

A regular meeting of the Board of Supervisors of Albemarle County, Virginia was held on February 4, 2026, at 1:00 p.m. in Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

BOARD MEMBERS PRESENT: Ms. Sally Duncan, Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek (absent for afternoon; arrived at 6:00 p.m.), Mr. Fred Missel, and Mr. Michael Pruitt.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Andy Herrick; Clerk, Claudette Borgersen; and Senior Deputy Clerk, Travis Morris.

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

Mr. Gallaway introduced the following Albemarle County Police Department officers present: Master Police Officer Dana Reeves and Officer Daniel Bonney.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. LaPisto-Kirtley **moved** to adopt the final agenda as presented.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Mr. Missel, Mr. Pruitt, and Ms. Duncan.

NAYS: None.

ABSENT: Ms. Mallek.

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

Ms. LaPisto-Kirtley stated that she recently visited Albemarle High School with Mr. Gallaway, where she was impressed by the school and its students, particularly under the leadership of Principal Barfield. She said that she also attended the Student Senate on January 23 in the auditorium. She said the students were given the chance to allocate \$4 million in any discretionary area they desired. She said that the top two areas of focus were facilities, including the construction of a new high school and renovations, and mental health.

Mr. Gallaway stated that at their previous Board meeting, there were a number of speakers who shared their opinions on the Tenaska power plant application, which was going to be considered by the Fluvanna County Board of Supervisors. He said that the Thomas Jefferson Planning District Commission (TJPDC) hosted a Mayors/Chairs meeting on a quarterly basis and he wanted to inform the public that he passed on those comments and concerns to the Chair of the Fluvanna County Board of Supervisors at that meeting. He said that Mr. Pruitt would likely have the same chance to share the public's opinion on the matter when he attended the Commission meeting later this week.

Agenda Item No. 6. Proclamations and Recognitions.

There were none.

Agenda Item No. 7. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).

Mr. Missel read the rules of procedure for public comment.

Gary Grant, Rio District, stated that at the January 21 public meeting, when the Assessor presented 27 slides, the six Board members were able to request to see some of Mr. Lynch's slides and public records for further examination during the Q&A session; however, the public was not permitted to do so due to the Board's meeting rules. He emphasized that this was not equal and simultaneous access for the public. He said that the Assessor stated that the average Rio District increase for 2026 was 4.5%. He would note that his own increase, however, was 9.6% on his unimproved 48-year-old house and 7 acres of ravines and critical slopes.

Mr. Grant stated that this increase did not yet include the potential tax burden that the Board could add with a tax rate hike. He said that he began the complex process of requesting an assessment review last Friday with a phone call to the Assessor's Office. He said that the Board was aware of this already, as he had previously emailed them about the unfriendly and impatient Assessment Office

employee who took his call. He added that based on his estimated real estate taxes for 2026, but without a tax rate yet included, for every minute he could speak to them during the public comment for the rest of the year, it could cost him at a minimum \$79.64 per minute.

Mr. Grant stated that on a different matter, the County Executive had not yet apologized for the local representative government's security breach that put the public's personal and financial information at risk of being stolen. He said that if Mr. Richardson would not voluntarily apologize for the County's lack of security last June, he believed the Board of Supervisors should vote to make him do so. Additionally, he was looking forward to seeing his Rio Supervisor again at an upcoming budget forum.

Mr. Grant said that hopefully, he would inform him about any changes to snow cone funding that he had promised to make last April 10 at the North Fork Research Park Forum. In fact, he could quote Mr. Gallaway from his notes of that public meeting. Mr. Gallaway had stated, "Come on Gary, I know you read the budget. We'll make that budget change."

Agenda Item No. 8. Consent Agenda.

Ms. LaPisto-Kirtley **moved** to approve the consent agenda as presented.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Mr. Missel, Mr. Pruitt, and Ms. Duncan.

NAYS: None.

ABSENT: Ms. Mallek.

Item No. 8.1. Fiscal Year 2026 Virginia Department of Health (VDH) Local Government Agreement.

The Executive Summary as forwarded to the Board states that Virginia Code § 32.1-31 authorizes local governing bodies to enter into contracts with the Virginia Department of Health (VDH) for the operation of local health departments. It also requires that these contracts specify the services to be provided in addition to those required by law and contain such other provisions as the VDH and the governing body may agree on. The County's contract specifies both the scope and costs for the services to be provided locally.

The Blue Ridge Health District (BRHD), in cooperation with the VDH, is the primary provider of public health services and programs for Albemarle County and surrounding localities. BRHD offers specific health programs targeted at preventing and controlling infectious diseases, as well as initiatives aimed at improving the health of low-income women, children, and infants. In addition, BRHD provides an inspection and monitoring program to ensure the safety of food and private well/septic systems. These services are funded cooperatively by the state, County, and other neighboring jurisdictions. Non-local funding for these BRHD programs is provided by the Commonwealth of Virginia, grants, and fees charged to individual clients. The localities served by BRHD provide matching local funds for the allocations made by the state and allocate resources for Local-Only Programs, such as food safety. The VDH requires that local governments enter into agreements stipulating the scope of health services to be provided by the health districts in their respective jurisdictions. The FY 26 agreement (Attachment A) outlines the respective obligations of the County and VDH.

There is no impact to the FY 26 budget as the funds necessary are included in the current budget.

Based on the vital nature of the services provided by the BRHD, staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the FY 26 Virginia Department of Health (VDH) Local Government Agreement (Attachments A) and to authorize the County Executive to execute the Agreement after it is approved as to form and substance by the County Attorney.

By the above-recorded vote, the Board adopted the Resolution to approve the Fiscal Year 2026 Virginia Department of Health (VDH) Local Government Agreement and to authorize the County Executive to execute the Agreement after it is approved as to form and substance by the County Attorney.

**RESOLUTION TO APPROVE THE FY 26 AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE AND
THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH**

WHEREAS, the Board finds it is in the best interest of the County to enter into Agreement with the Commonwealth of Virginia Department of Health for the operation of the local Blue Ridge Health District Health Department.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Virginia Code §32.1-31, the Board of Supervisors of Albemarle County, Virginia hereby approves the FY 26 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Health and authorizes the County Executive to execute the agreement on behalf of the County after it is approved as to form and substance by the

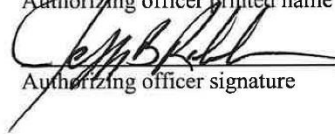
County Attorney.

Electronic Signature Agreement Page

**STATEMENT OF AGREEMENT TO
PROCESS NEEDED SIGNATURES OF
THE VIRGINIA DEPARTMENT OF
HEALTH (VDH) LOCAL
GOVERNMENT AGREEMENT
ELECTRONICALLY**

VDH and The Albemarle County Board of Supervisors agree to use electronic signatures, as authorized in Title 59.1, Chapter 42.1 Uniform Electronic Transactions Act of the Code of Virginia.

Jeffrey B. Richardson, County Executive
Authorizing officer printed name and title


Authorizing officer signature

Dr. Susan Fischer Davis
Chief Deputy Commissioner, Community Health Services
Virginia Department of Health

Dr. Susan Fischer Davis
Authorizing signature

**AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF HEALTH AND
THE ALBEMARLE COUNTY BOARD OF SUPERVISORS FOR FUNDING AND
SERVICES OF THE ALBEMARLE COUNTY HEALTH DEPARTMENT**

This agreement ("Agreement") for the services to be provided by the Albemarle County Health Department and the funding therefore is by and between the Virginia Department of Health ("VDH") and Albemarle County Board of Supervisors (collectively "the Parties").

The Agreement is created in satisfaction of the requirements of § 32.1-31 of the Code of Virginia (1950), as amended, in order to operate the Albemarle County Health Department under the terms of this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements in this Agreement, the sufficiency of which is acknowledged, the Parties agree as follows.

§ 1. VDH, over the course of one fiscal year, will pay an amount not to exceed \$1,119,530.00, from the state general fund to support the cooperative budget in accordance with, and dependent upon, appropriations by the General Assembly, and in like time frame, the Board of Supervisors of Albemarle County will provide by appropriation and in equal quarterly payments a sum of \$915,979.00 local matching funds and \$54,299.00 one-hundred percent local funds for a total of \$970,278.00 local funds for this fiscal year.

FWT

In addition, the Board of Supervisors has approved the Albemarle County Health Department to carry forward \$0.00 in local matching funds for a total of \$915,979.00 matching funds and an additional \$57,496.68 in one-hundred percent local funds from the prior fiscal year closing locality balance.

These joint funds will be distributed in timely installments, as services are rendered in the operation of the Albemarle County Health Department, which shall perform public health services in Albemarle County as indicated in Attachment A(1.), and will perform services required by local ordinances as indicated in Attachment A(2.). Payments from the local government are due on the third Monday of each fiscal quarter.

§ 2. The term of the agreement begins July 1, 2025. This Agreement will be automatically extended on a state fiscal year to year renewal basis under the existing terms and conditions of the Agreement unless timely written notice of termination is provided by either party. Such written notice shall be given at least 60 days prior to the beginning of the fiscal year in which the termination is to be effective.

§ 3. The Commonwealth of Virginia ("Commonwealth") and VDH shall be responsible for providing liability insurance coverage and will provide legal defense for state employees of the local health department for acts or occurrences arising from performance of activities conducted pursuant to state statutes and regulations.

- A. The responsibility of the Commonwealth and VDH to provide liability insurance coverage shall be limited to and governed by the Commonwealth of Virginia Public Liability Risk Management Plan, established under § 2.2-1837 of the Code of Virginia (1950), as amended. Such insurance coverage shall extend to the services specified in Attachments A(1.) and A(2.), unless the locality has opted to provide coverage for the employee under the Public Officials Liability Self-Insurance Plan, established under § 2.2-1839 of the Code of Virginia (1950), as amended, or under a policy procured by the locality.
- B. The Commonwealth and VDH will be responsible for providing legal defense for those acts or occurrences arising from the performance of those services listed in Attachment A(1.), conducted in the performance of this contract, as provided for under the Code of Virginia and as provided for under the terms and conditions of the Commonwealth of Virginia Public Liability Risk Management Plan.

