

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on May 3, 2023 at 1:00 p.m. in Lane Auditorium on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

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

ABSENT: None.

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

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m. by the Chair, Ms. Donna Price.

Ms. Price said that Albemarle County Police Officers Angela Jamerson and Dana Reeves were present at the meeting to provide their services.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price stated that for Item #10, there were substantive changes made to Attachment B and Attachment D, and an administrative correction to Attachment C. She said that the corrected documents were uploaded for the public on May 2 and the changes will be discussed during the presentation of the materials during Agenda Item #10.

Ms. Price stated that two items on the Consent Agenda, Item #8.3 and Item #8.4, would be pulled for discussion. She asked if there were any other proposed amendments to the agenda as presented. Seeing none, she opened the floor to a motion by a Supervisor.

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

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

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

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

Ms. Mallek stated that she had questions regarding the County Veterans Services Officers that she hoped to have answered when they had that discussion later on today. She said that the Senator's visit to Southwood was a great event.

She said over the weekend, the VACo (Virginia Association of Counties) Board had its legislative wrap-up, and on the VACo website there was a legislative summary of all the legislature actions. She said that more than 30 study assignments were made to the JLARC (Joint Legislative Audit and Review Commission) and other study groups by bills in the legislature that were all due to come forward in the next session. She said that she could share further information at the end of the day.

Ms. McKeel stated that at 6 p.m. that evening at the Martin Luther King Performing Arts Center at the Charlottesville High School would be the Golden Apple Awards Celebration, which was a recognition of local area teachers who had been nominated for their expertise and professionalism in teaching. She said that the Nunley Family from Better Living had sponsored the award for the last 20 years. She said that unfortunately, she would be unable to attend the recognition, but the event and award recipients could be followed in local newspaper publications. She stated that each recipient was given a \$500 grant for use in their classrooms.

Ms. McKeel stated that the grand opening for the Boys & Girls Club on the Lambs Lane Campus was last Friday, with many members of the public in attendance, it was a great and celebratory event. She said that the Boys & Girls Club would serve 300 students a day at the campus. She said that the National Boys & Girls Club had two representatives in attendance, and everyone was able to tour the building and learn about the program.

Ms. McKeel said that on Saturday at 2:30 p.m., there would be a celebration for the donation the Wright family had given for the Hatton Ferry, after the ferry ran from 10 a.m. to 2 p.m., and all of the public was welcome to attend.

Ms. McKeel stated that last Thursday, at the Center at Belvedere, there was an American Red Cross Celebration of Local Heroes Awards Ceremony. She said that for local Albemarle military heroes,

Colonel Lettie Bien received an award. She said that a senior firefighter, Titus Castens from Albemarle Fire Rescue received the first responders hero award.

Mr. Andrews stated that Batesville Day would be happening all day on Saturday, May 6, and the public was invited to attend. He said that there would be a race in the morning and would extend into the evening with music at the Batesville Market.

Mr. Gallaway stated his thanks to the residents of the Rio District who attended his budget town hall last Tuesday, and he appreciated their feedback and comments.

Ms. LaPisto-Kirtley stated that this Saturday, in Lane Auditorium, the Our Community Salutes event would have 50 high school seniors taking their oath of enlistment for their various military branches.

Ms. LaPisto-Kirtley said that on May 10, she would be holding a community meeting on St. John Road to discuss broadband. She said that representatives from Firefly, Dominion, CVEC (Central Virginia Electric Cooperative), and Brightspeed.

Ms. Price said that last night, she and Supervisor Mallek attended the Commonwealth Transportation Board meeting at the VDOT Culpeper headquarters, where she was pleased to hear that they were embargoing \$229 million of new construction money to help cover the inflation offset for projects already approved. She said that Ms. Jessica Hersh-Ballering from County staff was in attendance and had more information.

Ms. Price said that a few weeks ago, Panorama Natural Burial had their grand opening, which was a great addition to the area.

Ms. Price said that she and Supervisor Mallek also attended the Dogwood Park Vietnam War Memorial 57th Annual Rededication on April 21 that honored the 28 Albemarle County military service members who died in the war.

Ms. Price said that she and Supervisor McKeel attended the grand opening of the Forum Hotel on North Grounds of UVA Campus, and she appreciated Mayor Lloyd Snook notifying the community that the hotel was in the County and not in the City.

Ms. Price said that she was reminded this week of the risks and sacrifices that police officers place themselves in every time they leave their home. She said that this week, there was a traffic pursuit for an individual facing serious criminal charges, and she wanted to express her appreciation to them, and to all first responders who kept them safe.

Ms. Price said that upcoming events included the Our Community Salutes event in Lane Auditorium on Saturday, the Trauma Informed Community Network picnic on Saturday, the Hatton Ferry event on May 6, and the Farm Bureau dinner on Tuesday night. She said that she would be representing the Virginia Council on Women on Monday, May 8, as the winners of the Council's STEAMH (Science, Technology, Engineering, Arts, Math, and Health) essay contest award winners for college scholarships would be recognized.

Ms. Mallek said that on Saturday and Sunday, the Crozet Arts and Crafts Festival would be happening, and would serve as a source of funds for Claudius Crozet Park.

Ms. Price said that Sunday was the Rivanna River Festival.

Agenda Item No. 6. Proclamations and Recognitions.

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

Mr. Gallaway **moved** to adopt the Proclamation Recognizing May as Older Americans Month and read the proclamation aloud.

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

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

NAYS: None.

Proclamation Recognizing May as Older Americans Month

WHEREAS, Albemarle County includes a growing number of older Americans, currently 19.7 percent of the population, who contribute their strength, wisdom, and experience to our community; and

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

WHEREAS, the theme of Older Americans' Month is "Aging Unbound," recognizing the importance of:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community's diversity; and

WHEREAS, Albemarle County recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize May 2023 as Older Americans Month and urge everyone to celebrate our older residents, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

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Ms. Marta Keane, Chief Executive Officer of JABA (Jefferson Area Board for Aging), accepted the proclamation and gave her thanks to Mr. Jeff Richardson, County Executive, and the Board of Supervisors for being supportive of the services provided to older citizens and people with disabilities. She said that she was pleased to represent JABA, but there were many other community organizations who they were lucky to have contribute toward seniors. She said that the Board of Supervisors had always been at the forefront of recognizing that they were a powerful, wonderful, and enjoyable group of population here.

Ms. Mallek said that they were fortunate to have organizations such as JABA to provide services for seniors that otherwise would have to be provided as part of government services.

Ms. McKeel said that JABA was one-of-a-kind in its support of elderly citizens such as herself. She said that the community was lucky to have multiple organizations to do that work, and Ms. Mallek had correctly noted that otherwise the support would have to come from tax dollars and be executed by the government. She said that when organizations worked together in this way, it saved everyone money.

Mr. Andrews expressed his appreciation for JABA and all the organizations who served their senior citizens.

Mr. Gallaway said that it was wonderful and important that there were so many people who personified unbound aging in their community, not needing to look past his colleagues on the Board who showed that when going past traditional boundaries or what they thought of stereotypically and still having the energy and enthusiasm to make the community stronger, he had the utmost respect for those he served with on this Board.

Ms. LaPisto-Kirtley thanked Ms. Keane for the great job she had done at JABA in helping their seniors in need. She said that this was a very caring community, and JABA proved that.

Ms. Price thanked Ms. Keane and said that it had been a pleasure working with her. She said that many organizations allowed them to make the County a better place, and that allowed them to have a force multiplier of funds and reduced the burden on taxpayers, because services were not solely provided through the County. She thanked Ms. Keane for accepting the proclamation today.

Item No. 6.b. Proclamation Recognizing Alpha Kappa Alpha Sorority Incorporated Eta Phi Omega Chapter Day.

Ms. McKeel **moved** to adopt the Proclamation Recognizing Alpha Kappa Alpha Sorority Incorporated Eta Phi Omega Chapter Day.

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

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

PROCLAMATION RECOGNIZING ETA PHI OMEGA CHAPTER DAY

WHEREAS, the local Charlottesville-area chapter of Alpha Kappa Alpha Sorority, Incorporated, Eta Phi Omega Chapter, is one of over 1000 chapters of the Alpha Kappa Alpha Sorority, Incorporated®, which is an international service organization founded on the campus of Howard University in Washington, D.C., in 1908, and is the oldest Greek-letter organization established by African American college-educated women, and which is comprised of more than 355,000 members in graduate and undergraduate chapters in 12 countries, including the United States, Bahamas, Bermuda, Canada, Dubai, Germany, Japan, Liberia, Nigeria, South Korea, South Africa, and the U.S. Virgin Islands, and which is often called “America’s premier Greek-letter organization for African American women.”

WHEREAS, Eta Phi Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated® was established 60 years ago on February 10, 1963, by 13 college-educated ladies in the local area on the principle of service to all mankind; and

WHEREAS, service to all mankind is critical to building a strong community and engaged citizenship, and it is vital that organizations in our community are focused on issues involving economics, education, human rights, social action, political activism, equity, and the environment; and

WHEREAS, initiatives by the Eta Phi Omega Chapter include volunteering at JABA and the Thanksgiving turkey give-away, supporting the local Alzheimer's Association and the American Heart Association, providing snack packs and backpacks for students, organizing coat drives, providing over 2000 pairs of shoes to the Salvation Army, supporting the Alumni Burley School fund, and a host of other philanthropic endeavors in the local community.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize Friday, February 10, 2023, as Eta Phi Omega Chapter Day, which will be celebrated on Saturday, May 6th, and we encourage the citizens of Albemarle County to acknowledge the contributions of Eta Phi Omega Chapter and celebrate this organization for all it has done for the last 60 years in service to Albemarle County and all mankind.

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Ms. Pamela Brown, President of Eta Phi Omega Chapter of Alpha Kappa Alpha Sorority Incorporated in Charlottesville, accepted the proclamation and stated her thanks to the Board of Supervisors for giving the honor and acknowledgment of all that they had done in the last 60 years in the community. She said that Eta Phi Omega Chapter was founded on February 10, 1963. She said that one of their charter members still resided in Charlottesville, and numerous members were Albemarle County residents and workers. She said that the chapter was composed of 45 dynamic and motivated women who lived by their motto of "Service to all mankind."

Ms. Mallek thanked all sorority members for being present today and for all the work they did to enhance the lives of all of their community members.

Ms. McKeel thanked the sorority members for the work that they did for the community residents of all ages.

Mr. Andrews said that there were many ages represented as part of the sorority, and it was apparent that it was a service organization that members belonged to for life. He stated his appreciation for the group's service.

Mr. Gallaway said that he learned a lot about this organization through the proclamation process. He said that he was grateful to all the service that the local chapter was doing in the community and appreciated their attendance today.

Ms. LaPisto-Kirtley said that this service organization did so much to help everyone. She said that it was very inspiring and moving, and she encouraged them to recruit others to continue the work that made such a great difference in their community. She said that they were the basis of their community.

Ms. Price said that in 1963, Dr. Martin Luther King, Jr. gave his famous "I have a dream" speech. She said that these ladies were living the dream, were the dream, and made the dream possible for so many other people. She said that the Sigma Phi chapter of the sorority was at her university, Mercer University in Macon, Georgia and remained a prominent organization there. She thanked Ms. Brown for her work and service to the community.

Item No. 6.c. Proclamation Recognizing May 7-13, 2023, as Public Service Recognition Week.

Ms. Mallek **moved** to adopt the proclamation recognizing May 7-13, 2023, as Public Service Recognition Week.

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

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

Public Service Recognition Week

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

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

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

WHEREAS, over 3,000 Albemarle County Local Government and Schools employees work tirelessly to serve our residents, businesses, and visitors, providing them with outstanding customer service while maintaining careful stewardship of the resources with which they have been entrusted; and

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

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

May 7 through May 13, 2023 as Public Service Recognition Week

and call upon the citizens of Albemarle County to join their fellow citizens across the County to recognize the significant and important contribution that public employees make to our community.

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Ms. Elizabeth Latta-Brother, Organizational Performance Manager, accepted the proclamation and thanked each of the Board of Supervisors members personally for the service they did every day as public servants. She said that on behalf of her committee and on behalf of their employees, they appreciated the support of the Board for the work they did every day. She said that they had a great group of people working on this project since March and were very excited about the opportunity to recognize the hard work of employees through a range of activities next week.

Ms. Latta-Brother said that they would have their employee picnic on Friday, the HR (Human Resources) service awards were on Wednesday, and there were a couple of ongoing items that included peer-to-peer recognitions throughout the week via candy-grams, and were also having card-my-yard signs placed at both County office buildings and at the fire stations throughout the week. She thanked the Board of Supervisors for the proclamation.

Ms. Mallek said that their County government staff included a large number of people, but they also must keep in mind the people who worked in nonprofits and people who worked in federal, state, and regional agencies to connect people with various levels of government. She said that this work would not be possible individually and it took them working together to make this successful. She said that she appreciated everything these public servants did.

Ms. McKeel said that public servants worked very hard on behalf of the public. She said that it was important to recognize the wonderful work that these individuals achieved every day for citizens.

Mr. Andrews said that the County staff did incredible work to ensure that other staff members and elected officials could best perform their duties to serve the public. He said that they were fortunate to have people in the County doing their jobs so well every day.

Mr. Gallaway said that he was in awe of the work that the public servants were able to achieve that led to the greater building of their community. He thanked Ms. Latta-Brother and her committee for their work.

Ms. LaPisto-Kirtley said that she was so thankful for those who chose public service. She said that many constituents had complimented her on their staff's performance, and she had never heard any negative comments. She said that their kindness was appreciated by everyone and impacted the entire community, and she thanked Ms. Latta-Brother for that.

Ms. Price said that County staff had incredible variance in hours of work, and there were many staff responsible for ensuring the many Board meetings and County events operated smoothly. She said that Albemarle County staff had been some of the best staff she had ever worked with in her 44 years of working with public servants.

Mr. Jeff Richardson, County Executive, asked if the committee members could introduce themselves to the Board.

Ms. Price said that was appropriate.

Ms. Kenise Marshall stated that she was a member of the Performance and Strategic Planning Department.

Ms. Aki Parker stated that she was a member of the Communications and Public Engagement Office.

Ms. Aleese Eatmon stated that she was a member of the County Executive's Office.

Ms. Cheryl Skeen stated that she was a member of the County Executive's Office.

Ms. India Paige stated that she was a member of the HR Department as an HR Associate.

Ms. Khalilah Jones stated that she was a member of the Communications and Public Engagement Office.

Ms. Mitzi Hammer stated that she was a member of the County Executive's Office working with the Performance and Strategic Planning Department.

Item No. 6.d. Proclamation Recognizing Our Community Salutes.

Ms. Price **moved** to adopt the proclamation recognizing Our Community Salutes.

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

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

**PROCLAMATION
OUR COMMUNITY SALUTES**

WHEREAS, serving the citizens, community, and the United States of America as a member of a military service is one of our country's highest callings; and

WHEREAS, serving in the military requires the demonstration of positive attributes such as commitment, integrity, dedication, sacrifice, and patriotism; and

WHEREAS, serving in the military enables individuals to learn lifelong professional and personal skills and to develop expertise that is beneficial to the community and society at large; and

WHEREAS, each year young men and women of our community, with hopeful reassurance from their families, enlist into the Army, Marine Corps, Navy, Air Force, Coast Guard, and the respective Reserve and National Guard forces.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, celebrate, salute, and support those graduating seniors and other young men and women who have chosen to enter military service; and

BE IT FURTHER PROCLAIMED that we, the Albemarle County Board of Supervisors, express our gratitude to such young recruits for their future service to our great nation.

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Retired Colonel Lettie J. Bien, USA, Defense Affairs Program Manager, accepted the proclamation and thanked the Board of Supervisors. She invited all Supervisors and the public to attend Saturday's event at 10 a.m. She thanked all the people and organizations that just accepted proclamations for the work they do for veterans in the County. She said that the County had been an amazing partner in all of the work they had done lately with regard to the defense and military sectors in the County. She said that they were proud to have the Supervisors' support, and this proclamation was a small token of everything the Board had done and hoped to continue to do more great work.

Ms. Mallek said that her own father had been unable to serve in the military, but she was thankful to have the good fortune of representing so many people who had served in the military. She said that it was amazing what these individuals were able to share with their neighbors and family, and the experience that had allowed them to operate in the civilian world in a way that helped everyone do their jobs better.

Ms. Mallek said that the NACo (National Association of Counties) Military and Veterans' Affairs Committee was one of the more emotional ones that she served on because they were always trying to work with Congress to get better funding for VA (Veterans Affairs) services and bringing it to the local area. She said that she would be working with County staff and Ms. Bien's agency to do Operation Greenlight in Albemarle County this December, which would bring focus to their service members and all that they did for them.

Ms. McKeel thanked Ms. Bien for her work and making this event possible in the community. She said that graduations also included recognition of graduates who would be joining the military. She said that she looked forward to Saturday's event, as well as an item on the agenda to be discussed later that will make it clear how important the defense department was to their community.

Mr. Andrews said that his father had served in World War II and became the first of his family to attend college due to the creation of the G.I. Bill. He said that he appreciated being able to celebrate all those who were a part of the military with this proclamation, and thanked Ms. Bien.

Mr. Gallaway said that it was a great privilege to be a Board member to recognize students at the graduations each year and those who had made the choice to enter an armed service. He said that that call to duty without knowing exactly what they would be called on to do was profound, and he was grateful

to those young people.

Ms. LaPisto-Kirtley said that she saluted those who chose to protect their democracy and their Country. She said that it had been great to know Ms. Bien for the past three years and she looked forward to their future work together. She said that she had many members of her family who had served in the military, and she appreciated all that they had to do.

Ms. Price thanked Ms. Bien for being in attendance and said she looked forward to seeing her again on Saturday. She said that her family had served in the military throughout their time in the United States, beginning with their initial immigration in the 1800s, in conflicts from the Civil War up to her son's service in the Marine Corps.

Ms. Price said that they honored all those in attendance who may be veterans. She said that it was not only the service members who served, but the families of those people as well, and those who worked with the military worked as contractors or as members of the federal government to provide them services. She thanked Ms. Bien for being present and giving the Board the opportunity to recognize those who had served the country in this capacity.

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

Mr. Peter Krebs stated that he was representing the Piedmont Environmental Council (PEC), which protected rural lands and advocated for dense, livable areas that were walkable and bikeable with everyday access to nature. He said that he was excited to share a high-priority project that was finally coming into view. He said that the 5th Street Trail Hub project would create a shared use path connecting a 5th Street Starbucks, 5th Street Station Parkway at the carwash, 5th Street Station, with a large trailhead. He said that besides a major grocery store, the trailhead would serve an outdoor shop, a gym, and numerous restaurants and retail establishments.

Mr. Krebs said that the business community was firmly behind this project, and the PEC was as well. He said that all of this would be undertaken to ensure that it was a shared use path for everyone that was durable and ADA (Americans with Disabilities Act) -compliant. He said that in addition to the local connections, this keystone project would unlock many exciting possibilities, including a separate Albemarle County trail that would connect to the nearby neighborhoods and Biscuit Run Park, the Moores Creek Greenway, which was now just one parcel away from connecting Azalea Park, Sunset Avenue, and Frye Spring, as well as the continuation of the Moores Creek Greenway northbound toward Jordan Park and downtown.

Mr. Krebs said that there was potential for a gateway park area along 5th Street where people could park and ride, hike, or bike. He said that this had been in the works for quite some time, with publication by Mr. Sean Tubbs as early as 2016. He said that since then, they had come a long way in prioritizing the urban area and working closely with the City, UVA, and VDOT. He said that this project would be a large local improvement and was highly strategic for the area, which was why it had been prioritized.

Mr. Krebs said that there would be a public meeting tonight at the 5th Street County Office Building from 5 p.m. to 7 p.m., and it was important that residents of Charlottesville and Albemarle showed up in support. He said that more information could be found on the County's and VDOT's websites. He said that he hoped to see the Supervisors there tonight and thanked the Board for their service.

Ms. Maisie McGrane, a senior from Monticello High School and accompanied by Ms. Tina Cooper, said that for their community action project, they were speaking in support and to express how much they cared about the environment sustainability.

Ms. Tina Cooper said that Mr. Tim Padalino informed them of basic policies already in place in Albemarle County and the sustainable landscape policy that was currently being drafted across multiple departments but not yet passed. She said that as young people in the County, it was important to them to keep the landscape they enjoyed resilient and healthy, especially with the effects of climate change and urbanization. She said that they greatly supported the development of the policy, which would allow the native plants in the area to flourish and support the natural ecosystems.

Ms. McGrane said that additionally, they noticed how much maintenance went into mowing the lawns at the schools, and they thought it might be worth considering implementing no-mow zones on school campuses in areas that were not needed for recreational activity. She said that this would allow natural plants to grow untouched by people, allowing native species and other wildlife to live without being bothered, and saving the County money on fuel for mowing so much area.

Ms. McGrane said that they would love to come back to the County and see that it was still beautiful when they returned from college. She said that Albemarle County was beautiful as it was, and they should do their best to sustain what they had there. She said that as young people, they would be experiencing the more adverse effects of climate change that had yet to happen, and this was very important to them. She thanked the Board for their time and hoped they considered the suggestions they made today.

Mr. Pablo Miller, White Hall District, thanked the previous speakers. He said that he appreciated the work of public servants such as the Supervisors. He said that the magnitude of the Board of Supervisors' responsibilities was not commensurate with what was being paid to them. He said that last week, he was struck by the information that public education required 54% of their budget, and even that money was insufficient to keep up with the demands of population growth, one of the factors necessitating the recent increase in real estate assessments.

Mr. Miller said that he shared the concerns expressed by the students about keeping Albemarle County beautiful. He said that one of the Board's responsibilities was creating and maintaining the Albemarle County Code of Ordinances, and in the Chapter 14 subdivision of land, the purposes stated that providing residential areas with healthy surroundings for family life by ensuring that land was divided and developed in a manner that was harmonious with surrounding lands. He said that part E stated to ensure all improvements in this chapter would be designed, constructed, and maintained so as not to become an undue burden on the community, which made him think of schools.

Mr. Miller continued that as established, standards for lot development that were specific to and most appropriate for the lands within the development and rural areas of the County, which he maintained what made Albemarle County beautiful. He said that he was concerned about the 2021 Crozet Master Plan future land use typologies, which may or may not meet the standards of the purposes stated above.

Mr. Miller said that somewhere, there must be policy declaring the circumstances that necessitate the dramatic density increases listed in that master plan, but they were unable to find them. He asked if it would be possible for the Board of Supervisors to show where that information could be found, and what would necessitate that the future increase in densities in Crozet given the school system and beauty of Albemarle County. He asked if there was a source of information that would allow him to find that information and where it was specified.

Ms. Mallek said that she would forward the relevant information to Mr. Miller.

Agenda Item No. 8. Consent Agenda.

Ms. Price stated that items #8.3 and #8.4 were pulled for discussion, and that the floor was open for a motion.

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

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

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

Item No. 8.1. Approval of Minutes: May 19, and July 7, 2021.

Ms. Price had read the minutes of May 19, 2021 and found them to be in order.

Mr. Gallaway had read the minutes of July 7, 2021, and found them to be in order.

By the above-recorded vote, the Board approved the minutes of May 19, and July 7, 2021.

Item No. 8.2. Fiscal Year 2023 Appropriations.

