

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on February 15, 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; and Clerk, Claudette Borgersen.

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 introduced staff who were present and thanked the Albemarle County Police Officers in attendance, Sergeant Angela Jamerson and Officer Andy Muncy.

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

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price noted that the minutes from December 2, 2020, and from March 10 and March 22 of 2021 were to be pulled from the consent agenda. She said that for consent agenda Item 8.2, the FY22 Annual Comprehensive Financial Report (ACFR) and Audit Result, the final report was received after the issuance of the Board materials, and the online agenda materials were updated on February 9, 2023, when signatures were received from the auditor to finalize the report. She said that for Item 8.3, the Albemarle County Emergency Operations Plan, the item was also being removed from the consent agenda and would be scheduled on a future agenda.

Ms. Price said that for Item 8.4, Resolution Authorizing Staff to Accept Deeds of Easement for Drainage Infrastructure, was being pulled from the consent agenda for changes to be made to the resolution that staff would present under the adoption of the consent agenda. She said that for consent agenda Item 8.8, the Annual Homestay Update, staff recommendation #2 was included in the report in error and had been removed, and the updated version was replaced in the online agenda materials on February 9.

Ms. Price said that for Item 8.13, the FES (Facilities and Environmental Services) Quarterly Report, the item was being pulled for staff updates to be made. She said that without objection from the Board, she would like to move Item 21, From the Board: Committee Reports and Matters Not Listed to the afternoon portion of the meeting to follow Item 13, United Way of Greater Charlottesville report. She said that this was being done to expedite the evening session of their meeting. She said that the floor was open to a motion for adoption of the consent agenda as amended, and if any Supervisor had any other amendments, please make them before a motion is made.

Ms. McKeel **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 said that she attended a NACo (National Association of Counties) meeting in Washington and missed the send-off for her friend Lindsay Dorrier but knew that Ms. McKeel would speak more about that later. She said that she was in town to attend the send-off of Willy Raines, her American history teacher at Albemarle High School (AHS) in 1966 and 1967, and the gathering collected many AHS classmates who had attended from all around the country to support his wife, Faye, who was in their class.

Ms. Mallek said that Leonard Sandridge informed her that Mr. Raines had been a football coach while still a student at UVA and Mr. Sandridge was a student at AHS. She said that he then became a teacher, coach, and principal at AHS before becoming an administrator in the McIntire Building before moving to Huntsville, Alabama for college administration. She said that he had a great influence on all of them, and it was a great gathering.

Ms. Mallek announced that on February 25, the Sugar Hollow Bridges 5K Run would be occurring

to raise funds for the White Hall Community Building, a historic building maintained for community use in the area.

Mr. Gallaway said that he had shared flyers with the Supervisors that stated that the 3rd Annual Piedmont Mobility Summit was taking place on Friday, February 24 from 10 a.m. to 3 p.m. at City Space downtown. He said that it was a free workshop for agencies and organizations and was sponsored by the Piedmont Environmental Council (PEC), the Charlottesville Area Community Foundation, the County of Albemarle, and the City of Charlottesville.

Mr. Gallaway said that the Regional Housing Partnership was having its annual conference called Coming Back Home, which was happening on March 24. He said that there was a great lineup of panelists and speakers discussing affordable housing, and tickets were still available for those who were interested in attending the event, accessed at the Thomas Jefferson Planning District website and the Regional Housing Partnership page.

Ms. McKeel thanked Ms. Mallek for mentioning Mr. Dorrier and Mr. Raines. She said that her daughter attended AHS when Mr. Raines was there, and he was a wonderful person. She said that she attended Mr. Dorrier's funeral in Scottsville on the previous Saturday, and it was well attended with many people from Scottsville and throughout the surrounding areas. She said that the Mayor of Scottsville spoke, and Senator Creigh Deeds also spoke due to working closely with Mr. Dorrier for so many years. She said that it was wonderful to catch up with their family, and it was a lovely send-off.

Ms. McKeel said that it was easy to be numbed to the number of shootings in this country and the amount of concern around gun violence. She said that as of the day before, there had been 67 mass shootings in 2023, which was more mass shootings that year than there had been days of the year. She said that they were traumatizing young people and adults, and they would be raising a generation of children who were traumatized in their schools.

Ms. McKeel said that when thinking about the number of mass shootings and the number of people who had been killed, without having a number for the injured who survived those mass shootings, they were leaving behind people who would never have the same type of life again, and hardly even at times mentioning them. She said that she felt compelled to bring this issue to light because of the most recent mass shooting on a college campus. She said that at some point, this country had to figure out what to do about the explosion of guns and how to make their grocery stores, shopping centers, schools, and streets safer.

Ms. LaPisto-Kirtley said that she concurred with Supervisor McKeel's comments. She said that all of these mass shootings had the commonality of using guns and automatic weapons.

Ms. Price said that the Clerk had notified her of technical issues with Granicus, one of the two platforms that the public used to access their meeting. She said that they encouraged anyone to use the Zoom platform if possible.

Ms. Price thanked Ms. Mallek and Ms. McKeel for mentioning Mr. Dorrier's funeral service. She said that Mr. Rick Randolph, former Scottsville Magisterial District Supervisor and Planning Commissioner, was able to attend. She said that she regretted that due to a previous engagement, she was unable to attend, but it was good to hear how well he was sent off in appreciation of the many years of service he gave to the nation and community that he did commit.

Ms. Price said that when she was recently in Atlanta, Georgia, she saw the headline in the Atlanta Journal and Constitution was "Investors Elbowing Out Homebuyers," and the article went on to show a map, on which each red dot reflected a detached single-family home that had been purchased by a commercial investor in the Atlanta area and was no longer available to be purchased by the average consumer. She said that it was amazing when looking at the combination of all the different companies and the properties they owned.

Ms. Price said that in Atlanta, approximately 35% of all detached single-family homes were now owned by commercial investors. She said that it was a trend that was beginning to sweep the nation, and in combination with what she had expressed repeatedly in regard to the impact of homestays, short-term rentals, taking primary housing out of the stock and turning them into short-term rentals, it would greatly exacerbate the already-critical housing availability in their community. She said that the only positive piece of news that she heard was that there was legislation proposed and working its way through the General Assembly that was tied to the insurance on short-term rentals, because insurance companies were recognizing that there was a risk associated with the use.

Ms. Price said that the General Assembly could give not only tools to control short-term rentals but that they were more inclined to expand the use of short-term rentals, and perhaps there was hope on the horizon through the insurance corporations. She said she was unopposed to people using their primary residence to make money, but the impact of short-term rentals taking over the housing stock meant that typical families would be unable to purchase a home. She said that it was through homeownership that Americans were able to build generational wealth, and they had an obligation to do what they could to help that, but unfortunately, the tools to do so must come from the General Assembly.

Ms. Mallek said that previous discussions over homestays included consultation with insurance providers, during which she asked, "In a normal home insurance policy, would you cover a slip-and-fall for someone who was there for a commercial homestay?" to which they said absolutely not. She said that

also, if this activity was happening and not licensed by the County in which it was located, it took away the coverage for the activity. She said that this was some encouragement for people to follow through on the licensure and special riders for their insurance in order to protect themselves from losing their house should something like this happen.

Ms. Price said that as healthcare costs increased, the typical homeowner's insurance was not likely to cover sufficiently for a serious injury that may take place on the property.

Agenda Item No. 6. Proclamations and Recognitions.

There were none.

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. Brian McKay, Earlysville Forest Homeowners Association, White Hall District, said that in May of last year, this Board granted a clean earth fill special exception to Kindrick Farm for the purpose of pasture restoration on its conservation easement, which allowed for a limited amount of dirt to be dumped on the property.

Mr. McKay said that since last May, there had been a constant, daily stream of heavy dump truck traffic through the Earlysville Forest neighborhood to access the farm, with typically more than 30 round trips of dump truck loads, and as many as 58 trips had been logged in one day. He said that this rivaled the traffic of commercial, construction, and waste disposal businesses operating elsewhere in the state. He said that it continued as they stood there today and showed no sign of stopping. He said that these dump trucks were very large and very loud and rolled over their streets and through a narrow driveway to access the farm.

Mr. McKay said that Earlysville Forest Drive itself was not a through-road to anywhere, and along with its adjoining cul-de-sacs, was primarily used to reach neighborhood homes. He said that the streets were narrow, had no center lines or markings or any kind, and did not have sidewalks. He said that residents used the roads to walk their dogs and children used the streets to ride bicycles, and the roads were not designed for a large flow of heavy dump truck traffic, and they considered the traffic to be harmful to their safety, health, and welfare.

Mr. McKay said that the amount of dirt allowed in the original public session must have long since been exceeded, and a reasonable, good-faith effort at pasture restoration had plenty of time for completion. He said that they therefore implored the Board not to extend the exception beyond one year, and in fact, asked them to consider using their authority to at least stop the constant dump truck traffic now.

Mr. Paul Haney, Rivanna District resident and President of the Albemarle County Farm Bureau, said that their office sent the Board the most recent copy of the "Mullen-Cooper Impact on Agriculture and Forestry in the State of Virginia." He said that it was eye-opening, and if one read through it, they'd get to the conclusions. He said that currently, forestry and agriculture in the state were contributing \$106 billion to the economy, and in 2017, the previous report completed had 8% less than that. He said that also in 2017, reporting was specifically done for Albemarle County and showed that they contributed \$648 million from forestry and agriculture, so with an 8% increase, that put the County's contribution at approximately \$700 million annually. He said that he believed that the Board would readily receive any business that provided \$700 million in income in the County.

Mr. Haney said that Mr. Kindrick had been trying to contribute to that amount of money for the past 19 months that they'd dragged on through the process of the clean fill ordinance, and the Albemarle County Farm Bureau stood with the County in not wanting the agricultural land to become dump sites. He said that when this ordinance was first considered, they put forward a lot of time and effort in creating language that would protect the agricultural land while allowing for continuing to farm. He said that most of the fill that happened on agricultural land was done to try to improve agricultural conditions, and the beauty of this County that everyone appreciated came from farmers doing that for generations and was not mandated by anyone in County government.

Mr. Haney said that Albemarle County Farm Bureau stood with Mr. Kindrick and with the Board and was ready to reevaluate the ordinance, which had had negative effects on Mr. Kindrick and would have future negative effects if the review of the ordinance was not completed. He said that the Farm Bureau was ready to confer about redeveloping the ordinance so that it accomplished the goals that were set forth.

