same draft version with those changes.

Mr. Gallaway asked if the route number was correct.

Mr. McDermott said yes, Route 633.

Ms. Price said having been the victim of a 50% majority of a road naming, she very much supported the two-thirds consensus building, so she concurred with what Supervisors Mallek, Andrews, and Gallaway, who came after Supervisor McKeel who did not have an opportunity to comment on that, that those that had basically already been approved for funding they would move forward on, but those that had not, rather than put them on the Do Not Pave List, if she understood Supervisor Andrews correctly, she thought it would be more of readvertising to the property owners adjacent to those roads to see if there was a two-thirds consensus. She asked if that was correct.

Mr. Andrews said if they were already requested, they could start at step 2.

Ms. Price said she concurred with that. She asked if there were any comments from Supervisors.

Mr. McDermott said he would like to point out that unfortunately, records for some of the most recent requests they would be able to pull where those requests came from, and some of the roads that were requested a long time ago, they would not know who made that request, or any way to contact them to let them know they needed to submit that request.

Ms. Price asked how many in total were on the list.

Mr. McDermott said there were 12, one of those being Red Hill School Road, which they already approved, and Cove Garden tonight, so 10 additional roads.

Ms. Price asked if 10 was what they were talking about.

Mr. McDermott said 10 would no longer be on the proposed to-be-paved list.

Ms. Price said she did not think it would be difficult for the County to simply re-contact the property owners on those 10 roads to notify them that they were looking now at a two-thirds list, rather than them mysteriously disappearing into the Do Not Pave List and people not knowing what was happening with them.

Ms. Mallek asked perhaps there could be some public discussion and an ad in the paper and radio to say changes were being considered and to watch the space because it was important. She said knowing how frequently properties turned over, that sounded like a big task. She asked if in their normal process, when they were to consider #4 in a couple of years, then that was when the contacting would happen.

Mr. McDermott said that was correct.

Ms. Mallek said it sounded like the majority of the group wanted to leave the rest of the list alone, rather than wiping them all out, and there was some sense to that. She said she was mainly talking about #13-#25, not funded, as opposed to the other side, which appeared to have more legs.

Ms. Price said she understood.

Mr. McDermott said the roads on the list from #13-#25 had been reviewed by VDOT and were said to be unable to pave those under the Rural Rustic plan, so they were put on this regular paving projects list. He said there was no guarantee those would get paved, because they did not have the kind of funding it would take to do that.

Ms. Mallek said okay.

Mr. McDermott said it would be very reasonable that they did not have a way to move forward with those at all. He said to Supervisor Mallek's point, a way to potentially move forward with this would be as these roads came up for paving, the ones that were numbers 3-12, instead of when they had to send a notice to any property owner when those came up for paving, that could be the opportunity to say they needed to hear from a two-thirds majority if they wanted to move forward with this paving.

Ms. Price said that made sense.

Mr. McDermott said that would eliminate the possibility of having to send letters to everyone. He said Cove Garden, for example, had 50 residents they sent letters, so this would allow them to only send that notification once as they were required, and still allow that two-thirds majority.

Ms. Mallek asked Ms. Hudson if it were legally allowable to put a big sign at the end of each segment so that so that they could give notice that way. She said for a rented property, the notice went to the owner and they might throw it in the trash, so the people in the house may not even find out. She asked to think of other opportunities to get the word out with zoning signs, which did draw attention to things very well as long as they are visible.

Mr. McDermott said they had looked at that exact opportunity. He said they requested VDOT put one of their big signs out and VDOT declined, so it would be on the County to find a sign to put up, but they could look into that and see what they could find.

Ms. Price asked if anyone would like to make a motion.

Ms. Mallek **moved** the Board of Supervisors adopt Resolution (Attachment F) to approve the FY23-28 Secondary Six-Year Plan and authorize the County Executive to sign the FY23-28 Secondary Six-Year Plan.

Ms. Hudson said because Attachment F had been amended and they were presented with a new Attachment F, it might be helpful if the motion indicated Attachment F as presented this evening.

Ms. Mallek clarified the motion indicated Attachment F as presented this evening.