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

The total change to the Fiscal Year 2023 (FY 23) budget due to the appropriations itemized in Attachment A is \$88,783. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

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

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

Appropriation #2023042

Sources:	State Revenue	\$44,000
	Economic Development Authority (EDA) Fund (currently appropriated)	\$24,000
Uses:	Charlottesville Albemarle Convention & Visitors Bureau (CACVB) Virginia	\$20,000
	Tourism Corporation (VTC) DRIVE Outdoor Grant	\$48,000
	Economic Development Authority (EDA) Governor’s Agriculture & Forestry	
	Industries Development Fund Infrastructure Grant (AFID Grant)	

Net Change to Appropriated Budget: \$44,000

Description: This request is to appropriate the following grants to the following entities where the County services as fiscal agent:

- Charlottesville Albemarle Convention and Visitors Bureau: \$20,000 in State revenue for the Virginia Tourism Corporation (VTC) DRIVE Outdoor Grant for the improvement to the Outdoor Recreation product in Charlottesville and Albemarle County. Funding will be used for the James River Public Access Improvement project including temporary structures and amenities.
- Economic Development Authority (EDA): \$24,000 in State revenue for the Governor’s Agriculture & Forestry Industries Development Fund Infrastructure Grant (AFID Grant) and a \$24,000 match in currently appropriated funds from the Economic Development Authority (EDA) to Kelly Turkey’s USA, LLC. The purpose of this passthrough grant is to support the expansion of an existing primary business in Albemarle County through the investment in agricultural processing equipment.

Appropriation #2023043

Sources:	Local Revenue	\$44,783
Uses:	Opioid Direct Settlement Fund	\$44,783

Net Change to Appropriated Budget: \$44,783

Description: This request is to appropriate \$44,783 in local revenue from the National Opioid Settlement. This amount includes \$23,991 from the Distributors Payment, \$11,760 from the Jansen/J&J settlement, and \$9,032 from the Mallinckrodt settlement. The revenue will be used to support opioid abatement programs as set forward by the Virginia Opioid Abatement Authority.

Appropriation #2023044

Sources:	Proffer Funds’ Fund Balance	\$ 130,559
	Capital Funds’ Fund Balance	(54,785)
	Housing Fund’s Fund balance	(75,774)
Uses:	None in FY 23	\$0
Net Change to Appropriated Budget:		\$0

Description:

This request is to appropriate \$130,559 from Proffer Funds’ fund balances for the following uses.

- \$54,785 to the Capital Budget in support of Crozet Elementary School Addition/Renovation. There is a corresponding reduction in the planned use of fund balance of this fund in FY 23. This reduction in the planned use of fund balance is programmed to support the Proposed FY 24 – 28 Capital Improvements Program.
- \$75,774 to the Housing Fund. There is a corresponding reduction in the planned use of fund balance of this fund in FY 23. The balance of the Housing Fund remaining at the end of FY 23 will be recommended to be re- appropriated to FY 24.

Appropriation #2023045

Sources:	Reserve for Contingencies	\$100,000
Uses:	Executive Leadership	\$100,000

Net Change to Appropriated Budget: **\$0**

Description:
This request is to appropriate \$100,000 from the Reserve for Contingencies to the County Executive’s Office to provide funding for the biennial Community Survey. After pausing during the pandemic, the County would like to resume this best practice for quality government service.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2023 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2023042; #2023043; #2023044; and #2023045 are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2023.

* * *

APP#	Account String	Description	Amount
2023042	3-4610-73000-324000-240500-9999	SA2023042 APP2023042 VTC Drive Scottsville	\$20,000.00
2023042	4-4610-73000-481000-593000-9999	SA2023042 APP2023042 VTC Drive Scottsville	\$20,000.00
2023042	4-4700-91095-493000-930200-9999	SA2023042 APP2023042 AFID Kellys Turkeys	\$24,000.00
2023042	3-4701-91095-324000-240219-9999	SA2023042 APP2023042 AFID Kellys Turkeys	\$24,000.00
2023042	3-4701-91095-351000-512000-9999	SA2023042 APP2023042 AFID Kellys Turkeys	\$24,000.00
2023042	4-4701-91095-491095-593000-9999	SA2023042 APP2023042 AFID Kellys Turkeys	\$48,000.00
2023042	4-4700-91095-491095-950031-9999	SA2023042 APP2023042 AFID Kellys Turkeys	-\$24,000.00
2023043	3-5811-99000-318001-189941-9999	SA2023043 Janssen	\$11,760.00
2023043	3-5811-99000-318001-189942-9999	SA2023043 Mallinckrodt	\$9,032.00
2023043	3-5811-99000-318001-189940-9999	SA2023043 Distributor	\$23,991.00
2023043	4-5811-99000-499000-999999-9999	SA2023043 Contingency	\$44,783.00
2023044	4-8585-93010-493010-930004-9999	SA2023044 SA2023045 Proffers to Crozet ES	\$16,910.00
2023044	3-8585-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Crozet ES	\$16,910.00
2023044	4-8537-93010-493010-930004-9999	SA2023044 SA2023045 Proffers to Crozet ES	\$37,875.00
2023044	3-8537-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Crozet ES	\$37,875.00
2023044	3-9000-69000-352000-510100-9000	SA2023044 SA2023045 Proffers to Crozet ES	-\$54,785.00
2023044	3-9000-69000-351000-512100-9000	SA2023044 SA2023045 Proffers to Crozet ES	\$16,910.00
2023044	3-9000-69000-351000-512054-9000	SA2023044 SA2023045 Proffers to Crozet ES	\$37,875.00
2023044	4-8536-99000-493010-930239-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$9,000.00
2023044	3-8536-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$9,000.00
2023044	4-8573-99000-493010-930239-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$61,444.00
2023044	3-8573-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$61,444.00
2023044	4-8574-99000-493010-930239-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$5,330.00
2023044	3-8574-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$5,330.00
2023044	3-5801-99000-352000-510100-9999	SA2023044 SA2023045 Proffers to Housing Fund	-\$75,774.00
2023044	3-5801-99000-351000-512068-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$9,000.00
2023044	3-5801-99000-351000-512095-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$61,444.00
2023044	3-5801-99000-351000-512096-9999	SA2023044 SA2023045 Proffers to Housing Fund	\$5,330.00
2023045	4-1000-12100-412000-345700-9999	SA2023045 Community Survey	\$100,000.00
2023045	4-1000-94000-499000-999990-9999	SA2023045 Community Survey	-\$100,000.00

Item No. 8.5. Plank Road Truck Restriction Study.

The Executive Summary as forwarded to the Board states that the state of repair of the existing Plank Road bridge over Mechum’s River (just north of the intersection with Craigs Store Road) limits the weight of vehicles using the bridge to no more than 17 tons. The Virginia Department of Transportation (VDOT) has proposed improving the bridge using maintenance funds. These improvements would increase the weight limit allowed on the bridge. Residents have expressed concern that the weight limit

change would result in increased use and larger truck traffic routing through Batesville. Given the condition and typical use of Plank Road, residents consider this additional truck traffic to be a safety concern. Furthermore, residents have inquired about possible traffic calming interventions along Plank Road to further improve safety in the area.

In the "County of Albemarle and VDOT 'Through Truck Restriction' Process" adopted December 2000 (Attachment A), the County and VDOT staff outline the process for assessing and approving through truck restrictions. The steps that County and VDOT staff have taken to this point and described above in the "Background" constitute the Neighborhood Request & Supporting Documentation phase of the project. County and VDOT staff have reviewed the requests and preliminary information related to transportation on Plank Road. Based on the VDOT "Guidelines for Considering Requests to Restrict Through Trucks on Primary and Secondary Highways" (Attachment B), this request appears reasonably feasible to qualify for a restriction. The next step in this process involves the completion of a detailed assessment of the potential through truck restriction. Staff recommends that the Board adopt a resolution (Attachment C) requesting that VDOT complete this detailed assessment. This action would be consistent with step six, as outlined in Attachment A.

County staff would share the results of the detailed assessment with the Board of Supervisors at a future meeting and public hearing, in which the Board would determine whether to approve or deny a through truck restriction request. If approved, the Board would adopt a Resolution formalizing the through truck traffic restriction request to the Commonwealth Transportation Board.

Furthermore, staff recommends that the Board adopt a resolution (Attachment D) requesting that VDOT complete a speed study of Plank Road between Dick Woods Road and Heartwood Road as a preliminary step to determine whether traffic calming interventions are warranted.

Other than staff time, there are no anticipated budget impacts.

Staff recommends that the Board of Supervisors adopt the attached resolution (Attachment C) to request that VDOT complete a detailed assessment of the appropriateness of a Through Truck Restriction on Plank Road between US 29/Monacan Trail Road and US 250/Rockfish Gap Turnpike.

Furthermore, staff recommends that the Board request a VDOT speed study of Plank Road as a preliminary step to determine whether traffic calming interventions are warranted.

By the above-recorded vote, the Board adopted a resolution to request a VDOT speed study of Plank Road as a preliminary step to determine whether traffic calming interventions are warranted:

RESOLUTION TO REQUEST ASSESSMENT OF PLANK ROAD FOR A THROUGH TRUCK RESTRICTION

WHEREAS, Virginia Code § 46.2-809 provides that a locality may formally request that the Commonwealth Transportation Board or its designee restrict through trucks on certain segments of primary and secondary routes in the limited number of cases where doing so would promote the health, safety and welfare of the public without creating an undue hardship on any transportation users; and

WHEREAS, this restriction would apply to any truck or truck and trailer or semi-trailer combination, except a pickup truck or panel truck; and

WHEREAS, requests have been received by residents along and near Plank Road in Albemarle County for an evaluation into the applicability of Through-Truck Restrictions on the road.

NOW, THEREFORE BE IT RESOLVED that the Albemarle County Board of Supervisors hereby requests that prior to any public hearings on whether to request a through-truck traffic restriction on Plank Road between US 29/Monacan Trail Road and US 250/Rockfish Gap Turnpike, the Virginia Department of Transportation (VDOT) complete a detailed assessment of such a restriction.

Item No. 8.6. Schedule a Public Hearing for an Ordinance to Amend County Code Chapter 2, Administration, to Increase the Compensation of the Board of Supervisors.

By the above-recorded vote, the Board adopted an ordinance to Amend County Code Chapter 2, Administration, to increase the compensation of the Board of Supervisors:

ORDINANCE NO. 23-20

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

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

By Amending:

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

Chapter 2. Administration Article 2. Board of Supervisors

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

The Board of Supervisors' compensation is as follows:

- A. *Salary.* The salary of each member is 19,803 per year, effective July 1, 2023.
- B. *Stipend for the chairman.* In addition to the salary, the chairman shall receive an annual stipend of \$1,800.
- C. *Stipend for the vice-chairman.* In addition to the salary, the vice-chairman shall receive a stipend of \$600.00 per year.

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

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

Item No. 8.7. Resolution Appointing Interim Director of Human Resources.

By the above-recorded vote, the Board adopted a resolution appointing an Interim Director of Human Resources:

**RESOLUTION APPOINTING THE
INTERIM DIRECTOR OF HUMAN RESOURCES**

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia ("Board"), that Jessica Rice is hereby appointed the Interim Director of Human Resources ("Interim Director") for the County of Albemarle, Virginia effective retroactively to April 10, 2023, pursuant to Virginia Code § 15.2-512; and

BE IT FURTHER RESOLVED that, during the term of Rice's appointment, she shall have all those powers and duties of a Director of Human Resources set forth in the Code of Virginia (1950), as amended, those powers and duties delegated or imposed by the Albemarle County Code and by duly adopted motions, resolutions, or ordinances of the Board, and those powers and duties as otherwise provided by general law; and

BE IT FURTHER RESOLVED that during the term of Rice's appointment she shall continue to perform her duties as Deputy Director of Human Resources ("Deputy Director") to the extent practicable; and

BE IT FURTHER RESOLVED that Rice's annual salary during the term of her appointment shall be her current salary as Deputy Director plus ten percent (10%), subject to any cost-of-living or market adjustment increase provided to County employees generally; and

BE IT FURTHER RESOLVED that Rice shall serve as Interim Director under the supervision of the County Executive and at the pleasure of the Board; and

BE IT FURTHER RESOLVED that, except as otherwise provided in this resolution, Rice is entitled to all other rights and benefits that she would receive as Deputy Director; and

BE IT FURTHER RESOLVED that the term of Rice's appointment shall not extend beyond the effective date of the appointment of a new permanent full-time Director of Human Resources or a different Interim Director; and

BE IT FURTHER RESOLVED that, upon the expiration of the term of Rice's appointment, her resignation as Interim Director, or her removal as Interim Director by the Board, Rice may return full-time to her position as Deputy Director unless she has committed an act that would warrant her termination from County employment.

Item No. 8.8. Resolution Appointing Interim Director of Finance/Chief Financial Officer.

By the above-recorded vote, the Board adopted a resolution appointing an Interim Director

of Finance/Chief Financial Officer:

**RESOLUTION APPOINTING THE
DIRECTOR OF FINANCE/INTERIM CHIEF FINANCIAL OFFICER**

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia ("Board"), that Jacob Sumner is hereby appointed the Interim Director of Finance/Chief Financial Officer ("Interim Director") for the County of Albemarle, Virginia effective May 8, 2023, pursuant to Virginia Code § 15.2-512; and

BE IT FURTHER RESOLVED that, during the term of Sumner's appointment, he shall have all those powers and duties of a Director of Finance or Chief Financial Officer set forth in Virginia Code §§ 15.2-519 through 525, and in other sections of the Code of Virginia (1950), as amended, those powers and duties delegated or imposed by the Albemarle County Code and by duly adopted motions, resolutions, or ordinances of the Board, and those powers and duties as otherwise provided by general law, except to the extent that the Board has designated other persons to perform specific tasks including, but not limited to, assessing property for taxation and acting as the County's purchasing agent; and

BE IT FURTHER RESOLVED that during the term of Sumner's appointment he shall continue to perform his duties as Assistant Chief Financial Officer for Policy and Partnerships ("Assistant CFO") to the extent practicable; and

BE IT FURTHER RESOLVED that Sumner's annual salary during the term of his appointment shall be his current salary as Assistant CFO plus ten percent (10%), subject to any cost-of-living or market adjustment increase provided to County employees generally; and

BE IT FURTHER RESOLVED that Sumner shall serve as Interim Director under the supervision of the County Executive and at the pleasure of the Board; and

BE IT FURTHER RESOLVED that, except as otherwise provided in this resolution, Sumner is entitled to all other rights and benefits that he would receive as Assistant CFO; and

BE IT FURTHER RESOLVED that the term of Sumner's appointment shall not extend beyond the effective date of the appointment of a new permanent full-time Director of Finance/Chief Financial Officer or a different Interim Director; and

BE IT FURTHER RESOLVED that, upon the expiration of the term of Sumner's appointment, his resignation as Interim Director, or his removal as Interim Director by the Board, Sumner may return full-time to his position as Assistant CFO unless he has committed an act that would warrant his termination from County employment.

Item No. 8.3. Cooperative Agreements for Competitive Opioid Abatement Authority Grants.

The Executive Summary as forwarded to the Board states that in 2017, several high-profile lawsuits filed against the pharmaceutical companies manufacturing and distributing opioids were consolidated into one Federal case, which was negotiated on behalf of all participating states, including Virginia. Anticipating significant financial distributions from pharmaceutical companies, the Virginia General Assembly established the Opioid Abatement Authority in 2021, Chapter 21, Article 12 of the Virginia State Code. The Opioid Abatement Authority was created 'as an independent body [whose] purpose is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Fund, in the forms of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth'.

Funds from the consolidated settlement will be distributed directly to localities from the affected companies, through the Opioid Abatement Authority as direct allocation and through a competitive one-year grant, which may be renewed for up to five years. The Opioid Abatement Authority's initial grant-making cycle opens May 5, 2023. Funds may be used to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic. Eligible applicants must work in collaboration with at least one other locality and the local community service board as defined by a cooperative agreement.

Each cooperative agreement entered into by localities for the purposes of applying for Opioid Abatement Authority funding must be specifically approved by the Board of Supervisors. Staff seek approval for the County Executive to sign, on behalf of the county, two cooperative agreements for the initial funding cycle of the Opioid Abatement Authority.

The first represents an agreement between Nelson County, Louisa County, Albemarle County and Region Ten, at a minimum, to support the expansion of the Region Ten emergency response system with expanded community outreach capacity, a reception center for individuals experiencing a behavioral health crisis, and an expansion of the Crisis Intervention Training Assessment Center. Albemarle County will serve as the fiscal agent for this cooperative agreement.

The second represents an agreement between Albemarle County, City of Charlottesville, and Virginia Supportive Housing to support behavioral health services at the new permanent supportive housing program to be built at Premier Circle. Albemarle County may serve as the fiscal agent for this

cooperative agreement. Both the expansion of the emergency service response system at Region Ten and the supportive services component of Virginia Supportive Housing's Premier Circle project are consistent with the Opioid Abatement Authority's funding guidelines and with Albemarle County's strategic interests in the human services arena.

A sample cooperative agreement is attached as demonstration (Attachment A).

There is no impact to the budget in approving the cooperative agreements for the purpose of making application to the Opioid Abatement Authority for funds though, if awarded, the county will serve fiscal agent. Should the County be awarded either one or both grants, staff will return to the Board to request supplemental budget appropriation.

Staff recommend that the Board authorize the County Executive (a) on behalf of the County to execute and deliver two cooperative agreements in connection with grants from the Opioid Abatement Authority to the County, in form and substance acceptable to the County Executive and the County Attorney, and (b) to cause the County to perform in accordance with the terms of such cooperative agreements, including execution and delivery of such other documents as are contemplated by the cooperative agreements, also in form and substance acceptable to the County Executive and County Attorney.

* * * * *

Ms. McKeel said that she was supportive of the items. She said that Item #8.3 referenced the Opioid Abatement Authority Grant. She asked if Ms. Kaki Dimock could explain the grant and how it would be used.

Ms. Kaki Dimock, Director of Social Services, stated that this item was the work of many months of creating cooperative agreements with Region Ten, Nelson County, Louisa County, and potentially the City of Charlottesville, to apply for competitive funding from the Opioid Abatement Authority. She said that the Opioid Abatement Authority was created to funnel the proceeds of the many settlements against pharmaceutical companies around the use of opioids. She said that the County signed onto the state's recipient pool of these funds to provide opioid abatement writ large.

Ms. Dimock stated that this would allow for them to expand community outreach efforts so that there were opportunities for people to engage with the behavioral health system before there was a crisis and to expand the crisis receiving center at Region Ten, allowing for 23-hour beds and expansion of their CTAC (Community Treatment and Care) service. She said that they were receiving direct allocations from the Opioid Abatement Authority that were currently going to support the HARTS (Human Services Alternative Response Team) team and their activities, and for Narcan training for police and fire personnel. She said that this particular cooperative agreement was going after larger competitive pool of funds.

Ms. McKeel thanked Ms. Dimock for her answer. She also noted that there would be a new permanent supportive housing program at Premier Circle.

Ms. Dimock said yes. She said that there were services available connected to Virginia Supportive Housing as the developer and would provide the physical location for people to live, but the services were not automatically built in, so this was an opportunity to seek funding from the Opioid Abatement Authority to provide ongoing supportive services at that location for people who would eventually move into that permanent supportive housing.

Ms. McKeel asked if there was anything further that the Board could do.

Ms. Dimock said that they just needed positive thoughts.

Ms. McKeel said that the Board would be interested in any help that they could provide.

Ms. Dimock said that they were excited about partnering with Region Ten and Virginia Supportive Housing, which were very well-regarded organizations providing a strong best-practices response for opioid abatement directly related to use and misuse and for the general improvement of the behavioral health system.

Ms. McKeel clarified that Region Ten was the community service board.

Ms. Dimock said that was correct. She said that Region Ten was a required component of any cooperative agreement, and the Opioid Abatement Authority required that two localities and the community service board at a minimum collaborate with any potential proposal to use the opioid abatement competitive pool.

Ms. Mallek asked if critical care beds would be increased.

Ms. Dimock said yes. She said that this just provided a greater period of time, 23 hours or more, for people to respond and identify any potential community-based resources and support to avoid hospital stays or jail.

Ms. Mallek asked if there would be a building addition or only a change in hours.

Ms. Dimock said that only the hours would be changing. She said that some renovation of existing space would be required, but no actual building.

Mr. Andrews wished Ms. Dimock luck in receiving the grant.

Ms. Price said the floor was open for a motion.

Ms. McKeel **moved** that the Board approve Item No. 8.3. Cooperative Agreements for Competitive Opioid Abatement Authority Grants

Ms. Mallek **seconded** the motion.

In further discussion, Ms. Mallek asked if a letter of support for the grant from the Board was necessary before leaving the topic.

Ms. Dimock said that the Board’s agreement was seen as that support. She said that the County was applying for the grant and was serving as fiscal agent.

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

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

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Virginia Opioid Abatement Authority Cooperative Agreement

WHEREAS, the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA operates a financial assistance program to support certain cooperative partnerships of cities and/or counties in Virginia that implement regional efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids; and

WHEREAS, the cities and/or counties listed below have committed to work together to develop and jointly submit an application for regional cooperative partnership funding from the OAA; and



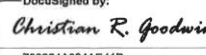
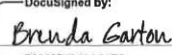
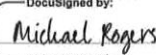
WHEREAS, at least two of the cities and/or counties listed below are located within the same region of the Department of Behavioral Health and Developmental Services; and

WHEREAS, the cities and/or counties and other organizations listed below agree they will execute a legally binding agreement formalizing the cooperating partnership if the application for financial assistance is approved; and

WHEREAS, the cities and/or counties and other organizations listed below agree that Albemarle County will serve as the fiscal agent for the cooperative partnership if it is awarded; and

WHEREAS, the cities and/or counties and other organizations listed below seek a total of **\$1,711,325** in grant funding from the OAA for Fiscal Year 2024.

NOW, THEREFORE, BE IT RESOLVED, the cities and/or counties and other organizations listed below hereby authorize Albemarle County to execute all documents in connection therewith.

Name of City, County, or Organization	Printed Name of Authorized Signor	Title of Authorized Signor	Signature
Albemarle County	Doug Walker	Albemarle Deputy County Executive	
Nelson County	Candice McGarry	Nelson County Administrator	<div>DocuSigned by:  BB84686ED8B14F1...</div>
Louisa County	Christian Goodwin	Louisa County Administrator	<div>DocuSigned by:  738984A934AE41B...</div>
Greene County	Brenda Garton	Greene County Administrator	<div>DocuSigned by:  76042F184AA84E8...</div>
City of Charlottesville	Michael C. Rogers	City Manager	<div>DocuSigned by:  787B85868A8F458...</div>
Fluvanna County	Eric. M Dahl	Fluvanna County Administrator	

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Operational Agreement for Cooperative Partnerships for Opioid Abatement Authority Awards

This Operational Agreement for Cooperative Partnerships for Opioid Abatement Authority Awards ("Agreement") is entered into on the 27th day of September, 2023, by the County of Albemarle, County of Nelson, County of Fluvanna, County of Greene, County of Louisa, the City of Charlottesville, and Region Ten Community Services Board (the "Partners").

WHEREAS, the Partners developed and jointly submitted an application for cooperative partnership funding from the Virginia Opioid Abatement Authority (OAA), CITAC Expansion and Crisis Response, which includes the following objectives:

CITAC Expansion and Crisis Response:

- Provide support, assessment and response to people who are experiencing a psychiatric emergency in a respectful, confidential setting.
- For the CITAC Expansion, RTCSB will provide emergency assessment for psychiatric hospitalization and work to obtain law enforcement transfer of custody for people who are under an Emergency Custody Order (ECO) and in need of an assessment for inpatient psychiatric hospitalization. RTCSB will also provide information, education, and resources to everyone who is served to abate the opioid epidemic through prevention efforts and provide evidence-based and evidence-informed treatment and connect people who have SUD concerns to longer term treatment.
- For the Crisis Response 23-hour bed program, RTCSB will provide programming for situations where a person appears to be actively under the influence of substances and/or at risk for harm to self or others but does not require admission to an inpatient setting. This program will include harm reduction activities such as providing access to Rapid REVIVE overdose prevention training, as well as distribution of Narcan and fentanyl test strips.