Mr. Tim Kindrick, White Hall District, said that he would first like to publicly thank the staff who had worked with him over the past seven months in putting together the proposed special exception to the County's clean earth fill ordinance, which would be presented to the Board later. He said that this activity supported several facets of an agricultural project to restore and improve the overall productivity

of a farm that had been in his family for nearly 300 years, and he was the 10th generation to live on and care for the land. He said that these improvements would hopefully create the agricultural sustainability of this land for generations to come.

Mr. Kindrick said that this project supported the County's Comprehensive Plan for Rural Areas, and the restoration of this land back to a productive agricultural state would help add to a strong agricultural economy with a large, un-fragmented tract of land where future owners could produce their own goods, have opportunities to gain value from processing their own produce, and have access to the local markets. He said that it protected the natural resources in the area by promoting healthy streams and sustainable supplies of clean groundwater, as well as diverse, interconnected areas of viable habitat for native wildlife, all of which were essential to supporting the quality of life in the County.

Mr. Kindrick said that the project supported and incorporated many of the best management practice recommendations, such as enhancing the soil structure and ground cover layer, exclusion fencing, riparian restoration, and rotational grazing, as outlined in the Chris Green Lake Watershed study that was completed as a part of the algae bloom assessment and recommendations for Chris Green and Mint Springs lakes in June of 2021.

Mr. Kindrick said that it included at least four of the 14 proposals in the phase two of the stream health initiative, which were selected due to their positive impact on addressing the overarching goal of improving stream health in the Rural Area, and each was determined to address one or more goals in the visioning goals for stream health in their community. He said that this project supported the County's climate action plan and the biodiversity action plan, and overall, this agricultural project benefited many more in the County than a single family. He asked the Board to approve the special exception recommendation as presented by the County staff later in the meeting.

Mr. David Plunkett, Director of the James Madison Regional Library (JMRL), said that he would like to thank the Board of Supervisors and County staff for all of their support of library services in the area. He said that JMRL was named the Virginia Library Association's 2022 Library of the Year, so the County deserved gratitude for its unwavering support of some of the best public library services in the state.

Mr. Plunkett said that March would be a big month for reading in the community, as the return of the Virginia Festival of the Book was nigh, and JMRL partnered annually with the festival of the book on a program known as "Same Page," with support of their friends of the library. He said that the library planned programming and book discussions around a single title for the people of the region to read at the same time and discuss. He said that free copies of the book were provided to anyone who requested them, and they were available at all their public libraries.

Mr. Plunkett said that the author of the book then attended the festival so that members of the community could come and engage with the author. He said that this year's title was "The Book of Delights," by Ross Gay, who was an award-winning and bestselling poet, but "The Book of Delights" was a book of essays celebrating delight while remaining grounded in the sometimes-harsh realities of this world. He said that it was digestible and short, and he had found that reading a few pages at a time was an excellent way to engage and focus his thoughts on it.

Mr. Plunkett said that he had not yet finished the book but hoped to be by the time Mr. Gay attended the festival. He said that he had provided copies for each of the Supervisors and hoped that they would find delight in this year's selection. He said that there was a bookmark with a QR code that pointed to some of JMRL's programming that would be happening. He said that they were expecting Ross Gay to speak on March 25th at the Jefferson School.

Agenda Item No. 8. Consent Agenda.

Ms. Price said that the minutes from December 2, 2020, and from March 10 and March 22 of 2021 were to be pulled from Item 8.1. She said that for consent agenda Item 8.2, the Annual Comprehensive Final Report (ACFR) and Audit Result, the final report was received after the issuance of the Board materials, and the online agenda materials were updated on February 9, 2023.

Ms. Price said that for Item 8.3, the Albemarle County Emergency Operations Plan was being pulled and would be scheduled at a later date. She said that for Item 8.4, Resolution Authorizing Staff to Accept Deeds of Easement for Drainage Infrastructure, was being pulled with modifications, which the staff will present.

Ms. Price said that for consent agenda Item 8.8, the Annual Homestay Update, staff recommendation #2 was included in the report in error and had been removed, and the updated version was replaced in the online agenda materials on February 9. She said that for Item 8.13, the FES Quarterly Report was being pulled at a Supervisor's request.

Ms. Price asked the County Attorney if the staff input associated with two of the pulled items should be presented to the Board before approving the final agenda as amended.

Mr. Steve Rosenberg, County Attorney, asked if Ms. Price intended to have separate votes on the

items that required staff explanation, or if Ms. Price intended for the consent agenda vote to address those items as well.

Ms. Price said that her thought was that with staff comments given beforehand, all items could be approved at one time.

Mr. Rosenberg said that that was workable.

Mr. Rosenberg said that in the original agenda package, there was a resolution that addressed the authority of the County Executive to accept deeds of easement for drainage infrastructure and stormwater management as a part of the County's renewed effort to stand up and implement a drainage infrastructure program. He said that questions were received about the interplay between a prior resolution that was in effect at that time and also included in the agenda package and the newly proposed resolution that was before the Board for adoption this afternoon.

Mr. Rosenberg said that to eliminate any confusion, they had revised the resolution before the Board to collapse the authority contained in the prior resolution and the newly-proposed resolution into one single resolution, making it clear that in all circumstances, the County Executive had the authority without further action by the Board to accept deeds of easement, whether for existing or new facilities.

Mr. Rosenberg said that the resolution before the Board superseded the prior resolution, except for deeds of easement that had already been accepted by the County on the basis of the prior resolution. He said that as to those prior deeds of easement, they were unaffected by the action of collapsing the two resolutions into one. He said that as a matter of substance, there was not a significant difference, but the effort was to simplify and distill everything into a single document to rely on from this point forward.

Ms. Price thanked Mr. Rosenberg for addressing that item. She said that the next item was the FES (Facilities and Environmental Services) Quarterly Report. She asked if Mr. Gallaway could state his questions related to this item, as he had requested to pull it.

Mr. Gallaway said that he had been confused about the facilities master plan study. He said that the last quarterly report had an update that included that staff would reconvene and figure out the next steps. He said that this time, the quarterly report had an update for the work being done at COB-5th (County Office Building – 5th Street) in the Department of Social Services (DSS). He said that he was confused about the facilities master plan study and wanted clarification on what that was. He said that he thought it was a plan relayed as a report that would lead them forward, and he had made comments publicly about how they were waiting for that plan.

Mr. Gallaway said that it was clear that projects would peel off from this plan, and that was the update inside of the plan study. He said that he would like a reminder as to what the facilities master plan study was, what it was doing, and how they got good information or updates on what they would learn from it. He said that his second question was about the DSS project; while there was an update on that project, he wondered why that did not peel off and be its own standalone project, and in place of that, they could get an update on the planning study.

Mr. Lance Stewart, Director of FES, said that this predated a number of the Supervisors' tenure, going back to at least 2019 when his own engagement became more involved. He said that that year, they knew that there were acute space needs in their office buildings for Finance, Economic Development, Voter Registration, Police, and Fire Rescue, as well as undetermined needs of other departments that were expected to grow over time, so the goal was to kick off a study that would do a 20-year projection of their space needs for departments.

Mr. Stewart said that they engaged an architect to do so and got about 50% of the way through that, with projections by department for current and future space needs, and then the pandemic hit, so they paused that effort. He said that by that time, however, they had made some moves to help accommodate some space needs, including providing off-site office space near the McIntire Building for Economic Development and Finance. He said that in addition to pausing the space study, they also exercised their right to leave the leases they had obtained offsite, because it became clear over time that they could accommodate them back in these buildings and did not have a clear future need for those spaces.

Mr. Stewart said that having initiated the master planning effort in 2019, in addition to the architectural programming space needs assessment, they also made a separate effort of performing an assessment of properties that the County owned but had not developed, or which had been proffered and could be accepted for future uses. He said that that was meant to position them so that when they knew what their long-term space needs were, they would know whether they had appropriate spaces or needed to go look at those, or whether there were some better uses to which those spaces could be put. He said that he would like to apologize for the lack of context in the quarterly report, and that was something that would be addressed, but he hoped that today's update would help clarify things.

Mr. Stewart said that in 2021, although the pandemic was still ongoing, they acknowledged that they were experiencing a new normal, with groups that were back in the buildings more than they had been and some groups that were working very well remotely, and there were variances between departments about manager preferences and concerns about how to onboard new employees with limited space and how to have flexibility in their spaces.

Mr. Stewart said that at that point, they had terminated the prior effort with the architect's study and engaged a programming firm that had a specialty in organizations including government agencies moving from standard office environments to hybrid or teleworking environments. He said that the programming firm was the same company that had done the programming for the courts project, and was effective in helping them downsize the general district court.

Mr. Stewart said that they had begun with a similar effort of re-interviewing all departments, had done some scenarios for a 20-year growth projection based on the adoption of various models of hybrid teleworking, including differently configured shared spaces and modern environments. He said that it was clear that some departments had excess space and others needed space, so the direction that they had taken was to try to take sooner actions than waiting for the entire study to be complete to take advantage of the opportunities they had to meet their challenges.

Mr. Stewart said that another development during this time period was specific to the Lambs Lane campus study and the desire to move some functions housed there as well as some local government functions that had been recently received so there was an update on that information included in the FES Quarterly Report. He said that they were currently assessing it, but it may take some time to digest, but they had a good understanding of what the results of that study meant for some functions that they may put there, and that information would be shared once staff had completed their review.

Mr. Stewart said that they had leased the J.C. Penney's site to meet the public safety operational needs and to create capacity on the second floor of the COB-5th Street Building for administrative space for the Fire Rescue Department. He said that the work proposed now had just been initiated and was a five-month effort to do a programming exercise for the DSS, anticipating that they would be able to shrink their footprint without sacrificing flexibility for them when more people were in the office without sacrificing their significant security needs.

Mr. Stewart said that that would allow them to backfill spaces that they would vacate with other functions and perhaps do some renovations. He said that during the upcoming budget process, more information would be provided about their plan to approach and determine who needed space and how it fit in the opportunity space that they thought they would get at DSS, and also look at a few spaces within the COB-McIntire Building that may also present opportunities to move things around.

Mr. Gallaway said that he appreciated this. He said that he had a habit of assuming that anything labeled a study would present results, but while this was a study, it was an active strategy used to inform their space needs. He said that he appreciated the explanation, and it was important to understand what had already been enacted as a part of the study, which served as proof of the good approach.

Mr. Gallaway said that if they could have an explanation in the report about the threads that the planning was touching, and as the projects went off independently if updates could be given, and the planning piece would be pulled out as a project that was getting reported on. He said that it would be useful to look at it as a report and see how it had informed the three things so that staff would not need to be consulted for further information.

Mr. Andrews **moved** to approve the consent agenda as amended.

Ms. La-Pisto-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.