Mr. Gallaway **seconded** the motion. The motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

RESOLUTION TO APPROVE THE SECONDARY SYSTEM SIX-YEAR PLAN (FY 23-28)

WHEREAS, Virginia Code § 33.2-331 provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary System Six-Year Plan; and

WHEREAS, the Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (FY 23-28), after being duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, local and regional representatives of the Virginia Department of Transportation recommend approval of the Secondary System Six Year Plan (FY23-28); and

WHEREAS, the Secondary System Six Year Plan (FY23-28) is in the best interest of the County and of the citizens of the County.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby approves the Secondary System Six-Year Plan (FY23-28) and authorizes the County Executive to sign the Secondary System Six-Year Plan (FY 23-28); and

BE IT FURTHER RESOLVED, that the Clerk of the Board shall forward a certified copy of this resolution to the District Administrator of the Virginia Department of Transportation.

Ms. Mallek **moved** that the Board of Supervisors approve the updated Unpaved Road Policy and Review Process. Mr. Gallaway **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

Mr. Andrews **moved** that the Board of Supervisors approve the Resolution to designate Route 633 Cove Garden Road as a Rural Rustic Road as presented in Attachment H. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

**RESOLUTION TO DESIGNATE ROUTE 633 (COVE GARDEN ROAD)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as Rural Rustic Roads; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia ("Board") desires to consider whether the 2.52-mile segment (the "Road") of Route 633 (Cove Garden Road) from 1.75 mi. east of US 29 to 0.1 mi. west of Plank Road, should be designated as a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this Road; and

WHEREAS, the Board believes that this Road should be so designated due to its qualifying characteristics; and

WHEREAS, this Road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates the 2.52-mile segment of Route 633 (Cove Garden Road) from 1.75 mi. east of US 29 to 0.1 mi. west of Plank Road, as a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that this Road be hard-surfaced and, to the fullest extent prudent, improved within the existing right-of-way and ditch-lines to preserve, as much as possible, the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Agenda Item No. 18. **Public Hearing: Airport Trunk Sewer Upgrade Project**. To receive public comment on the proposed conveyance of easements to the Albemarle County Service Authority for the upgrade of a sanitary sewer line across two County-owned properties: Parcels 04600-00-00-005A0 (adjacent to the Kohl's at Hollymead Town Center) and 046B3-00-00-000A3 (Timberwood Parkway near the Lake Hollymead dam).

The Executive Summary forwarded to the Board states that the Albemarle County Service Authority (ACSA) has requested that the County grant easements for the upgrade of a sanitary sewer line across two County-owned properties: Parcels 04600-00-00-005A0 (adjacent to the Kohl's at Hollymead Town Center) and 046B3-00-00-000A3 (Timberwood Parkway near the Lake Hollymead dam). Attachment A contains a description of the project.

The specific locations of the proposed easements are set forth in the attached plats (Attachments B and C). The sewer line would be buried within the easement and there would be no aboveground facilities. The proposed easement would not interfere with the County's use of its property.

Virginia Code § 15.2-1800 requires a public hearing prior to the proposed conveyance of these interests in County-owned property.

There is no budget impact.

Following the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment D) approving the requested conveyance of ACSA easements and authorizing the County Executive to execute any documents necessary to convey the easements in a form approved by the County Attorney.).

Mr. Andy Herrick, Deputy County Attorney, said he was presenting to them this evening the

Airport Trunk Sewer Upgrade Project. He said it was a request made to the County by the Albemarle County Service Authority to provide easements across two County properties in the Hollymead area. He said the service authority had requested easements across two parcels, Parcel 46-5A, adjacent to the Kohl's at the Hollymead Town Center, and Parcel 46B3-A3, Timberwood Parkway near the Lake Hollymead dam.

Mr. Herrick showed a map on the screen and said the purple line that crossed the screen was the proposed easement, and the upper left corner of the map showed a lake that was north of Route 29. He said that parcel was the first of the County's parcels, and there was a large building north of the lake which was the Kohl's. He said again that the County owned the property adjacent to that pond that was northwest of Route 29. He said in the lower right corner, it could be seen that the purple line crossed Timberwood Parkway to the north of the Lake Hollymead dam. He said those were the two different County properties that were at issue, across which the service authority was requesting enhanced easements.