WHEREAS, the OAA approved the Partners' application for this cooperative partnership project; and

WHEREAS, the Partners now intend to formalize the Cooperative Partnership;

NOW THEREFORE, the Partners hereto do mutually agree as follows:

1. TERM

The Term of this Agreement shall begin on the date on which this Agreement has been executed and finalized by the Partners and shall remain in full force and effect until June 30, 2024. Should the OAA renew the award for the Cooperative Partnership for fiscal year 2025, this Agreement shall automatically renew on July 1, 2024 for an additional one-year term. Automatic renewals shall continue on an annual basis with each OAA award renewal until June 30, 2028, unless or until the Partners agree not to request a renewal of the award, or the OAA declines to renew the award.

2. FISCAL AGENT

The Partners agree that County of Albemarle shall serve as the fiscal agent for the Cooperative Partnership. The fiscal agent shall receive and manage all funding awarded by the OAA directly to the Cooperative Partnership. The Partners agree to transmit to the fiscal agent all portions of their direct distributions of funds from the settlement administrator and/or individual distributions awarded by the OAA that have been pledged to the Cooperative Partnership, and the fiscal agency shall receive and manage those funds as well. The fiscal agent shall be responsible for assuring proper fiscal management of and accounting for all grant money awarded to the Cooperative Partnership. The fiscal agent shall also be responsible for submitting all reports required by the OAA, including but not limited to, financial reports, performance reports, budget amendments, and grant closeout final reports, on behalf of the Cooperative Partnership.

3. USE OF GRANT FUNDS

The Partners agree that all funds distributed to the Cooperative Partnership from the OAA shall only be used in compliance with Virginia Code § 2.2-2370 and any guidance

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issued by the OAA regarding the foregoing. The Partners also agree that all funds distributed to the Cooperative Partnership from the OAA shall only be used in compliance with the Virginia Opioid Abatement Authority Grant Awards Terms and Conditions for Awards to Cooperative Projects Involving Multiple Cities and/or Counties. Additionally, the Partners agree that the primary mission of the Cooperative Partnership shall not conflict with the OAA's mission as it is defined in Virginia Code § 2.2-2366.

Specifically, the Partners agree that all funds awarded to the Cooperative Partnership from the OAA shall be used only for expenses related to the objectives listed on page 1 of this Agreement. All funds awarded to the Cooperative Partnership shall be used only for direct costs that can be specifically identified and attributed to the Cooperative Project and/or the Cooperative Project's measurable activities.

4. STANDARDS OF PARTNERSHIP EFFORTS

The Partners agree that they shall collaborate to establish policies, guidelines, and standards for implementation of any and all parts of the Cooperative Partnership. Such policies, guidelines, and standards shall be documented and revised by agreement of the Partners as necessary. The Partners further agree to follow all policies, guidelines, and standards established by the Cooperative Partnership when undertaking any action related to or to implement any and all parts of the Cooperative Partnership.

5. BUDGET FOR COOPERATIVE PARTNERSHIP

The Partners agree that no purchase or expenditure made by a participating locality in furtherance of the Cooperative Partnership shall exceed the budget and revenue matches outlined in the Partners' cooperative partnership application, which is included herein as Exhibit 1. Should the budget or revenue matches for the Cooperative

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Partnership be modified or amended through future renewal applications to the OAA, such modified or amended budget and revenue matches shall control.

The Partners agree to present any proposed budget or revenue match modification or amendment to the fiscal agent. No modification or amendment shall be made to the Cooperative Partnership's proposed budget or revenue matches without full agreement of the participating localities.

6. STAFFING

The Partners agree that other individuals may be hired and employed as part of the Cooperative Partnership by any of the participating jurisdictions, as outlined in Exhibit

1. The Partners shall collaborate to develop written hiring criteria and performance standards for each job position developed as part of the Collaborative Partnership, which shall be adhered to by the Partners in their hiring, supervision, and evaluation of any employee. The Partners shall be solely responsible for the actions of their respective employees.

Requests for reimbursement or payment of any salary, benefits, or other expenses related to the hiring and employment of individuals as part of the Cooperative Partnership from the funds distributed by the OAA shall be submitted to the fiscal agent. Only those staffing positions and their related expenses outlined in Exhibit 1 shall be eligible for reimbursement or payment from funding awarded for the Cooperative Partnership. Such requests for reimbursement shall not exceed the budgeted agreement as outlined in Exhibit 1. The fiscal agent in collaboration with the Partners, shall determine the necessary documentation that must be submitted in support of any reimbursement request. Whether any request for reimbursement or payment is a direct

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cost and therefore reimbursable under the terms of the OAA grant shall be determined by the fiscal agent. Only those positions outlined in Exhibit 1 shall be eligible.

7. PURCHASES

The Partnership agrees that any jurisdiction participating in the Cooperative Partnership may make purchases in furtherance or in relation to the Cooperative Partnership, including, but not limited to, personnel costs. Requests for reimbursement or payment of such purchases from the funds distributed by the OAA shall be submitted to the fiscal agent within thirty (30) days. Only those purchases that fall within the described expenses in Exhibit 1 shall be eligible for reimbursement or payment from funding awarded for the Cooperative Partnership. Such requests for reimbursement shall not exceed the budgeted agreement as outlined in Exhibit 1. The fiscal agent, in collaboration with the Partnership, shall determine the necessary documentation that must be submitted in support of any reimbursement request. Whether any request for reimbursement or payment is a direct cost and therefore reimbursable under the terms of the OAA grant shall be determined by the fiscal agent.

The Partnership shall agree in advance to the use of a competitive grant or bid process for purchasing any goods or services in furtherance of the Cooperative Partnership. Should the Partnership agree to the use of a competitive grant or bid process, the fiscal agent shall be responsible for pursuing such process on behalf of the Partnership and shall ensure that any procurement contract is consistent with the procurement standards set forth in the Virginia Public Procurement Act, Virginia Code § 2.2-4300 *et seq.*

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8. REPORTING

The Partnership agrees to provide all performance data, financial data, and any other data and information related to the Cooperative Partnership at the request of the fiscal agent in furtherance of its reporting obligations for the Cooperative Partnership. Should a Partner fail to provide any data or information requested, the fiscal agent reserves the right to withhold payment of any reimbursement requests for costs or expenditures made in furtherance of the Cooperative Partnership until such information is provided.

9. AUDITS

The Partnership shall maintain full and accurate records with respect to all matters covered under this Agreement and any terms or conditions imposed by the OAA in relation to the Cooperative Partnership. Upon reasonable notice in writing, the fiscal agent, or a representative thereof, shall have the right to inspect and audit each Partner's records, and each Partner shall provide the fiscal agent access to all its records which relate directly or indirectly to this Agreement and the Cooperative Partnership at each Partner's place of business during regular business hours. The Partnership agrees to retain all records pertaining to this Agreement and the Cooperative Partnership and shall make them available to the fiscal agent upon request for five (5) complete calendar years following expiration of this Agreement. The Partnership agrees to provide such assistance as may be necessary to facilitate the fiscal agent's inspection or audit to ensure compliance with applicable standards.

If an inspection or audit pursuant to this section discloses that services provided or purchases made by a Partner were not consistent with the objectives of the Cooperative Partnership, not in compliance with Virginia Code § 2.2-2370 and any guidance issued by

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the OAA, or not in compliance with the terms and conditions of this Agreement, the Partner shall refund any reimbursement received for any such services or purchases within thirty (30) days of the fiscal agent's request. If the Partner disagrees with the fiscal agent's determination, the Partner may request in writing reconsideration by all Partners to the Cooperative Partnership within thirty (30) days of the fiscal agent's decision.

10. COMPLIANCE WITH LAW AND POLICY

The Partnership shall at all times comply with all applicable laws, rules, regulations, and ordinances. Each Partner shall work within its jurisdiction's policies and mandates. Nothing contained in this Agreement shall supersede the statutes, rules, employer policies, and regulations that govern each Partner. To the extent that any provision of this Agreement is inconsistent with any such statute, rule, employer policy, or regulation, the statute, rule, employer policy, or regulation shall prevail.

11. WAIVER

The failure of any Partner to enforce any of the provisions of this Agreement, or any rights with respect hereto, will in no way be considered a waiver of such provisions or rights, and in no way will it affect the validity of this Agreement. The failure of any Partner to enforce any of such provisions or rights will not prejudice such Partner from later enforcing or exercising the same or any other provisions or rights which it may have under this Agreement.

12. INSURANCE/RISK MANAGEMENT

The Partnership agrees that they each shall be responsible for maintaining all insurance policies from and after the date on which this Agreement is finalized that are

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necessary to provide sufficient coverage for their employees and property related to the Cooperative Partnership. The Partnership further agrees that they each shall be responsible for their own risk management of their employees and property related to the Cooperative Partnership.

13. ENFORCEMENT

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia, without reference to its conflict of law provisions. Exclusive jurisdiction and venue for any litigation arising out of or involving this Agreement shall be in the Circuit Court of County of Albemarle.

14. NOTIFICATION

All notices required by this Agreement shall be directed to the following for each Partner:

Albemarle County		Nelson County	
Name:	Kaki Dimock	Name:	Candice McGarry
Title:	Chief Human Services Officer	Title:	Nelson County Administrator
Address:	1600 Fifth Street, Charlottesville, VA 22902	Address:	P.O. Box 336 Lovington, VA 22949
Phone:	434-971-4011 ext. 3177	Phone:	434-263-7000
Email:	kdimock@albemarle.org	Email:	CMcgarry@nelsoncounty.org
Louisa County		Greene County	
Name:	Christian Goodwin	Name:	Cathy Schafrik
Title:	Louisa County Administrator	Title:	Greene County Administrator
Address:	1 Woolfolk Avenue, Ste 301, Louisa, VA 23093	Address:	40 Celt Road, Stanardsville, VA 22973
Phone:	540-967-3400	Phone:	434-985-5293
Email:	cgoodwin@louisa.org	Email:	cschafrik@gcva.us
City of Charlottesville		Fluvanna County	
Name:	Samuel Sanders	Name:	Eric M. Dahl
Title:	City Manager	Title:	Fluvanna County Administrator
Address:	605 E. Main St, Charlottesville VA, 22902	Address:	132 Main St, Palmyra, VA 22963
Phone:	434-970-3101	Phone:	434-591-1910 ext. 1058

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Email:	sanderss@charlottesville.gov	Email:	edahl@fluvannacounty.org
	Region Ten Community Services Board		
Name:	Lisa Beitz		
Title:	Executive Director		
Address:	500 Old Lynchburg Road, Charlottesville VA 22902		
Phone:	434-972-1800		
Email:	Lisa.Beitz@regionten.org		

15. TRANSFER AND ASSIGNMENT

The Partnership shall not, voluntarily or involuntarily, by operation of law or otherwise, transfer or assign this Agreement or any rights hereunder.

16. COUNTERPARTS

This Agreement may be executed in one or more counterparts each of which shall be deemed an original but all of which together shall constitute one and the same instrument. Signed signature pages may be transmitted as an attachment to an email, and any such signature shall have the same legal effect as an original.

17. ENTIRE AGREEMENT

The terms of this Agreement constitute the entire agreement of the Partnership relating to the subject matter hereof. All prior negotiations, representations and agreements relating to the subject matter hereof between the Partnership are merged herein. This Agreement may be modified or amended only by written instrument executed by all Partnership.

This Agreement is not intended to amend any existing contracts or other agreements between the Partnership.

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IN WITNESS WHEREOF, the Partnership has executed this Agreement effective as of the date
of execution.

CITY/COUNTY NAME,
VIRGINIA

By: Albemarle County

Name: Jeffrey Richardson

Title: Albemarle County Administrator *Executive*

Date: *12/12/23*

Signature: *[Signature]*

CITY/COUNTY NAME,
VIRGINIA

By: Louisa County

Name: Christian Goodwin

Title: Louisa County Administrator

Date: 11/8/2023

Signature: *[Signature]*
DocuSigned by: Christian R. Goodwin
739994A934AE41B

CITY/COUNTY NAME,
VIRGINIA

By: Fluvanna County

Name: Eric M. Dahl

Title: Fluvanna County Administrator

Date: 11/17/2023

Signature: *[Signature]*
DocuSigned by: Eric Dahl
52D5A700FE634432
County Attorney Signature: *[Signature]*
DocuSigned by: Dan Whitten
DBC136F6C382436

CITY/COUNTY NAME,
VIRGINIA

By: Nelson County

Name: Candice McGarry

Title: Nelson County Administrator

Date: 11/8/2023

Signature: *[Signature]*
DocuSigned by: Candice McGarry
BB84686ED9B14F1

CITY/COUNTY NAME,
VIRGINIA

By: Greene County

Name: Cathy Schafrik

Title: Greene County Administrator

Date: 11/14/2023

Signature: *[Signature]*
DocuSigned by: Cathy Schafrik
CC45B0C02B96477

CITY/COUNTY NAME,
VIRGINIA

By: City of Charlottesville

Name: Samuel Sanders

Title: City Manager

Date: 11/14/2023

Signature: *[Signature]*
DocuSigned by: Samuel Sanders
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REGION TEN COMMUNITY SERVICES BOARD

Name: Lisa Beitz

Title: Executive Director

Date: 11/3/2023

Signature:  DocuSigned by:
535B418C60204CD...

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Operational Agreement for Cooperative Partnerships for Opioid Abatement Authority Awards

This Operational Agreement for Cooperative Partnerships for Opioid Abatement Authority Awards ("Agreement") is entered into on the 27th day of September, 2023, by the County of Albemarle, County of Nelson, County of Fluvanna, County of Greene, County of Louisa, the City of Charlottesville, and Region Ten Community Services Board (the "Partners").

WHEREAS, the Partners developed and jointly submitted an application for cooperative partnership funding from the Virginia Opioid Abatement Authority (OAA), Community Outreach, which includes the following objectives:

Community Outreach program based at Region Ten's Blue Ridge Center (BRC):

- Provide community outreach and support by responding to people in the community at the right time, in the right setting, with behavioral health expertise to support, engage, and link to appropriate longer-term services that prevent and treat OUD and other substance use concerns.
- Through this program RTCSB will respond to local incidents, provide episodic support for disconnected individuals not functioning well in the community, and outreach community members who would benefit from a high touch team to engage in services. RTCSB will also provide harm reduction efforts including Rapid REVIVE training, as well as distribution of Narcan and fentanyl test strips.
- Initially the team will work as part of the day program at Region Ten's Blue Ridge Center. With additional funding and staff, there will be an identified outreach team for each locality served by RTCSB.

WHEREAS, the OAA approved the Partners' application for this cooperative partnership project; and

WHEREAS, the Partners now intend to formalize the Cooperative Partnership;

NOW THEREFORE, the Partners hereto do mutually agree as follows:

1. TERM

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The Term of this Agreement shall begin on the date on which this Agreement has been executed and finalized by the Partners and shall remain in full force and effect until June 30, 2024. Should the OAA renew the award for the Cooperative Partnership for fiscal year 2025, this Agreement shall automatically renew on July 1, 2024 for an additional one-year term. Automatic renewals shall continue on an annual basis with each OAA award renewal until June 30, 2028, unless or until the Partners agree not to request a renewal of the award, or the OAA declines to renew the award.

2. FISCAL AGENT

The Partners agree that County of Albemarle shall serve as the fiscal agent for the Cooperative Partnership. The fiscal agent shall receive and manage all funding awarded by the OAA directly to the Cooperative Partnership. The Partners agree to transmit to the fiscal agent all portions of their direct distributions of funds from the settlement administrator and/or individual distributions awarded by the OAA that have been pledged to the Cooperative Partnership, and the fiscal agency shall receive and manage those funds as well. The fiscal agent shall be responsible for assuring proper fiscal management of and accounting for all grant money awarded to the Cooperative Partnership. The fiscal agent shall also be responsible for submitting all reports required by the OAA, including but not limited to, financial reports, performance reports, budget amendments, and grant closeout final reports, on behalf of the Cooperative Partnership.

3. USE OF GRANT FUNDS

The Partners agree that all funds distributed to the Cooperative Partnership from the OAA shall only be used in compliance with Virginia Code § 2.2-2370 and any guidance issued by the OAA regarding the foregoing. The Partners also agree that all funds

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distributed to the Cooperative Partnership from the OAA shall only be used in compliance with the Virginia Opioid Abatement Authority Grant Awards Terms and Conditions for Awards to Cooperative Projects Involving Multiple Cities and/or Counties. Additionally, the Partners agree that the primary mission of the Cooperative Partnership shall not conflict with the OAA's mission as it is defined in Virginia Code § 2.2-2366.

Specifically, the Partners agree that all funds awarded to the Cooperative Partnership from the OAA shall be used only for expenses related to the objectives listed on page 1 of this Agreement. All funds awarded to the Cooperative Partnership shall be used only for direct costs that can be specifically identified and attributed to the Cooperative Project and/or the Cooperative Project's measurable activities.

4. STANDARDS OF PARTNERSHIP EFFORTS

The Partners agree that they shall collaborate to establish policies, guidelines, and standards for implementation of any and all parts of the Cooperative Partnership. Such policies, guidelines, and standards shall be documented and revised by agreement of the Partners as necessary. The Partners further agree to follow all policies, guidelines, and standards established by the Cooperative Partnership when undertaking any action related to or to implement any and all parts of the Cooperative Partnership.

5. BUDGET FOR COOPERATIVE PARTNERSHIP

The Partners agree that no purchase or expenditure made by a participating locality in furtherance of the Cooperative Partnership shall exceed the budget and revenue matches outlined in the Partners' cooperative partnership application, which is included herein as Exhibit 1. Should the budget or revenue matches for the Cooperative

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Partnership be modified or amended through future renewal applications to the OAA, such modified or amended budget and revenue matches shall control.

The Partners agree to present any proposed budget or revenue match modification or amendment to the fiscal agent. No modification or amendment shall be made to the Cooperative Partnership's proposed budget or revenue matches without full agreement of the participating localities.

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The Partners agree that other individuals may be hired and employed as part of the Cooperative Partnership by any of the participating jurisdictions, as outlined in Exhibit

1. The Partners shall collaborate to develop written hiring criteria and performance standards for each job position developed as part of the Collaborative Partnership, which shall be adhered to by the Partners in their hiring, supervision, and evaluation of any employee. The Partners shall be solely responsible for the actions of their respective employees.

Requests for reimbursement or payment of any salary, benefits, or other expenses related to the hiring and employment of individuals as part of the Cooperative Partnership from the funds distributed by the OAA shall be submitted to the fiscal agent. Only those staffing positions and their related expenses outlined in Exhibit 1 shall be eligible for reimbursement or payment from funding awarded for the Cooperative Partnership. Such requests for reimbursement shall not exceed the budgeted agreement as outlined in Exhibit 1. The fiscal agent in collaboration with the Partners, shall determine the necessary documentation that must be submitted in support of any reimbursement request. Whether any request for reimbursement or payment is a direct

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cost and therefore reimbursable under the terms of the OAA grant shall be determined by the fiscal agent. Only those positions outlined in Exhibit 1 shall be eligible.

7. PURCHASES

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The Partnership shall agree in advance to the use of a competitive grant or bid process for purchasing any goods or services in furtherance of the Cooperative Partnership. Should the Partnership agree to the use of a competitive grant or bid process, the fiscal agent shall be responsible for pursuing such process on behalf of the Partnership and shall ensure that any procurement contract is consistent with the procurement standards set forth in the Virginia Public Procurement Act, Virginia Code § 2.2-4300 *et seq.*

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8. REPORTING

The Partnership agrees to provide all performance data, financial data, and any other data and information related to the Cooperative Partnership at the request of the fiscal agent in furtherance of its reporting obligations for the Cooperative Partnership. Should a Partner fail to provide any data or information requested, the fiscal agent reserves the right to withhold payment of any reimbursement requests for costs or expenditures made in furtherance of the Cooperative Partnership until such information is provided.

9. AUDITS

The Partnership shall maintain full and accurate records with respect to all matters covered under this Agreement and any terms or conditions imposed by the OAA in relation to the Cooperative Partnership. Upon reasonable notice in writing, the fiscal agent, or a representative thereof, shall have the right to inspect and audit each Partner's records, and each Partner shall provide the fiscal agent access to all its records which relate directly or indirectly to this Agreement and the Cooperative Partnership at each Partner's place of business during regular business hours. The Partnership agrees to retain all records pertaining to this Agreement and the Cooperative Partnership and shall make them available to the fiscal agent upon request for five (5) complete calendar years following expiration of this Agreement. The Partnership agrees to provide such assistance as may be necessary to facilitate the fiscal agent's inspection or audit to ensure compliance with applicable standards.

If an inspection or audit pursuant to this section discloses that services provided or purchases made by a Partner were not consistent with the objectives of the Cooperative Partnership, not in compliance with Virginia Code § 2.2-2370 and any guidance issued by

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the OAA, or not in compliance with the terms and conditions of this Agreement, the Partner shall refund any reimbursement received for any such services or purchases within thirty (30) days of the fiscal agent's request. If the Partner disagrees with the fiscal agent's determination, the Partner may request in writing reconsideration by all Partners to the Cooperative Partnership within thirty (30) days of the fiscal agent's decision.

10. COMPLIANCE WITH LAW AND POLICY

The Partnership shall at all times comply with all applicable laws, rules, regulations, and ordinances. Each Partner shall work within its jurisdiction's policies and mandates. Nothing contained in this Agreement shall supersede the statutes, rules, employer policies, and regulations that govern each Partner. To the extent that any provision of this Agreement is inconsistent with any such statute, rule, employer policy, or regulation, the statute, rule, employer policy, or regulation shall prevail.

11. WAIVER

The failure of any Partner to enforce any of the provisions of this Agreement, or any rights with respect hereto, will in no way be considered a waiver of such provisions or rights, and in no way will it affect the validity of this Agreement. The failure of any Partner to enforce any of such provisions or rights will not prejudice such Partner from later enforcing or exercising the same or any other provisions or rights which it may have under this Agreement.

12. INSURANCE/RISK MANAGEMENT

The Partnership agrees that they each shall be responsible for maintaining all insurance policies from and after the date on which this Agreement is finalized that are

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necessary to provide sufficient coverage for their employees and property related to the Cooperative Partnership. The Partnership further agrees that they each shall be responsible for their own risk management of their employees and property related to the Cooperative Partnership.

13. ENFORCEMENT

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia, without reference to its conflict of law provisions. Exclusive jurisdiction and venue for any litigation arising out of or involving this Agreement shall be in the Circuit Court of County of Albemarle.