Mr. Gallaway asked if some visual representation of Woodbrook Station could be given so that he could understand the physical piece that was moving.

Item No. 8.1. Approval of Minutes: April 29, 2020 and December 2, 2020; February 24, March 10, March 15, March 18, March 22, March 29, and April 28, 2021.

Ms. Price had read the minutes of April 29, 2020, and February 24, 2021, and found them to be in order.

Ms. LaPisto-Kirtley had read the minutes of March 15 and March 29, 2021, and found them to be in order.

Ms. McKeel had read the minutes of March 18 and April 28, 2021, and found them to be in order.

By the above-recorded vote, the Board approved the minutes of April 29, 2020; February 24, March 15, March 18, March 29, and April 28, 2021.

Item No. 8.2. FY 22 Annual Comprehensive Financial Report and Audit Results.

The Executive Summary forwarded to the Board states that each year, the Board of Supervisors is presented an audited Annual Comprehensive Financial Report for the Board's review and acceptance, in accordance with Virginia Code §15.2-2511. At the December 14, 2022 Board meeting, a draft version

of the Fiscal Year 2022 Annual Comprehensive Financial Report was presented by staff and Robinson, Farmer, Cox Associates, the County's external auditing firm. Due to implementation of a new accounting standard, the final report was not available for the December 14 meeting. The draft report was also presented to the Board's Audit Committee at its meeting on November 30, 2022.

The Fiscal Year 2022 Annual Comprehensive Financial Report is presented in Attachment A for the Board's acceptance. The Annual Comprehensive Financial Report contains a detailed accounting of the County's financial operations for the 2021-2022 Fiscal Year. The report contains multiple sections including the following:

- *Transmittal Letter to the Board of Supervisors and the Albemarle County Community providing a summary of the County's geographic, demographic, economic, and financial features.

- *The Independent Auditor's Report which states the auditor's opinion on the fair presentation of the County's respective financial position as of June 30, 2022.

- *The Management's Discussion and Analysis providing a summary of the County's financial activity for the fiscal year, including tables and graphs.

- *A determination as to the County's FY 22 financial position's compliance with the Board's fund balance and debt policies.

- *Detailed information about the County's financial activity for the fiscal year, including statistical tables that provide historical economic and demographic information, as well as the auditor's Compliance Report.

A detail of the FY22 General Fund financial activity and compliance with County financial policies are included in Attachment B. The County successfully met all its financial policies within the FY22 Annual Comprehensive Financial Report.

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

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

By the above-recorded vote, the Board accepted the FY 22 Annual Comprehensive Financial Report.

Item No. 8.3. Albemarle County Emergency Operations Plan.

The Executive Summary forwarded to the Board states that Albemarle County is vulnerable to a variety of hazards, such as flash flooding, major river flooding, hurricanes, winter storms, tornadoes, hazardous materials incidents, resource shortages, civil unrest, and terrorism. Virginia Code § 44-146.19 requires that local governments develop and maintain a current Emergency Operations Plan (EOP) to be prepared for such events. Every four years, the local EOP must be updated and adopted by the governing body. The Board of Supervisors must provide evidence to the Virginia Department of Emergency Management of its adoption of the most current version of the EOP. In the past, Albemarle County joined its regional partners in creating and adopting the Regional EOP. In 2019, the Board of Supervisors created the Division of Emergency Management, as a part of its Department of Fire and Rescue (ACFR) to concentrate on County emergency management services while maintaining regional cooperation. The EOP (Attachment A) presents a local plan specific to Albemarle County.

The County's Director of Emergency Management is the County Executive. The County Executive appoints the Chief of Albemarle County Department of Fire and Rescue as the Emergency Management Coordinator, who is empowered to delegate some or all of the Coordinator's powers and responsibilities to a designee. The day-to-day emergency management activities are coordinated by the Emergency Management Division of the Albemarle County Department of Fire and Rescue.

In its current, submitted form, the EOP accomplishes two significant objectives: (1) compliance with Virginia Code § 44-146.19(E) and (2) a redraw of the former Regional EOP to apply specifically to Albemarle County. Further work is ongoing to refine, redefine, and improve the quality of this EOP. Adopting this current EOP is necessary and urgent to meet the County's near-term objectives. The EOP is a multidiscipline all-hazards plan that establishes a single, comprehensive framework for the management of major emergencies and disasters within the County. The EOP is implemented when it becomes necessary to mobilize community resources, to save lives and to protect property and infrastructure. The EOP incorporates the National Incident Management System as the standard for incident management and reflects other changes resulting from the adoption of the National Response Framework.

The EOP outlines the roles and responsibilities assigned to County departments and other agencies for response to disasters and emergencies. The EOP is not intended to be a stand-alone document but serves as the overarching strategy that aligns more detailed department and agency plans and operating procedures to meet response and recovery needs.

The EOP contains an overview of the management structure, key responsibilities, and emergency assignments during and immediately after an emergency. Annexes provide additional detail for emergency support functions, support, and incident types.

There is no budget impact associated with the adoption of this EOP.

Staff recommends that the Board adopt the attached Resolution (Attachment B) approving the Albemarle County Emergency Operations Plan (Attachment A).

By the above-recorded vote, the Board adopted the Resolution as presented in Attachment B to approve the Albemarle County Emergency Operations Plan as presented in Attachment A:

**RESOLUTION TO ADOPT LOCAL
EMERGENCY OPERATIONS PLAN**

WHEREAS, the County of Albemarle, Virginia may be subject to various hazards such as flash flooding, major river flooding, hurricanes, winter storms, tornadoes, hazardous materials incidents, resource shortages, civil unrest, and terrorism;

WHEREAS, Virginia Code § 44-146.19 requires the governing body to adopt a local Emergency Operations Plan ("EOP") every four years;

WHEREAS, in the past, the Board of Supervisors adopted the Regional Emergency Operations Plan as their local EOP;

WHEREAS, in 2019, the Board of Supervisors created the Division of Emergency Management ("DEM") in the Department of Fire and Rescue and tasked it with creating a local EOP for the County; and

WHEREAS, DEM staff have prepared a first iteration of the County's EOP for adoption.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors adopts the local Emergency Operations Plan as presented.

Item No. 8.4. Resolution Authorizing Staff to Accept Deeds of Easement for Drainage Infrastructure.

The Executive Summary forwarded to the Board states that the Board received a comprehensive update of the drainage infrastructure program on January 18, 2023. At the Board's direction, staff has begun to develop and implement a program to maintain drainage infrastructure meeting specific criteria within the Development Areas.

Urban runoff is collected and conveyed via an interconnected network of inlets, pipes, manholes, culverts, and channels. Within the Development Areas, this system lies over a thousand private commercial and residential properties and crosses VDOT rights-of-way at hundreds of locations. This infrastructure is often neglected and sometimes in poor and deteriorating condition due to property owners' lack of awareness about the infrastructure and confusion about ownership and responsibility. Under a drainage infrastructure management program, the County would manage community-serving infrastructures - in a structured and proactive manner - that is not currently located within easements explicitly dedicated to the County.

Because drainage infrastructure has been constructed by the private sector over many decades, most infrastructure does not currently lie within easements dedicated to public use. The County cannot access or improve infrastructure outside public easements. Public easements provide the County with the right to enter onto private property if the County chooses but do not convey a legal responsibility to manage infrastructure within the easements.

Implementing a drainage infrastructure management program requires the County to obtain the right from landowners to enter private properties to perform assessments and to maintain, repair, or improve the infrastructure. In most cases, the County would acquire and retain this right through a permanent easement dedicated to public use. Easements are typically conveyed through a deed of easement, with the deed language specifying the rights and often the responsibilities of both the grantor and grantee.

Acquiring public easements can be done more efficiently if the County Executive has the authority to accept deeds of easement on behalf of the County. In 2006, the Board adopted a resolution (Attachment A) similar to what is now requested. Staff has used this authority to request and accept deeds of easement for new drainage infrastructure and stormwater management facilities during the development review process. The resolution now requested (Attachment B) clarifies that this authority is applicable to existing infrastructure presently in need of maintenance, repair, or improvement.

Though the overall cost of a comprehensive drainage management program has been detailed elsewhere, authorizing the County Executive to accept deeds of easement for drainage infrastructure by itself will not have a direct budget impact. This authorization may reduce the amount of time and human resources necessary to acquire easements.

Staff recommends that the Board adopt the attached resolution (Attachment B) authorizing the County Executive to accept deeds of easement for the assessment, maintenance, repair, replacement, and improvement of drainage infrastructure, provided that such deeds are approved as to form and content by the County Attorney.

By the above-recorded vote, the Board adopted the Resolution (Attachment B) authorizing the County Executive to accept deeds of easement for the assessment, maintenance, repair, replacement, and improvement of drainage infrastructure, provided that such deeds are approved as to form and content by the County Attorney:

RESOLUTION TO AUTHORIZE COUNTY EXECUTIVE TO ACCEPT DEEDS OF EASEMENT FOR DRAINAGE INFRASTRUCTURE AND STORMWATER MANAGEMENT

WHEREAS, on January 18, 2023, the Board of Supervisors received a comprehensive update of the drainage infrastructure program and its implementation plan;

WHEREAS, the County of Albemarle requires deeds of easement for the installation and maintenance of new drainage and stormwater facilities in site plans, subdivisions, and drainage improvement projects;

WHEREAS, such deeds set forth the rights and responsibilities of the landowners and the County, including the County's rights to maintain the improvements within drainage easements;

WHEREAS, the County wishes to clarify its rights to maintain, repair, improve, or replace existing drainage and/or stormwater facilities within platted easements and/or easements that the County chooses to accept;

WHEREAS, the efficiency of government is improved by delegating the authority to the County Executive to accept such deeds of easement on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive to accept deeds of easement for drainage and stormwater management facilities on behalf of the County, provided that such deeds of easement are approved as to form and substance by the County Attorney.

Item No. 8.5. Library Avenue Project – VDOT Agreement Revision.

The Executive Summary forwarded to the Board states that at its April 20, 2022 meeting, the Albemarle County Board of Supervisors authorized an agreement with the Virginia Department of Transportation (VDOT) to construct an extension of Library Avenue in Crozet to Parkside Village. The original agreement included an Appendix A (Attachment A) that estimated a total project cost of \$4,986,700.

At its April 20, 2022 meeting, the Board authorized an addendum to the Barnes Lumber Development Agreement to provide additional funds for the Library Avenue Extension project, in order to ensure that the project could continue despite an increased cost estimate. On January 11, 2023, the Board of Supervisors approved Appropriation #2023030 (Attachment B) that increased the total project budget by \$5,593,351. For all Revenue Sharing projects, when the original cost is revised, VDOT requires that the Appendix A allocation agreement be updated, affirming the locality's commitment to fund the local project cost share.