- C. Services listed in Attachment A(2.), any services performed pursuant to a local ordinance, and any services authorized solely by Title 15.2 of the Code of Virginia (1950), as amended, when performed by a state employee, are herewith expressly exempted from any requirements of legal defense or representation by the Attorney General or the Commonwealth. For purposes of assuring the eligibility of a state employee performing such services for liability coverage under the Commonwealth of Virginia Public Liability Risk Management Plan, the Attorney General has approved, pursuant to § 2.2-507 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia Public Liability Risk Management Plan, the legal representation of said employee by the city or county attorney, and, the Board of Supervisors of Albemarle County hereby expressly agrees to provide the legal defense or representation at its sole expense in such cases by its local attorney.
- D. In no event shall the Commonwealth or VDH be responsible for providing legal defense or insurance coverage for local government employees.

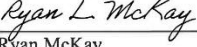
§ 4. Title to equipment purchased with funds appropriated by the local government and transferred to the Commonwealth, either as match for state dollars or as a purchase under appropriated funds expressly allocated to support the activities of the local health department, will be retained by the Commonwealth and will be entered into the Virginia Fixed Asset Accounting and Control System. Local appropriations for equipment to be locally owned and controlled should not be remitted to the Commonwealth, and the local government's procurement procedures shall apply in the purchase. The locality assumes the responsibility to maintain the equipment and all records thereon.

§ 5. This Agreement may only be amended or otherwise modified by an instrument in writing signed by the Parties.




Susan Fischer Davis (Feb 23, 2026 20:45:18 EST)
Chief Deputy Commissioner
Community Health Services
Virginia Department of Health

02/23/2026
Date



Ryan McKay
District Health Director
Blue Ridge Health District

02/23/2026
Date



Local authorizing officer signature
Jeffrey B. Richardson
Authorizing officer printed name

County Executive
Authorizing officer title

2/17/26
Date

Approved as to form by the Office of the Attorney General on July 23, 2018

Attachments: Local Government Agreement, Attachment A(1.)
Local Government Agreement, Attachment A(2.)

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS
 INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT (32.1-11)

For Each Service Provided, Check Block for Highest Income Level Served			
	Income A only	Defined by Federal Regulations	All (specify income level if not ALL)
COLLABORATIVE COMMUNITY HEALTH IMPROVEMENT PROCESS			
Assure that ongoing collaborative community health assessment and strategic health improvement planning processes are established. To include public health, health care systems and community partners. As provided for in §32.1-122.03 Code Link- 32.1-122.03 ; State Health Plan Link Virginia Plan for Well-Being 2016-2020			X
COMMUNICABLE DISEASE SERVICES	Income A only	Defined by Federal Regulations	All (specify income level if not ALL)
Immunization of patients against certain diseases, including Childhood Immunizations As provided for in 32.1-46 Code Link- 32.1-46			X
Sexually transmitted disease screening, diagnosis, treatment, and surveillance 32.1-57, Districts may provide counseling Code Link- 32.1-57			X
Surveillance and investigation of disease 32.1-35 and 32.1-39 Code Links- 32.1-35 , 32.1-39 , 32.1-43			X
HIV/AIDS surveillance, investigation, and sero prevalence survey 32.1-36, 32.1-36.1, 32.1-39 Code Links- 32.1-36 , 32.1-36.1 , 32.1-39			X
Tuberculosis control screening, diagnosis, treatment, and surveillance 32.1-49, 32.1-50.1, and 32.1-54 Code Links- 32.1-49 , 32.1-50 , 32.1-50.1			X
FAMILY PLANNING SERVICES	Income A only	Defined by Federal Regulations	All
Clinic services including drugs and Contraceptive supplies Family Planning Population Research Act of 1970, Title X Code Link- 32.1-77 , 42 U.S.C 300 et seq., and 42 CFR Part 59		X	
Pregnancy testing and counseling Family Planning Population Research Act of 1970, Title X Code Link- 32.1-77 , 42 U.S.C. 300 et seq., and 42 CFR Part 59\		X	

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS
 INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT ([32.1-11](#))

CHILD HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Children Specialty Services; diagnosis, treatment, follow-up, and parent teaching 32.1-77, 32.1-89 and 32.1-90 Code Links- 32.1-77 , 32.1-89 , 32.1-90			X
Screening for genetic traits and inborn errors of metabolism, and provision of dietary supplements Code Links- 32.1-65 , 32.1-67 , 32.1-68			X
Well child care up to age 18 Board of Health Code Link- 32.1-77	X		
WIC : Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link 42 U.S.C. § 1786; 7 C.F.R. Part 26		X	
EPSDT: DMAS MOA Social Security Act section 1905(r) (5) Code Link- 32.1-11			X
Blood lead level testing Code Link- 32.1-46.1 , 32.1-46.2			X
Outreach, Patient and Community Health Education Code Link- 32.1-11 , 32.1-11.3 ,			X
Community Education Code Link- 32.1-11 , 32.1-23			X
Pre-school Physicals for school entry Code Link- 22.1-270			X
Services for Children with Special health care needs Title V, Social Security Act Code Link- 32.1-77			X
Child restraints in motor vehicles Code Link- 46.2-1095 , 46.2-1097			X
Babycare, Child : DMAS MOA			X
MATERNAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Prenatal and post partum care for low risk and intermediate risk women, Title V, Social Security Act Code Link- 32.1-77		X	
Babycare, Maternal : DMAS MOA		X	
WIC: Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link 42 U.S.C §1786 and 7CFR Part 26		X	

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES
 BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS

<p>The following services performed in accordance with the provisions of the Code of Virginia, the regulation of the Board of Health and/or VDH agreements with other state or federal agencies and VDH policies. Data regarding the below services shall be entered in, or exported to, the statewide environmental health database for all available data fields. Local health department staff shall be responsible for responding to all complaints, constituent responses, media inquiries, and Freedom of Information Act request related to the following services.</p>	
<p>Investigation of communicable diseases: Pursuant to §§ 32.1-35 and 32.1-39 of the Code of the Code of Virginia, the local health director and local staff are responsible for investigating any outbreak or unusual occurrence of a preventable disease that the Board of Health requires to be reported. Code Links-32.1-35, 32.1-39</p>	X
<p>Marinas: Pursuant to § 32.1-246 of the Code of Virginia, local health department staff are responsible for permitting marinas and other places where boats are moored and is responsible for inspecting them to ensure that their sanitary fixtures and sewage disposal facilities are in compliance with the Marina Regulations (12VAC5-570-10 et seq.) Code Link-32.1-246</p>	X
<p>Migrant labor camps: Pursuant to §§ 32.1-203-32.1-211 of the Code of Virginia, local health departments are responsible for issuing, denying, suspending and revoking permits to operate migrant labor camps. Local health departments also must inspect migrant labor camps and ensure that the construction, operation and maintenance of such camps are in compliance with the Rules and Regulations Governing Migrant Labor Camps (12VAC5-501-10 et seq.). Code Links-32.1 Chapter 6 Article 6</p>	X
<p>Milk: Pursuant to §§ 3.2-5206, 3.2-5208 of the Code of Virginia and the agency's MOA with VDACS, the local health department is responsible for issuing, denying, suspending and revoking permits for Grade "A" milk processing plants which offer milk and or milk products for sale in Virginia. Local health departments are also responsible for the inspection of Grade "A" milk plants for compliance with the Regulations Governing Grade "A" Milk (2VAC5-490-10). Code Links- 3.2-5206, 3.2-5208</p>	
<p>Alternative discharging sewage systems: Pursuant to § 32.1-164(A) of the Code of Virginia, local health departments are responsible for issuing, denying and revoking construction and operation permits for alternative discharging systems serving individual family dwellings with flows less than or equal to 1,000 gallons per day on a monthly average. Local health departments are also required to conduct regular inspections of alternative discharging systems in order to ensure that their construction and operation are in compliance with the Alternative Discharging Sewage Treatment Regulations for Individual Family Dwellings (12VAC5-640-10 et seq.). Code Link-32.1-164</p>	X
<p>Onsite sewage systems: Pursuant to § 32.1-163 et seq. of the Code of Virginia, local health department staff is responsible for reviewing and processing site evaluations and designs of onsite sewage systems in accordance with applicable state regulations and may perform such evaluations and designs as allowed. Local health department staff is also responsible for issuing, denying and revoking construction and operation permits for conventional and alternative onsite sewage systems. Local health department staff are responsible for assuring that onsite sewage systems are inspected at time of construction for compliance with the Sewage Handling and Disposal Regulations (12VAC5-610-20 et seq.; "SHDR") and the Alternative Onsite Sewage System Regulations (12VAC5-613-10 et seq.; "AOSS Regulations"); local health department staff may perform such inspections as required. Local health department staff is also responsible for assuring the performance, operation, and maintenance of onsite sewage systems are in compliance with the SHDR and AOSS Regulations. Code Link-32.1-163</p>	X
<p>Rabies: Pursuant to § 3.2-6500 et seq. of the Code of Virginia, the local health department is responsible for investigating complaints and reports of suspected rabid animals exposing a person, companion animal, or livestock to rabies. Code Link- 3.2-6500</p>	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS

<p>Restaurants/eating establishments: Pursuant to § 35.1-14 of the Code of Virginia, local health departments are responsible for issuing, denying, renewing, revoking and suspending permits to operate food establishments. In addition, local health departments are required to conduct at least one annual inspection of each food establishment to ensure compliance with the requirements of the Food Regulations (12VAC5-421-10 et seq.). These regulations include requirements and standards for the safe preparation, handling, protection, and preservation of food; the sanitary maintenance and use of equipment and physical facilities; the safe and sanitary supply of water and disposal of waste and employee hygiene standards. Code Link- 35.1-14</p>	X
<p>Hotels/Motels: In accordance with § 35.1-13 of the Code of Virginia, local health department staff is responsible for issuing, denying, revoking and suspending permits to operate hotels. The local health department is responsible for conducting inspections of hotels to ensure compliance with the Hotel Regulations (12VAC5-431-10 et seq.). These regulations include requirements and standards for physical plant sanitation; safe and sanitary housekeeping and maintenance practices; safe and sanitary water supply and sewage disposal and vector and pest control. Code Link-35.1-13</p>	X
<p>Wells: Pursuant to § 32.1-176.4, and the resulting authority provided by the Board, local health departments are responsible for issuing, denying and revoking construction permits and inspection statements for private wells. Local health departments are also responsible for inspecting private wells to ensure that their construction and location are in compliance with the Private Well Regulations. (12VAC5-630-10 et seq.) Code Link-32.1-176.4</p>	X
<p>Homes for adults: The local health department, at the request of the Department of Social Services (DSS), will inspect DSS-permitted homes for adults to evaluate their food safety operations, wastewater disposal and general environmental health conditions. (22VAC40-80-160(B)(3))</p>	X
<p>Juvenile Justice Institutions: Pursuant to § 35.1-23 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of juvenile justice institutions in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-35.1-23</p>	X
<p>Jail inspections: Pursuant to § 53.1-68 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of correction facilities in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-53.1-68</p>	X
<p>Daycare centers: At the request of DSS will inspect DSS-permitted daycare centers to evaluate their food safety operations, wastewater disposal and general environmental health conditions. (22VAC40-80-160(B)(3))</p>	X
<p>Radon Pursuant to § 32.1-229, local health department may assist VDH Central Office with Radon testing and analysis. Code Link-32.1-229.</p>	X
<p>Summer camps/ Campgrounds: Pursuant to §§ 35.1-16 and 35.1-17 of the Code of Virginia and the corresponding regulations, local health departments are responsible for issuing, denying, and revoking permits to operate summer camps and campgrounds. The local health department is responsible for conducting inspections of summer camps and campgrounds not less than annually to ensure that their construction, operation and maintenance are in compliance with the Regulations for Summer Camps (12VAC5-440-10 et seq.) and the Rules and Regulations Governing Campgrounds (12VAC5-450-10 et seq.). Code Links-35.1-16, 35.1-17</p>	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