14. NOTIFICATION

All notices required by this Agreement shall be directed to the following for each Partner:

Albemarle County		Nelson County	
Name:	Kaki Dimock	Name:	Candice McGarry
Title:	Chief Human Services Officer	Title:	Nelson County Administrator
Address:	1600 Fifth Street, Charlottesville, VA 22902	Address:	P.O. Box 336 Lovington, VA 22949
Phone:	434-971-4011 ext. 3177	Phone:	434-263-7000
Email:	kdimock@albemarle.org	Email:	CMcgarry@nelsoncounty.org
Louisa County		Greene County	
Name:	Christian Goodwin	Name:	Cathy Schafrik
Title:	Louisa County Administrator	Title:	Greene County Administrator
Address:	1 Woolfolk Avenue, Ste 301, Louisa, VA 23093	Address:	40 Celt Road, Stanardsville, VA 22973
Phone:	540-967-3400	Phone:	434-985-5293
Email:	cgoodwin@louisa.org	Email:	cschafrik@gcva.us
City of Charlottesville		Fluvanna County	
Name:	Samuel Sanders	Name:	Eric M. Dahl
Title:	City Manager	Title:	Fluvanna County Administrator
Address:	605 E. Main St, Charlottesville VA, 22902	Address:	132 Main St, Palmyra, VA 22963
Phone:	434-970-3101	Phone:	434-591-1910 ext. 1058

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Email:	sanderss@charlottesville.gov	Email:	edahl@fluvannacounty.org
	Region Ten Community Services Board		
Name:	Lisa Beitz		
Title:	Executive Director		
Address:	500 Old Lynchburg Road, Charlottesville VA 22902		
Phone:	434-972-1800		
Email:	Lisa.Beitz@regionten.org		

15. **TRANSFER AND ASSIGNMENT**

The Partnership shall not, voluntarily or involuntarily, by operation of law or otherwise, transfer or assign this Agreement or any rights hereunder.

16. **COUNTERPARTS**

This Agreement may be executed in one or more counterparts each of which shall be deemed an original but all of which together shall constitute one and the same instrument. Signed signature pages may be transmitted as an attachment to an email, and any such signature shall have the same legal effect as an original.

17. **ENTIRE AGREEMENT**

The terms of this Agreement constitute the entire agreement of the Partnership relating to the subject matter hereof. All prior negotiations, representations and agreements relating to the subject matter hereof between the Partnership are merged herein. This Agreement may be modified or amended only by written instrument executed by all Partnership.

This Agreement is not intended to amend any existing contracts or other agreements between the Partnership.

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IN WITNESS WHEREOF, the Partnership has executed this Agreement effective as of the date
of execution.

CITY/COUNTY NAME,
VIRGINIA

By: Albemarle County

Name: Jeffrey Richardson

Title: Albemarle County Administrator Executive

Date: 12/12/23

Signature:



CITY/COUNTY NAME,
VIRGINIA

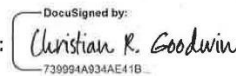
By: Louisa County

Name: Christian Goodwin

Title: Louisa County Administrator

Date: 11/8/2023

Signature:


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CITY/COUNTY NAME,
VIRGINIA

By: Fluvanna County

Name: Eric M. Dahl

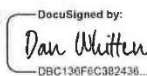
Title: Fluvanna County Administrator

Date: 11/17/2023

Signature:


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County Attorney Signature:


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CITY/COUNTY NAME,
VIRGINIA

By: Nelson County

Name: Candice McGarry

Title: Nelson County Administrator

Date: 11/8/2023

Signature:


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CITY/COUNTY NAME,
VIRGINIA

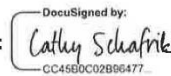
By: Greene County

Name: Cathy Schafrik

Title: Greene County Administrator

Date: 11/14/2023

Signature:


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CITY/COUNTY NAME,
VIRGINIA

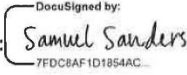
By: City of Charlottesville

Name: Samuel Sanders

Title: City Manager

Date: 11/14/2023

Signature:


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REGION TEN COMMUNITY SERVICES BOARD

Name: Lisa Beitz

Title: Executive Director

Date: 11/3/2023

Signature:  DocuSigned by:
Lisa Beitz
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Item No. 8.4. 2023 TJPDC Regional Natural Hazard Mitigation Plan.

The Executive Summary as forwarded to the Board states that the Disaster Mitigation Act of 2000 set out requirements for state and local plans to coordinate mitigation planning and implementation efforts. The purpose of the Natural Hazard Mitigation Plan (NHMP) is to prepare for natural disasters before they occur, thus reducing loss of life, property damage, and disruption of commerce. The Federal Emergency Management Agency (FEMA) requires such a plan as a condition for eligibility in certain mitigation grant programs.

The Thomas Jefferson Planning District Commission (TJPDC) is responsible for maintaining the Regional Hazard Mitigation Plan and updates the plan on a 5-year cycle through a public process, culminating in adoption by all jurisdictions served. The Plan contains specific mitigation strategies each jurisdiction within TJPDC has committed to undertake towards reducing identified risks within the district. The plan was last adopted by the Board of Supervisors in 2018. The draft 2023 Regional Natural Hazard Mitigation Plan was presented to the Board on June 15, 2022 during the Plan's public review process. The 2023 Plan update is now complete and FEMA has reviewed and approved the Plan.

Attachment A presents the 2023 Regional Natural Hazard Mitigation Plan. The "Mitigation Strategy" is five broad categories with corresponding goals and objectives. The mitigation strategy was developed through a cooperative effort of the TJPDC Hazard Mitigation Working Group, consisting primarily of planners and emergency operations coordinators from the region. The overarching goals of

the hazard mitigation plan were reviewed and revised from the previous plan update. Those goals and objectives were then reviewed by the public in the Hazard Mitigation Public Workshop held by the TJPDC, which further modified the goals and objectives detailed in the Mitigation Strategy. Following that effort, each jurisdiction developed actionable directives or “mitigation action items” to further the Mitigation Strategy before the next Hazard Mitigation Plan update. Strategies specific to Albemarle County begin on page MS-8 of the Plan.

There are no direct costs associated with the Regional Hazard Mitigation Plan at this time.

Future implementation efforts will be incorporated into work plans.

Staff recommends that the Board adopt the attached Resolution (Attachment B) adopting the Regional Natural Hazard Mitigation Plan (Attachment A).

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Ms. McKeel said that Item No. 8.4 was TJPDC’s Regional Natural Hazard Mitigation Plan. She said that this plan broke down the communities, so there was a section for each area in the region, and each County had a long list. She said that when looking at the list of things that Albemarle County was working on or had on their to do list, she saw that it connected to their budget discussions, and she asked the County Executive or someone else to briefly speak to the matter.

Mr. Jeff Richardson, County Executive, said that that was correct. He said that last fall, the Board discussed with staff and the community the large priorities for the community for the next five years, as well as where they needed to fill gaps and needed to lessen liability moving forward. He said that public safety was a core service of the County, and they had extended beyond the mandates and were ambitious in their work in this area of emergency management.

Chief John O’Prandy, Deputy Chief of Emergency Management with the County Fire Rescue Department stated that Mr. Richardson was correct that there were many things that were covered in the hazard mitigation plan. He said that it covered the preventive measures and response strategies, and the gamut of emergency management were covered within the plan. He said that Mr. Greg Harper, Chief of Environmental Services, played a lead role in working with the TJPDC on working on engagement with the hazard mitigation plan. He said that the Rivanna Water Sewer Authority (RWSA) and the Albemarle County Service Authority (ACSA) were involved in the process to work on objectives for shared hazard mitigation issues and the School Division was working on the active threat preparedness, which were reflected in the hazard mitigation plan.

Ms. McKeel said that the hazard mitigation plan also tied into the climate action plan and the budget. She said that these plans took resources but were critical to the safety of their community.

Ms. Mallek said that on May 29, 2018, 11 inches of rain came down onto Albemarle and Nelson Counties within 16 hours, and all of the state and federal agencies worked to remediate the situation afterwards, but this hazard mitigation plan would help prevent those issues from happening in the first place. She said that there were longtime efforts of USDA, Thomas Jefferson Soil and Water Conservation District, and Louisa County Farm Service Agency personnel who created riparian buffers around all their streams. She said that prevention and planning ahead was so important to protect lives and property.

Mr. Andrews said that this was an extremely important area, and he was happy they were supporting this and doing this. He said that he looked forward to future discussions and ways in which they could help further this plan.

Ms. Price said that the TJPDC should be made aware that there were a number of images copied upside down in the book, including H 29, 30, 40, 41, 42, under V, page 6, and there may be others.

Ms. McKeel **moved** that the Board adopt the Resolution (Attachment B) adopting 2023 TJPDC Regional Natural Hazard Mitigation Plan, as presented in Attachment A.

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

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

**RESOLUTION
ALBEMARLE COUNTY ADOPTION
OF THE REGIONAL NATURAL HAZARD MITIGATION PLAN**

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance; and,

WHEREAS, the Thomas Jefferson Planning District’s Regional Natural Hazard Mitigation Plan

has been prepared in accordance with the Federal Emergency Management Agency (FEMA) requirements at 44C.F.R. 201.6; and,

WHEREAS, The County of Albemarle has been involved in the preparation of the Regional Natural Hazard Mitigation Plan through representation on the Working Group by staff from Albemarle County; and,

WHEREAS, the Virginia Department of Emergency Management (VDEM) and FEMA have deemed the submitted plan satisfactory with no changes recommended; and,

WHEREAS, hazard mitigation is essential to protect life and property by reducing the potential for future damages and economic losses resulting from natural disasters.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors does hereby adopt the Regional Natural Hazard Mitigation Plan.

Agenda Item No. 9. **Presentation:** Defense Sector Regional Economic Impact.

The Executive Summary as forwarded to the Board states that the Defense Affairs Committee (DAC) of the Charlottesville Regional Chamber of

Commerce has a mission to “foster economic vitality by further strengthening the alliance of relationships among the Chamber, the Chamber network, the Central Virginia community, the regional defense & intelligence community, and our veterans.” Albemarle County has participated in the DAC through its inception in 2009 and has been a financial sponsor of the Defense Affairs Program Manager within the Chamber of Commerce in order to support the success of the DAC in meeting its mission, in recognition of the importance of the defense industry in the local economy and in the broader community.

The DAC engaged with the Weldon Cooper Center in 2022 to undertake an economic impact analysis of the defense sector in the region. The study used an input-output analysis and included the impacts of several major entities and components that account for Department of Defense and military veteran spending in the region. The total direct regional economic impact is 3,972 jobs, \$421 million in labor income, \$501 million in value-added, and \$642 million in output, with indirect and induced impacts stemming from this activity totaling 7,347 jobs, \$618 million in labor income, and \$831 million in value-added, and \$1.2 billion in output. The complete study is provided as Attachment A.

There is no budget impact associated with this presentation.

Staff recommends the Board receive the presentation.

Mr. Trevor Henry, Deputy County Executive, again introduced Ms. Bien, and thanked her for all of her leadership that she put in to making the upcoming event happen this Saturday. He said that Ms. Bien had been the Defense Affairs Program Manager since July 2020 and had committed for another year. He said that Ms. Bien was an attorney and powerhouse of support for all things related to the military and veterans in their community. He said that the County was a primary funder of the position and the study to evaluate the economic impacts of the defense industry in their region, which was found to be significant. He said that the County's support of the Defense Affairs Committee fell directly under Project ENABLE, which was to retain and grow a significant industry in the region

Ms. Bien said that the motivation to do this study was that the state's numbers were very low, and they included the community in a region that went all the way to Manassas. She said that it was critical that they knew exactly what the defense community added to the bottom line of the County's economic vitality. She said that it was very important to provide education, outreach, and support from this community, and if they did not know what they had, they did not know how losing it may impact them unless they had the metrics, which they now had.

Ms. Bien said that, even after their deep dive, the number presented today was a little bit low in her opinion, as there were still things that they were unable to account for, which she would let them know as they went forward. She thanked the County of Albemarle, who funded the majority of the study, and the UVA Foundation and the City of Charlottesville, who engaged with them. She said that the study covered Albemarle County, the City of Charlottesville, and Greene County, which were the three municipalities most engaged with the Defense Affairs Committee at the chamber. She said that Greene County did not account for a significant amount but were growing in the defense arena because they had a production zone that the entire County now fell into.

Ms. Bien said that the study was a description within the Albemarle-Charlottesville region, the economic impact of industry in 2021, and the report also talked about the quality-of-life issues, as the people who were present in the community added to the quality of life in ways that were not able to be quantified, such as volunteering. She said that, considered for this study as part of the defense industry, were Rivanna Station, DoD (Department of Defense) contracts in the region, the Judge Advocate General's Legal Center and School, UVA and multiple affiliates, veterans, reserve and National Guard, and a few other small entities.

Ms. Bien presented a slide entitled “Defense Industry Employment Impacts” and stated that the direct defense industry jobs in Albemarle County were approximately 4,000, and including the indirect, the

number went up to 7,000, of which 52% of that employment was within the County. She said that 100 local companies had \$50,000 or more in DoD contracts from 2012 to 2021, but more importantly, 70 firms received DoD contracts of any value in 2021, many of which had nothing to do with Rivanna Station.

Ms. Bien said that there were many organizations that had contracts with the DoD and any of its subordinates, including the Army, Navy, Air Force, Homeland Security, and Coast Guard, and were working them within the area. She said that Northrup Grumman was a perfect example; they had 480 employees, did no work with Rivanna Station, worked with the Navy, Coast Guard, and navigational systems that went into ships, of which 25% of their work force were veterans. She said that 11 UVA startups and 57 DoD-sponsored patents since 2000 had gotten their initial funding from DoD.

Ms. Bien said that the total economic impact of the defense sector in 2021 was \$1.2 billion. She said that the year 2021 was at the back-end of the COVID-19 pandemic, so that was not to say that there was not some significant difference. She said that this morning, she spoke to Booz Allen Hamilton at North Fork, who told her that in 18 months, they had grown 75% and expected to grow significantly moving into the future, but their issue was infrastructure and space. She said that they clearly said that after UVA, this was the largest economic engine for this area. She said that none of the employees spoke about their work, so the significant impact often went unnoticed.

Ms. Bien said that the remaining questions were what they did with this information, to determine if the goal was to maintain or expand to support the sector, what the economic picture would look like if they lost it, and what steps should Albemarle County take. She said that the \$90 million expansion at Rivanna Station would not guarantee the industry to stay in Albemarle County, as there were other locations offering DoD 100 free acres for Rivanna Station to move to. She said that she was unsure of what was discussed at the Pentagon, but she had been at other locations where there had been a significant investment in facilities, infrastructure, and upgrades, and they were still moved. She said that a collaborative effort was necessary to determine what they needed to do and what they could not do.

Ms. Bien said that the question of what the next steps were had no reasonable answer at this time, but was something that they must look at to support the sector. She said that she got three pages of an Excel spreadsheet of the companies in the area doing DoD work that they did not know were engaged, which was significant. She said that the estimates may be low due to the programs that could not be included due to confidentiality, and spousal employment of military personnel was not included because there was no way to identify that. She said that the study was difficult to conceptualize, and she was glad that there was hard data for leveraging actions in the future.

Mr. Henry noted that the County had actively been involved with the Defense Affairs Committee for years, significantly so since 2018. He said that they provided funding for the Defense Affairs Committee program manager and through Ms. Bien's work, it had moved the awareness and support of the military sector in the region. He said that Mr. Richardson and himself had spent a lot of time building their relationship with Secretary Crenshaw at the state, and they were supporting this work.

Mr. Henry said that Secretary Crenshaw had commissioned a consultant through his office to provide a "listening tour" to meet with every military function in this region to get an analysis for the state to use when determining budget priorities for the next year. He said that there was work to be done, but they were on the path of supporting this industry. He said that this study had two acts of impact according to the state's report, so it was helping the reason why they wanted to invest their time and money, but also their capacity in this lane.

Ms. Bien said that the state was surprised by the results but were happy that it was not less and was actually more.

Ms. Mallek said she appreciated this properly carried out model that included the total impact. She said that it was important how the Defense Affairs Committee had helped their service members who were at Rivanna Station to get better-connected with their community, which strengthened the positive experiences, because leaders would not stay in a place where their workers were miserable.

Ms. McKeel said that the study showed how important this sector was and how it impacted everyone's lives in the County and the City, even when not connected at all to the Department of Defense. She said that she appreciated the County funding this regional study. She said that it was always interesting to see how decisions were made, and she recalled that during her time on the School Board, the expansion of the DIA (Defense Intelligence Agency) and DoD on Route 29 North led to the industry asking what the state of the public schools were, because that was the number one thing the employees wanted to know when moving into a new district.

Ms. McKeel said that approximately 57% of the County's budget went to schools, and that money was well-spent in creating a healthy community through maintaining a good public school system. She thanked Ms. Bien for synthesizing the in-depth study in a way that was easily understandable and looked forward to reading the hard copy.

Mr. Andrews said that he recognized that the County had certain advantages in this area, such as the close proximity to Washington, D.C., the presence of the University, and the intellectual capacity that came from that, as well as Ms. McKeel's point that the County government and public schools must be well-maintained, and how they protected the natural beauty of the area to help strengthen the appeal. He said that some other things were intangible or would come in the future, and he looked forward to doing what they could do to be a place where people wanted to be for this sort of activity.

Mr. Gallaway said that the report was an excellent example of why economic development must be a top priority for the Board and the County, because it explained how an employment sector like this and all the ways it brought money to the community, and that was something they must understand. He said that it was beneficial to have this focus on a particular sector and he appreciated having the sector here, but they must understand that job creation had specific economic impacts.

Mr. Gallaway said that by doing this, they could identify how to create some relief on real estate property tax, because this economic activity could bring in revenue that diversified the tax base for generating revenues for government services. He said that he encouraged anyone interested in economic development to understand how economic activity impacted them when grown and operated locally, and how the services output brought things back to them, along with not only the direct employees but those indirectly working with this sector.

Mr. Gallaway said that their land use applications were also relevant because rezoning could bring in a different revenue from that piece of property, which helped when developed. He said that this type of analysis should be included in every land use application that came before the Board so that they could determine how it impacted the revenue rolls if the land was upzoned. He said that this was a type of analysis that was part of economic development but could also be applied to other things.

Ms. LaPisto-Kirtley said that she agreed that this was a vital part of the economic development program in the County, making them healthier and stronger. She said that having the Rivanna Station here was extremely beneficial for the community.

Ms. Price said that during her time working in Navy legislative affairs, one of her portfolios included the personnel matters affecting the Navy before Congress, and schools was a major issue. She said that the Department of Defense School system had locations in the United States where the federal government owned so much land that there was not enough real estate privately owned for real estate taxes, and therefore the government would give a portion of the funding for those schools.

Ms. Price said that they would never receive that money in Albemarle County because their economic stability and base was so broad that the federal government would never send money there, so their schools were critical, because if they did not have good schools, they would not get people to move there. She said that when she was a personnel officer in the Navy, she knew families did not want to go places where they did not have good schools, including herself, when she declined a set of orders to a state that had horrible schools. She said that she appreciated Ms. Bien's comments that the economic impact reported as \$1.2 billion was likely underreported.

Ms. Bien clarified that it was not under by much, but it was true that it was under.

Ms. Price said that the direct, indirect, and induced impacts were addressed in the written report on pages 2 and 18. She asked what the \$831 in value added as written on Slide 9 was in reference to. She asked if the term "value" was the industry term, which meant an industry's gross output and cost of its intermediate inputs, and if it applied to the defense industry.

Ms. Bien said that when talking about growing the defense industry, it was important for the public to understand that they were not manufacturing tanks or weapons systems but doing intelligence and research and development. She said that the average salary was \$100,000, allowing many employees to become homeowners. She said that the value added was the value added to each dollar spent by the defense industry by spending the dollar on hiring or purchases that stimulated the economy. She said that they used a model specific to the defense industry and did so not only with the modeling for the sector but included adding in the indirect, adding in the reduced, and in essence the ripple effect for each dollar.

Ms. Price said that it was significant that all of the money initially coming into the defense industry was federal money, so it was a parallel to what the County did with Project ENABLE to get local money to stay there, produce commercial products that were sent elsewhere, then purchased and the money came back to the County. She said that this gave them the opportunity to take money from another source that came into their area and grow it there. She said that this was critical information for them to take for the broader economic development of the County. She thanked Ms. Bien for all of her work.

Ms. Bien said that Albemarle County was a fabulous place to live, raise a family, and do all kinds of things. She said that they had noticed many people retiring from the defense sector and staying, and still doing work. She said that federal money was given to military employees every month, and that money was used in the local economy.

Ms. McKeel said that she was looking forward to the Project ENABLE 2.0. She said that in Project ENABLE 1.0, the defense industry was one of the targeted industries.

Non-Agenda Item. **Recess.** The Board recessed its meeting at 2:50 p.m. and reconvened at 2:59 p.m.

Agenda Item No. 10. **Action Item:** Adoption of Calendar Year 2023 Tax Rates, Fiscal Year (FY) 24 Budget, FY 23 Revised and FY 24 Pay Scales, Borrowing Resolution, FY 24-28 Capital Improvements Plan (CIP), and Appropriation of the FY 24 Budget.

The Executive Summary as forwarded to the Board states that at the May 3, 2023 Board's meeting, staff will ask the Board to consider the following items:

- 1) Adoption of the Resolution to Set Calendar Year 2023 Tax Rates:** The Board held a public hearing on the proposed 2023 calendar year tax rates on April 26, 2023. The 2023 calendar year tax rates are for the year beginning January 1, 2023 and ending December 31, 2023.
- 2) Adoption of the FY 24 Operating and Capital Budget:** The Board held a public hearing on the Fiscal Year 2024 (FY 24) Proposed Budget on April 26, 2023. The budget presented for adoption includes the Board's FY 24 Proposed Budget plus any adjustments made by the Board or School Board in subsequent work sessions and is for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
- 3) Adoption of the Resolution to Revise FY 23 and Set FY 24 Pay Scales:** The Board held a Workforce Stabilization Budget Work Session on March 29, 2023. As part of that work session, staff presented a new pay scale for County Government classified employees. County Government also maintains separate Public Safety pay scales for the Police Department, Sheriff's Office, and Department of Fire Rescue.
- 4) Adoption of the Annual Resolution of Appropriations:** To provide the authority from the Board to spend these funds, the Board's adoption of an Annual Resolution of Appropriations for the fiscal year ending on June 30, 2024 is required.
- 5) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing:** In addition, the Board's adoption of a Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing is required to provide the County with the authority to use bond proceeds to reimburse capital program expenditures for the specified projects.
- 6) Adoption of the FY 24 - 28 Capital Improvement Plan (CIP):** This reflects the adopted FY 24 Capital Budget plus the out years of the plan, FY 25 - FY 28, reviewed with the Board of Supervisors during the budget development process. FY 25 - 28 will inform future long-range financial planning and are not requested for appropriation.

DISCUSSION:

- 1) Adoption of the Resolution to Set Calendar Year 2023 Tax Rates:** The FY 24 budget is based on a real estate tax rate of \$0.854 per \$100 of assessed valuation and a personal property tax rate of \$3.42 per \$100 of assessed valuation, as set forth in Attachment A.
- 2) Adoption of the FY 24 Operating and Capital Budget:** The FY 24 Budget for the Board's approval is detailed in Attachment B and is based on the FY 24 Proposed Budget plus the adjustments detailed below:

Board of Supervisors Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 19, 2023 work session, and include:

- Allocating \$1,008,731 from the Transit Reserve to Jaunt.
- Allocating \$125,000 from the Reserve for Contingencies to the Tax Relief for the Elderly and Disabled Program.
- Allocating \$55,093 from the Reserve for Contingencies to the Department of Human and Social Services to accelerate an additional Housing position from a January 2024 to a July 2023 start date.
- Allocating \$27,842 from the Reserve for Contingencies to various departments to provide compensation increases for the following Boards and Commissions: Architectural Review Board, Board of Zoning Appeals, Equalization Board, Fire Prevention Board of Appeals/Local Board of Building Code Appeals, and Planning Commission.
- Added \$2,709,538 to the CIP for Darden Towe Park Field Rebuild. Funding for this project is planned over four years and made up of \$1,586,663 in borrowed proceeds, \$777,366 for the City of Charlottesville share, \$262,000 in proffer revenue, and allocates \$331,541 from the Advancing Strategic Priorities Reserve in the Capital Budget to provide the remaining funding for the project and related debt service. In FY 24, the amount of the total project requested for adoption and appropriation is \$604,368 for the first phase.