The revised Appendix A (Attachment C) reflects appropriation #2023030 that the Board of Supervisors approved at its January 11, 2023 meeting in the total amount of \$8,093,351.

There is no anticipated budget impact.

Staff recommends that the Board of Supervisors approve the attached resolution (Attachment D) re-affirming the County's commitment to fund its share of the approved project under agreement with the Virginia Department of Transportation and authorizing the County Executive or his designee to execute any such agreements and/or addendums once approved by the County Attorney.

By the above-recorded vote, the Board adopted the Resolution (Attachment D) reaffirming the County's commitment to fund its share of the approved project under agreement with the Virginia Department of Transportation and authorizing the County Executive or his designee to execute any such agreements and/or addendums once approved by the County Attorney:

RESOLUTION AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECTS UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY

WHEREAS, the County of Albemarle is a recipient of Virginia Department of Transportation ("VDOT") funds under various grant programs for transportation-related projects; and

WHEREAS, the VDOT requires each locality, by resolution, to provide assurance of its commitment to funding its local share;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Albemarle hereby commits to fund its local share of preliminary engineering, right-of-way, and

construction (as applicable) of the project(s) under agreement with the VDOT in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County Executive, or his designee to execute all such agreements and/or addendums for any approved projects with the VDOT on behalf of the County provided that such agreements and/or addendums are approved as to form and substance by the County Attorney.

Item No. 8.6. Resolution Affirming and Accepting County Ownership of Oak Street in Crozet.

The Executive Summary forwarded to the Board states that several rights-of-way in Crozet were reserved by plat recorded on January 6, 1947, in the Albemarle County Deed Book 272, page 113. Consistent with the Virginia Land Subdivision Law (Acts 1946, Chapter 369), the Albemarle County Board of Supervisors has ownership rights to these rights-of-way and can affirm and accept them by resolution. Recordation of a plat results in the transfer of the streets shown to the County in fee simple. A graphic of the Oak Street area is provided for reference as Attachment A.

Oak Street will be improved as part of the Neighborhood Improvements Funding Initiative (NIFI) project at The Square and the Barnes Lumber development. Upon Oak Street's completion to state standards and specifications, the County wishes to facilitate VDOT's acceptance of Oak Street into the Secondary System of Highways. VDOT would thereby accept maintenance responsibilities, as it currently does for certain portions of High Street and Ellison Streets in Crozet.

There is no budget impact associated with this acceptance. The NIFI project at The Square is an existing and funded capital improvement project.

Staff recommends that the Albemarle County Board of Supervisors affirm and accept the County's ownership of Oak Street by resolution (Attachment B). Following Oak Street's completion to state standards and specifications, staff will request that VDOT accept the Street into the Secondary System of Highways.

By the above-recorded vote, the Board affirmed and accepted the County's ownership of Oak Street by resolution (Attachment B). Following Oak Street's completion to state standards and specifications, staff will request that VDOT accept the Street into the Secondary System of Highways:

**RESOLUTION AFFIRMING AND ACCEPTING
COUNTY OWNERSHIP OF OAK STREET, CROZET**

WHEREAS, several rights-of-way in Crozet were reserved by plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113; and

WHEREAS, in 1963, at the request of this Board, the Virginia Department of Transportation (VDOT) accepted for maintenance certain portions of High Street and Ellison Street, both as shown on said plat, as State Route 1210; and

WHEREAS, the County now wishes to undertake certain additional improvements to Oak Street, also as shown on said plat; and

WHEREAS, the County wishes to facilitate VDOT's acceptance of Oak Street for maintenance, once improved.

NOW, THEREFORE, BE IT RESOLVED that consistent with the Virginia Land Subdivision Law (Acts 1946, chapter 369), the Albemarle County Board of Supervisors hereby affirms and accepts the County's ownership of that certain right-of-way shown as Oak Street on that certain plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113; and

BE IT FURTHER RESOLVED that upon completion to State standards and specifications, the Virginia Department of Transportation is hereby recommended to accept into the Secondary System of Highways that certain right-of-way shown as Oak Street on that certain plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113.

Item No. 8.7. SE202200067 Woodbrook Station Special Exception.

The Executive Summary forwarded to the Board states that when an owner opts into the Rio29 Form-Based Code (FBC) Overlay District, County Code § 1820C.2(B)(3) requires an entire parcel, as it existed on September 1, 2021, be developed pursuant to the Rio29 FBC. The applicant has submitted a site plan amendment (SDP202200065) to develop only a portion of Parcel ID 45-94A2 pursuant to the Rio29 FBC. The applicant proposes not to develop a 0.310-acre portion of the Parcel, and requests it not be subject to the requirements of the Rio29 FBC at this time. The applicant intends to combine the 0.310-acre portion with Parcel ID 4594A1, located directly south of the subject property.

A special exception from the requirement of County Code § 18-20C.2(B)(3) is permitted under § 1820C.2(D)(1)(e) based on the criteria contained in § 18-20C.2(D)(2), following the submittal of a conceptual plan, where the additional conditions of § 18-20C.2(D)(3) are met. Please see Attachment A for staff's analysis.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the proposed special exception to allow the Rio29 Form-Based Code regulations to apply to the newly adjusted Parcel 04500-00-00-094A2, and not its remaining 0.310 acres.

By the above-recorded vote, the Board adopted the Resolution (Attachment F) to approve the proposed special exception to allow the Rio29 Form-Based Code regulations to apply to the newly adjusted Parcel 04500-00-00-094A2, and not its remaining 0.310 acres:

**RESOLUTION TO APPROVE
SE202200067 WOODBROOK STATION**

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the special exception request 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 §§ 1820C.2(D) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception would:

- a. further the purpose and intent of the provisions of the Rio29 Form-Based Code as described in
- b. Albemarle County Code § 18-20C.1 (Purpose and intent);
- c. be consistent with the Regulating Plan; and
- d. be consistent with the Comprehensive Plan.

WHEREUPON, the Albemarle County Board of Supervisors hereby approves SE202200067 Woodbrook Station and grants relief from the provisions of Albemarle County Code § 18-20C.2(B)(3) to allow the Rio29 Form-Based Code regulations to apply to that portion of Parcel 04500-00-00-094A2 shown as adjusted "TMP 45-94A2" on that certain plat of Timmons Group, titled "Plat Showing Boundary Line Adjustment on the Lands of Parkside I, LLC," dated October 24, 2022, and last revised January 11, 2023.

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Item No. 8.15. Board-to-Board, January 2023, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Action Item:** SE202200062 Edgefield LLC Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting two special exceptions for a homestay use at 2860 Pea Ridge Road.

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

Use of Accessory Structure. Pursuant to County Code § 18-5.1.48(d), the applicant is requesting to modify County Code 18-5.1.48(c)(1)(ii) to permit a homestay use within up to three new accessory structures totaling no more than 2,500 sf combined.

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

Staff recommends that the Board adopt the attached Resolution (Attachment G) to approve the special exceptions.

Ms. Leah Brumfield, Senior Planner II, said that this item was the return of a homestay application that had been deferred. She said that the two special exceptions that were originally requested on January 18 and were deferred to today were for a resident manager, or someone who lived on the property but whose name was not on the deed for the property, and up to three accessory structures for homestay use, up to 2,500 square feet in total for the three structures.

Ms. Brumfield said that in the January 18 meeting, it was requested that more clarification and specificity be given on the individual requests for the accessory structures. She said that the applicant sent in specifics and their justification for those specifics, which was up to the three structures and 2,500 square feet total combined. She said that as the applicant noted, the intention of the spaces was to provide private space for their target audience of autistic children and their families who may be more sensitive to noise and environmental disruptions.

Ms. Brumfield said that in the specifics of the request, staff looked at the accessory structures on other parcels in the neighborhood. She said that the request for an additional 2,500 square feet of accessory structures did not exceed accessory structure square footage of the accessory structures on multiple other neighboring and abutting parcels, making the request consistent with the existing character of the neighborhood.

Ms. Brumfield said that rough calculations included one abutting property with a 5,000 square foot accessory structure, and others included 1,200 square feet, 1,800 square feet, and other smaller structures of various sizes. She said that as a result, staff recommended approval of the special exception requests, with the conditions as specified in the staff report.

Mr. Andrews said that he understood that other neighbors had accessory structures of differing sizes, but the use of the accessory structures was of importance in this case of a homestay use. He said that he was attempting to understand the rule that prohibited new accessory structures since August 2019, because he was trying to understand how this was an exception to that.

Mr. Andrews said that he understood that the Planning Commission was faced with an issue of a small number of accessory structures that raised several questions, and now they were faced with three accessory structures at 2,500 square feet. He said that two things were happening, one of which was that facilities were being provided for autistic children, but these may not be used exclusively for that. He said that if that was the primary use, he wondered if this was the primary mechanism for approaching them for that type of use.

Ms. Brumfield said that under this application, it would not be limited to that particular use, and this was not a special exception for a summer camp for autistic children but was a special exception for a homestay use. She said that they must keep in mind that this was accessory to a residence, and if the residence was no longer used as a residence, the homestay had to end, and there was no exception to that.

Ms. Brumfield said that the intention of the homestay regulations was that it was accessory to a residence and would not exceed the use of the residence as a home. She said that she could not justify whether the applicant was requesting the correct application, but this was what had been submitted and was what they were looking at.

Ms. Brumfield said that any approval of this application would not allow them to do anything beyond what another homestay would be allowed to do, regardless of the intention. She said that it was the same regulation, same uses, and same limitations on the total square footage based on the conditions; the use was accessory, requiring a resident manager who lived on the property. She stated that these were all intended to keep the use smaller than a home or residence because with multiple children, the site could be used in a much more intensive way than renting it out on weekends.

Mr. Andrews said that he appreciated Ms. Brumfield's explanation. He said that he would still like to understand the 2019 action and looking for something that told him that this time, it was okay to go ahead with additional accessory structures when the rule originally said that it was only alright if they were preexisting.

Ms. Brumfield said that some of the things to keep in mind were the size and scale of the property, as well as whether this use was in scale with other accessory structures. She said that Supervisor Price had mentioned that a bedroom was not an accessory structure, so by limiting the square footage, they were limiting the overall impact of these structures. She said that someone could have a 5,000-square-foot structure that was technically an accessory structure, but that would not occur in this scenario because they had imposed a limitation on that.