Mr. Herrick said they had maps showing the individual properties at issue. He said the first was Parcel 46-5A, which was the parcel near Hollymead Town Center, to the northwest of Route 29. He said on this particular map, the Kohl's would be to the north or upside of this map, and the County property was highlighted as somewhat of a V-shaped property. He said the second parcel, Parcel 46B3-A3, he showed a plat that would show the proposed easement. He said it was approximately a 23-foot-wide strip across Timberwood Parkway. He said north on this map was oriented to the right, so it was oriented eastward, and these were the two properties across which service authority easements were requested.

Mr. Herrick noted in the package they received that there was an ACSA fact sheet distributed to affected neighbors. He said it described the project specifics and addressed frequently asked questions. He said he would defer to service authority staff who were present this evening to answer any specific questions they might have. He said state law required a public hearing to convey these easements. He said they had worked with the ACSA on County-specific deed language to address the existing County improvements to make sure the County improvements stayed in place.

Mr. Herrick said they were recommending adopting the attached Resolution (Attachment D) to authorize conveyance of the proposed easements. He showed a suggestion motion for the Board to see again at the conclusion of the public hearing. He said there were a number of staff members available at the meeting this evening to address any questions the Board may have. He said Mr. Harper, Chief of Environmental Services, and Mr. Jeremy Lynn, engineer with the service authority, and himself were available for any questions.

Ms. Mallek said her predecessor always told her she could not read the engineering maps, so she would ask a non-engineer question. She said the County having just spent millions on improvements to the Hollymead dam, it made her nervous to think about a pipe going through the dam. She asked if there was any reassurance to that.

Mr. Herrick said he would defer to Mr. Harper.

Mr. Harper said his understanding was that they were going to bore the sanitary sewer under the roadway north of the improvements that were made to the dam. He said he thought the depth of the sewer through the embankment was going to be about 20-feet below any improvements they made. He said the only improvement they made that it was going to be in line with was a crest wall, a concrete wall that may have been seen if driving on that road, to direct water to the center of the dam. He said all the articulated concrete block and other improvements that were made would be completely missed.

Ms. Mallek said thank you.

Ms. Price asked Ms. Mallek if she had anything further.

Ms. Mallek said no.

Ms. Price said there were no further questions from the Board and opened the public hearing.

Mr. Gallaway **moved** that the Board adopt the resolution attached to the staff report as Attachment D. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

RESOLUTION APPROVING THE CONVEYANCE OF SEWER EASEMENTS TO THE ALBEMARLE COUNTY SERVICE AUTHORITY

WHEREAS, the County owns Parcels 04600-00-00-005A0 (adjacent to the Kohl's at Hollymead Town Center) and 046B3-00-00-000A3 (Timberwood Parkway near the Lake Hollymead dam); and

WHEREAS, the Albemarle County Service Authority (ACSA) has requested that the County grant easements across these Parcels for the purpose of upgrading the sanitary sewer line across the Parcels.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the County's conveyance of sewer easements to the ACSA across Parcels 04600-00-00-005A0 and 046B3-00-00-000A3, and authorizes the County Executive to sign, in a form approved by the County Attorney, any documents necessary to convey the easements.

Agenda Item No. 20. **PublicHearing: Crozet Sports Community Foundation Lease Amendment.** To receive public comment on a proposed lease agreement with Crozet Sports Community Foundation for a portion of the Crozet Library, located at 2020 Library Avenue, Crozet, Virginia (Parcel 056A2-01-00-01800).

The Executive Summary forwarded to the Board states that the lower level of the Crozet Library has two suites fronting Crozet Avenue that are available for leasing. Suite A had been leased by Staengl Engineering, which elected not to renew its lease, effective January 31, 2022. Suite B is currently leased by the Crozet Sports Community Foundation (the "Foundation")

In December 2022, staff posted advertisements requesting proposals from prospective tenants. Advertisements were run in the Daily Progress, notice was provided on the County website, and flyers were posted in the entrances of the Crozet library itself. The Crozet Sports Community Foundation, current tenant in Suite B, was the sole submitter of a proposal to lease Suite A (Attachment A).