Adjustments made during subsequent meetings will be made within the attached resolution prior to adoption and reviewed as part of the staff presentation on May 3, 2023.

County Executive Recommended Adjustments

The County Executive recommends the following budget-neutral adjustment to the FY 24 budget:

- Allocate \$275,000 from the Business Process Optimization Reserve to various departments for the following purposes in support of the Core Systems Modernization project:
 - o \$146,300 to the Department of Finance & Budget for a Deputy Controller position.

- \$128,700 to the Department of Information Technology for an Integration Specialist position.
- In the Proposed Budget, the Athletic Fields (at Biscuit Run Park) and Biscuit Run Park capital projects were identified separately. It is recommended these projects be combined into one total for purposes of administering the project and future financial reporting. The Darden Towe Field Rebuild Project is recommended to be appropriated and reported separately from the Biscuit Run Park project.

Public Schools Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 19, 2023 work session. The School Board held a budget work session on April 27, 2023. Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 3, 2023.

3) Adoption of the Resolution to Revise FY 23 and Set FY 24 Pay Scales

This resolution (Attachment C) is to:

- Revise the FY 23 Classified Pay Scales to reflect recommendations resulting from the Compensation and Classification Study. This revision will be effective May 6, 2023.
- Adopt the FY 24 Pay Scales. Classified and Public Safety pay scales to be effective as of July 1, 2023 for employees on the 14-day pay cycle and July 1, 2023 for employees on the 28-day pay cycle. These dates are based on the start of the first pay period in FY 24.

4) Adoption of the Annual Resolution of Appropriations

The Resolution of Appropriations appropriates the total County Budget, including both County government and Public School operating and capital funds, Public School special revenue funds, and other County government funds appropriations in a single resolution (Attachment D). The Annual Resolution includes the following:

Board of Supervisors Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 19, 2023 work session. Adjustments made during subsequent meetings will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 3, 2023.

Public Schools Adjustments

All amounts in this executive summary and attachments reflect budget decisions made through the April 19, 2023 work session. The School Board held a budget work session on April 27, 2023. Adjustments made during that meeting will be made within the attached Resolution prior to adoption and reviewed as part of the staff presentation on May 3, 2023.

County Executive Authority

The appropriation resolution authorizes the County Executive to do the following. In accordance with current practice, all these transfers or distributions will be reported to the Board of Supervisors as part of the County's quarterly financial reports.

- A) administratively approve budget transfers of unencumbered funds of up to \$500,000.00 per fund in the fiscal year from one classification, department, or project to another within the same fund;
- B) allocate funding between the below identified classifications and the appropriate budget line-items for expenditure:
Expenditure Classifications Eligible for Transfer Under this Resolution:
General Fund
 - Business Process Optimization Reserve
 - Climate Action Pool
 - Reserve for Contingencies
 - Salary and Benefits ReserveCapital Funds
 - Advancing Strategic Priorities Reserve in CIP
 - Economic Development Funding for Public-Private Partnerships (P3s)
 - Transportation Leveraging Fund
- C) allocate salary lapse between department budgets;
- D) administratively approve the carry forward of outstanding grants and capital projects and programs from year to year;
- E) close out Capital projects and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance;
- F) close out grant funds; including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.
- G) administratively approve the carry forward of outstanding balances up to \$24,000,000 for estimated encumbered purchase orders.

5) Adoption of the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing: The Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing, Attachment E, allows the County to use bond proceeds to reimburse the County for capital program expenditures.

6) Adoption of the FY 24 - 28 Capital Improvement Plan (CIP), Attachment F: All amounts in the executive summary and attachments reflect budget decisions made through the April 19, 2023 work session.

Adjustments made during subsequent meetings will be made within the attached resolution prior to adoption and reviewed as part of the staff presentation on May 3, 2023.

Adoption of the budget, tax rates, and related ordinances by the Board will establish the Fiscal Year 2024 Operating and Capital Budgets and Calendar Year 2023 tax rates and provide the authority from the Board to spend funds included in the budget. For the adoption of the Capital Improvement Plan, FY 25 - 28 will inform future long-range financial planning and are not requested for appropriation.

Staff recommends that the Board:

- 1) adopt the attached Resolution to Set Calendar Year 2023 Tax Rates (Attachment A);
- 2) adopt the attached FY 24 Budget Resolution approving the FY 24 Budget as recommended by the County Executive and amended by the Board of Supervisors (Attachment B);
- 3) adopt the attached Resolution to Revise FY 23 and Set FY 24 Pay Scales (Attachment C);
- 4) adopt the attached Annual Resolution of Appropriations (Attachment D);
- 5) adopt the attached Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing(Attachment E); and
- 6) adopt the FY 24 - 28 Capital Improvement Plan (Attachment F).

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

Mr. Andy Bowman, Chief of the Office of Budget, stated that there were six actions requested by the Board today. He said that there were six strategic goals and 23 related objectives, and throughout the budget process that began in August 2022, they decided what of the 23 objectives could be moved forward with additional funding and what they could move forward through work plans and utilizing existing resources to make progress in the first year of the five-year strategic plan.

Mr. Bowman said that the Board was balancing considerations alongside that five-year strategic plan that included the Calendar Year (CY)22 additional meetings held by the Board about the financial policies, the economic outlook report, and the five-year strategic financial planning, including one joint meeting with the School Board, all which shaped the annual budget. He said that the Board had spent March and April of CY23 in work sessions, town halls, and public hearings to engage with staff and the public.

Mr. Bowman said that the first action for the tax rate resolutions was real estate property taxes, which were included in the budget at the current rate of \$0.854 per \$100 of value, and each penny on the real estate tax rate was equal to \$2.7 million in estimated collectible tax revenues. He said that if the Board were to adopt a lowered rate, there would need to be a corresponding change of \$2.7 million for each penny changed. He said because the Board had advertised a rate of \$0.0854, they could not go higher; it would need to be that amount or less. He said that the CY23 overall reassessments had a 13.46% increase over CY22. He said that the lowered or effective tax rate was what the tax rate would be if the same amount of real estate tax revenue was received based only on the change in reassessments, which was calculated to be \$0.753 per \$100 of assessed value. He said that the rate applied also to mobile homes and public service.

Mr. Bowman said that the personal property tax rate applied to individual vehicles, motorcycles, and boats, as well as business tangible personal property and machinery and tools. He said that in CY22, car values increased significantly, and the Board of Supervisors decreased the rate 86 cents, or 20% of the rate. He said that the rate was not equalized, but it recognized that due to the unusual circumstance, the Board made an adjustment to the rate.

Mr. Bowman said that in CY23, car values fell, and the rate was recommended to remain at \$3.42 per \$100 valuation. He said that most people would see their personal property tax bill decrease, although individual situations would differ. He said that each penny on the personal property tax rate equaled about \$100,000 in estimated collectible tax revenues. He said that staff recommended that the Board adopt Attachment A, which was the resolution to set those rates.

Ms. Price said that there were six items that they needed to take action on, so she asked that Supervisors' comments be as brief as possible while addressing necessary concerns. She asked if the Board had a preference to go through each of the six items in turn, or have staff address all six and then do a single round of comments before raising each individual motion.

Ms. McKeel said that she preferred the latter so that there were not 36 rounds of questions.

Ms. Price said that there was consensus to present all six items before Supervisors commented on all six items, followed by votes on the separate items.

Mr. Bowman said that the second item would be the resolution to approve the annual budget. He said that the total all-funds budget before the Board was just under \$555 million, which had recently had an

update based on the School Board's adoption and some other items he would discuss. He said that the all-funds budget included general funds, school funds, capital funds, debt funds, and all grant and special revenue funds.

Mr. Bowman said that since the time of the proposed budget, the Board had provided direction to allocate funds from the Transit Reserve to Jaunt to continue existing services, and to allocate funding to increase tax relief, to accelerate the timing of the housing position, and to provide compensation increases for Boards and Commissions. He said that the Board also added funds to the capital budget in FY24 for the first year of the Darden Towe Park Field Rebuild project.

Mr. Bowman said that County Executive-recommended adjustments included funding to various departments in support of the Core Systems Modernization project. He said that the second recommendation was to combine the Biscuit Run Athletic Fields and Biscuit Run Park capital projects into a single project. He clarified that these were administrative changes and not changes in funding amounts.

Mr. Bowman said that the third recommended adjustment was as part of an organizational change to reallocate funding for two offices currently in Executive Leadership to the Department of Human and Social Services.

Mr. Jeff Richardson, County Executive, said that these were adjustments requested to better align the organization. He said that much of what the Department of Human and Social Services was about aligning with mandates and public services for the population served, and it was important to be able to align with the partner agencies that worked with the County as well.

Mr. Richardson said that they were both an urban and rural service community, but in the areas of human service delivery, the key partner agency connections and how they delivered their services, their collaboration, and their work, they thought that as the County moved forward, that the Broadband services, the work of the Office of Equity and Inclusion, and the connection back to AC44 and all of the work they were doing, that the County would be better served for that to be administratively aligned under Ms. Dimock's leadership.

Mr. Richardson clarified that this did not have budgetary effect but was broadening the lens of the County Executive Office and how they interacted with the community. He said that he had acknowledged in his annual review that his office had to be more community-facing, and how they aligned their staff to do their best work.

Mr. Bowman said that the School Board adopted their budget on April 27, which was after the Board agenda had been published, so he provided an email update with information on how this affected the budget. He said that the total School budget funds was increasing \$2.7 million in net from the proposed budget, which primarily addressed one-time expenses funded through the Schools' fund balance, allocating \$1.5 million to increase the primary School Operating Fund and \$1.2 million into the School Special Revenue.

Mr. Bowman said that the third resolution was to approve the County's pay scales. He said that on March 29, 2023, the Board held an in-depth work session with staff from Human Resources (HR) and Performance and Strategic Planning to discuss the Gallagher Study results and recommendations. He said that the resolution would do two things, it would revise FY23, and the Board had already provided funding in the current year to implement this in the last part of the year, and the FY24 budget was able to fund those pay scales that were recommended in the study. He noted that one date had been written incorrectly at first but had since been corrected and updated on the website.

Mr. Bowman said that the fourth resolution was the Annual Resolution of Appropriations, He said that a budget was just a plan, and that legally, under Virginia Code, the resolution is what granted authority for the County to spend the money. He said that it included the County Executive's authority to transfer funding for specific purposes, and for transparency reasons, those were reported through quarterly financial reports. He stated that it also established expectations for external agencies that were recipients of County funds.

Mr. Bowman said that Attachment E was authorizing the County to issue bonds for those projects included in the FY24 budget. He said that these bonds would be issued at a later date, and this was putting in the administrative work now to move forward when it was time to issue those proceeds for capital projects.

Mr. Bowman said that the final item was the resolution for the Capital Improvement Plan. He said that the total five-year CIP totaled \$319.4 million, primarily funded through planned borrowed proceeds and cash with ongoing and one-time funding. He said that the FY24-28 CIP expenditures were majorly composed of the Public Schools. He said that they discussed not only the ongoing maintenance funding and additional renovation funding, but also the funding that was planned in the future for the northern and southern elementary schools and the work that they had been doing in the coming five years to implement the Center II funding that was currently appropriated. He said that smaller portions of the expenditures were the County government departments, with Community Development being the largest, and included transportation leveraging program funding, as well as economic funding in the outyears.

Mr. Bowman said that when the CIP was approved, this consisted of the adopted FY24 Capital Budget, and the outyears of the plan, FY25 to FY28, reviewed with the Board of Supervisors during the budget development process. He said that FY25-28 would inform future long-range financial planning and are not requested for appropriation but would be reviewed each year with the Board of Supervisors. He

said that this was an important starting point in targeting future borrowing, staffing, and operating impacts.

Ms. Mallek asked how the extra \$11 million in COVID-19 monies was allocated within the Schools.

Mr. Bowman said that for any grant funds with restrictions, they would account for those in a Special Revenue Fund, separate from the Schools' day-to-day Operating Fund.

Ms. Mallek stated that she supported the proposed rate because she was supportive of the budget, and the budget had increased significantly as their population increased in the past 10 years. She said that the County was becoming more urban than it used to be, and that with this came all of the public services, including public safety, emergency services, and urban services, along with providing the human services to vulnerable populations that had begun to be taken much more seriously since COVID-19 began. She said that she had a new perspective on this issue and hoped that citizens did as well about the work being done in local government for their benefit. She said that she supported the pay scale because it was important to retain the best employees they had in a highly competitive environment.

Ms. McKeel said that she was supportive of all six budget proposals recommended by staff. She thanked all citizens who engaged in the budget process this year, through emails, calls, and public comments, and especially to those who took the time to follow the Board's deliberations and to review the revisions and supporting documents. She thanked the Finance staff for their work, and for bringing the County through the pandemic. She said that the Supervisors spent 53 hours in budget discussions, and had many questions sent and answered by staff, as well as being made public to the citizens. She said that several public meetings were held, including with the School Board, about the CIP.

Ms. McKeel said that the budget was based on six strategic, agreed-upon goals that were easy to track through all of their planned budget expenditures. She said that the increasing property assessments had provided additional revenues, making an increase in the real estate property tax rate unnecessary for the last five years, however, the reliance on increasing property assessments was not sustainable, thus they had all of their work around economic development and the need to diversify their tax base.

Ms. McKeel said that last year, the personal property tax rate was lowered, providing relief to more individuals, businesses, and organizations than just a real estate increase would have provided. She said that from 2008 to 2012, she learned about the difficulty of governing and providing services during a recession, and the economic landscape now was not encouraging, and she would not be caught short again. She said that there was no agreed-upon federal budget, and proposed compromises would push many of those services using federal dollars back into their communities to be accounted for.

Ms. McKeel said that the future was unclear for both the federal and state budgets, and educational funds were especially at risk from this. She said that 57% of their budget provided for Schools' Operating and CIP debt. She said that they had provided more Tax Relief for the Elderly and Disabled, and they were spending more for Social Services and housing. She said that the implementation of the salary scale increases based on the Gallagher Study to stabilize their workforce was critical.

Mr. Andrews said that he was supportive of all six recommended budget proposals. He said that he appreciated all the time staff spent working on this, the time spent by the Board digesting this, and the comments made by the public. He said that broad comments included concern about the increase in assessments, which was not something the Board had control over but was an indication of the housing market. He said that it was difficult to manage all of the needs of the community, and he appreciated the work everyone had put in during this process.

Mr. Gallaway said that the organizational changes that the County Executive was recommending were items he fully supported. He said that he was glad to see the compensation and pay scale changes making with this budget, as workforce stabilization was a top priority for the County. He said that for further study and evaluation for the Tax Relief for the Elderly and Disabled would happen later this year along with other budget priorities that had been risen as needing more information on appropriate adjustments.

Mr. Gallaway said that he had reviewed the five-year financial plan summary from December 5, 2018, which projected that in FY24, their expected expenditures were expected to be \$348 million, and today they were at \$408 million. He asked if that amount was correct.

Mr. Bowman said yes.

Mr. Gallaway said that was a \$60 million increase from what was expected in 2018 to what it was in reality today. He said that this must be discussed in relation to the assessments that had grown and what they had done with the tax rate. He said that in 2018, they were looking at \$348 million in expenditures that was not going after the strategic initiatives that were now alive and driving the budgets of the Board. He said that some of the \$60 million increase were inflation and costs outside of their control, but a portion of that was their strategic initiatives as a Board of what they had said they believed the community needed in terms of services and what they needed to provide.

Mr. Gallaway said that they were able to meet and achieve or pay for those initiatives because the assessments went up, because it allowed them to not vote on tax rate increases. He said that it was important that he would have voted for tax rate increases to pay for the current strategic plan if it had been necessary. He said that the current revenues were at a tipping point where they were not going to add initiatives beyond what was in the last strategic plan, and it was important that the County Executive was looking to the future years and acknowledged the assessments increases would be unable to sustain

themselves, and as they came back down, they had to be prepared for that so that they did not immediately raise citizens taxes after they had just experienced the effects of inflation and raised assessments.

Mr. Gallaway said that the budget proposed allowed them to be ready to continue to provide the things the strategic plan said they should, based on this particular budget. He said that they had to stay focused on the strategic plan goal implementation, specifically the public safety and workforce stabilization. He said that he was very happy about their economic development investments they were putting into this budget. He said that he was glad they were investing in public school infrastructure that was desperately needed, and he was excited about what could be happening in the future in terms of affordable housing.

Mr. Gallaway said that he appreciated and respected their citizens, and knew this had not been without pain, but the revenues they were taking in were addressing the items he could support as a Supervisor, and they would review the impacts of this budget as they moved forward. He said that he appreciated all of the citizens who engaged in the budget process and emails about housing prices coming down, and he asked those constituents to continue to hold him responsible as they saw what happened in the next year.

Ms. LaPisto-Kirtley said that at all of her community meetings related to the budget, citizens expressed concern about assessments going up. She said that she explained to staff why this happened and what the monies were used for, there were no issues after that, and the community was understanding. She said that no one disagreed with the compensation for public safety departments and the compensation study because they realized how important workforce stabilization was, and they saw that when they required County services.

Ms. LaPisto-Kirtley said that there were three new schools to be built, and the continuity with their budget and service was extremely important. She said that what they were spending their money on was what the community wanted, and she had not heard of issues other than related to the assessments. She said that they did not know what would happen next year, but they had to be vigilant about how they spent their money. She said she was supportive of the developed budget, because they were moving forward in a way that serviced their community in a way she was appreciative of.

Ms. Price said that she supported all six motions. She said that the Supervisors were not ignorant nor dismissive of the comments received from the community. She said that this budget was based on past experiences and projections of future economic conditions to meet their current and future needs. She said that she was especially concerned when learning about the 2007 property tax reduction and its negative impact on the County for the past 15 years. She said that it was her first year as a Board member of going through a regular budget process as a result of the COVID-19 pandemic, and she complimented Mr. Richardson and Finance staff for maintaining the financial stability of the County through that very difficult time.

Ms. Price said that Project ENABLE was tied closely to their budget, and the objectives of Project ENABLE 2.0 when achieved would further diversify the economic real estate values, reducing the impact of real estate property tax rates on residents, which would be the biggest improvement they could make. She said that they were already looking at diverting funds from operations of \$16 million to offset the \$38 million cost increase in their CIP plan. She said this budget recognized that with the funds they had available today, they were able to help cover the shortfall as a result of inflation and supply issues.

Ms. Price said that in January 2020, when she began serving on the Board, there were major shortfalls in police and fire rescue, and the departure of personnel in other County departments, so the compensation study and actions this Board had taken and would take for the adoption here today would stabilize their workforce, which was necessary to be able to provide the services the community needed. She noted that these tax rates affected each Supervisor as well as all other community members, so they acted as community members who would pay their fair share of the taxes in order to support this County.

Ms. Price said if there was nothing further, the floor was open for a motion to adopt the Resolution to Set the CY23 Tax Rates (Attachment A).

Ms. McKeel **moved** to adopt the resolution to set Calendar Year 2023 Tax Rates as presented in Attachment A.

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

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

RESOLUTION TO SET CALENDAR YEAR 2023 TAX RATES

BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, does hereby set the County Levy for Calendar Year 2023 for general County purposes at:

- (1) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of real estate;

- (2) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of manufactured homes;
- (3) Eighty-Five and Four-Tenths Cents (\$0.854) on every One Hundred Dollars for assessed value of public service property;
- (4) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of personal property;
- (5) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of business personal property that is not classified as machinery and tools, merchants' capital, or short-term rental property, with an original cost of less than Five Hundred Dollars (\$500.00); and
- (6) Three Dollars and Forty-Two Cents (\$3.42) on every One Hundred Dollars for assessed value of machinery and tools; and

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

Ms. McKeel **moved** to adopt the FY 24 Budget Resolution approving the FY 24 Budget as recommended by the County Executive and amended by the Board of Supervisors and presented in Attachment B.

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

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

**FY 2024
BUDGET RESOLUTION**

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

- 1) That the budget for the County for the Fiscal Year beginning July 1, 2023 is made up of the County Executive's Recommended Budget document and the amendments made by the Board of Supervisors.
- 2) That the budget for the County for the Fiscal Year beginning July 1, 2023 is summarized as follows:

General Fund	\$408,191,128
<u>Less Transfers to Other Funds</u>	<u>(234,205,719)</u>
Net County Government - General Fund	\$173,985,409
School Fund	\$257,346,842
<u>Less Transfer to Other Funds</u>	<u>(8,616,680)</u>
Net Public Schools - School Fund	\$248,730,162
School Special Revenue Funds	\$29,120,225
<u>Less Transfer to Other Funds</u>	<u>(27,475)</u>
Net Public Schools - Special Revenue Funds	\$29,092,750
County Government - Other Funds	\$33,083,728
<u>Less Transfer to Other Funds</u>	<u>(5,522,524)</u>
Net County Government - Other Funds	\$27,561,204
Capital Projects Funds	
County Government Capital Fund (net of transfer to School Capital Fund)	\$27,818,784
School Projects Capital Fund	23,223,800
Total Capital Projects Funds	\$51,042,584
<u>Less Transfer to Other Funds</u>	<u>(2,813,701)</u>
Net Capital Projects Funds	\$ 48,228,883
Debt Service Funds	
County Government Debt Service Fund	\$7,637,581
School Debt Service Fund	16,829,918
Total Debt Service Funds	\$24,467,499

TOTAL COUNTY BUDGET **\$552,065,907**

3) That the budget for the County for the Fiscal Year beginning July 1, 2023 as described in 1) and 2) above is approved.

Mr. Gallaway **moved** that the Board adopt the resolution to revise FY 23 and set FY 24 pay scales as presented in Attachment C.

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

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

**FY 2023 REVISED AND FY 2024 PAY
SCALES RESOLUTION**

WHEREAS, the Classification and Compensation Study prepared by Gallagher, the results of which were presented to the Board of Supervisors of Albemarle County on March 29, 2023 (the “Study”), recommended a revision to the Classified Pay Scale for the County for the remainder of FY 2023, as described in the attached COUNTY OF ALBEMARLE Classified Salary Scale Effective May 6, 2023 through June 30, 2023 (the “Revised FY 2023 Salary Scale”); and

WHEREAS, the County’s budget for the Fiscal Year beginning on July 1, 2024, includes funding for compensation based on the pay scales for the County recommended in the Study, as described in the attached COUNTY OF ALBEMARLE Classified Salary Scale Effective July 1, 2023 through June 30, 2024, and the attached COUNTY OF ALBEMARLE Classified Public Safety Pay Scales Effective July 1, 2023 through June 30, 2024, for each of the Police Department, Fire Rescue Department and Sheriff’s Office (collectively, the “FY 2024 Salary Scales”); and

Ms. Mallek **moved** to adopt the Annual Resolution of Appropriations as presented in Attachment D.

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

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

ANNUAL RESOLUTION OF APPROPRIATIONS
OF THE COUNTY OF ALBEMARLE
FOR THE FISCAL YEAR ENDING June 30, 2024

A RESOLUTION making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 2024; to prescribe the provisions with respect to the items of appropriation and their payment; and to repeal all previous appropriation ordinances or resolutions that are inconsistent with this resolution to the extent of such inconsistency.