Ms. Mallek asked if there were other accessory structures such as barns on the property that had been considered in the past for renovation, or if they were better to build something else.

Ms. Brumfield said that there was an approximately 800-square-foot pole barn that was currently used for agricultural purposes.

Mr. Gallaway asked Ms. Brumfield to summarize why this item had been deferred and what had happened. He said that the income purpose of the homestay was immaterial to what they needed to consider, and they had clarified that the 35 number was for visitors to the property for a separate programming and not the homestay use.

Ms. Brumfield said that the reason that was stated for requesting deferral was to tie down the specifics of the request, and the applicant provided a maximum of three structures with a total combined 2,500-square-foot footprint between all of the structures.

Ms. McKeel thanked Ms. Brumfield for her work in addressing this item.

Ms. LaPisto-Kirtley said that she was unclear as to why the applicant wanted to build three new structures—which was not normally allowed—and she was unsure of the relevance of the use for children with autism because they had identified that this use was not solely for that purpose but was a regular homestay. She confirmed that they have a larger home, and they were allowing them to build three additional structures.

Ms. Brumfield said they were not requesting an expansion to the primary dwelling and that the request was just for the structures. Their justification was included because that was what staff received from the applicants. She asked Ms. LaPisto-Kirtley to repeat her question.

Ms. LaPisto-Kirtley said that instead of renting out rooms in their own home, which was allowed, the applicant was requesting to build three new structures to house people for homestay use.

Ms. Brumfield said that was correct.

Mr. Gallaway said that in 2019 when they did the ordinance, they had to choose what to allow and to disallow, as well as what things they did not want to happen but if did happen should come through on special exception. He said that anything that was already there was an easy one, and they did not want to disallow the creation of extra structures, so to compromise, they gave the avenue for a special exception to come through so that if they wanted to build new items, the Board had to see the context and make a decision per the application. He said that the special exceptions for the homestays were based on that and they had this process to determine for each application what they thought would be appropriate in that spot.

Ms. LaPisto-Kirtley said that the 2019 ordinance gave them the flexibility to allow people who had something that differed from the ordinance to come to the Board and seek approval.

Mr. Gallaway said that was correct.

Ms. Price noted that Mr. Bart Svoboda, Zoning Administrator, had given a thumbs up to Mr. Gallaway's summary of the ordinance.

Ms. Price said that she knew the applicant personally, and that she was a wonderful person, but the statement that the applicant had included as to the benefit of the use was irrelevant for the Board of Supervisors' consideration of a land-use issue. She said at their previous meeting, they had a somewhat comparable application for two accessory units in the Scottsville magisterial district, both of which long preexisted the ordinance. She said that clearly feel within the preexisting to the ordinance situation. She said that there were other applications for accessory structures which were for business enterprises and not homestays. She asked Ms. Brumfield how many of the accessory structures were currently being used for homestay use on the property.

Ms. Brumfield said that she did not believe that any of them were being used for homestay uses. She said that there was a pool house, there were multiple farm structures, and a guest house.

Ms. Price said that she remained concerned about multiple structures being constructed specifically for a homestay use which she believed to be inconsistent with her understanding of part of the

reasoning behind the ordinance. She said that she did not oppose a single structure and the ability of the property owner to make money off of it, but when someone built multiple structures, it was going beyond the benefit of the homestays and affected the nature of the property, and she continues to have concerns about this application.

Ms. Mallek asked if there was any further comment about potential solutions or input to be provided that would provide more comfort.

Ms. Price said that she would be more comfortable with a single structure, but she was unsure of what an appropriate square footage was for that structure.

Mr. Andrews said that if someone was to build one or two buildings, an accessory structure had a multitude of uses that may be subject to Board approval, but once they got to three structures, it felt as if the accessory structures were driving the use of the property.

Ms. Price said that she concurred with that comment.

Ms. McKeel said that she concurred as well. She asked if they should discuss for the public the concern on occasion about how these approvals followed.

Mr. Gallaway said that he understood his colleague's points, but he did not share those same concerns. He said that he thought that this item was in the spirit of which the ordinance was done and was coming to the Board to consider. He said that a lot of what they had put into place was about the impacts of the homestays, and that the special exception process was put into place so they could come before the Board so that they could determine what the impacts were. He said that in the area where the applicant wanted to put these structures, the impact was the same as to whether it was one structure or three.

Mr. Gallaway said that the numbers had not changed since the item was last before the Board, the impact was small, and the neighbors had not raised concerns. He said that the areas of concern seemed to have been alleviated, and he thought that the ordinance had protections in place even to guard them against some of the bigger fears of corporate entities taking up housing. He said that he intended to support the application, and while he appreciated the concerns, he did not share them and thought that protections were in place, and that impacts were minimal.

Ms. Mallek clarified that there was a specific request now that differed from the previous one, which was that they had requested five structures, so more detail had been provided.

Ms. Brumfield said that a specific number of structures had not been provided, but that they had a maximum of five guestrooms.

Ms. Mallek said that there appeared to be some support for the application as it was right now. She asked if that were to fail, would that be the end, or could they make a motion for a smaller impact that might be able to be approved.

Ms. Price said that she believed that that request would have to come from the applicant.

Mr. Steve Rosenberg, County Attorney, said that if the application was not approved, there could be a motion to reconsider.

Ms. Mallek asked if that vote could be done today to consider a smaller impact application.

Mr. Rosenberg said yes.

Ms. Mallek asked if any Supervisors had any other comments on this matter.

Ms. LaPisto-Kirtley said that if these were existing structures, she would have no issue with that, but the fact that they were building three new structures was becoming more of a hotel business.

Ms. Mallek **moved** to adopt the attached Resolution (Attachment G) to approve SE202200062.

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

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

NAYS: Mr. Andrews, Ms. LaPisto-Kirtley, and Ms. Price.

Ms. Mallek asked if the Board could reconsider.

Mr. Rosenberg said that if there was a different motion to adopt the resolution with a specific revision that had been contemplated, it could be considered by the full Board.

Ms. Mallek asked if that motion could be made currently.

Mr. Rosenberg said yes.

Mr. Gallaway asked Ms. Brumfield if the number of guests changed based on the number of structures.

Ms. Brumfield said that it did not.

Mr. Gallaway said that the impact of the property did not change based on the number of structures.

Ms. Brumfield said that unless they changed the conditions to limit the number of guestrooms, the number of guestrooms remained the same, and the number of accessory structures was the one that changed.

Mr. Gallaway asked if they could theoretically build a single larger structure to house all the guests as opposed to having three smaller ones.

Ms. Brumfield said that it was possible.

Mr. Gallaway said that the impacts to the property, to the neighbors, and transportation and other things they were concerned about with these applications would not change based on the number of structures.

Ms. Brumfield said that that was one outcome.

Mr. Gallaway asked if the Supervisors who were concerned about the number of structures could explain the rationale about what the one, two, or three structures had to do with the fact that the number of structures would not change the number of people allowed as guests.

Ms. Price said that a cabin was different than a bedroom in that if they limited the bedrooms to a smaller number of structures, the potential impact was less because it was more likely that they would have a single group renting, rather than multiple, or in this case, potentially three different groups that could rent the cottages. She said that if five were available in the cottages, and along with the main house being rented, there could potentially be four different parties coming at a single time, and that was different than five bedrooms in a single structure, where it was more likely that there would be a single group being served. She said there would be more cars and more traffic.

Mr. Gallaway asked how that was true, if it was the same number of guests allowed no matter the number of structures.

Ms. Price said that the impact of having more than one group coming to the property at once was what made the difference.

Mr. Gallaway said that his understanding was that regardless of the number of structures, the number of guests was capped.

Ms. Brumfield said that five bedrooms were permitted, and the building code classified more than 10 people for rental on a property as a hotel, so the building code would limit it to 10.

Mr. Gallaway said that if one party was renting one structure or three parties were renting one or three, 10 people was the cap. He asked what he was missing in understanding the concern about one versus three structures. He said that he did not understand, and he wanted to know what the reasoning behind the disapproval was. He said that the impact of 10 people was the same whether it was one person renting, two parties renting, or three parties renting—when even three parties were not allowed to have more than 10 people at a time. He said that it sounded like they could achieve what they wanted so long as they were limited to fewer structures to house those 10 people.

Ms. LaPisto-Kirtley said that having different structures, there would be separate parties and thus more cars, versus one structure and one party where people would likely be traveling together.

Mr. Gallaway said that his concern in 2019 was that they were trying to dictate by ordinance the behavior of people, and they discussed impacts at length. He said that the Development Areas were about keeping cars off the road, and if a homestay was rented in the Development Area, they had to provide off-street parking, which limited how many people could come because there were only so many off-street parking spaces.

Mr. Gallaway said that they were in a place where parking was not an issue, and there was the same amount of people, so even if there were 10 individual cars for 10 individual people, the impacts were low enough that he felt satisfied that this application and location gave a small impact. He said that he doubted that 10 individual cars would show up, and the impact was the same no matter how many structures were there.

Mr. Gallaway said that he thought three smaller structures was probably less of a visual impact out there than anything else. He said that the reason it was in front of the Board was to consider the impacts, and the clarification was that the 35 people were attending for a different purpose than the homestay, and the maximum number of people allowed under the homestay use was capped at 10, which could be accomplished by one, two, or three structures.

Ms. Price said that they could also have 10 structures.

Mr. Gallaway said that if the issue was that Supervisors were unhappy with allowing structures, they should say they wanted one structure rather than three, rather than create other rationale for it.

Ms. Mallek said that she believed it would be better serving the applicant if they could do something without starting over again while they debated this issue.

Mr. Gallaway said that if the motion failed, they would have to resubmit with the new plan and come back to the Board as a special exception anyway because it would include the new structure.

Mr. Rosenberg asked Mr. Gallaway to repeat his question.

Mr. Gallaway said that they had already asked the applicant for clarification on the 35 people and other parts of their application. He said that it was clear they did not want to allow the three, but he did not want to arbitrarily set a number for the structures when they did not know what the applicant preferred, so he wanted to know if the applicant would have to resubmit under the new application and come back to the Board for a new special exception.

Mr. Rosenberg said that this was an instance when the motion to reconsider could be used, and that motion had to be made at the same meeting or an adjourned meeting.

Ms. Brumfield said that the Board could impose whatever conditions they saw fit for the application that came in and whatever motion was sent forward. She said that if the motion was to permit up to two new accessory structures, the Board could make that motion regardless of the applicant had requested.

Ms. Mallek said that if this failed, the applicant would have to apply all over again.

Mr. Rosenberg said that was correct. He said that the motion to reconsider had to be made today if the Board was to employ that tool. He said that they could consider now a resolution with a modification to it or the applicant could submit a new application.