OTHER PUBLIC HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE ASSURED BY LOCAL HEALTH DEPARTMENTS

The following services performed in accordance with the provisions of the Code of Virginia, the regulations of the Board of Health and/or the policies and procedures of the State Department of Health	
Pre-Admission Screenings (PAS) DMAS MOA Code Link- 32.1-330	X
Comprehensive Services Act Community Policy and Management Teams (CPMT) 2.2-5201-2.2-5211 Code Link- 2.2-5201 , 2.2-5211	X
Interagency Coordinating Council (Infants/Toddlers) Early Intervention Services Code Link- 2.2-5305 , 2.2-5306	X
Vital Records Code Link- 32.1-254 , 32.1-255 , 32.1-272	X
Immunizations for maternity and post-partum patients Code Link- 32.1-11 , 32.1-325 , 54.1-3408 .	X
AIDS Drug Assistance Program (ADAP) Code Link- 32.1-11 ,	X
Emergency Preparedness and Response Code Link- 32.1-42 , 32.1-43 et seq., 32.1-229 .	X
HIV Counseling, Testing and Referral Code Link- 32.1-37.2	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served			
	Income A only	Defined by Federal Regulations	All
COMMUNICABLE DISEASE SERVICES			
Foreign Travel Immunizations			
Other:			
CHILD HEALTH SERVICES			
Disabled disability Waiver Screenings DMAS MOA Code Link-32.1-330Other:			
Other			
MATERNAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Other:			
FAMILY PLANNING SERVICES	Income A only	Defined by Federal Regulations	All
Nutrition Education			
Preventive Health Services			
Pre-Conception Health Care			
Other:			
MEDICAL SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All
Community Education			
Other			

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served

SPECIALTY CLINIC SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All
DENTAL HEALTH SERVICES - Please identify services	Income A only	Defined by Federal Regulations	All

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(2.)

VIRGINIA DEPARTMENT OF HEALTH
 COMMUNITY HEALTH SERVICES

PUBLIC HEALTH ENVIRONMENTAL SERVICES PROVIDED
 UNDER LOCAL ORDINANCE OR CONTRACT

Neither the <i>Code of Virginia</i> nor Regulations of the Board of Health requires the following services to be provided by the local health department	Place an X in this column if service is provided for locality	Local ordinance code cite	Provide a brief description of local ordinance requirements
Water supply sanitation- Inspection of Water Supplies. Code Link- 15.2-2144 on local regulation			
Other Environmental – identify services below			
Smoking Ordinances	X	Albemarle Code §7-307 Charlotteville Code § 24.1-11	Enforcement
Water Supplies and Sewer System	X	Albemarle County Code, Chapter 18, Section 4.1	Enforcement- Establishes minimum area requirements for original and replacement subsurface drain fields that are more restrictive than state regulations require
Location of Onsite Sewage	X	Albemarle County Code, Chapter 18, Section 4.2.4	Enforcement – In support of Section 4.2(Critical Slopes), intent is to discourage onsite sewage systems on slopes of twenty (20) percent or greater
Types of structures, improvements and activities which may be allowed in a stream buffer by program authority	X	Albemarle Country Code, Chapter 17, Section 600	Enforcement – In support of Chapter 17 (Stream Buffers), intent is to provide stream buffers in the development area, water supply protection area and rural area which require sewage disposal systems to be located a minimum of 100 horizontal feet from a perennial or intermittent stream and 200 horizontal feet from the flood plain of any public water supply impoundment. The applicable state regulations require a minimum of 50 horizontal feet.

WHEREAS, because of the likely adverse impacts of the Storm, County Executive Jeffrey B. Richardson, acting in his capacity as the Director of Emergency Management, declared a local emergency on January 24, 2026, pursuant to Virginia Code § 44-146.21; and

NOW THEREFORE, BE IT RESOLVED, the Albemarle County Board of Supervisors hereby confirms the Director of Emergency Management's declaration of a local emergency by this Resolution and pursuant to Virginia Code § 44-146.21(A); and

BE IT FURTHER RESOLVED that, there being no further emergency actions to be taken in response to the Storm, the local emergency is ended.

Item No. 8.3. Transportation Quarterly Report, **was received for information.**

The Executive Summary as forwarded to the Board states that this Executive Summary serves as a cover sheet for the Transportation Planning Quarterly Report covering the months of October 2025-January 2026.

The Transportation Planning Quarterly Report is intended to provide broad updates on all transportation-related projects that impact Albemarle County.

The Quarterly Report does not directly influence the transportation planning budget. Staff will separately prepare presentations/reports on specific items with direct budget impact.

Staff recommend that the Board of Supervisors review the attached Quarterly Report and follow up with staff regarding any questions, comments, or concerns.

Agenda Item No. 9. **Action Item:** 9. Revised Brookhill License Agreements for Improvements on County Property Parcel ID 046B5-00-00-001C0.

The Executive Summary as forwarded to the Board states that the Ashwood Boulevard Connection (future Archer Avenue) was proffered (Attachment A) with the approved ZMA201800011 Brookhill rezoning on July 17, 2019. There have been various other approvals for this project, including a Special Use Permit (SP201500025), Site Plans, Subdivisions, and Water Protection Ordinance applications. This connector road is shown in the Comprehensive Plan and is proposed to provide connectivity parallel to US 29 from Polo Grounds Road to Ashwood Boulevard.

Portions of the proposed roadway connection, grading, stormwater management, and landscaping improvements are to be located on County-owned Parcel ID 046B5-00-00-001C0. On March 20, 2024, the Board of Supervisors authorized the County Executive to sign non-exclusive revocable license agreements to allow installation of the above improvements.

Since March 20, 2024, the developer has proposed modifications to the location of their improvements on the County parcel. The previously issued non-exclusive revocable license agreements must be revised to reflect the modified areas of improvements. Additionally, the developer proposes to assume maintenance responsibility of and to modify the Virginia Department of Transportation (VDOT) stormwater management facility to accommodate the revised improvements and to serve its development, Archer North. Since VDOT's stormwater management facility is located on the County parcel, VDOT requires authorization from the County to discuss with the developer any modifications and maintenance of the facility.

This action is to request that the Board authorize the County Executive to sign three revised revocable license agreements and an authorization letter to VDOT on behalf of the County.

The developer has proposed to amend the road alignment of the Ashwood Boulevard Connection (future Archer Avenue), which changes the location of the license areas on the County-owned parcel. Proposed improvements are shown on the Landscaping Plan (Attachment B) and the revised license areas are shown on the Subdivision Plat (Attachment C).

Additionally, the developer is proposing to modify the existing VDOT stormwater facility located within an easement on the County-owned parcel and assume maintenance responsibilities. The stormwater facility modifications would serve VDOT improvements, a portion of the Archer Avenue roadway and the entire Archer North development (WPO-2025-00039) located on the north side of Ashwood Blvd. These changes would require VDOT to either assign its easement to the developer or release it. These proposed modifications require an amendment to the existing stormwater management facility license area to include the VDOT facility.

All improvements will be bonded by the developer as required by County Code. The County may revoke the revised licenses at any time for any reason, with 60 days' notice. Three separate revised license agreements were drafted to address the revisions to the design plans: grading and roadway, stormwater management, and landscaping.

Revised Non-Exclusive Revocable Grading and Road Construction License (Attachment D): This license grants access to the developer to establish, install, maintain, and repair the roadway improvements, including fill, grading, pavement sections, sidewalks, curb and gutter, drainage pipes and

structures, striping and signage, street trees, and other improvements within the license area. Revisions to the license are required to account for minor realignments of the proposed road. This license would terminate upon VDOT acceptance of the road.

Revised Non-Exclusive Revocable Stormwater Facility License (Attachment E): This license grants access to the developer to establish, install, construct, maintain, and repair all grading, drainage, and stormwater management facilities, including the modification and future maintenance of the VDOT stormwater management basin, pipes, riprap, drainage structures/channels, and other improvements within the license area. Revisions to this license are requested due to substantial increases in the areas where stormwater facilities are proposed and include the area of the VDOT stormwater management facility. VDOT would assign its easement to the developer, and the developer would assume all maintenance responsibility of the VDOT facility. All improvements must be constructed to County and Department of Environmental Quality (DEQ) standards before developer bonds are released. Though revocable, this license is intended to allow the developer (or its successors) to maintain the stormwater management facilities indefinitely.

Revised Non-Exclusive Revocable Landscaping License (Attachment F): This license grants access to the developer to establish and maintain all buffer landscaping within the license area. Revisions to this license are requested due to realignment of the proposed road. Again, though revocable, this license is intended to allow the Brookhill Master Association to install and maintain the landscaping area indefinitely.

In order for the developer to modify and assume maintenance responsibilities of VDOT's stormwater facility on the County parcel, VDOT requires authorization from the County to engage in conversations with the developer (Attachment G).

Staff time associated with this request is already factored into the development plan review process. There is no additional budget impact.

Staff recommends that the Board adopt the attached Resolution (Attachment H) authorizing the County Executive to sign the authorization letter to VDOT and the revised license agreements with the developer to construct and maintain the Ashwood Boulevard Connection and associated.

Frank Pohl, County Engineer, stated that he would present the revised Brookhill License Agreements for improvements on County property in the Brookhill development, which included an additional request related to a stormwater management facility that he would address later in the presentation. He said to provide some background on the project, the Brookhill project to the south had undergone a rezoning with proffers. Additionally, there were site plans, road plans, subdivision, plats, and Water Protection Ordinance (WPO) applications, as well as building permits issued for the Brookhill development.