The Crozet Sports Community Foundation is a for-profit agency that began operation in the fall of 2018 as an athletic and academic academy, offering sports camps and clinics, kids day camps, and summer camps in the Crozet area. The Foundation engages the community through interest surveys to gather feedback from area residents on planning programs, services, affordability, and overall interest to help identify community needs.

Since the beginning of its operations within Suite B, the Crozet Sports Community Foundation has met its program capacity in all services offered and has experienced growing wait lists for programs. The additional square footage of Suite A would be used as a second multi-purpose learning space to accommodate additional capacity for its programs.

An amendment (Attachment B) has been prepared to the Crozet Sports Community Foundation's existing lease, which would expand that agency's leased space area to include Suite A. Other than the additional space and associated rent increase, all terms and conditions of the existing lease would remain the same.

This amendment would result in increased revenue of \$20,500, offsetting the lost revenue resulting from the expiration of the prior tenant's lease.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to authorize the County Executive to sign a proposed lease amendment.

Mr. Bill Strother, Chief of Facilities and Operations, said he would be discussing the Crozet Sports Community Foundation Lease Amendment. He said the Crozet Library had two suites available for rent for public lease on the lower level, which was the Crozet Avenue street level. He said there was a Suite A that was previously leased by Staengl Engineering, LLC, and they recently notified them they needed to move to a larger location and would not be renewing their lease. He said Suite B was currently leased to Crozet Sports Community Foundation.

Mr. Strother said Staengl Engineering notified the County back in the fall that they would be terminating their lease, at which time FES advertised the space for lease through the Daily Progress, online through the County website, as well as postings at Crozet Library at all the entrances, with QR codes that linked to the County website's posting. He said once they received proposals, Crozet Sports was the only proposal they received to lease the space.

Mr. Strother said he would give background on their agency. He said they were founded in the fall of 2018, operating as an athletic and academic summer camp, offering clinics, day camps, and after school programs. He said in July 2021, they entered into a lease with Albemarle County for Suite B, which the Board approved. He said after expanding to this additional area, they would be able to expand to different areas they were not currently able to provide due to the limited space. He said this agency actively engaged the community to develop programs for affordability, for community needs, and to generally engage with the community to find out what services they could provide to them. He said with that, staff recommended the Board adopt the Resolution to authorize the County Executive to sign the proposed leased amendment.

Ms. Price asked the Board if there were any questions. Hearing none, she opened the public hearing.

There were no speakers, so Ms. Price closed the public hearing.

Ms. Mallek **moved** that the Board adopt the resolution attached to the staff report as Attachment D. Mr. Gallaway **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price.

NAYS: None.

ABSENT: Ms. LaPisto-Kirtley.

**RESOLUTION TO APPROVE AN AMENDED AGREEMENT OF LEASE
BETWEEN THE COUNTY AND THE CROZET SPORTS
COMMUNITY FOUNDATION**

WHEREAS, the Board finds that it is in the best interest of the County to amend the parties' existing Agreement of Lease to add Suite A of the Crozet Library, located at 2020 Library Avenue, to the Lease, effective June 1, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, hereby authorizes the County Executive to enter an Amended Agreement of Lease between the County and the Crozet Sports Community Foundation, once approved by the County Attorney as to form and substance.

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

Ms. McKeel said she was not present at the beginning of the meeting because she was in Richmond at the Department of Corrections, attending a meeting. She said it was for the Board of Local and Regional Jails. She said the presentation was made by herself, Martin Kumer, Superintendent of ACRJ, as well as a representative from the consulting group they were using for the proposed ACRJ renovations. She said they were asked to come and make the presentation to explain to them and justify their request for 25% reimbursement of the project total cost if it moved forward. She said the Board approved that ask. She said she wanted to let them know their presentation was accepted in a positive light. She said they would be voting on their 25% reimbursement in July. She said they had about three or four more items they had to complete, and it would ultimately go to the Virginia Assembly during the next legislative session and then to the Governor's Office.