Mr. Gallaway said that if there was a number less than three or higher than zero that was preferred by the dissenting Board members, that number should be established so that it could be imposed. He said that if Supervisors were opposed to any new structures being built, that was a different issue and there was no reason to reconsider and do another motion because that number was zero, and the applicant had to decide what to do because all options were denied.

Ms. LaPisto-Kirtley asked why previous structures were allowed in the 2019 ordinance and not future structures.

Mr. Gallaway said that it was because they knew what and where the existing structures were, and as opposed to disallowing new structures completely, they compromised by allowing the special exception process for when new structures were built so that it could receive Board approval. He said that special exception was not a precedent, and while some instances might be acceptable, they were not in the ordinance, so the process was necessary to consider the context of the application and decide based upon that. He said that they were considering the application singularly to say yes to that individual one, and they had opened the door to saying that they did not know about the new structures.

Ms. Brumfield said that a similar application had an accessory structure of about 1,200 square feet, and another was replacing an existing workshop shed and wanting to use the new structure without converting the workshop. She noted that there may be a few others that she would have to pull up.

Mr. Gallaway said that he did not recall any. He said that this item was what this process was designed for.

Ms. LaPisto-Kirtley asked why the Board had decided to limit the number of structures built on properties and not let people build any amount. She asked if it impacted the housing stock.

Mr. Gallaway said that there likely would have been votes to disallow homestays completely in Albemarle County, so limitations were discussed to allow it to move forward, and the special exception process gave them the flexibility to consider the circumstances, similar to a rezoning.

Ms. Price said that she would almost always approve a single new structure, but her understanding as to why existing structures were grandfathered in when the ordinance was passed was because they were not built in anticipation of a homestay, so that property owner should not be penalized in that situation. She said that she would almost always approve one structure, and could approve two, but beyond two new structures, it totally changed the nature of the property and the impact on neighbors. She said that perhaps they disagreed on whether that or the number of people was the issue.

Mr. Gallaway said that he was looking at the impacts when looking at the ordinance, and lessening the impacts on those around them, while trying to build good rules around what they would or would not allow based on that.

Ms. Price said that she felt that there would be an increased frequency in use with multiple homestays, which had an impact on increasing the number of structures as opposed to the number of bedrooms.

Ms. McKeel said that the size of the property and other variables must be considered in this review.

Mr. Gallaway asked what was appropriate for this application.

Ms. Mallek **moved** to approve SE202200062 Edgefield LLC Homestay to adopt the Resolution (Attachment F) to approve two homestay special exceptions, to permit a resident manager to fulfill the residence requirement for a homestay use, and to permit the homestay use within up to two new accessory structures with a total combined enclosed living area of no more than 2,500 square feet.

Mr. Gallaway **seconded** the motion. Roll was called and the motion passed 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 SE2022-00062 EDGEFIELD LLC HOMESTAY

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE2022-00062 Edgefield LLC Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exceptions:

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

NOW, THEREFORE, BE IT RESOLVED, that in association with the Edgefield LLC Homestay, the Albemarle County Board of Supervisors hereby approves the special exceptions to 1) permit a resident manager to fulfill the residency requirements for a homestay use, and 2) permit a homestay use within up to two new accessory structures, with a total combined enclosed living area of no more than 2,500 square feet.

Agenda Item No. 10. **Action Item:** Rivanna Solid Waste Authority (RSWA) Ivy Materials Utilization Center FY 24 Tipping Fees and Charges.

The Executive Summary forwarded to the Board states that the Rivanna Solid Waste Authority (RSWA) operates the Ivy Materials Utilization Center (MUC) on behalf of Albemarle County and City of Charlottesville. The site includes a solid waste transfer station, which receives Municipal Solid Waste (MSW) from trash haulers and the general public. A variety of other materials are collected at the facility, as detailed in the Rate Schedule included with a letter from the RSWA Executive Director dated December 2, 2022 (Attachment A). Albemarle County has full fiscal responsibility for covering all costs associated with the transfer station, after revenue from tipping fees is accounted for.

A 2016 amendment to the Ivy MUC Programs Agreement between the County and RSWA was the vehicle by which the transfer station was constructed. The agreement specifies that any changes to tipping or other fees must be requested by the majority vote of the Albemarle County Board of Supervisors, prior to adoption by the RSWA Board of Directors.

In response to a steady increase in annual tonnage received and to rising costs for operation of Ivy MUC, by letter dated December 2, 2022 (Attachment A), the RSWA Executive Director formally proposed that the Board of Supervisors consider an increase in tipping fees for MSW, Construction Debris, and Vegetation/Yard Waste. The letter also proposes eliminating fees and charges for Non-Freon Appliances, Compostable Waste, and mulch sold by the RSWA. RSWA and County staff have weighed the potential financial and market implications of the proposed fee adjustments and concur that they would have no substantial impact on the amount of annual tonnage received, and that the proposed tipping fee adjustments reflect a prudent response to increasing costs.

The proposed increase in the municipal solid waste tipping fee rate would reduce the anticipated County FY 24 financial contribution for the operation of the Ivy MUC. The amount of the reduction would depend upon tonnage of waste processed through the facility.

Mr. Lance Stewart, Director of Facilities and Environmental Services (FES), said that he served on the Rivanna Solid Waste Authority (RSWA) and was typically staff liaison for budgetary issues and operational issues. He introduced Mr. Bill Mawyer to present this item.

Mr. Bill Mawyer, RSWA Executive Director, thanked the Board for the partnership shared with RSWA, and the support they gave, primarily at the Ivy MUC (Materials Utilization Center), including the refuse and environmental program, as well as the recycling program that was also funded by the City. He said that throughout their partnership, it was agreed that before they modified the charges at the landfill, the Board gave consultation as to whether they supported any changes to those fees. He said that they had proposed to increase the fee for vegetative and yard waste to come to Ivy from \$48 to \$50 per ton, a rate which had not been increased in many years. He said that they propose the small increase of \$2.00 with fuel and equipment costs.

Mr. Mawyer said that similarly, with domestic waste, or municipal solid waste, and the construction and demolition debris tipping fee, they had proposed a \$2 increase for the rates. He said that they built the new transfer station in 2018, and at the time, the refuse fee was \$66 per ton, and in January 2019, they lowered the fee from \$66 to the current \$52 with the express intention of generating more tonnage to come through the new transfer station, which had served successful. He said that in 2018, they averaged about 40 tons per day, and in calendar year 2022, they averaged 162 tons per day.

Mr. Mawyer said that the refuse was transferred with a contracted vendor who provided trucks. He said that their machine pushed the refuse of the transfer station into the pit, which was a hole in the floor, where a truck was located below and was then driven to Henrico County. He said that the service was bid out annually, and the last bidding price went up \$2.50, so they currently paid the vendor \$50.50 per ton of refuse taken to Henrico, and their fee was \$52. He said they had a minimal revenue to cover all staff, equipment, and other items, and refuse and recycling programs ran at a deficit, which was when the Board came in to support those programs.

Mr. Mawyer said that they surveyed the surrounding areas' markets and found that the refuse tipping fees had not been increased in many years and were in fact decreased in 2019, and with the generational inflation happening, along with the increase from the vendor, it was a good time to raise the fee \$2 and see if it affected their tonnage. He said he did not think it would, but if it did, they would come back next year to raise or lower it. He said that \$2 was seen as a fair and reasonable increase.

Mr. Mawyer said that they also sought to eliminate the commercial composting fee; they had no commercial vendors who brought compost there. He said that they had an arrangement with UVA when they had hired Black Bear Composting Company, which was going to come through Ivy to weigh it in exchange for a tipping fee. He said that UVA and Black Bear decided that it was not working and stopped the process, so they did not need the tip fee.

Mr. Mawyer said that they also recommended eliminating the mulch sold tip fee, because they had been generating so much mulch that they could hardly give it away, and they had held many giveaway events after the winter storms last year, and they were overwhelmed by the amount of that debris. He said that the challenge with a large amount of mulch was that if it was not moved, it could catch on fire, and after experiencing a few small fires, they had held giveaway events in order to get rid of that inventory. He said that they recommended that providing free mulch to the community be a permanent service, and while they had landscape companies who wanted access, they would limit the amount so that some mulch could be retained for members of the public.

Mr. Mawyer said that another recommendation was to eliminate the non-freon appliance tipping fee, which currently was a weight-based fee of \$105 per ton and an item-based fee of \$9 per ton. He said that some of the pragmatic issues with this were that if a large truck came in with refuse and appliances on the same truck, they had to discern how much they were charging for different things, so in order to simplify the process, it was recommended that non-freon appliances would be charged the municipal solid waste fee of \$54, but they would not pay the \$9 per item fee. He said that the outcome of those changes would generate an additional \$90,000 for RSWA and would decrease the contribution that the Board made to these services.

Mr. Mawyer said that the services provided included refuse, recycling, and the post-closure of the landfill that had to go on for many years to ensure the air and water were monitored from the unlined cells from when the landfill was first started so that contaminants did not leave the site. He said that they sponsored amnesty events to take furniture, mattresses, appliances, e-waste, and tires for free twice per year, which was also supported by the Board.

Mr. Mawyer said that the fee changes were recommended to bring their charges in line with the local market in order to provide practical adjustments to the way they weighed and charged people, particularly bringing appliances and helping get rid of the excess mulch they frequently had, as well as generating additional revenue that would reduce the County's allocation to the RSWA.

Mr. Andrews said that the memo that accompanied the materials, it stated that in eliminating certain fees, it referred to net annual revenue reduction amounts, which was confusing because it seemed that the programs that were not viable would not affect the revenue.

Mr. Mawyer asked what item Mr. Andrews was referring to.

Mr. Andrews said that he was referring to #4, which stated that the composting program between UVA and Black Bear Composting was not viable.

Mr. Mawyer said that they were being paid for the waste that Black Bear brought to their scales

from UVA.

Mr. Andrews said that whether they limited this or not, they were no longer providing it, so they were expecting this to be lost revenue anyway.

Mr. Mawyer said that was correct.

Mr. Andrews said that he wanted to clarify that they were not losing money that they were otherwise expected to get. He said that he wondered about the costs going up by \$2.50 and the fee increase only be going up by \$2, but he left the judgment up to Mr. Mawyer.

Mr. Mawyer said that they were trying to find the right way to increase rates without decreasing volume. He said that they would see next year how the bids for the transfer contract came in, and if they went up, they may be back before the Board with another request for a raise in fees. He said they also would look at other providers in the region to ensure that they were not pricing themselves above the market.