Mr. Pohl stated that the license agreements had been previously presented to this Board in March 2024. Today, they were here because some of the improvements were moving forward, and the license areas needed to be adjusted. Specifically, Proffer C requires the developer to complete the connection of Archer Avenue to Ashwood Boulevard through County property. To provide some more detail, he would walk them through the different license areas and proposed improvements. On the provided exhibit, with north being to the right, the grading license areas were colored brown, 29 Seminole Trail was on the top side of the photo, Ashwood Boulevard was on the right, Forest Lake South and the Brookhill subdivision were on the left.

Mr. Pohl said that also depicted was the new connector road that would connect to Ashwood Boulevard, stormwater facilities license areas colored in blue, and landscaping was in green. The stormwater facility was expanding to encompass the Virginia Department of Transportation (VDOT) facility, currently under an easement with VDOT and the County. The developers proposed to take over the stormwater facility and modify it to serve both the roadway construction and the Archer North project.

Mr. Pohl said that considering VDOT had an easement on the County property, VDOT had requested that the County provide a letter to allow discussions with the developer to take over maintenance. He said that they would need to modify the basin to increase its size and may need to enter into agreements with VDOT for long-term maintenance. However, the proposal was to transfer all long-term maintenance to the developer, which the County would regulate through the license agreement, and the facility would remain on County property.

Mr. Pohl stated that the three agreements were non-exclusive and revocable. The first license was for grading and road construction for the developer, which would expire once the roads and related improvements were approved by VDOT. The second license was for the stormwater facility license, which would remain in perpetuity, and the third license was for the landscaping agreement, allowing the developer to maintain the buffer and the landscaping. He said that the last item was the authorization letter for VDOT to enter into discussions with the developer regarding the release of VDOT's interest in the stormwater basin.

Mr. Missel asked why these were licenses rather than temporary construction easements.

Andy Herrick, County Attorney stated that he would like to clarify the County's position on this matter. He said that as County-owned property, it was important for the County to maintain control over

this land. He said that granting an easement would imply a permanent, irrevocable right to the property, which they preferred to avoid. By not granting an easement, they could revoke it at any time, should circumstances change. This approach was also more straightforward from a procedural standpoint, as it did not require a public hearing. He summarized that they were giving someone the right to use County property, but the County retained the ability to revoke that right at any time.

Mr. Missel thanked Mr. Herrick for the explanation. He said that easements were often based on the as-built condition, which would eliminate the need for future adjustments. He asked if these had ever been based on an as-built condition, in order to prevent the need to come back and make adjustments.

Mr. Pohl said that these license areas had shown the grading and the design had been sufficient to confirm that the areas were as depicted on the plat; the areas would be platted. He said that he understood that there were no specific drainage pipe easements, so they had attempted to combine those with the right-of-way where one was shown to eliminate that concern. He said that overall, he believed the plans were comprehensive and broad enough to incorporate all required elements.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the resolution attached to the staff report as Attachment H.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Mr. Missel, Mr. Pruitt, and Ms. Duncan.

NAYS: None.

ABSENT: Ms. Mallek.

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO SIGN
A LETTER TO VDOT AND REVOCABLE LICENSE AGREEMENTS FOR CONSTRUCTION OF THE
ASHWOOD BOULEVARD CONNECTION AND ASSOCIATED IMPROVEMENTS WITHIN COUNTY
PROPERTY AS PART OF THE BROOKHILL DEVELOPMENT**

WHEREAS, on March 26, 2024, Albemarle County (the "County") entered into three non-exclusive revocable license agreements with Brookhill Towncenter, LLC (the "developer") to grant access to the developer to make improvements on County-owned parcel 046B5-00-00-001C0 ("parcel 46B5-1C") and

WHEREAS, the developer has proposed to amend the road alignment of the Ashwood Boulevard Connection, which changes the location of the license areas on County-owned parcel 046B5-00-00-001C0, which require revisions to license agreements entered into on March 26, 2024;

WHEREAS, the developer has proposed to modify an existing Virginia Department of Transportation (VDOT) stormwater facility located within an easement on parcel 46B5-1C, and VDOT requires authorization from the County to discuss with the developer such modifications and maintenance of the stormwater facilities.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive to sign a letter to VDOT and non-exclusive revocable license agreements on behalf of the County for construction of the Ashwood Boulevard Connector road and its associated improvements, stormwater management facilities construction and maintenance, and landscaping improvements on County-owned property located in the Brookhill development, once the letter and licenses are approved as to form and substance by the County Attorney.

Agenda Item No. 10. Closed Meeting

At 1:22 p.m., Ms. Duncan **moved** that the Board of Supervisors convene a closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia:

- under subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation: the 5th & Avon Community Advisory Committee, the Albemarle Conservation Easement Authority, the Albemarle County Service Authority, the Fire Prevention Code Appeals Board, the Local Board of Building Code Appeals, the Pantops Community Advisory Committee, the Piedmont Virginia Community College Board, the Planning Commission, and the Social Services Advisory Board;
- under subsection (8), to consult with legal counsel regarding specific legal matters (including the County's role in federal law enforcement) requiring the provision of legal advice by such counsel; and
- under subsection (19), to discuss plans related to the security of the County Office Buildings, and the safety of persons using such buildings.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Mr. Missel, Mr. Pruitt, and Ms. Duncan.
NAYS: None.
ABSENT: Ms. Mallek.

Agenda Item No. 11. Certify Closed Meeting.

At 6:00 p.m., Ms. Duncan **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. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Missel, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Duncan, and Mr. Pruitt.
NAYS: None.
ABSTAIN: Ms. Mallek.

Ms. Mallek arrived at 6:00 p.m. She clarified that she abstained from the certification vote because she was not present for the closed meeting.

Agenda Item No. 12. Boards and Commissions:
a. Vacancies and Appointments.

Mr. Missel **moved** that the Board approve the following to Board and Commission vacancies:

- **Reappoint**, Mr. Jay Fennell to the Albemarle Conservation Easement Authority with said term to expire on December 13, 2028.
- **Appoint**, Ms. Diantha McKeel to the Albemarle County Service Authority as the Jack Jouett District representative, with said term to expire on December 31, 2029.
- **Appoint**, Ms. Natalie Gomez to the Pantops Community Advisory Committee, with said term to expire on June 30, 2027.
- **Reappoint**, Ms. Willie M. Gray to the Social Services Advisory Board as the Samuel Miller District representative with said term to expire on December 31, 2029.

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, Mr. Missel, Mr. Pruitt, and Ms. Duncan.
NAYS: None.

Agenda Item No. 13. From the County Executive: Report on Matters Not Listed on the Agenda.

Jeff Richardson, County Executive, stated that he had a report for the Board this evening and would ask their Deputy County Executive Trevor Henry to lead the presentation. He stated that staff wanted to take an opportunity to share some relevant and pertinent data on the winter storm they experienced over the last 12 days.

Trevor Henry, Deputy County Executive, stated that joining him was Interim Emergency Management Coordinator, Emily Pelliccia. He said that they would provide a briefing on the Winter Storm Fern activities. He said that earlier today, the Board ratified the emergency declaration made by the County Executive, and they had since closed that out today.

Mr. Henry explained that they were here two weeks ago, at the front end of this storm, and he would like to highlight the main phases of emergency management: preparation, the actual event, response, and recovery. He said that they had structured this presentation to touch on these elements and answer any questions the Board may have at the end. If there were questions they could not answer or data they needed to obtain, they would follow up with the Board. He said that Ms. Pelliccia would discuss the elements of preparation and response.

Emily Pelliccia, Deputy Chief of Administration, Community Risk and Resilience, stated that the planning for this event began with the initial reports of the storm front arriving on Tuesday. She said that they closely monitored the storm's progress and made the decision to open an Emergency Operations Center on Friday. Initially, they operated the center virtually on Thursday, and then transitioned to a live, in-person setup over the weekend. The local emergency declaration was issued on January 24, which enabled them to mobilize available resources and facilitate coordination with the Virginia Department of Emergency Management (VDEM).

Ms. Pelliccia said that this declaration also allowed them to access a master dashboard, which provided real-time information on local emergencies and enabled them to connect with other agencies as needed. She continued to explain that starting on Friday, they dispatched teams of homelessness providers, including members of Human Services Alternative Response Team (HART), to conduct street outreach and provide resources to known tent sites and unhoused community members, including People

and Congregations Engaged in Ministry (PACEM) and the Salvation Army. They also secured rooms at local hotels for public safety staff to utilize as needed for anyone stranded in the storm, and pre-positioned resources at Monticello High School to serve as a shelter if required.

Ms. Pelliccia said that given their anticipation of a severe scenario, they were prepared to respond accordingly. She said that the summary provided an overview of the public safety activity, including storm-related calls and the response efforts. She said that in total, they received 84 storm-related calls from the County Police Department, with most being related to disabled and abandoned vehicles. She said that the Fire Rescue team also reported an increase in motor vehicle accidents, injuries, and special rescues, including a notable spike in falls.

Ms. Pelliccia said that they responded to 122 storm-related calls, in addition to their regular operations. She said that it was worth noting that the special rescues depicted on this slide require a significant amount of resources, beyond a typical engine or ambulance response. She said that they necessitated multiple units with specialized equipment and training to establish rope lines and conduct technical rescues, ensuring safe retrieval of individuals in challenging conditions.

Ms. Pelliccia said that unfortunately, their team experienced two separate incidents involving firefighters who sustained non-life-threatening musculoskeletal injuries, requiring rehabilitation. She said that numerous dogs escaped from their owners, and the owners' attempts at retrieving the dogs prompted rescue efforts, which involved extensive rigging to access and rescue individuals safely.

Mr. Henry stated that he would like to add to their discussion regarding the response to the emergency. As they organized their efforts, they had a virtual room open for the Emergency Operating Center. However, it was a collaborative effort across all departments, from the Executive level to Facilities, Parks and Recreation, legal, Fire, and Police, as well as regionally. The Emergency Center connected with the Albemarle County EOC, and the City Emergency Manager had a connection to that as well. This allowed them to manage their response as a County while also having connections to the City and University of Virginia (UVA).