BE IT RESOLVED by the Albemarle County Board of Supervisors:

SECTION I - COUNTY GOVERNMENT

That the following sums of money be and the same hereby are appropriated from the GENERAL FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2024:

Paragraph One: **ADMINISTRATION**

Board of Supervisors	\$722,783
Executive Leadership	\$3,452,495
Human Resources	\$1,928,141
County Attorney	\$1,590,932
Finance & Budget	\$9,348,757
Information Technology	\$8,024,449
Voter Registration and Elections	<u>\$1,541,797</u>
	\$26,609,354

Paragraph Two: **JUDICIAL**

Clerk of the Circuit Court	\$1,195,215
Commonwealth's Attorney	\$2,288,010
Sheriff	\$3,764,941
Circuit Court	\$121,471
General District Court	\$38,300
Magistrate	\$5,465
Juvenile Court	\$148,654
Public Defender's Office	<u>\$121,322</u>
	\$7,683,378

Paragraph Three: **PUBLIC SAFETY**

Police Department	\$26,456,267
System-Wide Fire Rescue Services	\$23,033,097
Crozet Volunteer Fire Department	\$202,834
Earlsville Volunteer Fire Company	\$224,791
East Rivanna Volunteer Fire Company	\$234,906
North Garden Volunteer Fire Company	\$131,404
Scottsville Volunteer Fire Department	\$150,139
Seminole Trail Volunteer Fire Department	\$483,987
Stony Point Volunteer Fire Company	\$170,895
Western Albemarle Rescue Squad (WARS) (including Contingency: WARS MOU)	\$436,901
Emergency Communications Center	\$4,121,034
Albemarle Charlottesville Regional Jail	\$4,290,717
Blue Ridge Juvenile Detention Center	\$309,047
Charlottesville Albemarle SPCA	\$765,683
Virginia Juvenile Community Crime Control Act (VJCCCA)	<u>\$52,231</u>
	\$61,063,933

Paragraph Four: **PUBLIC WORKS**

Facilities and Environmental Services	\$8,860,005
Rivanna Conservation Alliance - Streamwatch	\$30,000
Rivanna Solid Waste Authority (RSWA)	\$2,186,246
Thomas Jefferson Soil and Water Conservation	<u>\$134,853</u>
	\$11,211,104

Paragraph Five: **HEALTH AND WELFARE**

Department of Human and Social Services	\$22,970,107
Albemarle Housing Improvement Program (AHIP)	\$445,619
American Red Cross	\$25,000
Boys & Girls Club	\$59,887
BRACH - System Coordination Program	\$25,000
The Bridge Line	\$29,173
Central Virginia Community Justice	\$30,000
Charlottesville Free Clinic	\$116,699
Charlottesville/Albemarle Health Department	\$888,984
Child Health Partnership	\$342,634
Computers4Kids	\$15,351
Foothills Child Advocacy Center	\$46,583
The Fountain Fund	\$18,200
Georgia's Friends	\$25,000
The Haven	\$17,104
Habitat for Humanity	\$75,000

Jefferson Area Board for Aging (JABA)	\$396,884
Legal Aid Justice Center	\$42,652
Light House Studio	\$17,308
Literacy Volunteers	\$29,016
Local Food Hub	\$10,000
Meals on Wheels	\$10,816
Monticello Area Community Action Agency (MACAA)	\$48,000
Offender Aid and Restoration (OAR)	\$178,563
OAR Criminal Justice Planner Program	\$23,606
OAR Local Probation	\$31,171
OAR Pretrial Services	\$28,545
On Our Own	\$10,279
PACEM	\$710
Partner for Mental Health	\$15,600
Piedmont Court Appointed Special Advocates	\$10,000
Piedmont Family YMCA	\$10,816
Piedmont Housing Alliance (PHA)	\$65,714
Piedmont Virginia Community College	\$25,658
ReadyKids	\$77,187
Reclaimed Hope Initiative	\$25,000
Region Ten	\$826,760
Sexual Assault Resource Agency (SARA)	\$22,729
Shelter for Help in Emergency (SHE)	\$98,775
United Way	\$161,000
Women's Initiative	\$15,000
	\$27,312,230
Paragraph Six: PARKS, RECREATION AND CULTURE	
Parks & Recreation	\$4,986,017
Charlottesville/Albemarle Convention and Visitor's Bureau	\$964,617
Charlottesville Ballet	\$2,500
Charlottesville Band	\$8,000
Jefferson-Madison Regional Library	\$5,227,048
Jefferson School African American Heritage Center	\$15,000
Lighthouse Studio/Vinegar Hill Theater	\$2,500
Live Arts	\$15,000
Music Resource Center	\$2,500
New City Arts Initiative	\$2,500
Sin Barreras - Without Barriers	\$8,000
Virginia Discovery Museum	\$5,000
Virginia Film Festival	\$15,000
Virginia Theatre Festival	\$2,500
	\$11,256,182
Paragraph Seven: COMMUNITY DEVELOPMENT	
Department of Community Development	\$8,272,212
Office of Economic Development	\$720,405
Central Virginia Partnership for Economic Development	\$57,212
Central Virginia Small Business Development Center (CVSBDC)	\$66,401
Community Investment Collaborative	\$25,000
Virginia Career Works - Piedmont Region	\$22,884
Central Shenandoah Planning District Commission	\$5,677
Charlottesville Area Transit	\$1,300,000
Jaunt	\$3,317,944
Regional Transit Partnership	\$25,000
Contingency: Micro-transit Grant	\$175,000
Thomas Jefferson Planning District Commission	\$161,747
Virginia Cooperative Extension Service	\$242,633
	\$14,392,115
Paragraph Eight: REVENUE SHARING AGREEMENT	
Revenue Sharing Agreement	\$15,715,740
Paragraph Nine: TAX REFUNDS, ABATEMENTS, & OTHER REFUNDS:	
Refunds, Abatements, and Tax Relief	\$1,885,000
Paragraph Ten: OTHER USES OF FUNDS	
Transfer to School Operations	\$182,019,694
Transfer to Capital Projects and Debt Service Funds	\$43,912,802
Transfer to Water Resources Fund	\$1,916,214
Transfer to Economic Development Authority Fund	\$380,000
Reserve for Contingencies	\$730,646
Salary and Benefits Reserve	\$1,407,226
Early Retirement	\$695,510
	\$231,062,092
Total GENERAL FUND appropriations for the fiscal year ending June 30, 2024:	\$408,191,128

To be provided as follows:		
Revenue from Local Sources		\$362,159,595
Revenue from the Commonwealth		\$29,508,544
Revenue from the Federal Government		\$8,811,771
Non-Revenue Receipts		\$135,000
Transfers In from Other Funds		\$6,201,634
Use of Fund Balance		\$1,374,584
Total GENERAL FUND resources available for fiscal year ending June 30, 2024:		\$408,191,128

SECTION II: GENERAL FUND SCHOOL RESERVE FUND

That the following sums of money be and the same hereby are appropriated for GENERAL FUND SCHOOL RESERVE FUND purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:

Paragraph One: GENERAL FUND SCHOOL RESERVE FUND		
Transfer to the School Fund		\$3,666,739
Total GENERAL FUND SCHOOL RESERVE FUND appropriations for fiscal year ending June 30, 2024:		\$3,666,739
To be provided as follows:		
Use of Fund Balance		\$3,666,739
Total GENERAL FUND SCHOOL RESERVE FUND resources available for fiscal year ending June 30, 2024:		\$3,666,739

SECTION III: REGULAR SCHOOL FUND

That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:

Paragraph One: REGULAR SCHOOL FUND		
School Fund Expenditures		\$259,922,224
Total REGULAR SCHOOL FUND appropriations for fiscal year ending June 30, 2024:		\$259,922,224
To be provided as follows:		
Revenue from Local Sources (General Fund Transfer)		\$182,019,694
Revenue from Other Local Sources		\$1,898,161
Revenue from the Commonwealth		\$71,692,155
Revenue from the Federal Government		\$618,000
Transfers		\$27,475
Transfer from General Fund School Reserve Fund		\$3,666,739
Total REGULAR SCHOOL FUND resources available for fiscal year ending June 30, 2024:		\$259,922,224

SECTION IV: OTHER SCHOOL FUNDS

That the following sums of money be and the same hereby are appropriated for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:

Paragraph One: OTHER SCHOOL FUNDS		
Other School Funds		\$30,316,988
Total OTHER SCHOOL FUND appropriations for fiscal year ending June 30, 2024:		\$30,316,988
To be provided as follows:		
Revenue from Local Sources		\$7,235,589
Revenue from the Commonwealth		\$3,012,074
Revenue from the Federal Government		\$12,685,966
Transfers		\$6,380,768
Use of Fund Balance		\$1,002,591
Total OTHER SCHOOL FUND resources available for fiscal year ending June 30, 2024:		\$30,316,988

SECTION V: OTHER COUNTY GOVERNMENT FUNDS

That the following sums of money be and the same hereby are appropriated for OTHER PROGRAM purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:

Paragraph One: OTHER COUNTY GOVERNMENT FUNDS	
CACVB Fund	\$2,358,875
Children's Services Act	\$12,792,430
Commonwealth's Attorney Delinquent Fines and Fees	\$60,000
Computer Maintenance and Replacement	\$952,250
Courthouse Maintenance	\$22,575
Darden Towe Memorial Park	\$440,473
Disposable Plastic Bag Tax Fund	\$40,000
Economic Development Authority	\$690,080
Economic Development Fund	\$1,812,530
Grant Funds	\$2,021,180
Housing Assistance Fund	\$4,679,228
Housing Fund	\$80,901
Old Crozet School Operations	\$120,305
Regional Firearms Training Center - Capital	\$97,524
Regional Firearms Training Center - Operations	\$252,134
Tourism	\$2,225,242
Vehicle Replacement	\$1,386,787
Water Resources	\$1,916,214
Total OTHER COUNTY GOVERNMENT FUNDS appropriations for fiscal year ending June 30, 2024:	\$31,948,728
To be provided as follows:	
Revenue from Local Sources	\$4,328,945
Revenue from the Commonwealth	\$8,898,374
Revenue from the Federal Government	\$5,330,556
Transfers In from Other Funds	\$11,412,422
Use of Fund Balance	\$1,978,431
Total OTHER COUNTY GOVERNMENT FUNDS resources available for fiscal year ending June 30, 2024:	\$31,948,728

SECTION VI - COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2024:

Paragraph One: ADMINISTRATION	
County Server Infrastructure Upgrade	\$602,100
Core Systems Modernization	\$3,812,000
	\$4,414,100
Paragraph Two: JUDICIAL	
Court Facilities Addition/Renovation	\$5,000,000
Paragraph Three: PUBLIC SAFETY	
Fire Rescue Apparatus Replacement Program	\$4,254,764
Police SWAT Vehicle Replacement	\$345,650
	\$4,600,414
Paragraph Four: PUBLIC WORKS	
County Office Building Space Renovations	\$254,000
Ivy Landfill Remediation	\$711,465
Moore's Creek Septage Receiving Station	\$109,441
Regional Firearms Training Center Capital Reserve - County Share	\$42,911
Rivanna Solid Waste Authority (RSWA) Baler Facility	\$4,328,812
	\$5,446,629
Paragraph Five: PARKS, RECREATION & CULTURE	
Biscuit Run Park	\$2,977,536
Darden Towe Park Field Rebuild	\$604,368
	\$3,581,904
Paragraph Six: COMMUNITY DEVELOPMENT	
Transportation Leveraging Program	\$1,956,465

Paragraph Seven: OTHER USES OF FUNDS	
Cost of Issuance	\$602,945
Project Management and Administrative Services	\$2,216,327
Borrowed Proceeds Transfer	<u>\$17,397,258</u>
	\$20,216,530
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2024:	<u>\$45,216,042</u>
To be provided as follows:	
Revenue from Local Sources (General Fund Transfer)	\$13,076,250
Revenue from Local Sources (Other Transfers)	\$22,575
Revenue from Other Local Sources (including proffers)	\$1,431,463
Borrowed Funds	\$32,872,107
Use of Fund Balance	<u>(\$2,186,353)</u>
Total COUNTY GOVERNMENT CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2024:	<u>\$45,216,042</u>
SECTION VII: PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND	
That the following sums of money be and the same hereby are appropriated from the PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:	
Paragraph One: EDUCATION (PUBLIC SCHOOLS)	
Project Management Services	\$554,463
School Bus Replacement	\$1,680,000
School Capacity #2 - Southern Elementary School	\$3,602,903
School Maintenance/Replacement Program	\$12,741,434
School Renovations	\$2,860,000
School Network Infrastructure	\$1,785,000
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2024:	<u>\$23,223,800</u>
To be provided as follows:	
	\$51,042,584
Revenue from Local Sources (County Govt Capital Programs Transfer)	\$17,397,259
Revenue from Local Sources (General Fund Transfer)	\$7,005,131
Revenue from Other Local Sources	\$76,434
Revenue from the Commonwealth	\$270,000
Use of Fund Balance	<u>(\$1,525,024)</u>
Total PUBLIC SCHOOLS CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2024:	<u>\$23,223,800</u>
SECTION VIII: DEBT SERVICE	
That the following sums of money be and the same hereby are appropriated for the function of DEBT SERVICE to be apportioned as follows from the COUNTY GOVERNMENT DEBT SERVICE FUND and the PUBLIC SCHOOLS DEBT SERVICE FUND for the fiscal year ending June 30, 2024:	
Paragraph One: PUBLIC SCHOOLS DEBT SERVICE FUND	
Debt Service - Public Schools	<u>\$16,829,918</u>
Total PUBLIC SCHOOLS DEBT SERVICE appropriations for fiscal year ending June 30, 2024:	\$16,829,918
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$16,391,050
Revenue from the Commonwealth	\$358,713
Revenue from the Federal Government	<u>\$80,155</u>
Total PUBLIC SCHOOLS DEBT SERVICE resources available for fiscal year ending June 30, 2024:	\$16,829,918
Paragraph Two: COUNTY GOVERNMENT DEBT SERVICE FUND	
Debt Service - County Government	<u>\$7,637,581</u>
Total COUNTY GOVERNMENT DEBT SERVICE appropriations for fiscal year ending June 30, 2024:	\$7,637,581
To be provided as follows:	
Revenue from Local Sources (Transfer from General Fund)	\$7,440,370
Revenue from Local Sources (Transfer from Stormwater Fund)	<u>\$197,210</u>
Total COUNTY GOVERNMENT DEBT SERVICE resources available for fiscal year ending June 30, 2024:	\$7,637,580
GRAND TOTAL - DEBT SERVICE FUNDS	<u>\$24,467,499</u>

TOTAL APPROPRIATIONS INCLUDED IN
SECTIONS I - VIII OF THIS RESOLUTION
FOR THE FISCAL YEAR ENDING June 30, 2024

Appropriations:			RECAPITULATION:
Section I	General Fund		\$408,191,128
Section II	General Fund School Reserve Fund		\$3,666,739
Section III	School Fund		\$259,922,224
Section IV	Other School Funds		\$30,316,988
Section V	Other County Government Funds		\$31,948,728
Section VI	County Government Capital Improvements Fund		\$45,216,042
Section VII	Public Schools Capital Improvements Fund		\$23,223,800
Section VIII	Debt Service		<u>\$24,467,499</u>
			\$826,953,148
Less Inter-Fund Transfers			(\$272,163,112)
GRAND TOTAL - ALBEMARLE COUNTY APPROPRIATIONS			<u>\$554,790,036</u>

SECTION IX: EMERGENCY COMMUNICATIONS CENTER

That the following sums of money be and the same hereby are appropriated from the EMERGENCY COMMUNICATIONS CENTER FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2024:

Paragraph One: EMERGENCY COMMUNICATIONS CENTER FUND		
Emergency Communications Center		<u>\$8,434,606</u>
Total EMERGENCY COMMUNICATIONS CENTER FUND appropriations for fiscal year ending June 30, 2024:		\$8,434,606
To be provided as follows:		
Albemarle County		\$4,121,033
City of Charlottesville		\$1,852,505
University of Virginia		\$1,473,596
Revenue from Other Local Sources		\$260,225
Revenue from the Commonwealth		\$723,254
Revenue from the Federal Government		\$3,993
Total EMERGENCY COMMUNICATIONS CENTER FUND resources available for fiscal year ending June 30, 2024:		\$8,434,606

SECTION X

All of the monies appropriated as shown by the contained items in Sections I through IX are appropriated upon the provisos, terms, conditions, and provisions herein before set forth in connection with said terms and those set forth in this section. The Chief Financial Officer and Clerk to the Board of Supervisors are hereby designated as authorized signatories for all bank accounts.

Paragraph One

Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional, and proportionate appropriations - the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full.

Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said fiscal year by the Board of Supervisors.

Paragraph Two

All revenue received by any agency under the control of the Board of Supervisors included or not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by the said agency under the control of the Board of Supervisors without the consent of the Board of Supervisors being first obtained, nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation.

Paragraph Three

No obligations for goods, materials, supplies, equipment, or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for items exempted by the Albemarle County Purchasing Manual shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual, the County Attorney, and the Purchasing Agent or Chief Financial Officer. The Purchasing Agent shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency, or individual.

In the event of the failure for any reason of approval herein required for such contracts, said contract shall be awarded through appropriate action of the Board of Supervisors.

Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County Purchasing Manual shall not be considered obligations of the County, and the Chief Financial Officer shall not issue any warrants in payment of such obligations.

Paragraph Four

Allowances out of any of the appropriations made in this resolution by any or all County departments, bureaus, or agencies under the control of the Board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the rate established by the County Executive for its employees and shall be subject to change from time to time.

Paragraph Five

All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Chief Financial Officer.

Paragraph Six

Any funds appropriated herein to recipients who are not directly governed by the Board of Supervisors ("External Recipients") may be used only for the exclusive and singular purpose for which the funds are appropriated, subject to any additional conditions as stated in the Approved Budget, County policies, County agreement with the External Recipient, or as otherwise required or proscribed by law or ordinance. External Recipients have an affirmative fiscal duty to account for the appropriate and most responsible use of the funds and, as an express condition of the appropriation and in addition to other reporting requirements, must provide an accounting upon request by the County within 30 days in a form determined by the Department of Finance and Budget. External Recipients must be able to at all times account for any County funds appropriated to them separate from donations from any other source. Failure to adhere to these conditions or to the purposes for which the appropriations are made may, among other remedies, affect future appropriations. The Department of Finance and Budget is authorized to withhold transfers of appropriated funds to any External Recipient until any pending requests for reporting and accounting have been met to the County's satisfaction. If any funds allocated to an External Recipient remains unused at the end of FY 24, the unspent balance must be returned to the County unless a County agreement with the External Recipient, an agreement to which the County is a party pertaining to the funding terms of the External Recipient, or the applicable law, provides otherwise. These foregoing conditions shall be deemed incorporated into any agreement with an External Recipient executed after May 3, 2023.

Paragraph Seven

The County Executive is authorized to:

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

Expenditure Classifications Eligible for Transfer Under this Resolution:

General Fund

 - Business Process Optimization Reserve
 - Climate Action Pool
 - Reserve for Contingencies
 - Salary and Benefits Reserve

Capital Funds

 - Advancing Strategic Priorities Reserve in CIP
 - Economic Development Funding for Public-Private Partnerships (P3s)
 - Transportation Leveraging Fund
- 3) allocate salary lapse between department budgets;
- 4) administratively approve the carry forward of outstanding grants and capital projects and programs from year to year;
- 5) close out Capital projects and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance;
- 6) close out grant funds; including the transfer of any unencumbered residual funds to the appropriate fund's fund balance.
- 7) administratively approve the carry forward of outstanding balances up to \$24,000,000 for estimated encumbered purchase orders.

Paragraph Eight

The Chief Financial Officer is hereby authorized to transfer monies from one fund to another, from time to time as monies become available, sums equal to, but not in excess of, for the appropriations made to these funds for the period covered by this resolution of appropriations.

Paragraph Nine

All resolutions and parts of resolutions inconsistent with the provisions of this resolution shall be and the same are hereby repealed.

Paragraph Ten

This resolution shall become effective on July 1, 2023.

Ms. LaPisto-Kirtley **moved** to adopt the Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing as presented in Attachment E.

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

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

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

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

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

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

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the “Bonds”) or to incur other debt to pay the costs of the Project in an amount not currently expected to exceed \$35,108,205.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure); (b) a cost of issuance with respect to the Bonds; (c) a nonrecurring item that is not customarily payable from current revenues; or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.
5. The Borrower intends that the adoption of this Resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. This Resolution shall take effect immediately upon its passage.

Ms. LaPisto-Kirtley **moved** to adopt the FY 24–28 Capital Improvement Plan as presented in Attachment F.

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

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

**FY 2024
CAPITAL IMPROVEMENTS PLAN RESOLUTION**

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

- 1) The County Executive has prepared and recommended a Five-Year Capital Improvements Plan (CIP) to the Board of Supervisors and that plan is included in the Budget Document and was presented at Budget Work Session #2 on March 13, 2023, with project discussion and amendments by the Board of Supervisors at additional budget work sessions.
- 2) The Board of Supervisors of Albemarle County hereby adopts the Five-Year Capital Improvements Plan for FY 24 - 28 as summarized below:

CIP Expenditures (net of transfers)	FY 24 - 28	
Administration	\$	9,775,760
Judicial	\$	5,000,000
Public Safety	\$	16,099,104
Public Works	\$	25,630,539
Parks, Recreation, & Culture	\$	11,601,408
Community Development	\$	40,656,225
Other	\$	16,069,922
Public Schools	\$	194,520,673
Total CIP Expenditures	\$	319,353,632

Mr. Richardson said that he would like to recognize Ms. Maya Kumazawa with the School

Division and would like to thank the School Division for their collaborative work with Albemarle County government. He thanked Mr. Andy Bowman for the Budget Office's work in generating options for the County, which he appreciated very much. He said that Ms. Nelsie Birch would be leaving their organization, and they must make sure to be aware of the upcoming work this year would have to be done without her. He said that Ms. Birch had provided great leadership to this organization, and helped people be better than they were. He expressed his sincere thanks to her, because the County owed her their gratitude for helping create this budget. He said that she would be greatly missed.

Ms. Nelsie Birch, CFO, said that it had been an emotional time, but she was so very proud of the work that this Board had done over the past few months with herself, her team, and Mr. Richardson. She said that it was great to go out on such a high note, and although some people did not think the budget was sufficient to meeting their needs, she believed a vast majority of the community thought it did. She said that she would look back on the opportunity that the County had given her and would be staying in the area for as long as she could. She thanked the Board and the community, and to the wonderful team who had helped her grow in different ways as well.

Ms. Price said that the best leaders were those who could leave their team to perform their duties because they were well prepared. She said that Ms. Birch was a great leader because she had prepared her team to take over and keep the County moving forward. She thanked Ms. Birch.

Ms. McKeel said that Ms. Birch would be missed. She thanked Ms. Birch for taking them to the next level, and for her culture of a continuous learning model.

Mr. Gallaway said that the budget was subject to public scrutiny, but in terms of the organizational changes Ms. Birch had made while at the County had protected them from liabilities, had saved them monies, and created operational efficiencies. He said that Ms. Birch should be proud of being able to make their Triple Triple A bond rated County even stronger. He said that he knew that he and his fellow colleagues had had to get to a higher level of thinking about the budget and finances to keep up with Ms. Birch's work, and he was grateful for that.

Agenda Item No.11. Closed Meeting.

At 3:50 p.m., Ms. LaPisto-Kirtley **moved** the Board go into 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, Agricultural and Forestal Advisory Committee, Economic Development Authority, Jefferson Area Board for Aging (JABA) Advisory Council, and Places 29 (Hydraulic) Community Advisory Committee;
- under subsection (1), to discuss the assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation of a specific administrative employee of the county appointed by the Board of Supervisors; and
- under subsection (5), to discuss the location of two prospective businesses or industries in the northern part of the county, one in the Jack Jouett Magisterial District and one in the Rio Magisterial District, where no previous announcement has been made of the businesses' or industries' interest in locating their respective facilities in the community.

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

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

NAYS: None.

Agenda Item No.12. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **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.

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

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

NAYS: None.