Ms. Mallek said that doing the regional surveys helped the County be close to everybody else balanced the distance questions that were often asked, and she appreciated that the Board was well-informed.

Mr. Gallaway thanked Mr. Mawyer and said that this all seemed very reasonable.

Ms. McKeel said that she appreciated the services offered by RSWA.

Ms. LaPisto-Kirtley said that she had full understanding and supported Mr. Mawyer's requests.

Ms. Price asked when the e-waste event on April 15 would be advertised.

Mr. Mawyer said that it was currently listed on their website, but a media release would be held to announce the dates.

Ms. Price clarified that she was asking about the date for sign-ups.

Mr. Mawyer said that sign-ups for e-waste could currently be done online.

Ms. Price said that she was continually impressed with how clean the area of the landfill was when they worked in such a dirty environment.

Mr. Mawyer said that he grew up in North Garden and would often take debris from his father's contracting business to the Ivy dump, as it was known then, where they would just drive up and dump the debris, which was very different from the facility that they currently had. He said that they had a world of improvement there, and it was a solid waste landfill and was no longer a dump.

Ms. Price said that the recycling center at McIntire was similarly kept as clean as possible by staff, and she frequently used these services, so she looked forward to going to Keane.

Mr. Andrews **moved** to adopt the Resolution (Attachment C) to approve the modified tipping fees and other charges for the Ivy Material Utilization Center.

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

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

NAYS: None.

RESOLUTION TO REQUEST THAT THE RIVANNA SOLID WASTE AUTHORITY CHANGE ITS TIPPING FEES AND OTHER CHARGES FOR THE IVY MATERIAL UTILIZATION CENTER

WHEREAS, the May 4, 2016 Amended and Restated Ivy Material Utilization Center (MUC) Programs Agreement between the County of Albemarle and the Rivanna Solid Waste Authority (RSWA) provides that the RSWA shall propose any changes to tipping fees and other charges for use of the Ivy MUC for adoption by the RSWA's Board of Directors as requested by majority vote of the Board of Supervisors; and

WHEREAS, by letter dated December 2, 2022, the RSWA Executed Director has proposed changes to five tipping fees or other charges for the Ivy MUC; and

WHEREAS, the Board of Supervisors finds that it is in the best interest of the County to request that the RSWA adopt the five changes proposed by the RSWA Executive Director.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby requests that the RSWA adopt all changes to tipping fees and other charges for the Ivy MUC that were proposed by letter of the RSWA Executive Director dated December 2, 2022.

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors hereby directs the Director of the Facilities and Environmental Services Department to forward a certified copy of this resolution to the Rivanna Solid Waste Authority.

Agenda Item No.11. **Action Item:** SE202200068 Kindrick Clean Earth Fill Area.

The Executive Summary forwarded to the Board states that pursuant to County Code § 18-5.1.28(d), the applicant has applied for special exceptions from the requirements of County Code § 18-5.1.28(a)(7), (a)(11), and (b)(5) on Parcels 03200-00-00-00100 and 03200-00-00-00200.

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

Staff recommends that the Board adopt the Resolution (Attachment N) to approve the proposed special exceptions.

Ms. Filardo, Community Development Department (CDD) Director, said that she was present with Mr. Bart Svoboda, Zoning Administrator, to discuss the second attempt of Mr. Tim Kindrick's request for waivers on Zoning Code §5.1.1.28, in support of the reclamation of his farm. She said that this was a project of firsts, as it was the first time staff had brought forward a recommendation to approve a special exception based on this section of the Zoning code, the clean earth and inert waste fill activity. She said that they had worked with Mr. Tim Kindrick, Mr. Andy Herrick, Deputy County Attorney, and Mr. Bill Fritz, CDD Development Process Manager. She said that this was also the first time that they had worked with an applicant that was so committed to doing the right thing based on the specifics of their code.

Ms. Filardo said that Mr. Kindrick was the tenth generation of his family to farm this land, which was located in the White Hall Magisterial District, adjacent to Chris Green Lake. She said that the special exception related to two separate parcels totaling approximately 232 acres, which were designated Rural Area in the Comprehensive Plan, and the historic use of both parcels was agricultural, with no dwelling units on either. She said that this was the second time that the property had been before the Board for an exception to specific aspects of this code, newly adopted in September 2020.

Ms. Filardo said that the purpose of the ordinance was to regulate the impacts of the fill activity, not agricultural operations, and regulations in the ordinance covered setbacks, location, and timing of the placement of fill, property sizes, and access, among other things. She said that after working on this special exception request for seven months, they were bringing forward their recommended compromises on those items of concern, and they would not be covering those topics on which staff and Mr. Kindrick agreed.

Ms. Filardo said that at the initial special exception Board review on July 20, 2022, Mr. Kindrick requested an exemption from all regulations for fill activity. She said that staff did not support that approach, and neither did the Board. She said that following that denial, the Board asked staff to work with the applicant on a solution, which was what was to be presented this afternoon.

Ms. Filardo said that Mr. Kindrick had taken care to follow all requirements carefully and in compliance with state and county code. She said that Mr. Kindrick applied for a Natural Resources Conservation Service (NRCS) farm improvement plan, which was reviewed by the Albemarle County Acquisition of Conservation Easement Authority (ACEA) on July 6, 2022, for compliance with the existing conservation easement already on his farm.

Ms. Filardo said that ACEA, after some discussion, found this plan to be appropriate given the terms of the easement, specifically the terms of the NRCS plan allowed for the "establishing, reestablishing, maintaining, or using cultivated fields, orchards, or pastures, including clearing woodland areas for conversion to cropland or pastureland, as well as erosion control and restoration." She said that as an aside, Mr. Corey Kirkland, USDA (United States Department of Agriculture) NRCS district conservationist, inspected Mr. Kindrick's property and confirmed compliance with this plan on December 20, 2022. She said that Mr. Kindrick's interest was in receiving clean earth fill so that he could remediate his family's farm.

Mr. Bart Svoboda, Zoning Administrator, stated that the criteria to qualify for a variation or exception within §18.-15.1.28(d)(1) were displayed on the slide. He said that should the Board find that the request met one or more of these criteria, the exception may be granted. He said that shown in blue, the numbers i, ii, and v were the criteria that had been met.

Mr. Svoboda said that the next slide showed the parcel and in the bottom lefthand corner Carriage Hill Drive, which was how the parcel was accessed, and it indicated the farmland to the right.

Mr. Svoboda said that the easement had been in existence since the 1800s, and the home on lot 136 was constructed within the setback. He said that on November 11, 1986, the BZA (Board of Zoning Appeals) granted a variance for that home to remain in place, which he brought up due to previous discussions related to the proximity of the houses near the setback.

Mr. Svoboda said that during those discussions, the BZA alerted the builder that there may be

adverse impacts from the close proximity to that easement with the granting of that variance. He said that staff also took into account the reduction of the setback from 25 feet to 15 feet that was granted by the BZA, but even with the credit of those 15 feet, the location of that existing easement did not meet the 50-foot setback or the 100 feet from the dwellings on the adjacent properties.

Mr. Svoboda showed a topographical map of the easement area. He indicated the yellow line that represented the access road and the green line that represented a secondary easement that had been in discussion for an alternate route to reach Kindrick Farm, but this alternate route would disturb about 1.6 acres for access, not including it as part of the reclamation of the land. He said that it would also run through a water protection ordinance stream buffer, indicated in purple on the map. He said that the access would also need special exceptions granted due to its proximity to property lines.

Mr. Svoboda said that in the previous application from July 2022, the applicant requested unlimited activity, and following the Board's feedback, the applicant modified his request to have not more than four acres open to activity at any one time, which was two activities of an acre for fill and two acres for reclamation. He said that staff had found that a reasonable approach.

Mr. Svoboda said that the applicant had indicated that because there was no control over the availability of clean earth fill or the weather, they could not estimate the time needed to finish the project, and based on this information, staff suggested that if approved and in compliance with all of the above limits, the activity under the special exceptions be permitted for up to five years. He said that like the setback requirements for access, the limitations on how long the fill operation could operate was a method that helped protect and minimize impacts of abutting properties, however, it was also a method that minimized impacts for the larger community due to possible increase in erosion and disturbance of operations.

Mr. Svoboda said that on the screen was the summary of regulations of §5(a) that allowed the Board of Supervisors to approve a modification or waiver of the regulations for fill activity. He said that the fill regulations were adopted to protect public health, safety, and welfare, and the regulations were designed to limit the scale of activity in order to limit the impacts on adjacent properties and environmental resources. He said that compliance with the ordinance forwarded the purpose of the ordinance and served the public health, safety, and welfare, and granting an exception satisfied the requirements of the ordinance to at least an equivalent degree, in staff's opinion.

Mr. Svoboda said that the following slide detailed the conditions that staff recommended upon approval. He said that the third condition was that trucks must access the site through the intersection of Advance Mills Road and Earlysville Forest Drive to the greatest extent possible, which was the shortest route from Advance Mills Road to the site. He said that the fourth condition was that the owners must provide evidence to the County of fill activity related to this special exception upon request. He said that the fifth condition was that fill activity must conform to best management practices and with the standards, specifications, and other special program criteria obtained from the NCRS.

Ms. Filardo noted that the other options not covered by Mr. Svoboda were all mitigations offered by Mr. Kindrick, so staff and the applicant were in agreement on those, and these other items were requested of him and recommended to the Board in Attachment N as conditions.

Mr. Andrews said that they mentioned that the records would be available to the County upon request. He asked if the NRCS was involved at the process at this point as it moved forward.

Mr. Svoboda said that they had their own plan that Mr. Kindrick would have to follow, so if they were to request from the County a copy of those records, the County would provide those.

Ms. Mallek asked to see the previous slide. She asked if the phrase mentioned in the seventh condition, "each fill activity," could be defined.

Mr. Svoboda said that "each fill activity" referred to the maximum of active fill activity allowed, which would be dumping and filling or grading, which were the two-acre plots. He said the other two acres would be in reclamation, with mulch or straw or being prepped for agriculture.

Ms. Mallek asked if up to two acres could be in multiple small spots kept under control, and when one was finished, it was covered in some way to have permanent vegetation established.

Mr. Svoboda said that was correct.

Ms. Mallek asked if the mentioned 10,000 cubic feet did not apply to the by-right section that was underway right now.

Mr. Svoboda said yes.

Ms. Mallek said that the conditions offered may address the volume of fill, so it was not necessary to try to calculate the number right now. She said that the adoption of the clean fill ordinance provided structure so that there would be limited geography and time, to prevent wide-scale storage and disposal operations in other locations, but not at this specific one. She said that the soil deposition part of the question was very well-addressed, and she appreciated all of the work done with the FSA (Farm Service Agency) and USDA and those programs that made these types of improvements.