Mr. Henry stated that they had a dedicated multi-agency coordination group that met daily with leadership from the City, County, and UVA, spanning from Friday to Monday. This group focused on forecasts, building conditions, and other factors. He said that he wanted to give a shout-out to their Communication and Public Engagement (CAPE) Department and VDOT's communications team, who did an excellent job of encouraging people to stay off the roads during the event. He said that their calls for service decreased significantly on Saturday night, Sunday, and even into Monday; however, they noticed a spike in calls on Monday, which were largely sled riding accidents due to the icy conditions.

Mr. Henry emphasized that they had great coordination across the community in terms of planning and response. He stated that County staff, Facilities, Parks and Recreation, and others worked tirelessly to keep their priorities in order, including keeping fueling stations, fire stations, and 5th Street open for Fire and Police operations. This effort continued into Monday, when they turned their attention to addressing the 5 inches of ice on County facilities, which ultimately led to closures on Monday and Tuesday. Over the course of a four-day period, they delivered 40 dump-truck loads of snow, which were taken off-site to Darden Towe. This included areas such as Court Square and the County Office Building (COB) at 5th Street.

Mr. Henry said that they had contractors stationed at Rivanna Station to maintain access to the military installation, while they also dumped 5,100 pounds of salt and accumulated nearly 1,200 staff hours to get them ready to open their building on Wednesday. He said that he wanted to share this significant response to this effort. Most of the staff involved were working 12-hour shifts for those four days. He stated that VDOT received a lot of attention during the storm, which was a unique weather event in its complexity and low temperatures. He said that he wanted to highlight some data provided by VDOT this week, which showed that the County had 1,985 secondary road lane miles to cover.

Mr. Henry stated that the County prioritizes cleaning based on the interstate level, national highway system routes, interstate routes, high-service primary routes, and then non-priority, medium-service primary, and secondary routes. The priority three was where they got into the neighborhoods, and those were the less-traveled roads, which he typically referred to as tertiary roads. The Board received a lot of communication about the status of neighborhood snow plowing, and staff had all hands on deck. Every piece of equipment owned by VDOT was deployed, and they worked shift work from Saturday to prepare and treat the roads until now.

Mr. Henry stated that currently, they were still working on clearing some areas. He said that he just wanted to flag this work, which included direct staff, contractors, and calls for additional contract services. There were also complaints about private apartment complexes, which had contracts with snow removal entities that were deployed on VDOT. This storm was particularly stressful; it put a strain on all those resources. He said that he had included a link to the VDOT website, which was a great resource for customer service, including information on road plowing priorities and status. He said that it was a good resource for residents to direct their questions.

Mr. Henry concluded that the storm was very intense, and the low temperatures were the most concerning aspect. He said that they had anticipated more accumulation and were concerned about power outages, but fortunately, they did not occur. He said that they felt fortunate that they were able to manage through it, and they still had cleaning up efforts occurring. He said that some parks remained closed, and he would like to mention a call they received on Sunday night involving six or eight apparatus

responding to a hiker who became stranded at Byrom Park. He said that a technical rescue operation took over three hours to complete for that hiker.

Mr. Henry said that they urged the community to exercise serious caution. He said that temperatures were trending higher, and there was slow melting occurring. Although they were not currently concerned about flooding due to the pace of water and snow melting, they still advised being careful when outdoors.

Mr. Missel asked if there were any lessons learned or takeaways that staff felt would inform their actions when dealing with this type of weather event in the future.

Ms. Pelliccia stated that due to the unique nature of the ice and the prolonged cold temperatures, they had a lot of finer points they had taken note of. She said that they would produce an after-action report with an improvement plan from this experience. She said that whenever they opened an Emergency Operations Center, they strived to capture observations throughout the event to ensure they remained fresh, so they had a system in place for documenting this information in a report.

Ms. Pelliccia said that as a result, she believed they had captured all relevant details and had learned a great deal about ice response. She said it was also worth noting that they may see an increase in ice rescues involving bodies of water, as people continued to venture out onto frozen lakes and ice skate. She said that they had been trying to convey to the public that as temperatures continued to rise, the ice would begin to melt more rapidly. She had heard reports of people ice skating on the James River, which was shocking to her.

Ms. Pelliccia said that by next week, temperatures would no longer drop overnight, and they could expect significant ice melt. She confirmed that they had identified several lessons learned that were important to dealing with these conditions. She said staff had met with the state and National Weather Service (NWS), and they found that some meetings were repetitive, so they were working to streamline these meetings to improve efficiency.

Ms. Duncan said that she wanted to thank staff and VDOT for all their hard work, some of which was going on 24/7 to ensure roads were plowed and the community was safe.

Ms. Mallek said that she was so grateful for the organization and staff effort that had been put in to help people survive during this challenging time. She said that going outside for the past week had been treacherous due to the ice. She said that even when it was 40 degrees outside, one could still slide across the ice because it was so thick. She said that yesterday, she witnessed a group of kids playing hockey on the reservoir, which was a long way from shore and at the confluence of Ivy Creek and the river. Given the reservoir's history of claiming lives, she urged everyone to please refrain from doing that. She said that the combination of sleet on top of powder was a hazardous situation, and she hoped they would not experience that again. She said that as a first-time snow plow driver, she had learned a lot during many hours of trying to get rid of the ice, and this had allowed her to make it to tonight's meeting.

Mr. Pruitt said that he wanted to also thank County staff to make sure that their community stayed relatively safe and secure during the storm.

Ms. LaPisto-Kirtley thanked staff for all they had done. She commended the public for staying off the roads for the most part, and asked what staff attributed this to.

Mr. Henry said that since this was a storm that was tracked across the country, they were made aware of the potential threat with about a week's notice, so there was a lot of public knowledge in advance. He said that County messaging and national messaging reiterated that it would be a severe weather event, so the aggregate resulted in people staying off the roads.

Mr. Gallaway agreed and appreciated the efforts of County staff who were also addressing the street plowing issues on tertiary or some residential roads. He said that one thing he had flagged was that it appeared to be an issue that could be discussed with Ms. Shepherd and the VDOT team to correct. He said that he had previously mentioned this to Mr. Richardson, but it seemed like it was something they could bring up.

Mr. Gallaway said that there were instances where roads were accepted into the VDOT system over the last nine to 12 months, but they had not been updated to be on the plowing schedule. He said that in two of his districts, he found three instances where this was the case. He said that from VDOT's plowing team, it seemed like they did not know they were supposed to plow these roads, but if one checked the website, they appeared to have been accepted and added to the system.

Mr. Gallaway said that it sounded like VDOT did not update this information on a regular basis, but it was surprising that it was not updated in a timely manner, especially with the point-and-click process in place. He said that this was not a criticism of the County staff, but rather something they should communicate to VDOT during their regular transportation meetings. He emphasized that it was essential that they ensured these roads were updated so that if an event like this occurred in the future, they would not be missing people because they did not appear to be in the system yet.

Mr. Henry confirmed that the aftermath of the storm had prompted an after-action review. He said that Deputy County Executive Wall and the Community Development team were conducting an inventory of public roads in comparison to the VDOT system, with the goal of ensuring alignment. He said that this

was a lesson learned directly from the storm.

Mr. Gallaway said that to VDOT's credit, when that issue was brought to their attention, they promptly agreed to get to the road and address the logistics later, deferring the bureaucratic fix for later. He said that he appreciated their responsiveness in addressing the frustration that was building due to timing. He said that he also appreciated the staff, who reached out to some individuals, taking a similar approach to how they handle resident concerns. He said that he was grateful for their efforts. He thanked Mr. Henry and Ms. Pelliccia for the report tonight.

Ms. Mallek said that it was important to think about snow removal, when approvals were given for private streets that were way too narrow for a snow plow and a parked car, it could make it harder for residents who lived there.

Agenda Item No. 14. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).

Mr. Missel read the rules of procedure for public comment.

Alicia Lenahan, Scottsville District, stated that the Board worked in the shadow cast by the Unite the Right rally in August 2017. At the time, the primary goal was to protect the First Amendment rights of white supremacists while hoping to keep the community safe. The epic failure on both counts must inform how they approached their jobs today. She asked what the Board had learned from that world-changing event. She said that the irony was inescapable. Those who perpetrated the trauma of August 11 and August 12 knew exactly what they were doing. They created clear definitions of the detestable other and utilized state power to eliminate the imagined enemy.

Ms. Lenahan said that Unite the Right can look back with satisfaction at the role they played in shaping the national conversation and influencing federal policy. They were actual 21st-century Nazis who took action in the public sphere, shaped the public conversation, and achieved the policy outcomes they desired. The administration assumed that they were insincere in their values and that principles of inclusion and unity were superficial. She asked if the Board would abandon the tenets of any resolution at the first hint of retaliation. She said that since the last Board meeting, Alex Pretti was killed.

Ms. Lenahan said that Robert Reich described it as an execution because he was murdered intentionally, while Bishop William Barber called it a lynching because, as in the Jim Crow era, masked men brutally murdered him in public, celebrated their extrajudicial execution as a moral victory, and then lied about what the victim had actually done. She said that the federal agents sent to L.A., Chicago, Charlotte, Maine, and Minneapolis wore body armor and masks, bearing long guns and sidearms, but their skittishness and brutality were qualities associated with fear, not resolve.

Ms. Lenahan said that it took far more courage to stare down the barrel of a gun when one was armed with only a whistle and a phone than it did to point a gun at an unarmed community member. She asked, when Immigration and Customs Enforcement (ICE) arrived, what would Albemarle write in its history books. When they were confronted with street terror, concentration camps, and mass deportation, what would the Board do.

Ms. Lenahan said that they knew that this paramilitary force had gutted the Fourth Amendment in the secret memo. She asked, when ICE broke into a home without a valid judicial warrant, should residents call the police. If they responded, what would officers do when they were on the scene? Who would they serve and protect. She said that their freedom of speech, right to assemble, and seek redress from the government was being threatened at every turn. ICE agents had killed, seriously injured, and brutalized countless protesters and observers.

Ms. Lenahan asked, when ICE attacked community members who were defending democracy and protecting their neighbors, should they call the police? If they responded, what actions would officers take when they were on the scene. Who would they serve and protect? She said that the public was calling upon the County to stand resolutely against violence instigated by federal law enforcement.

Susan McCulley, Samuel Miller District, said that as a resident of Charlottesville, she was aware that Target was a Minnesota-based company and a major national retailer. She said that what many people may not know is that they were cooperating with ICE agents by allowing them to stage actions in Target parking lots and make arrests of employees and customers in their stores. Last Saturday, in support of Minnesotans who were bearing the brunt of violent and lawless ICE agents, a group of nonviolent activists entered the Charlottesville Target.