Agenda Item No. 13. Boards and Commissions.

Item No. 13.a. Vacancies and Appointments.

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

- **APPOINT** Ms. Andrea C. Johnson to the Economic Development Authority as the Jack Jouett District representative, with said term to expire January 19, 2027.
- **APPOINT** Ms. Sharon Britt to the Jefferson Area Board for Aging Advisory Council with said term to expire May 31, 2025.
- **REAPPOINT** Ms. Pamela McIntyre to the Jefferson Area Board for Aging Advisory Council with said term to expire May 31, 2025.
- **APPOINT** Ms. Kendra Walston to the Places 29 (Hydraulic) Community Advisory Committee with said term to expire August 5, 2024.
- **APPOINT** Mr. Nathan Moore to the Planning Commission as the Rio District representative with said term to expire December 31, 2025.

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

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

Mr. Gallaway moved that the Board make the following appointment:

- **APPOINT** Mr. Nathan Moore to the Planning Commission as the Rio District representative with said term to expire December 31, 2025.

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

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

Agenda Item No. 14. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report from the County Executive.

Agenda Item No. 15. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

There were none.

Agenda Item No. 16. **Public Hearing: 2023 Community Development Block Grant (CDBG)** To solicit public input on local community development and housing needs in relation to potential applications for Community Development Block Grant (CDBG). Information on the amount of funding available, the requirements on benefits to low- and moderate-income persons, and eligible activities will be available. Citizens will also be given the opportunity to comment on the County's past use of CDBG funds. All interested citizens are urged to attend.

The Executive Summary as forwarded to the Board states that the Virginia Community Development Block Grant (VCDBG) is a federally-funded grant program administered by the Virginia Department of Housing and Community Development (DHCD). Since 1982, the DHCD has provided funding to eligible units of local government for projects that address critical community needs including housing, infrastructure, and economic development. Albemarle County successfully secured numerous grants in previous years to support housing and community improvement initiatives.

The VCDBG application process requires that two local public hearings be conducted. The purpose of the first public hearing is to provide information on eligible activities that may be funded by CDBG, the amount of funding estimated to be available, past activities undertaken with CDBG funds, and to receive public comment on this information for potential community development and housing needs. A follow-up public hearing is held to consider proposed project applications and must take place prior to the DHCD application due date of June 1, 2023. Applications must be submitted by the County to the DHCD; however, the proposed activities may be undertaken by partner agencies.

Albemarle County, as a non-entitlement community, is eligible to apply to the DHCD for up to approximately \$2.4 million in CDBG funding for projects that benefit low- and moderate-income persons, prevent slums and blight, or address urgent community needs. Eligible activities include housing rehabilitation, public infrastructure, community service facilities, and business district revitalization. Community development projects can receive varying levels of funding, depending on the nature of the activity, or by combining multiple activities. In calendar year 2023, \$13,989,319 is available for competitive grants and \$6 million for open submission applications.

Over the years, Albemarle County has successfully received a number of CDBG grant awards. The most recent grant was awarded in 2021 for the construction of five single-family homes and a Monacan Indian Nation Tribute Park as part of the Southwood Redevelopment project. This project is

approximately fifty percent (50%) complete. The most recent completed project rehabilitated 29 owner-occupied homes in the Alberene neighborhood. Prior grants have resulted in improved infrastructure and preservation of owner-occupied homes and rental units.

For any project to be considered by the County for CDBG funding, the applicant must notify the County no later than Friday, May 12, 2023. This notice shall include a brief description of the project, the amount of funding requested and the proposed use of CDBG funds, and a description of the beneficiaries of the proposed activity. Staff will return to the Board during a second public hearing on May 17, 2023 to present any proposed CDBG project(s) and seek Board approval for application submission. A completed application that includes the proposed project budget and all required attachments shall be submitted to the DHCD electronically by the County by the DHCD deadline of June 1, 2023.

There is no budgetary impact until an application is made to the DHCD and approved for a funded project. Projects approved for CDBG funding generally require some level of local funding support, which may include funding provided by the project partner.

Staff recommends that the Board receive information on available CDBG funding and eligible uses and hold the public hearing to receive input from the public on potential community development and housing needs.

Ms. Stacy Pethia, Housing Policy Manager, stated that this item was a public hearing for the 2023 Community Development Block Grant (CDBG) competitive application period. She said that the CDBG program required localities hold two public hearings prior to submission of a CDBG application. She said the first public hearing was being held tonight and would provide information on eligible grant activities, the amount of funding the state was making available, past activities undertaken by the County with CDBG funds, as well as to receive public comment on this information and on any potential community development and housing needs that may be served through the program grant.

Ms. Pethia said that the second public hearing was to bring the application to the Board for consideration for submission on June 1. She said that as a non-entitlement community, which was defined as a City or County with a population of less than 200,000 persons, the County was required to apply for CDBG funds through the Virginia Department of Housing and Community Development (DHCD). She said that to be eligible for CDBG funding, proposed grant projects must meet one of three national objectives, which included activities benefiting low- and moderate-income persons, activities which aided in the prevention or elimination of slums or blight, or activities designed to meet community needs having a particular urgency, such as recovery after natural disasters or to meet unexpected needs through a national pandemic.

Ms. Pethia said that eligible activities included housing rehabilitation projects, installation or upgrades of public infrastructure, community service facility creation, and business district revitalization. She said that Albemarle County had successfully received a number of CDBG grant awards in the past, and the most recent grant was awarded in 2021 for the construction of five single-family homes and a small neighborhood park honoring the Monacan Indian Nation as part of the Southwood Redevelopment project in Phase 1, which was approximately 60% complete. She said that the most recently completed project with CDBG program funds was the rehabilitation of 29 owner-occupied homes in the Alberene neighborhood, and other prior CDBG grants awarded to the County had resulted in approved infrastructure projects and preservation of owner-occupied homes and rental units.

Ms. Pethia said that in 2023, the Virginia DHCD was making approximately \$13.9 million available for the competitive grant program, and approximately \$6 million for open submission grants which included CDBG planning grants and shovel-ready infrastructure project grants. She said that the County was eligible to apply for approximately \$1.4 million based on the remaining balance of their current open CDBG project grant. She said that as of this afternoon, staff had received two requests for CDBG funding, which were currently under review, and there would be a second public hearing on May 17 to present a proposed CDBG project and seek Board approval to submit the application. She said that applications were due to DHCD by June 1, 2023.

Ms. Price opened the public hearing. She asked if there were any public speakers for this item.

Ms. Borgersen said that there were not.

Ms. Price asked if there were any further questions of Ms. Pethia before she closed the public hearing.

Ms. Mallek asked what would happen now.

Ms. Pethia said that two organizations had reached out to her, one being Habitat for Humanity, for a section of the new sewer infrastructure in Village 3 in Phase 2, and the second organization was the Crozet Downtown Business Improvement District, and she was unsure of what that project entailed, but based on the discussion she had on the phone it sounded like a planning grant may be more appropriate, which were accepted on a rolling basis, so they had until December of 2023 to figure that out, and she would likely be rescheduling conversations about that.

Ms. Price closed the public hearing. She asked if there were any further comments from Board members.

Ms. Mallek said that she hoped they would be successful in getting the grants, as they had been so beneficial in the past.

Ms. Price said that there was no action for the Board to take at this time but was for information on the funding and eligible uses. She said that this was the first of two required public hearings, and as indicated by Ms. Pethia, there would be a return back to the Board on May 17 to propose any CDBG projects and at that point seek Board approval for application submission.

Agenda Item No. 17. **Public Hearing: SP202200012 City Church Amendment.**

PROJECT: SP202200012 City Church Multi-use Space Addition

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 06100-00-00-153A1

LOCATION: 1010 and 1012 Rio Road E, Charlottesville, VA 22901

PROPOSAL: Amend existing special use permit, SP201700010, to allow a 10,600 square foot multi-use building, with additional office space, towards the rear of the parcel, along with a parking lot expansion of 43 spaces.

PETITION: Religious assembly in the R4 Zoning District on a 4.23 acre parcel under Section 15.2.2.12 of the Zoning Ordinance. No dwellings proposed.

ZONING: R4 Residential (4.0 units/acre)

OVERLAY DISTRICT(S): Airport Impact Area, Steep Slopes – Managed

COMPREHENSIVE PLAN: Urban Density Residential which allows residential uses (6.01 – 34 units/ acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 2 of the Places 29 Master Plan

The Executive Summary as forwarded to the Board states that at its meeting on March 14, 2023, the Albemarle County Planning Commission (PC) recommended approval of SP202200012 by a vote of 6:0, for the reasons stated in the staff report and with the conditions proposed by staff.

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

The PC raised no objections to the request for a special use permit but did ask a few clarifying questions. No members of the public spoke at the public hearing on this proposal. Conditions of approval are recommended that require the site to be developed in general accord with the concept plan, establish a maximum number of seats for the sanctuary, and dedicate future right-of-way for Rio Road Corridor improvements.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SP202200012 City Church Amendment.

Ms. Rebecca Ragsdale, Planning Manager, stated that she would review the staff report and presentation for this item. She said that this was an existing church known as City Church, located across from Belvedere Boulevard, near the intersection of John Warner Parkway. She said that the church had been there for more than 30 years. She said that the property had two entrances from Rio Road, with existing parking areas to the sides of the existing church.

Ms. Ragsdale said that the parcel was zoned R-4 Residential, which required a special use permit for the proposed use. She said that surrounding zoning was primarily residential with some commercial nearby. She said that the master plan designated the property as Urban Density Residential, and religious assembly use was a supported use in that land use designation.

Ms. Ragsdale displayed the proposed concept plan on the slide. She said that there was a special use permit approved in 2017, and that prior special use permit was to redevelop the entire site for an assembly up to 500 seats. She said that the current proposal was for approximately 300 seats and would keep existing buildings but expanded parking areas and built space needed in the back of the property with a multiuse building that would serve as an activity space and office space for the existing congregation. She said that the prior special use permit mentioned was not pursued and would expire on May 9.

Ms. Ragsdale said that staff analyzed the request based on consideration for detriment to abutting property owners, any character changes in the neighborhood, harmony with existing uses, and consistency with the Comprehensive Plan. She said that staff also considered any potential impacts such as traffic. She said that the community meeting raised transportation questions and runoff concerns were expressed. She said that they looked at the Greenbrier neighborhood, and with this proposal, the site plan and engineering plan that would improve the stormwater management and add facilities that did not exist. She said that they found that this property was not entirely the source of the runoff into that City neighborhood.

Ms. Ragsdale said that they had received questions about transportation and traffic along this corridor, and trip generation estimates were provided. She said that traffic impacts were expected to occur during off-peak hours and there were no concerns from Transportation, Planning, or VDOT. She said that there were fewer seats than previously approved, and this was located at a priority transportation project intersection with the Rio Road Corridor Plan, which had been submitted for SMART SCALE funding.

Ms. Ragsdale said that with this property, it would be a right-in, right-out once those improvements were in place with the Green-T along that corridor. She said that the concept plan provided for those future

improvements and did not impede them, and one of the conditions recommended was that upon demand, any right-of-way needed would be donated for that project.

Ms. Ragsdale showed a slide of the recommended conditions, and said that they were the typical special use permit conditions that required general accord and development with the conceptual plan, including locations of buildings and parking areas. She said that one of the elements was to maintain a 20-foot buffer along the residential property line with the Greenbrier neighborhood, and those wooded areas designated to remain.

Ms. Ragsdale said that she mentioned it would be 320 seats now with the area of assembly, and they added the right-of-way condition. She said that they typically had a condition that addressed the timeframe for commencement or establishment of use, so the church had indicated they were comfortable with July 2028.

Ms. Mallek said that a traffic light at Belvedere Boulevard had been requested for a long time. She asked if cost-sharing in the future from this property would happen if the light was put in.

Ms. Ragsdale said that there were no additional conditions recommended, and there was not a traffic light recommended.

Mr. Kevin McDermott, acting Planning Director, stated that the proposed improvements submitted for SMART SCALE were the Green-T intersection improvements and were proposed for funding right now. He said that they were anticipating to see that money, and those improvements would include, if necessary, a signal at that intersection, so they would not need to go out to ask anyone else for that funding because it would be provided as part of that SMART SCALE project. He said that it was included in the cost estimate. He stated that they continued to work with VDOT to determine if the signal would be required, because the Green-T may make it unnecessary, but if it did move forward and was necessary, they could access that funding program.

Ms. Mallek asked if there would be a hold-back on that grant that would cover that in five years or so when it was determined.

Mr. McDermott said that the cost estimate included the potential signal, and as they there developing the plan for that and the engineering for it, they would do the evaluation and say yes that the signal was a part of the project.

Mr. Andrews said that there was a sanctuary there. He said that there would be a multiuse building, and he was trying to understand where the area of assembly was located. He asked what was special about that and where it was in the language for the condition.

Ms. Ragsdale said that the condition that stated the capacity was 320 seats applied to assemblies anywhere on the property, because that capacity addressed the parking needs and trip generation for the services, but there were other activities that happened on the property throughout the week or after those peak service hours on the weekend.

Mr. Gallaway asked if there were still two entrances.

Ms. Ragsdale said yes.

Mr. Gallaway said the first one across from Belvedere could be seen on the slide and asked if there was going to be a second one.

Ms. Ragsdale said yes, there was the right-in, then there was the right-out.

Mr. Gallaway said that one diagram showed a second right-in right-out, and asked if that was still part of it, or if it was just the one entranceway in and out of the site.

Ms. Ragsdale asked if he was referring to the concept plan or the prior Rio Corridor Plan.

Mr. Gallaway asked what the road continuing past the right-in and right-out area, going down toward CATEC.

Ms. Ragsdale confirmed that it was an interconnection to CATEC, but she was unsure of what entrance it connected to.

Mr. Gallaway asked if there was an interconnection to the CATEC property.

Ms. Ragsdale said there was not currently a vehicular connection, there was a pedestrian connection. She said that there would be a future connection as part of the Rio Corridor improvements.

Mr. Gallaway asked if there was a current entrance for cars in that area.

Ms. Ragsdale said no, it was currently a pedestrian path, but future plans with the corridor study would include vehicular access.

Mr. McDermott asked if Mr. Gallaway needed more clarification.

Mr. Gallaway said that at the top was the right-in, right-out, and if they did not get the Green-T, then they would want the traffic light, presumably leaving the site to be able to turn left. He said that as soon as the Green-T went in, right-in, right-out would be all that was allowed on the site. He asked if there were two right-ins and right-outs or one.

Mr. McDermott said that with the Green-T, there would only be one right-in, right-out.

Mr. Gallaway asked if that would be right across from the intersection.

Mr. McDermott said that was correct.

Mr. Gallaway asked if that was the case, would there be an interconnection to the CATEC property for cars.

Mr. McDermott said no. He said that the figure Mr. Gallaway was looking at was pulled from the Rio Corridor Plan to demonstrate what the Green-T would look like, but the connection to CATEC would be a separate project and was not part of the applicant's proposal or the Green-T proposal, but something proposed as part of the Rio Corridor Plan for some future option if they wanted to move forward with that.

Mr. Gallaway asked if the volume based on their use necessitated two entrances. He presumed that the two entrances would not be problematic. He asked if the Green-T were funded, people would have to turn right, hit the roundabout, and go back to 29.

Mr. McDermott said that was correct. He said that they would close the second entrance that currently existed there as part of that SMART SCALE project.

Mr. Gallaway asked if that would be leading into the roundabout.

Mr. McDermott said yes. He said that it would not meet VDOT standards because it was too close.

Mr. Gallaway asked who was generating the stormwater issue.

Ms. Ragsdale said that the applicant could likely address that question.

Ms. Price said that if there was only the right-in, right-out, and across there was a Green-T that precluded a left turn coming out of the property, would only work if the roundabout were to be constructed slightly to the right. She said that she saw Mr. McDermott shaking his head in the affirmative. She said that otherwise, without the roundabout, putting in the Green-T blocking the left out would not work.

Ms. Price opened the public hearing. She asked if there were any speakers signed up for public comment.

Ms. Borgersen said there were not.

Mr. Craig Kotarski, representing Timmons Group, said that Mr. Chris Becker, pastor at City Church, would say why this project was requested over the previous 2017 special use permit.

Mr. Chris Becker with City Church stated that in 2013, the church had their Sunday morning operations at Charlottesville High School and operated their services out of that building, and when COVID-19 hit, they had to move back to the current site, and with that they found that they had to move some locations around.

Mr. Becker said that they primarily found that their offices downstairs had to be used for children's rooms, but they could not accommodate the older children, so they agreed to utilize Harvest Church's gymnasium across the street to house their children in 1st and 5th grades. He said that they found that the 500-seat building was cost-prohibitive for their goals and seeing that a gymnasium on their site would be beneficial, and the downstairs offices could be returned as office space for their uses during the week.

Mr. Kotarski said that the proposed addition was approximately 10,600 square feet of multiuse building, and they would add 33 additional parking spaces to the site. He said that currently one of the things the church had an agreement in was sharing spaces at CATEC, but they wanted to ensure that they could be self-sufficient with regard to having the right amount of parking spots for 320 seats.

Mr. Kotarski said that the number 320 was often referenced by churches as the maximum number of seats for a special use requirement. He said that that also was the existing number of seats in the sanctuary today so it was not an expansion in any way. He showed an aerial of the site and its position along the Rio Road Corridor across from the Belvedere Subdivision and adjacent to CATEC.

Mr. Kotarski displayed an illustration of the existing conditions of the site. He said that reflected in this graphic was the northern entrance that had full access, so left-out and left-in turns could be made, and the access to the south was right-in, right-out. He said that there was less concern on the church's end with regards to the issue of getting out to Route 29 and make a left out when the Green-T was put into place.

Mr. Kotarski said that actually of concern, and they were open to working with the County to finding

the appropriate solution, the concern was making a left into the site, because with the Green-T, they would go down and across the bridge, then make a U-turn. He said that they were more concerned about the confusing aspects of that, but they were more than happy to work through the issues as the project came online.

Mr. Kotarski said that the proposed project would have more details in the site plan when it got to that stage. He said that with regard to stormwater, they addressed with staff by putting together a stormwater and drainage map that went to the stream that was west of the railroad. He said the stream ran behind some of the houses in the Greenbrier neighborhood. He said that the majority of that water was coming up from Gasoline Alley and was caught in that ditch line that ran along the railroad and coming under Rio Road.

Mr. Kotarski said that their plan proposed doing some sort of stormwater management in accordance with state and local regulations that would reduce the one-year, and ten-year storm event impacts to at or below what they currently were today. He said that they would therefore not be contributing any more to those issues seen in that neighborhood, and there would hopefully be an improvement during the more frequent storm events.

Ms. Mallek asked if the concept plan had a drainage area near the front of the property.

Mr. Kotarski said that it would remain a pedestrian pathway that went over to CATEC, and most of that area would remain undisturbed.

Mr. Gallaway said that there would be no left turns if the Green-T was installed, and there was no straight-across to Belvedere, so people traveling west would have to go toward and use the U-turn to come down.

Mr. Becker said that they recognized that and preferred there be no left out because there had been multiple accidents there. He said that the left-in was a concern, and that was the one proposal where the access to CATEC was a possibility, which was attractive because they could enter in through the left on CATEC's property and take a left out that way as well.

Mr. Gallaway said that the original plan was for more capacity. He asked if this plan would allow for them to do everything onsite now.

Mr. Becker said that was correct.

Ms. Price closed the public hearing and brought the matter back before the Board for comments.

Mr. Gallaway said that this concept plan did not necessarily leave room for any connection to CATEC, so they should keep note of how it would help them. He said that the use of the CATEC site was appropriate because they had different hours of operation.

Ms. Price said that there was concern remaining about the left turn in. She said that she recognized the current risks of a left turn in because of the traffic on the road in front of the church, but if the Green-T went in and the only real option was to go down and make a U-turn and come back and do the right turn in, U-turns were a risk to make as a movement as well. She asked that the County continue to pursue a solution to rectify that, but she was not putting that on the applicant as a responsibility. She said that it was concerning when someone was compelled to make a U-turn, and traffic circles were much safer.

Ms. Price, hearing no other comments from Supervisors, said the matter was before the Board for a motion.

Mr. Gallaway **moved** the Board to adopt the attached Resolution (Attachment D) to approve SP202200012 City Church Amendment for the reasons stated in the staff report and with the staff conditions presented.

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

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

RESOLUTION TO APPROVE SP 2022-00012 CITY CHURCH AMENDMENT

WHEREAS, upon consideration of the SP 2022-00012 City Church Amendment application, the staff report prepared for SP 2022-00012 and all of its attachments, the information presented at the public hearing, and the relevant factors in Albemarle County Code §§ 18-15.2.2(12) and 18-33.8, the Albemarle County Board of Supervisors hereby finds that the proposed special use:

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

NOW, THEREFORE, BE IT RESOLVED that, the Albemarle County Board of Supervisors hereby approves SP 2022-00012 City Church Amendment, subject to the conditions attached hereto.

* * *

SP 2022-00012 City Church Amendment Special Use Permit Conditions

1. Development and use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the revised conceptual plan entitled, "City Church Multi-Use Space Addition," prepared by Timmons Group and last updated October 12, 2022 (hereafter "Conceptual Plan"). To be in general accord with the Conceptual Plan, development and use must reflect the following major elements within the development essential to its design, as shown on the Conceptual Plan:
 - a. Location of proposed building;
 - b. Location of parking;
 - c. 20' buffer along the eastern property line; and
 - d. Wooded areas designated to remain

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

2. The area of assembly is limited to a sanctuary with a maximum of 320 seats.
3. Upon demand of the County, the owner(s) must dedicate sufficient right-of-way adjacent to Rio Road for improvements identified in the Rio Corridor Road Plan, dated June 30, 2022.
4. The use must commence on or before July 1, 2028 or this permit will expire and be of no effect.

Agenda Item No. 18. Public Hearing: ZMA202200006 999 Rio Road.

PROJECT: ZMA202200006 999 Rio Road ZMA

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 061000000154B0

LOCATION: 999 Rio Road East, Charlottesville, VA 22901. Parcel is located at the intersection of Rio Road East and Belvedere Boulevard.

PROPOSAL: Request to amend a previously approved NMD Neighborhood Model District (ZMA201900001), which allows a mixed-use development with between 11-28 residential units at a density between 6 units/acre and 15 units/acre and small-scale professional offices up to a maximum of 6,000 square feet. The amendment proposes to eliminate the non-residential use and proposes between 10-38 residential units at a density range between 5.1 units/acre and 20 units/acre. The proposal also includes changes to the application plan, including building envelopes, parking, and greenspace areas. Associated request for a special exception to waive the requirement that a Neighborhood Model District must have at least two different general use classifications.

PETITION: Rezone 1.947 acres from NMD Neighborhood Model District - residential (minimum of two housing types) mixed with commercial, service, and industrial uses, to NMD to amend the previously approved application plan and code of development associated with ZMA201900001.

ZONING: NMD Neighborhood Model District - residential (minimum of two housing types) mixed with commercial, service, and industrial uses

OVERLAY DISTRICTS: Entrance Corridor, Airport Impact Area

PROFFERS: No

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01–34 units/ acre), supporting uses such as religious institutions, schools, commercial, office and service uses.

Neighborhood Density Residential – residential (3–6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses. Privately Owned Open Space and Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features. In Neighborhood 2 of the Development Area of the Places29 Master Plan.

The Executive Summary as forwarded to the Board states that at its meeting on Tuesday, February 28, 2023, the Planning Commission (PC) conducted a public hearing and voted 6:0 to recommend approval of ZMA202200006. No changes have been made to the application since the PC public hearing. The PC's staff report, action letter, and meeting minutes are attached (Attachments A, B, and C).