Ms. McKeel said their proposal did not increase any bed capacity at the jail, which they understood was unusual, because normally jail renovations were done in anticipation of bed capacity needing to increase. She said they had not because of the work they had done with criminal justice in this community, and the data showed that was not necessary for them. She said thus, they were centering the renovation on program space, recreational space, mental health space, as well as necessary improvements to the jail.

Ms. McKeel said after their presentation, it made her happy that one of the Board members said it was refreshing, and they normally had regional jails coming to ask for more beds to lock up more people, and it was refreshing to see a community that was asking for programmatic space to address mental health issues, and recreational space. She said they would see in July how their vote went, but this was just another step, and no decision had been made. She said Albemarle, Nelson, and the City would need to be voting in the fall to move the project forward. She said she was very pleased at that good news.

Ms. McKeel said Albemarle County Public Schools had convened an Environmental Sustainability Advisory Committee. She said they had two meetings, one she missed due to the budget cycle and the other she attended, and they asked her to be a liaison to that group. She said she was excited about their work, because they were looking at their action plan and how their work in the school division could marry with the climate action plan, which was good news. She said Gabe Dayley was at the last meeting and was part of the committee. She said this energy around this would be good for climate action. She said she would be giving them updates as time went on.

Ms. McKeel said Albemarle County, along with the City of Charlottesville, was now one of ten Counties selected in the state to convene a County Court and Justice Leaders Initiative. She said that committee had been working for several months. She said they asked her to be a part because she was Chair of the Regional Jail, and because the regional jail was part of the committee. She said this got back to the work around ACRJ and the renovation, and not just adding more beds and throwing more people in jail. She said they were hoping to start 2023 with a strategic plan with focused and targeted goals and action goals on how to reduce recidivism and deal with their community in a positive way and not only deal with people by letting them languish in jail. She said that concluded her comments for tonight.

Ms. Mallek said she hoped in their inboxes they found on Monday a draft to their senators and the Chair and ranking member of the Senate Veterans' Affairs Committee in support of two bills regarding toxics and treatment of veterans for presumptive exposure. She said she would ask if people had any concerns or if they could get support for the Chair to make whatever changes she wanted to make to the draft and send it off. She said this was as reported back from the NACo Veterans' Committee. She asked if people had any questions.

Ms. Price said she would put it on her action list.

Ms. Mallek said this had been a busy few weeks with other NACo committees. She said the Small Communities Advisory Committee under the EPA was lots of fun with lots of communities all over the country from places like Alaska and Hawaii. She said she was on both the Sustainable Air Committee and

the Clean Water Committee. She said she would send the readouts from the last two meetings, and there would be more particular issues to support or not support as things went forward on that one. She said the other was on arts and culture; there was another resolution encouraging congress to enact the Creative Economy Revitalization Act, and another one promoting the arts for healing and veteran recovery. She said these were all things being discussed in these meetings that she would share so they could be there too.

Mr. Gallaway said he had a question. He said when they budgeted, those positions were not funded until July 1. He asked if they advertised and targeted that date as the start date and tried to fill those positions prior to July 1, or did they wait until the funds were available. He asked the same of the actual asset, the streetsweeper.

Mr. Richardson said they would work with Human Resources to get a head start on the posting, but the Budget personnel would not allow them to pre-hire ahead of the authorization of the money that was associated with FY23. He said if Mr. Henry had anything to add to please help.

Mr. Gallaway said they advertised before July 1 and got the process started, but they did not make the hire before July 1.

Mr. Henry said yes, that was the practice. He said they would advertise ahead of the authorization date so they could time that. He said he would have to double-check their budget book, but this specific position was a mid-year approval, so a January 1 start and not July 1. He said the streetsweeper was part of the capital program, and part of the thought process within the full program was that it would take them six months to get that acquired and on board, and they would also be doing work with VDOT to expand their permit and advertise for enhanced contracting services, so that work would happen in the fall so they could hit it in the spring season.