Ms. McCulley said that they gathered in the aisle to sing songs of solidarity with Minneapolis and other cities suffering under ICE occupation. They sang for a few minutes, moved to the exit when asked to leave the store, and sang briefly in the bitter late January cold before dispersing to their cars. As the peaceful protesters picked their way across the icy parking lot, five Albemarle County police cars with lights flashing, filled with officers and tactical gear, swung to the entrance of the store. She said that she was surprised at how many officers there were. She said that she did not know who they were there to protect, and that was a problem.

Ms. McCulley said that on Monday, Charlottesville City Council unanimously approved a

resolution regarding recent immigration enforcement actions and reaffirming the City's commitment to civil rights, due process, and community trust. While they had hoped the City would offer more answers and actions, they saw their resolution as a good first step. She said that in the nine months they had been speaking to City Council and this Board, they had been asking for planning, policies, and actions that met the challenges posed by the daily historic injustice they faced. In the same nine months, an unprecedented number of people had died at the hands of ICE.

Ms. McCulley said that countless people had been brutalized and injured, attacked, and abducted by heavily armed, masked federal agents. Virginia now had a Democratic Governor and legislature. Charlottesville was home to the targeted University of Virginia and was the place where Heather Heyer was murdered at the hands of the very people who were now in ICE. They were asking this Board to tell them where they stood regarding this fully funded federal force that was circling their community.

Ms. McCulley asked what their resolution was, what they would do to protect them, how they would direct County employees to interact with ICE agents. She asked what the County Police would do if residents' rights were violated or crimes were committed by federal agents. She said that blue lights flashed in her face as she drove out of the Target parking lot; she had done nothing wrong, she had broken no laws, but she had stood up for her community. She asked if the police were there to serve and protect her, or not. She said that she did not know, and that was a problem.

Agenda Item No. 15. **Public Hearing: ZMA-2025-00011 5546 Three Notch'd Road.**

PROJECT: ZMA-2025-00011 5546 Three Notch'd Road
PARCEL ID: 056A2-01-00-05000
ADDRESS: 5546 Three Notch'd Road

The Executive Summary as forwarded to the Board states that at its meeting on November 25, 2025, the Planning Commission voted 4:0 (Missel, Clayborne, Murray absent) to recommend approval of ZMA-2025-00011 for the reasons listed in the staff report. The Commission's original staff report, action memo, and minutes are attached (Attachments A, B, and C).

During the PC public hearing, staff clarified why this rezoning is requested. The proposed R4 Zoning District will allow attached unit types, where the existing R2 Zoning allows only single family detached. If approved, Habitat For Humanity can construct a duplex on the property.

Staff recommends that the Board adopt the attached Ordinance to approve ZMA-2025-00011 (Attachment D).

Principal Planner Cameron Langille said that tonight he would present the staff recommendation and presentation on ZMA 2025-00011, also known as 5546 Three Notch'd Road. He explained that the subject parcel was located in Crozet, on the north side of Route 240, or Three Notch'd Road. It was approximately 1,000 feet west of the Star Hill Brewery, just down the street. This property measures 0.603 acres and was currently zoned R2 residential. The proposal before them tonight was to upzone it to R4, allowing Habitat for Humanity to build a duplex on the property.

Mr. Langille stated that there were two primary reasons for this request. Firstly, the R2 district does not permit duplexes as an allowable by-right use. Secondly, the parcel's acreage and minimum lot size requirements necessitated a higher density zoning district to enable subdivision and creation of two lots. This property was part of the Crozet Development Area, and the Crozet Master Plan recommended Neighborhood Density Residential, with a maximum of three to six units per acre.

Mr. Langille stated that on the displayed image, the purple color represented the location of a Water Protection Ordinance stream buffer, designated as green systems in the Master Plan. He said that also included was page two of Attachment A3, a conceptual development plan prepared by the applicant to demonstrate the feasibility of building the duplex, subdividing the property, and meeting the minimum lot size requirements while staying outside the stream buffer.

Mr. Langille said that one of the positive aspects of this request was that it aligned with the land use and density recommendations of the Crozet Master Plan. Another positive aspect was that 100% of the proposed units would be affordable, consistent with the County's affordable housing policy. The applicant provided a proffer statement in Attachment A3, which detailed this information. He noted that there was a concern initially raised by staff regarding the affordability period for these dwelling units, which was subsequently addressed by the applicant, and the revised proffer statement was now consistent with Housing Albemarle. He concluded that staff recommended approval of ZMA 2025-00011, as outlined in the staff report. At the November 25, 2025 Planning Commission meeting, the Commission voted 4-0 to recommend approval.

Ms. Duncan commented that they should allow duplexes everywhere and this type of development should not require a rezoning.

Mr. Pruitt asked Mr. Langille if he had any thoughts on the property line between the two units, which would be along the firewall of the duplex. He said that it seemed like a very unique circumstance.

Mr. Langille replied that in a typical townhouse development, there was a firewall between a row

of attached units, often consisting of six or seven townhouses in a single block of buildings. He said that the property line typically ran along the wall, usually on all of them.

Mr. Gallaway opened the public hearing.

Mr. Missel read the rules of procedure for public comment during a public hearing.

Ammy George, Roudabush, Gale & Associates, said that she was representing Habitat for Humanity, the applicant, and Dan Rosensweig was present to answer any questions the Board may have about Habitat and the site or planning and zoning. She explained that this land had been donated to Habitat for Humanity with the intention of providing more affordable housing in the County. She said that this was a hot topic and it was indeed needed for this area. She said that the R4 district allowed for the construction of side-by-side two-family houses, commonly referred to as duplexes, and they had also accommodated the smaller lot size of 10,000 square feet per lot in their concept.

Mr. Gallaway asked if Board members had any questions for the applicant.

Mr. Missel said that he just wanted to confirm the structures would all be outside of the 100-foot WPO buffer.

Ms. George replied yes, completely.

Liz Adam, White Hall District, said that she had served as Pastor of Tabor Presbyterian Church in Crozet and she had lived in Crozet for 19 years. She said that her congregation had long supported Habitat for Humanity. She said that she regularly visited sites and volunteered, with limited skills but a great deal of enthusiasm. She said that they were great at teaching and she had learned a great deal. She said that as a community, they were thrilled about the opportunity to have homeowners in Crozet who would help build their own homes with the Board's approval.

Ms. Adam said that on Monday night, she attended a meeting at Aldersgate Methodist Church, where Habitat staff and homeowners shared their experiences. She said that she was struck by the stories of those who would soon receive a home, and the significant impact that homeownership had had on their lives, including the generational benefits. It was also clear that owning one's home was a key investment in the community. She said that she was in full support of this initiative and hoped the Board would be as well.

Michael Monaco, White Hall District, said that he lived in Crozet, approximately half a mile from the application site. He said that he was here tonight on behalf of himself and others involved with Livable Cville to ask the Board to vote yes on this rezoning. He said that he did not feel the need to extol the virtues of this application any more. They all knew it was a good thing, and it represented a clear win for housing in Crozet. Two affordable homes would provide a tangible benefit to the community.

Mr. Monaco said that while it may seem like a minor change from a bird's-eye view, it was a significant step forward in addressing affordable housing. He was here to emphasize that even one home, one affordable home, made all the difference in the world. Personally, he would not have been able to live in Crozet were it not for the two proffered, affordable homes that were built in his neighborhood. They had been fortunate enough to secure one of those homes about seven years ago, and it had transformed their life. Because of that home, his wife and he had been able to build a joyous community in one place.

Mr. Monaco said that they could ride their bikes down Route 240, to the store, the library, to dinner, and visit friends. They felt incredibly lucky to live in Crozet, and they wanted others to have the same opportunities. He hoped the Board would consider ways to make applications like this less of a rarity in the County. Improving their Zoning Code and review processes could help reduce barriers between homes and those who needed them. For example, allowing duplexes in R2 zoning, as Supervisor Duncan had mentioned, could be a straightforward step forward.

Mr. Monaco stated that he knew that he had neighbors in Crozet who were experiencing homelessness or unstable housing situations, so every home helped. He said that he hoped the Board would vote yes on this clearly good thing, and he looked forward to meeting his new neighbors.

Mr. Missel asked if this item meant the applicant would be pursuing County incentives for affordable housing, such as tax incentives. He said that he was not sure if it applied, but he wanted to clarify that.

Dan Rosensweig, Executive Director of Habitat for Humanity of Greater Charlottesville, said that Habitat would be selling these units to low-income individuals, so they would not be applying for any tax incentives.

Mr. Gallaway closed the public hearing and the matter rested with the Board. He asked if there were any further comments or questions on the application.

Mr. Pruitt said that he would like to make a brief comment regarding the updated discussion on their Land Use Build-out. He said that this was relatively straightforward math to calculate, and it was a quick process. He said that the project represented 56% of the Comprehensive Plan's density, and it was a challenging build-out. He said that it involved infill development, requiring demolition and reconstruction of an existing structure. He said that the applicant had to navigate multiple processes and address

negative feedback at certain stages, ultimately making significant changes. He stated that it was difficult to achieve the 56% build-out. He said that he believed this highlighted the need for this type of development to be more permissible, and it pointed to the continued challenge of prioritizing infill and redevelopment as a key strategy for achieving maximum density in the build-out.

Mr. Gallaway said that regarding a comment from a public speaker, while one or two houses may not seem like much, for the homeownership component of affordable housing, one unit was an immense success. He said that it was very difficult to do that in Albemarle.

Ms. Mallek commented that she had seen firsthand the great benefit of the six houses at Wickam Pond and four units in Old Trail. She said that Habitat and the neighbors had shown remarkable community engagement, with residents gathering around new families, helping them build, and welcoming them into their neighborhood. She said that this was an ideal site due to its proximity to sidewalks, grocery stores, and other amenities that Mr. Monaco had mentioned.

Ms. Mallek **moved** that the Board of Supervisors adopt the Ordinance to approve ZMA-2025-00011 (Attachment D).

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Mr. Missel, Mr. Pruitt, and Ms. Duncan.
NAYS: None.

ORDINANCE NO. 26-18(1)
ZMA 2025-00011

**AN ORDINANCE TO AMEND THE ZONING MAP FOR
PARCEL 056A2-01-00-05000**

WHEREAS, an application ZMA2025-00011 was submitted to rezone parcel 056A2-01-00-05000 from R-2 Residential to R-4 Residential; and

WHEREAS, on November 25, 2025, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2025-00011;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2025-00011 and their attachments, the proffer statement signed January 16, 2026, the information presented at the public hearings, any written comments received, the material and relevant factors in *Virginia Code* § 15.2-2284 and *Albemarle County Code* § 18-33.6, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2025-00011.