In addition, the PC voted 5:1 to approve a request for a modification to street standards to allow for the waiver of the planting strip requirements in certain areas of the development. As a modification of street standards, review is conducted only by the PC, and the Board does not need to take a vote on this request.

At the PC meeting, staff recommended approval of the proposed application. The proposal is consistent with the future land use and density recommendations identified in the Places29 Master Plan.

No community members spoke at the public hearing. However, written comments were provided after the PC staff report was published. These comments are included as Attachment D.

In addition to acting on ZMA202200006, the Board must also act on a proposed special exception (SE202300001) to waive the requirement that a Neighborhood Model District (NMD) must have two different land use classifications. The applicant would like to eliminate the requirement for non-residential use. Staff supports this proposed SE, and the PC did not raise any concerns.

Staff recommends that the Board adopt the attached Ordinance (Attachment E) to approve ZMA202200006. Staff also recommends that the Board adopt the attached Resolution (Attachment F) to approve SE202300001, a special exception to waive the requirement that a NMD must have at least two different land use classifications.

Mr. Andy Reitelbach, Senior Planner, stated that there were two applications for 999 Rio Road, an amendment to a previously approved rezoning. He said that one application was a rezoning, 2022-00006, and the other was an associated special exception, 2023-00001. He said that the location of the site of this application was at 999 Rio Road East, at the intersection with Belvedere Boulevard, across the street from the previous application, City Church. He displayed an aerial view of the property, which was rectangular-shaped and approximately 1.9 acres on the northeast corner of Belvedere Boulevard and Rio Road.

Mr. Reitelbach said that the zoning of the property was NMD (Neighborhood Model District), and it had been rezoned to a couple of years ago under ZMA2019-00001. He said that the Comprehensive Plan, Places29 Master Plan, designated this property as Urban Density Residential, which recommended the residential density range between 6.01 and 34 units per acre.

Mr. Reitelbach said that the amendment proposal was of approximately 1.9 acres, and the applicant was looking to amend the application plan and code of development previously approved with the original rezoning of ZMA2019-00001. He said that the applicant was interested in removing the requirement for non-residential square footage on the property, which would be reduced to zero, and in place of that the applicant was looking to increase the number of residential units by ten for a maximum of 38, and that would have a maximum density of approximately 20 units per acre, which was in the middle of the range for Urban Density Residential.

Mr. Reitelbach said that the associated special exception request SE2023-00001 was to waive the requirement that a Neighborhood Model District must have at least two different general use classifications, which would be residential, commercial, industrial, institutional, and other uses. He said that with the original application, there was a small area of commercial space and 28 residential units, however, with the new application, the commercial area would be removed, and the project would be all residential.

Mr. Reitelbach said that the applicant was proposing to maintain the 15% affordable housing, which was approved with the previous rezoning. He said that would provide one additional unit of affordable housing, going from 5 to 6 units. He indicated the previous application plan and then the proposed application plan for the amendment on the screen. He said that there would be a multiuse path along Belvedere Boulevard and Rio Road maintained, the front portion along Rio Road would be green space and where the stormwater management facility would be located. He said that there would be a row of apartments or similar structures along Belvedere Boulevard, parking in the center of the property, then townhouses to the rear of the property, with several areas of green space and open space throughout the property.

Mr. Reitelbach said that transportation was a high priority in this area, especially the Rio Road East and Belvedere Boulevard intersection. He said that the County had submitted an application for SMART SCALE Grant funding to work on the corridor. He said that traffic generated by the amended use was expected to be less than what would be generated by the currently approved use due to the proposed removal of the commercial space and replacement with residential units.

Mr. Reitelbach said that there were multiple positive aspects to this rezoning application. He said that it was consistent with the recommendations of the Places29 Master Plan and with the majority of the applicable Neighborhood Model principles. He said that also the proposed development extended the existing multiuse path to enhance pedestrian and bicycle connectivity along Rio Road and Belvedere Boulevard, and the proposal continued to provide at least 15% affordable housing. He said that staff identified no concerns from this application.

Mr. Reitelbach said that the Planning Commission (PC) voted 6-0 to recommend approval of this zoning map amendment. He said that staff recommended approval of the special exception to waive the requirement for two different general use classifications in an NMD. He noted that no changes to the application had been made since the PC public hearing.

Ms. Mallek asked if there were any different outcomes from this than if the rezoning had gone straight from its original condition before the PRD (Planned Residential Development) was created. She asked if that had been a choice, would the County have different amenities which would be provided if it had gone straight from its original three to six to this application.

Mr. Reitelbach said that it was unlikely.

Ms. Mallek asked if more information could be provided about removal of a planting strip, because the green buffer along the streets was important to provide the quality of life for those who lived around there or were traveling. She asked if the houses could be reduced in any way to allow for that.

Mr. Reitelbach said that the applicant had requested a waiver for the planting strip requirements. He said that in the proposed application plan, the central area was a parking lot, and in order to provide frontage for the townhouses in the rear of the parcel, that parking lot in effect under the Zoning and Subdivision Ordinances would act more like a private street than a parking lot. He said that because of that, the applicant had requested a waiver of the planting strip along either side of this so-called private street parking lot and was a modification or waiver to street standards that was a Planning Commission review only. He said that the Planning Commission voted 5-1 to approve the request for waiving the requirement of a planting strip on either side of this private street.

Ms. Mallek asked if the parking area layout had parallel parking on both sides.

Mr. Reitelbach said that the applicant intended to provide perpendicular parking along those areas with 9 feet by 18 feet parking spaces that the ordinance required. He said that the applicant may be able to provide more information on how they planned to design the parking lot at the final site planning stages.

Ms. Mallek asked if a parking lot had different requirements than a private street.

Mr. Reitelbach said that was correct. He said that parking lots did not require planting strips, but private streets did, and because of the unique situation of this application, although it looked like a parking lot, based on the ordinance requirements, the parking lot was being treated more as a private street to provide frontage for the units in the rear.

Ms. McKeel said that she was curious who would be maintaining the street parking lot.

Mr. Reitelbach said that as a private street, it would be the HOA (Homeowner Association) or property owner's association developed for this development. He said that the applicant had mentioned that they may keep it all under one ownership, so in that case it would be the manager of the apartment complex.

Ms. McKeel said that she would ask the applicant.

Mr. Andrews said that traffic may not have been looked at, but sight lines should be looked at because any congestion may occur at the same time due to the residential use.

Mr. Reitelbach said that VDOT had reviewed the application and had not expressed concerns about sight distance. He said that one positive thing that VDOT mentioned in their review was that in the currently approved application plan, there were two entrances, and in the new application, there was only one entrance. He said that reducing the number of entrances reduced the number of potential conflict points.

Mr. Andrews said that he hoped that the distance was sufficient so that traffic coming in and out would be able to see oncoming traffic.

Mr. Gallaway said that he was still unsure of the planting strip snafu and why someone voted against it. He asked Mr. Reitelbach to use a pointer to explain it.

Mr. Reitelbach said that the planting strip would have been required to be located on the edge of the asphalt of the parking lot and the sidewalk that fronted the units.

Mr. Gallaway said that he understood now. He asked what was going into the white area between the multiuse path and Rio Road.

Mr. Reitelbach said that area would include a required planting strip as well. He said that the planting strips along Rio Road and the frontage of Belvedere Boulevard would remain.

Mr. Gallaway asked if the planting strip that had been a problem that went down from the right turn out from Dunlora had someone responsible for maintaining it.

Mr. Reitelbach said that the planting strip would be within the public street right-of-way, so ultimately it would be VDOT.

Mr. Gallaway said that VDOT did not tend to bushes and hedges, and others were not allowed to do it because it was in the VDOT right-of-way, so they ended up with overgrowth of what had been planted and not taken care of. He said that they had to figure that out, because it may be better to be grass only than to require applicants to put in plantings that were more expensive and could not be maintained. He said that he would ask the applicant that question.

Ms. LaPisto-Kirtley asked if the white area around the multiuse path was VDOT right-of-way.

Mr. Reitelbach said yes, it was already VDOT right-of-way, and the applicant was proposing to dedicate a small area of right-of-way along Belvedere Boulevard to VDOT where the multiuse path would be constructed.

Ms. LaPisto-Kirtley said that she was referring to the upper left-hand corner.

Mr. Reitelbach said yes, that was also part of the VDOT right-of-way.

Ms. LaPisto-Kirtley asked if the land could be donated by VDOT to the applicant so that the applicant could maintain it.

Mr. Reitelbach said that the applicant may be able to speak on whether they were able to maintain that space.

Ms. Price said that the proposed application plan only showed 24 units, but the materials indicated that if this was approved, the permitted units would be approved from 28 to 38, so there would potentially be 14 more units than shown on the image.

Mr. Reitelbach said that the units fronted along the multiuse path and Belvedere Boulevard would be multiple stories with one unit on each floor.

Ms. Price said that on Slide 6, what was previously approved was a maximum density of fifteen units per acre.

Mr. Reitelbach said that was correct.

Mr. Gallaway asked if there was not room on Rio Road for right-turn lane into Belvedere Boulevard. He said that there was not enough traffic coming into this site to worry about a right turn only on Belvedere. He asked if that was ever conceived of.

Mr. Kevin McDermott, acting Planning Director, said that he did not know what the current situation was, but they could take a look and see if it was necessary, and if there was sufficient right-of-way. He said that they could not remove the second lane on Rio because it was necessary for the volumes they had on it, but they could see if it was possible to add it onto the project they were currently researching.

Mr. Gallaway said that he thought that the answer to that would be related to how it would function with the Green-T.

Mr. McDermott said that was correct.

Mr. Gallaway said that he could not recall if a right-turn lane was part of the corridor study.

Mr. McDermott said that he did not recall, but that he would look into it.

Mr. Gallaway said that a resident had raised the issue and that it could relate to the implementation of the Green-T intersection.

Ms. Mallek asked if the green areas on slide 7 were areas of recreation or green space planned.

Mr. Reitelbach said that the hatched areas were locations for potential recreational facilities, such as playgrounds, picnic tables, and those sorts of areas.

Ms. Mallek asked if there were currently trees there.

Mr. Reitelbach said that there were some trees on the property. He said that the applicant could provide more information on if they were planning to keep any of those trees or if the vegetation would be planted new after construction.

Mr. Andrews said that in the materials was the change to decrease the minimum number from 11 to 10, and he would like to know what precipitated that change.

Mr. Reitelbach said that the applicant could provide more information on why they were looking to reduce the number from 11 to 10. He said that in staff's review, if they did not do that, it would not change staff's analysis.

Ms. Price opened the public hearing. She asked the Clerk if there were any speakers signed up for public comment.

Ms. Borgersen said that there were none.

Ms. Nicole Scro, the applicant and developer for the 999 Rio Road project, said that this was an amendment of a previous rezoning. She said that the original rezoning went from R-4 to Neighborhood Model District (NMD) on March 4, 2020, right before the pandemic hit. She said that a portion of the project had commercial designation and quite a few people were interested in that property, but that changed within weeks after that rezoning approval, so that combined with the doubling of the price of the underground water detention facility made this impossible to build. She said that she was currently asking for the removal of the commercial and the addition of 10 residential units, which changed the layout.

Ms. Scro said that the original vision had commercial space in the back corner of the lot, apartments fronting Belvedere Boulevard, and a cluster of for-sale cottages in the right side of the parcel. She said that it unfortunately could not come to fruition, so there was a new plan before the Board. She said that the redesign allowed for above-ground stormwater and there was no longer an underground detention facility,

which saved onsite work costs. She said that the front portion on Belvedere Boulevard had the stacked homes, in two stories with one unit per floor.

Ms. Scro said that across from the private drive was the three-story townhouse unit that would be rented out. She said that Craig Builders would be building this out and then renting it as a personal family investment. She said that they had discussed converting it into a condominium structure in the future, but the current intent was to serve as a rental property, so they would be maintaining the amenity areas, including the private driveway.

Ms. Scro said that traffic was anticipated to decrease because of the removal of the commercial, and the addition of the 10 units did not make up for that reduction. She said that there was a planned Green-T intersection in the Rio Corridor Plan. She said that there was a designated place to turn around in the R-cut model, and she did not know if that was the same in the Continuous Green-T. She said that the Green-T intersection was beneficial in eliminating some conflict points and addressing some of this. She said that some of them had been involved in trying to improve this intersection, and it was exciting that it was getting closer to being funded and coming to fruition.

Ms. Scro said that this was designated as 34 dwelling units per acre in the Comprehensive Plan, or 66 units total. She said that the prior density was about fifteen units per acre or 28 total units, so they were still 28 units less than recommended in the Comprehensive Plan. She said that they were continuing the multiuse path, which stopped on either side of the property.

Ms. Mallek asked if there was any information about trees remaining on the property, especially around the edges.

Ms. Scro said that the new plan kept much of the vegetation along Shepherd's Ridge, and they were able to keep more trees than in the previous plan.

Ms. Mallek said that she hoped there would be shade for the amenity spaces.

Ms. McKeel asked if they were planning to install electric vehicle chargers on the parking area.

Ms. Scro said she had not thought about it, but she knew that it would be smart to include it and would not be difficult to do, however it was not a required component.

Ms. McKeel asked if there was no HOA to maintain this private road.

Ms. Scro said that it was correct that there was not currently an HOA, but the property would be maintained and owned by the Craig family, who would be operating as the property management company for the tenants.

Ms. McKeel asked if these were all going to be rented.

Ms. Scro said that they were intended to be all rental but could be converted into a condominium structure in the future.

Mr. Andrews asked why there was a decrease in the number of minimum.

Ms. Scro said that she did not know but was based on a previously calculated minimum for the property.

Mr. Gallaway asked if all the units along Belvedere Boulevard were apartments.

Ms. Scro said yes.

Mr. Gallaway said that he understood why they were unable to make the detached single-family housing work, and that did not weigh on how he voted for the application, but he would like to know why they previously thought the small houses would work there and what the square footage would have been at that price point.

Ms. Scro said that they were approximately 1,300 square feet for about \$350,000. She said that because the land costs went up greatly, and they lost the commercial users, that price point increased, but she was unable to make the houses any larger, so the numbers did not work. She said that if she had been able to convert the commercial pad into a residential apartment complex and capture the same value for that, the cottages may have been able to stay. She said that in Crozet, the cottages had 1,600 square feet and more space, so it was less dense.

Mr. Gallaway said that he was worried that a small unit in that area would be very high in price and not target buyers seeking affordability. He asked if they were having her do the section between the multiuse path and Rio Road that he had previously referenced.

Ms. Scro said that they were not going to be putting out any more shrubs.

Mr. Gallaway asked if the intent was to build the multi-use path, but between the path and Rio Road would be grass.

Ms. Scro said that she had wanted to put trees between the multiuse path and Rio Road, but VDOT wanted the trees further away from Rio Road, so it would be Rio Road, a grass strip, the multi-use path, and trees and vegetation.

Mr. Gallaway said that he supported that the area be grass.

Ms. Scro said that they would be able to get some shade from trees on the other side of the path.

Mr. Gallaway said that he approved of where the trees were located. He said that he knew that Ms. Scro had worked with neighboring residents to identify trees and related work. He asked if there was a name for the property.

Ms. Scro said that there were potential names that included Queen Side Crossing after a chess move, but it was up to Craig.

Ms. LaPisto-Kirtley asked if the northwest corner area where it was white between the path and the property line would also be grass.

Ms. Scro said that it was currently VDOT right-of-way. She said that they would be putting the multiuse path in, but it was unclear what would come after that. She said she did not know if they could ask for a maintenance easement from VDOT, but right now there was a lot of shrubbery on their property that would likely be grass there, and that was because there was a clearance distance between Rio Road East and where the trees were.

Mr. Justin Shimp, project engineer, stated that they would have to grade the land to build the path, so any weeds there now would be taken out, then they would plant grass, and the landscapers for this project would see it as part of the project and mow it.

Ms. Price asked if there were any further questions of the applicant or of staff. Seeing none, she closed the public hearing.

Mr. Gallaway said that he was happy that the commercial element had been removed from the project, because he had not approved of that portion of the previous project. He said that he was disappointed that the small homes did not work out. He said that the removal of the commercial use reduced traffic in an area that was of great concern related to traffic. He said that he knew the immediate neighbors had been working with Ms. Scro on the trees and screening, and when he had explained that the commercial element was being removed and it would be a traditional apartment and townhome development, there was no issue with that. He said that he would be supporting the project.

Ms. LaPisto-Kirtley said that she supported the project.

Ms. Price said that she would be supporting the project. She said that she liked the first plan, which had the combination of residential and commercial, recognizing the complexity of putting commercial at a challenging intersection made it not the best location. She said that 1.947 acres made this a de minimis change, but for the County, she was always concerned when they were losing commercial business space toward residential when they had both for the livelihood of the County.

Ms. Price said that cumulatively, losing each potential business space to residential had a negative impact, so she asked that County staff pay attention to how many times they had an application approved and then a reapplication came in that reduced the business property. She said that it was interesting that in the Urban Density Residential they could have up to 34 units per acre, and 1.947 acres meant that would be 66 potential units, but was proposed at 38, which coincided as 58% of the density the County had developed.

Ms. Price said that they had talked about a density at that percentage point as potentially being risky because of the impact it would have in an earlier filling of the development area, necessitating an expansion of the development area sooner than otherwise wanted. She said that she did not think it would be good to put the proposed units here on this particular piece of property but thought it would be interesting to share.

Mr. Gallaway said that he agreed they must be mindful of losing commercial space in the development area. He said that it was interesting that they had some history to learn from. He said that Belvedere was originally approved to allow for more commercial entities in the area, but a dentist office was the only commercial element that was put there in the past 10 years, and there were many people who lived there. He said that the reason Greenberry's and the health system was working well was because the Center was there.

Mr. Gallaway said that losing commercial space on Berkmar was a bigger concern to him than in a place like this, where the character of this neighborhood did not anticipate commercial to be there, otherwise there would be more retail, which was allowed, that existed in the Belvedere area. He said that he did not see commercial as being viable and supported there, and he did not want to see an empty structure with no business in it.

Ms. McKeel said that coming out of the pandemic, the concept of the NMD with commercial had changed, and they should be analyzing that as they went through the Comprehensive Plan, because they

had seen that it was not working. She added that they saw this happening when they began losing light industrial and were not tracking that. She said that they needed to track as they lost these types of properties, especially in the areas where they were very appropriate.

Ms. Price said that she agreed with both Supervisors' comments. She said that trends and patterns changed, and it was important that they as a County recognized that through their Comprehensive Plan.

Ms. LaPisto-Kirtley said that maybe they needed a new way to look at this, with some type of flexibility so that they were not locked in between comprehensive plans, and that when they saw a trend going in a different direction, they could pivot and go in that direction without waiting for a major re-write.

Ms. Mallek said that there were more than 600 houses in Old Trail, and they were all asking for commercial to fill empty spaces. She said that the 58% of density in the Comprehensive Plan and having different levels in there with more amenities for each level, they were losing a huge amount of interaction with applicants, and the 58% of the proposed density did not surprise her. She said that the only place she knew over 20% was the apartment block in Old Trail, so unless they could see and understand it, she did not see how everyone would go along with it. She said that keeping the commercial properties from flipping was very important. She said that the five-year updates to the Comprehensive Plan was to adapt to those changes.

Ms. Price said that the floor was open for a motion.

Mr. Gallaway **moved** that the Board of Supervisors adopt the Ordinance (Attachment E) to approve the zoning map amendment ZMA202200006 999 Rio Road ZMA.

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

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

ORDINANCE NO. 23-A(4)
ZMA 2022-00006

AN ORDINANCE TO AMEND THE ZONING MAP FOR
PARCEL 06100-00-00-154B0

WHEREAS, an application was submitted to eliminate non-residential use and increase maximum residential units from 28 to 38 on Parcel 06100-00-00-154B0; and

WHEREAS, on February 28, 2023, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2022-00006;

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 2022-00006 and their attachments, the information presented at the public hearings, any comments received, the material and relevant factors in County Code § 18-20A, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2022-00006.

Mr. Gallaway **moved** that the Board of Supervisors adopts the Resolution (Attachment F) to approve special exception request SE202300001 999 Rio Road.

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

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

RESOLUTION TO APPROVE
SE202300001 999 RIO ROAD

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the SE202300001 999 Rio Road application and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-20A.8(b) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a different use is already present within one-quarter mile of the proposed district and accomplishes the mixture of uses within the neighborhood sought to be achieved by Albemarle County Code § 18-20A.8 to an equivalent degree.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SE202300001 999 Rio Road Special Exception to waive the requirement of Albemarle County Code § 18-20A.8(b) that the subject district have at least two different general use classifications.

Agenda Item No. 19. Closed Meeting
Agenda Item No. 20. Certify Closed Meeting.

These items were not held.

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

Ms. Mallek said that she earlier mentioned the legislative report, and in the Supervisors' email inboxes today was the County Connections that detailed what happened to all of the bills that VACo (Virginia Association of Counties) had been working on and representing localities. She said that the main discussion legislatively was the complete and total shambles of the budget situation and how the impact could be serious if the legislature did not get their act together.

She said that there was also a study going on about how the state could assist in providing fire and emergency services, which she had forwarded to Mr. Jeff Richardson and Fire Chief Dan Eggleston to participate in.

Ms. McKeel said that the teacher contracts and approval of licensures had a months-long backup, which was creating a terrible problem. She said that looking at the information, the General Assembly lack of a budget was concerning, and the Congressional budget and what they were proposing to reduce, which would send a lot of the programs back to the County. She said that she did not understand how their locality would find the funds to be the safety net for the state and federal governments.

Ms. Mallek said that the last time there was a straight cut in Congress it was devastating to certain groups that had to pay for all of the expenses while other groups were exempt.

Ms. McKeel said that it was very concerning.

Ms. McKeel said that this week in Charlottesville, a railroad propane tank rolled off of a stationary ground pad during a heavy rain. She asked if Norfolk Southern was maintaining the structure in their community. She asked if the Board could write a letter expressing their concern, because this issue could have been in the County. She said that it was unacceptable behavior to have infrastructure unmaintained for decades. She said that the emergency funding being invested for unpredictable events was a result of this type of unpredictable behavior.

Mr. Jeff Richardson, County Executive, said that staff would discuss it tomorrow.

Mr. Andrews said that the Albemarle Broadband Authority meeting discussed the VATI (Virginia Telecommunications Initiative) 21 project that continued to have issues, but staff was doing a great job ensuring it stayed on track and should be done this summer. He said that VATI 22 was going well, but VATI 23 had not been announced, which had been a source of frustration. He said that in the meantime, they were moving forward with the Broadband Equity, Access, and Deployment project.

Mr. Gallaway said that he was pleased to be able to appoint Mr. Nathan Moore to the Planning Commission. He said that he had never expressed his appreciation for the previous Planning Commissioner, Daniel Bailey, who was unable to continue serving due to his professional commitments, but he had brought a perspective and line of questions that had not existed on the Commission at that time, and they all appreciated having his voice there. He said that he appreciated Mr. Bailey's service, and that he was grateful to have found someone to serve in his place.

Ms. Price **moved** that the Board reconsider Item 6.b. due to the omission of Space Force as a branch of the military.

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

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

Ms. Price **moved** to amend the proclamation presented in 6.b. to add Space Force as a branch of the military.

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

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

Agenda Item No. 22. Adjourn to May 10, 2023, 10:30 a.m., 994 Research Park Blvd, Charlottesville, VA 22911.

At 7:47 p.m., the Board adjourned its meeting to May 10, 2023, 10:30 a.m., 994 Research Park

Blvd, Charlottesville, VA 22911. Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

Chair

Approved by Board
Date 03/19/2025
Initials CKB