Ms. McKeel said that was disappointing.

Mr. Gallaway said the new streetsweeper would not be there July 1, and he did not expect that. He said it was disappointing they would not do anything this year, but it was understandable. He said it was a unique position to fill, so it might make some time, and he understood the reality of it.

Ms. McKeel said it was just disappointing.

Mr. Gallaway said in a lot of ways, they could see the six months as preparation so they could really be ready before next spring on both fronts. He said that was helpful to know for the other hires as well.

Mr. Andrews said there had been a few meetings he had attended since their last meeting. He said the SWAAC committee met and discussed many aspects of alternatives to solid waste, including a particular emphasis on composting. He said the Thomas Jefferson Planning District Commission met, and among the different discussions, there was also discussion about the slate of officers for the future of the Thomas Jefferson Planning District Commission, and he would have an announcement on that after it was official.

Ms. Price thanked Commonwealth's Attorney Jim Hingeley and Joe Platania for the County and City on the work they had done on criminal justice reform. She said she had been a proponent of that and the decriminalization of minor misconduct since coming on the Board. She said for them to be able to be recognized today at the meeting Supervisor McKeel was at as submitting a request to improve the quality of life rather than simply increasing the number of beds was what she believed was a testament to the mindset of this community as expressed through both the Commonwealth's Attorney and the County and the City. She said that they looked towards justice and not punishment or retribution was something they should be proud of.

Ms. McKeel added that Nelson County now had two people that they were using for home incarceration, so they were making process.

Ms. Price said she had nothing further.

Ms. McKeel said she wanted to mention that Jody Saunders was now working with JAUNT. She said Jody sent her an email that said that JAUNT was starting an Alternative Fuel Vehicle Feasibility Study, which she thought was fascinating. She said they were looking for community members to participate in an advisory committee. She said that would include Albemarle, Charlottesville, Buckingham, Fluvanna, Green, Louisa, and Nelson. She said if one were interested to call JAUNT and they could send them in the right direction for that committee work. She said they needed more thinking along those lines in this community for alternative fuels.

Ms. Mallek said about the jail improvements, to have the focus be on not locking people up but actually helping people get skills so they could succeed when they got out and not fall back in the same trap was so important. She said it tied into the workforce work across the Commonwealth to have everyone to try and get the skills to make their life better no matter where they came from. She said it was great work.

Ms. McKeel said it was a testimony to the elected officials. She said all of them had toured the jail, City Council had toured the jail, Nelson County people had toured the jail, and multiple residents from

the community requested toured of the jail.

Ms. Mallek said a few members of the press as well.

Ms. McKeel said yes, a few members of the press.

Mr. Richardson said he had the opportunity to participate in a workforce roundtable. He said it was at the time of the EDA meeting, so he could not attend that meeting yesterday. He said he did go to the chamber, and the president of the chamber, Ms. Cromwell, hosted an event for employers and CEOs in their County of employers of more than 100 employees. He said it was a roundtable discussion about initiatives going on in these organizations, the challenges and stress associated with running an organization, whether it was a business, non-profit, or municipality during challenging times.

Mr. Richardson said he looked forward to opportunities to share with each Board member observations he had made and things he had learned. He said there were 12 employers in the room, and it was an excellent opportunity for him to learn about what was going on with some of the larger employers in the community. He said he appreciated Ms. Cromwell’s leadership in pulling people together and having informal discussions about things that they could possibly collaborate on in the future.

Mr. Richardson said he wanted to publicly thank Allison Wrabel of the Daily Progress. He said in all his years of public service, he had never met a reporter of journalism who had worked as hard or as diligently as Allison Wrabel.

Agenda Item No. 22. Adjourn to May 25, 2022, 8:00 a.m., Lane Auditorium.

At 7:40 p.m., the Board adjourned its meeting to May 25, 2022 at 8:00 a.m. which will be held in Lane Auditorium. Information on how to participate in the meeting will be posted on the Albemarle County website Board of Supervisors home page.

Chair

Approved by Board
Date 03/06/2024
Initials CKB