Agenda Item No. 16. **Public Hearing SP202400017 – Funk Brothers Furniture.**
PROJECT: SP202400017 Funk Brothers Furniture Gift, Craft, and Antique Shop
PARCEL ID: 079A1-00-0B-02700
ADDRESS: 3756 Richmond Rd.

The Executive Summary as forwarded to the Board stated that at its meeting on November 25, 2025, the Planning Commission (PC) voted 4:0 to recommend approval of SP202400017 with the conditions stated in the staff report. No members of the public spoke at the public hearing.

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

At the PC meeting there was minimal discussion, and no objections made to the special use permit application. The application narrative and conditions of approval have been updated for clarity, but no substantive changes have been made to the application since the PC meeting.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202400017 with the proposed conditions.

Jered Tate, Senior Planner, said that he would be giving staff's presentation for SP202400017 Funk Brothers Furniture, a special use permit (SUP) application for a craft shop use. He explained that the subject parcel, located at 3756 Richmond Road, was approximately 4 1/2 miles east of Pantops and across Route 250 from the Rivanna Village development. It was roughly three acres in size and designated as Rural Areas (RA) within the Comprehensive Plan. He said that the parcel and structure were currently vacant and underutilized. He said that the existing building, formerly a Moose Lodge, was non-conforming in regard to setbacks. He said that zoning of the parcel was Rural Areas, with the majority of surrounding parcels also zoned RA, with a small area of C1 Commercial Zoning to the east along Route 250, and the Neighborhood Model District (NMD) of Rivanna Village.

Mr. Tate stated that Funk Brothers Furniture had operated in Charlottesville for over 15 years and had requested this special use permit in order to move their operations to a larger space within the

County. He said that the request was for a gift, craft, and antique shop, with the focus being on the craft shop use. He said that under their proposal, the existing structures on the parcel would remain and be reused, and they intended to remediate existing infrastructure and add landscape screening along Route 250. No additional structures were proposed, and they planned to use the portion of the building farthest from adjacent properties for their active operations. The existing building was non-conforming as to setbacks in the Rural Area zoning district, with the closest point being approximately 17 feet from the property line.

Mr. Tate stated that, however, the applicant had proposed to repair and maintain an existing screening fence and provide additional landscape buffer within that area. He said that special use permits were evaluated against specific factors outlined in the Zoning Ordinance. He said that staff believed the proposed special use would not be detrimental to adjacent parcels, would not change the character of the nearby area, was in harmony with the Rural Area zoning district, and was consistent with the Comprehensive Plan.

Mr. Tate stated that they had five recommended conditions for this application, including four related to the applicant's proposal and one setting an expiration date for the permit. He said that in summary, staff had identified two positive aspects: the proposal was consistent with the review criteria for special use permits in the Zoning Ordinance, and there were no anticipated detrimental impacts to adjoining properties.

Mr. Tate said that they had also identified one concern: the existing building was non-conforming in regard to setbacks. However, a use buffer and screening would be provided to mitigate this concern. He said that he recommended that the Board adopt the attached Resolution, Attachment D, to approve SP202400017 with the conditions stated in the staff report.

Mr. Gallaway asked if the fifth condition meant that if the use did not get going by February 4, 2031, the permit would expire.

Mr. Tate confirmed that was correct; the permit would expire.

Ms. Mallek asked if that referred to being vested with work being done, rather than having the store open.

Mr. Tate confirmed that was correct.

Mr. Gallaway said that regarding the 17-foot setback, he was wondering if the area in the corner of the lot would be used to drive around the building.

Mr. Tate said that he did not believe that was their intention, but this issue may be better addressed by the applicant. He said that there were other ways to access the rear portion of the parcel.

Mr. Gallaway opened the public hearing.

Mr. Missel read the rules of procedure for public comment during a public hearing.

Mike Funk stated that his brother Dan and he owned Funk Brothers Furniture. He said they had been fixing, repairing, and restoring things for over 40 years together, since they were kids. He said that they worked on a roofing project in their parents' house when Dan was 10 and he was 17. He said that they both liked to fix things, and they were particularly opposed to the idea of living in a throwaway society, where things were discarded without a second thought. In fact, he said that they were taking steps to preserve the building they were moving into.

Mr. Funk said that he did not have much more to add, and Mr. Tate had done a great job of presenting their situation. He said that they had received a lot of community support. He said that they provided a niche service for people who did not have many other options. He said that they repaired and restored items that might otherwise be thrown away, and that brought them joy.

Mr. Gallaway asked if Supervisors had any questions for the applicant.

Ms. Duncan said that when Mr. Funk gave his presentation to the Planning Commission, he mentioned a gap in current regulations concerning artisan manufacturing in Rural Areas. She said that she was wondering if he could elaborate on what he meant by that and why it was an issue.

Mr. Funk said that he believed their former office manager, Connor, had made that comment. He said that their feeling was that it ought to be easier to have a craft shop where items were made in a traditional manner. He said that this was a dying art. He said that their model was based on Chuck Pinnell's shop in Crozet, but other than the Route 29/Rio Road corridor, there were limited other locations in the County that allowed for this type of business, so they would like to see more of that.

Ms. LaPisto-Kirtley asked Mr. Funk where their business was currently located.

Mr. Funk said that they previously had a shop in the City that they just shut down. He said that they were currently doing on-site work at customers' homes.

Ms. LaPisto-Kirtley said that the Board had discussed this issue in general a few years ago, so

she was excited about this new opportunity.

Mr. Gallaway asked about the corner of the building near the setback. He said that it did not look like there were any structures or anything near the property line.

Mr. Funk said that the concept plan may be a bit deceiving, but there was enough room to drive through there. He said that it looked like fire trucks or other vehicles could get all the way around the building, but they did not use that end of the property. They accessed the building from the other end, closer to Moose Lane.

Mr. Gallaway said that because it was already allowing for less of a setback, introduction of activity there could be a concern.

Mr. Funk said that they did not intend to use that space. He said that they would actually be working in the other side of the building, and another user would be occupying that end.

Mr. Gallaway asked if there was plenty of room to maneuver around the building.

Mr. Funk said yes.

Mr. Pruitt said that even with the SUP, they would be in an undesirable situation where County Code was somewhat dictating their business model. He said that there was an in-unit sales requirement out of the venue. He said that he was unsure if the County had an enforcement mechanism for this, but the Code stated that 50% of gross sales must be from the venue.

Mr. Tate confirmed there was a retail component, but he could not recall the exact numbers. He said that the Zoning Ordinance regulated the floor area ratio, not percentage of sales.

Mr. Pruitt said that he was not trying to put them on the spot, but he wanted to illustrate that there was still a frustration with the Code, even with the approval.

Mr. Funk replied that yes and no. He said that a significant portion of their work was service-based, which meant that there was often no retail aspect to the transaction between them and the customer. He said that the items they sold would all be sold through the gift shop. He said that they did not manufacture items for other people to sell.

Mr. Pruitt said that he understood. He said that he was not trying to draw attention to any issue he had with the plan. He said that he was attempting to jog his memory regarding a still extant problem with the Code that may have implications for this use in the future.

Mr. Gallaway closed the public hearing and the matter rested with the Board. He asked if there were any additional comments or questions on this item.

Mr. Missel said that he intended to keep his comments concise. He stated that this was a situation where they were reusing a building, which was obviously the most sustainable option, and this was great. He said that he had attended a community meeting held on July 11, 2024, which was nearly two years ago. He said that it was surprising that it had taken this long to reach this point. However, he believed that this was a great use of the building and an important way for them to support local businesses. He said that he strongly supported this initiative. He also commended the applicants for their efforts in working with the community, including addressing buffer concerns and responding to their comments.

Ms. Duncan said that she believed that they should make it easier for businesses to exist in the rural area. She said that this item highlighted some of the challenges related to zoning regulations.

Ms. Mallek said that she was grateful for that lead, as it had brought to her attention that in the White Hall District, there were at least five residential furniture makers who had been on the Artisan Trail. She said that they should hopefully revive the Artisan Trail, as the state had allowed it to lapse. She said that Monticello, established in 2010, was the first in the state. She said that she had been concerned about the pigeonholing of individuals who created their own items or restored beautiful old wood furniture. She said that the materials she saw in their shop were truly exceptional, beautiful pieces of wood that would be transformed into truly special items for people.

Ms. Mallek said that this was art, not merely making furniture for mass production. She said that there needed to be a different category for items like this, distinct from a manufacturing factory. She said that she hoped they would get there now that the Comprehensive Plan was complete and the Zoning rewrite was on the way. She said that this was crucial. She said that as Mr. Funk had mentioned, Chuck Pinnell's world-renowned leather shop on White Hall Road was a notable example of reuse of a building for an excellent artisan business. She said that she was grateful that the Funk Brothers had made it this far.

Mr. Pruitt said that he believed this issue was not lost on many members of the board, as he had been following it and invested in it since his early days on the Board. He said that his initial attempts to help the project were so misguided that they were now used as a training example for new Board members. He said that Ms. Duncan had been briefed on this as an example of what not to do, as it could sometimes backfire.

Mr. Pruitt said that at the time, he had taken some comfort in thinking that an alternative route through a special use permit might still allow the applicant to achieve their goals faster than a zoning text amendment, even if they accelerated the process. However, it had taken two years, which he had not even realized had passed. He said that he had assumed it had already been approved. This experience highlighted the need to revisit this section of code during their comprehensive zoning refresh, which they were currently undertaking.

Mr. Pruitt said that every single person at the community meeting had consistently emphasized that this type of business activity was desirable in Rural Areas, as it aligned with the rural character and was something people often associated with rural businesses. He said that it was something they wanted to encourage, not discourage. A two-year process was not conducive to encouraging new businesses. He said that to the applicant, he was embarrassed and sorry it had taken this long. As a token of apology, his husband loved antiques, but he personally loved big dogs. They had a 100-year-old buffet and table that were badly scratched. As soon as his dog passed away, he would be coming to them for some business.

Ms. LaPisto-Kirtley said that this issue came up a couple of years ago, and in her opinion, craft shops played a significant role in adding character to their Rural Areas. She said that she hoped that in their revision of ordinances and regulations, they could make it easier for craft shops to operate. Perhaps the Funk Brothers had been the test case, but regardless she thanked them for their patience and understanding. She said that she was really looking forward to this and the community as a whole was, too. She said that supporting craft shops in Rural Areas was essential, so she was very glad to support this item today.

Mr. Pruitt **moved** that the Board of Supervisors approve the Board adopt the attached Resolution (Attachment D) to approve SP202400017 with the proposed conditions.

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, Mr. Missel, Mr. Pruitt, and Ms. Duncan.
NAYS: None.

RESOLUTION TO APPROVE SP202400017 FUNK BROTHERS FURNITURE

WHEREAS, upon consideration of the staff report prepared for SP202400017 Funk Brothers Furniture, the recommendation of the Planning Commission and the information presented at the public hearing on November 25, 2025, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.2.2(36) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP2024000017 Funk Brothers Furniture, subject to the conditions attached hereto.

* * *

SP202400017 FUNK BROTHERS FURNITURE- Conditions

1. The development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the sheet titled, "Funk Brothers Furniture Concept Plan" prepared by Funk Brothers Furniture dated May 21, 2024, last revised August 8, 2025. To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Plan:
 - a. Location of the existing building envelopes; and
 - b. Location of parking and loading space envelopes

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

2. Industrial setbacks in accordance with Section 18-4.20(b) must be established and maintained on parcel.
3. A 30-foot use buffer in accordance with Section 18-26.5(c) must be established and maintained along the shared boundary with TMP 79A1-0B-29. The use buffer area may not be disturbed other than to install screening or landscaping screening.

4. A Certificate of Appropriateness must be obtained for a landscape plan prior to issuance of a Zoning Clearance to commence the gift, craft, and antique shop use. The plan must provide landscaping to offset visual impacts of the use on the Entrance Corridors, consistent with the Entrance Corridor Design Guidelines for landscaping and section 32 of the Zoning Ordinance and must be approved by the Agent. The agent may request any additional details on the plan to address health and safety (ex. Fire emergency access) or other conditions of special use permit approval.
5. The use must commence on or before February 4, 2031, or the permit shall expire and be of no effect.

Agenda Item No. 17. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Missel said that he would briefly report on two meetings that he found particularly interesting. He reported that the first was his inaugural meeting with the Jefferson Area Board on Aging (JABA), and every time he met with that group, he was deeply impressed by the breadth of work they did in the community. He said that as they considered their growing aging population, it was crucial that they focus on providing those services. He said that he encouraged anyone interested in learning more to look into JABA. He said that he was honored to be a part of that organization moving forward.

Mr. Missel said that the second meeting was the Albemarle Broadband Authority, which was held on January 28. He said that he had learned quite a bit about the Virginia Telecommunications Initiative (VATI). He said that there was a brief update on the completion of the final financial review for VATI 2021 with Brightspeed. They also had an update on the ongoing construction for VATI 2022, a project with Firefly, of which he was a beneficiary. He said that he had found Firefly to be excellent to work with. He said that they discussed how Firefly's work would bring the County within 500 locations of its universal access goals.

Mr. Missel said that the recent Broadband Equity, Access, and Development (BEAD) Award to Comcast, and it was expected to help them reach those remaining 500 locations. He noted that Firefly's work was anticipated to be completed before the summer, a lot of the work was scheduled to be completed this spring and early summer.

Ms. Duncan reported that she attended the first meeting of Charlottesville-Albemarle Regional Transit Authority (CARTA) a couple of weeks ago, which Supervisor Pruitt also attended. She said that it included an update from UVA and Jaunt and discussion of their storm preparation. She said that there were no significant updates to share with the Board from that meeting.

Ms. Mallek said that Rivanna Water and Sewer Authority (RWSA) was snowed out last Tuesday, so she apologized for not having any updates to report. However, for those interested in learning more about the \$200 million of capital projects underway for the water and sewer system, there were files, graphics, and other resources available on the RWSA website. She said that if they had any questions, she would be happy to help answer them.

Ms. Mallek stated that the Three Notch'd Trail survey was still live for a few more days, featuring very detailed maps. She said that while the maps were detailed, the routes were not, and there were areas marked with "fat magic markers" that would benefit from input from a wide range of stakeholders, users, neighbors, birders, and others, to better understand the characteristics of the land they were considering.

Ms. Mallek said that she believed it was essential that more people participate in this process, as it would ultimately lead to a better outcome. She also said that she thought they all needed to keep a list of things to keep track of with the Zoning Modernization, including artisan work as they had previously discussed. She said that another example was making duplexes by-right in growth areas with water and sewer infrastructure. She said that however, in Rural Areas with limited space, those duplexes were not feasible.

Ms. Mallek said that they needed to be more granular in their approach to those types of projects. Additionally, she would like to highlight the special permit requirements for preschools expanding their capacity, which could be a significant expense for applicants. She said that they needed to get some details worked out in a better way, so staff had questions they needed on a list and deal with some administratively.

Mr. Pruitt stated that to build on Ms. Mallek's latter point, he knew that staff was keeping track of a lot of those issues, but self-policing in their own discussions was important to ensure they were staying on track. He stated that the two commissions he had been a part of since the previous meeting had already been discussed by other Supervisors, but he would like to briefly touch on CARTA.

Mr. Pruitt said that Charlottesville City Council Member Oschrin had been elected as the new Director and Chair of CARTA, and he had been elected as Vice Chair. He said that he reflected on some of the renewed concerns about the shape of CARTA's work, particularly the fact that their ability to work on CARTA was being held up by the results of a study, which the Board had previously discussed. He said that the communication from staff and other commissioners indicated that they would be carefully reviewing material to assist in making decisions at the end of the study. He said that they would also

receive regular updates on the implementation study.

Ms. Mallek asked if the ownership of the assets was part of the to-do list, as it was essential for the authority to own the assets and operate the facility independently, rather than being a department of one jurisdiction or another. She said that this was a question they had posed in 2002, and she hoped it was still being discussed.

Mr. Pruitt said that he wanted to say that the answer was no, but that was a discussion that could be had once they had a clear understanding of the scope and scale. He said that it would be stated that they needed X dollars to deliver X routes to X people. Then, they could have the conversation about how to organize it, such as contracting services through the City, folding it into a single umbrella, or partnering with X nonprofits and Y nonprofits, and Charlottesville Area Transit (CAT). He said that that was a conversation that could be had once they had a concrete understanding of the dollars and routes involved. He said that once the implementation study was complete, that one of the decisions he was imagining.

Ann Wall, Deputy County Executive, said that the purpose of the prioritization study was to prioritize transit improvements in the near future. She said that the study's focus was short-term, and it may be expanded to include expanded routes, improved frequencies, extended hours of operation, or specific types of transit opportunities such as bus rapid transit.

Ms. Wall clarified that the study's intent was not to examine their organizational structure, asset ownership, or funding allocation. She said that rather, it aimed to identify the transit priorities. As Supervisor Pruitt had mentioned, the next step may be to determine whether CARTA was comfortable with the study's recommendations, and then to explore the opportunity to execute that plan, which may involve securing funding, potentially from the state, or additional partners.

Mr. Pruitt added that the previous study implemented was a governance study, and it did not provide a prescriptive approach, but rather examined the existing governance structure. He said that when they discussed governance, they were primarily concerned with who owned the assets and how they were organized.

Ms. Wall said that the initial purpose of CARTA was to serve as an opportunity to generate additional revenue and improve transit in the community. She said that many of the studies, including the governance study, discussed the implementation of CARTA. She said that the studies, however, did not necessarily address the ownership of those assets. Instead, they focused on revenue generation and expanded transit opportunities in the community.

Ms. LaPisto-Kirtley reported that she recently attended the Pantops Community Advisory Committee meeting, along with Supervisor Pruitt, which was a virtual meeting. She said that it was quite interesting, although they barely had a quorum. She said that the two main topics that required further discussion were Parks and Recreation and data centers. She said that however, the data centers had been put on hold by the County in terms of the larger projects.

Ms. LaPisto-Kirtley stated that she had spoken with the president of Solid Waste Alternatives Advisory Committee (SWAAC), and she would be bringing forward the charter at their next meeting to decide whether they should have two Board members serve as liaisons for that committee. She said that the SWAAC president would be able to weigh in on whether they should have a regular Board member or the RWSA representative. She said that she would bring back the results of this SWAAC discussion at their next Board meeting.

Mr. Gallaway reported that they had a robust turnout of citizens for the Rio CAC related to the rezoning proposal that would impact either side of Carrsbrook Drive, just north of BW3 (Buffalo Wild Wings). He said that they would see how that process unfolded. He said that the Executive Committee of the Regional Housing Partnership met to discuss their strategic plan update, opting to work internally rather than using a consultant like they had in the past.

Mr. Gallaway said that the Executive Committee had been working on this, and they started to hear details about the development of one of UVA's targets for their affordable housing initiative at North Fork. He said that in Phase 1, some positive news began to emerge, particularly with the allocation of 120 units set aside for seniors at 60% of the Area Median Income (AMI) or below. He said that 200 units were planned for the 60% to 80% AMI range in Phase 1.

Mr. Gallaway noted that these numbers were subject to change as they were early on, but they could likely get more details if needed. He said that in Phase 1, the total units were approximately 1,400 in the 60% AMI range. He said that the potential total percentage of units at this AMI level was uncertain, but the fact that they could isolate units for seniors at this AMI level was a positive development. He said that more information would be shared as it became available.

Mr. Missel asked for clarification that the total project was 1,400 units, not just Phase 1.

Mr. Gallaway confirmed that was correct. He said the total project would have 1,400 units.

Ms. Mallek asked if the first ones to be built were near the fire station, at the southwest end.

Mr. Gallaway said that he was not recalling the phasing process as much, but what was clear was

that they were breaking it out in a way that showed progress on the site, particularly in comparison to the RFP process. He said that they now had someone under contract to work on it, and that project was moving forward. In contrast, some of the other projects and areas in the City had encountered roadblocks. He said that he was pleased that this project was making progress.

Ms. Mallek said that she was reading about the Piedmont project and was surprised to learn that it was located within the County, so that would be another 100 or so units.

Ms. LaPisto-Kirtley asked if the affordable units at North Fork were rentals or for-sale units.

Mr. Gallaway said that he did not know yet, but was assuming rentals due to the discussion about AMI. He said that they were still in the process of determining that. He said that there was more to come, and they wanted to continue seeing those percentages and unit numbers increase.

Agenda Item No. 20. Adjourn to February 18, 2026, 3:00 p.m., Lane Auditorium.

At 7:23 p.m., the Board adjourned its meeting to February 18, 2026, 3:00 p.m., Lane Auditorium.

Chair

Approved by Board
Date: 04/15/2026
Initials: CKB