Ms. Mallek said that she knew that those organizations would continue to help as incidences arose so that problems could be addressed. She said she had already described her understanding about covering the dirt with something in a temporary way in order to be ready for permanent cover. She said that she had heard from the neighbor who said the concern was not with the scientific work that had been described but with the impact from the trucks. She asked how staff's evaluation viewed impacts on neighbors as defined in the ordinance for what was in effect at that time.

Mr. Svoboda asked if Ms. Mallek was referring to the by-right use.

Ms. Mallek said that she was also referring to the potential special exception, which must be based on the existing ordinance.

Ms. Filardo said that Mr. Kindrick had presently offered a restriction in the hours of operation that were permitted in the ordinance; the hours would be from 7:30 a.m. to 6:00 p.m., Monday through Saturday, and no fill operations would take place on Sunday. She said that in addition, he had offered that no more than 10 trucks could be used for fill activity on any day of operation, and the number of trucks was not limited in the ordinance per se.

Ms. Mallek said that the operation had already dealt with other impacts in the area. She said that the recommendation to route to Advance Mills Road would reduce the impact on Earlysville Forest Drive, which was the longest distance in the neighborhood. She asked what the basis was for the five years other than the uncertainty of availability.

Mr. Svoboda said that based on the list of actual truck traffic that had come and gone from the site and the amount of traffic that they had seen, and the projected amount of dirt could be more or less. He said that this was the number of years requested by the applicant. He said that the Board could be more restrictive on the number, but they would have to readvertise for a larger amount, so they decided a greater number would be more efficient in this process.

Ms. Mallek asked what things would be considered to choose those numbers, and without any more process involved, if a shorter-term number were proposed, whether there could be a renewal based on performance in a simpler way, in that if there were no complaints or reports in addition to updated progress reports, that could be considered.

Mr. Svoboda said that if the number was three, and after the second year, they would have to come back to the Board to amend the special exception. He said that a special exception could go on consent with staff's recommendation of approval without objection, but to speak frankly, he was not certain that when they notified the adjacent property owners if all conditions had been met that there still would not be objections. He said that his prediction would be on the Board's regular agenda to do any type of extension.

Ms. Mallek said that there was an associated fee that the applicant would have to pay if resubmitting the application.

Mr. Svoboda said yes. He said that it was equivalent to a brand-new special exception request.

Mr. Gallaway asked what "evidence to the County of fill activity" in the fourth condition would be.

Mr. Svoboda said that it included the number of trucks, depth of dirt, walking the area, and reports from NCRS about how their plan was going, as well as if they were in compliance with all regulations.

Mr. Gallaway said that in some instances it was information, and some was monitoring the progress and putting their eyes on it.

Mr. Svoboda said yes.

Mr. Gallaway asked if the alternate route for access was not suggested before.

Mr. Svoboda said that it had not been suggested before but was brought up in conversations about the old easement that crossed both HOA (Homeowners Association) property for Earlysville Forest and the Hurt property.

Mr. Gallaway said that he recalled that there was a much more unreasonable alternative route that had been proposed, and this cut directly through the water, and they were building a new road, so it would be as disturbing as truck traffic. He asked if Ms. Filardo could clarify that there were specific conditions offered that were not requested.

Ms. Filardo said that the conditions offered by Mr. Kindrick were the first, second, sixth, seventh, and eighth conditions on the slide.

Mr. Gallaway clarified that each area that he worked in must be completed within that timeframe.

Ms. Filardo said that was correct.

Ms. McKeel said that the provided information was helpful in processing the details of the application. She asked for clarification about the packet's mention of 10 trucks and not 10 trips.

Ms. Filardo said that included in the packet and not in the presentation was that Mr. Kindrick had provided to staff a log of actual trips over time, and when staff was calculating all of these trips, it appeared that one truck usually took about an hour to come from the fill site to Mr. Kindrick's site and leave again, and it seemed as though 10 different trucks during this time running Monday through Saturday were the number of trucks that could meet the site goal.

Ms. McKeel said that as she read the information in the packet, she assumed it must have had to do with that timing due to the specificity in the language. She said that Advance Mills Road and Earlysville Forest Drive were public roads maintained by VDOT.

Ms. Filardo said yes.

Ms. McKeel said that they were also monitored and controlled by Albemarle County Police as public roads.

Ms. Filardo said yes.

Ms. LaPisto-Kirtley asked to see the image displaying Advance Mills Road. She asked what the blue arrow on the screen was pointing to.

Ms. Filardo indicated Carriage Hill Drive and the easement road.

Mr. Svoboda said that leaving the site and heading left down Carriage Hill Drive, there would be a stop sign, where after another right, that would be the shortest distance back to Advance Mills Road.

Ms. LaPisto-Kirtley said that the blue arrow indicated the location of the gravel road to the site.

Mr. Svoboda said yes.

Ms. LaPisto-Kirtley said that she was unsure of what the name of the road or driveway was called.

Ms. Filardo indicated the entrance to the gravel access road.

Ms. LaPisto-Kirtley asked what a trip was defined as when referring to the 10 trucks.

Ms. Filardo said that it was the truck bringing the fill to the site, dropping it, and leaving to get another load, that was one trip.

Ms. LaPisto-Kirtley asked if 10 trucks would still be the same as 10 trips.

Ms. Filardo said no. She said that there would be 10 different trucks that could be queued up at the fill site to receive the fill, then leave it at Mr. Kindrick's site and go back for another fill.

Ms. LaPisto-Kirtley said that she understood.

Ms. Price asked if there were any further questions of staff.

Mr. Gallaway asked to see the slide containing the County code.

Ms. Filardo said that the applicant only needed to meet one of the items in order to qualify for the variation or exception of this code.

Mr. Gallaway said that III was inapplicable.

Ms. Filardo said that was correct because the parcel was not located in an entrance corridor.

Mr. Gallaway said that VI was also inapplicable.

Ms. Filardo said that was correct.

Mr. Gallaway said that he recalled that there were two items that did not apply during the first application round.

Ms. Filardo said that during that application round, Mr. Kindrick was asking for relief from all of them, and at that point he had not presented a plan with mitigations to soften the impacts of the project.

Mr. Gallaway said that of the six items, four or five of them applied.

Ms. Mallek said that Ms. Filardo mentioned that 10 trucks may queue up but only come at one time. She asked if the site had 10 deliveries per day.

Ms. Filardo said no. She said that there would only be 10 trucks running during the day, and each one would leave from the site to Mr. Kindrick's site, leave the fill, then go back for another round. She said that all 10 trucks could be running, and if they could make multiple deposits of fill each day, they were allowed to because he was only running 10 trucks at one time, and if they had time to get from the fill site,

leave his place, go back for another load, they would be permitted under the way that this was written.

Mr. Svoboda said that part of the calculation for this condition was that if they could get the dirt in faster, the project ended faster, so it opened up the option for the project to end sooner than if they lengthened the trips to bring the dirt in.

Ms. Mallek asked if there could potentially be more than 50 deliveries in a day.

Ms. Filardo said that it could be, but thus far that had not been seen.

Ms. Mallek said that they initially were told it would be several trips per day, but they were now to expect substantially more than that.

Ms. Filardo said that she was unsure if that was to be expected, but it would not be restricted.

Ms. Mallek said that it was helpful to know that of the six items present, one of the six was needed to qualify to ask for a special exception.

Ms. Price said that no matter how many trucks were going, they were still only working on a couple of acres at a time, so there was a space limitation, which would be different than a truck or trip limitation.

Ms. Filardo said yes.

Ms. Mallek said that she was unfamiliar with the driveway. She asked if a second truck was coming, whether they would wait for the first one to exit or were there places to pass.

Mr. Svoboda said that the trucks leaving the site would have to leave before the next one came in, and the driveway was exclusive in that it only accessed this area and Mr. Kindrick's house, so there was no delay on the gravel access easement to get to any other property; the properties that were adjacent did not use that access.

Mr. Andrews said that he recognized that when this item was previously before the Board, it was a bit open-ended, but these restrictions and conditions were reasonable, and he appreciated that this was an effort to improve an agricultural facility and agricultural land. He said that he was supportive.

Ms. Mallek said that she appreciated the explanations offered by staff as she attempted to put the application into context. She said that it was challenging because there was the presence of vehicles in the neighborhood that would impact the neighbors in some way, but what she had read and the process going forward according to their current regulations, there was no extra role to ameliorate beyond what had been offered and recommended by staff today, due to the ordinance that the applicant was living up to.

Ms. Mallek said that she appreciated the effort of the landowner to go above and beyond in responding with conditions and for his work done with NCRS and FSA to take care of the problem. She said that the soil handling was not the issue for the neighbors but was how it was going to impact them. She said that she was sure that they would not be without some notice of things going on, and she was frankly surprised at the number of trucks per day, but she hoped that it would not impact the use of other roads around.

Mr. Gallaway said that when this item was before the Board previously, the applicant was asking for relief from the entire ordinance, which was the sticking point for him. He said that it came down to the accessway and not the activity, which was the complaint and impact of those who would be opposed. He said that there was no great solution in terms of trying to allow what one owner wanted and compromise with what others wanted.

Mr. Gallaway said that he did not think that another access way to this property was reasonable, so that was not an option for him, and the current access had to be allowed. He said that how the house got so close to the road was beyond him, but if it was true that they should expect impacts, it should not have been allowed to be built the way it was. He said that it was clear to him that the number of trips could be greater than the number of trucks, but this type of activity could be a huge nuisance to the community. He said that however, the more trucks that were involved, the faster the work could be completed, despite the inconvenience.

Mr. Gallaway said that he did not imagine that the applicant would want this project to go on for five years because the project must come to fruition. He said that the availability of fill source was a factor as well because it must be obtained and brought onsite. He said that while he could appreciate that the five years could be concerning, he supposed that everyone involved would want the conclusion to come sooner than that, and the conditions also addressed that.

Mr. Gallaway said that based on what he was hearing, the access was where the issue remained, and the Board would make a final determination today, which would help determine what the reality of the application was moving forward, but the two parties may have to set aside differences and animosity, and communication to the neighboring community, especially regarding high-volume days, would be useful so that the community could be ready. He said that the County would do all possible to ensure that conditions were met and complied with.

Ms. McKeel said that there were trails throughout the community, so if communication was effectively disseminated, the neighbors would know to utilize the trails. She said that it was most effective to allow for rapid construction so that the project could be finished quickly. She said that she appreciated the approach with the trucks for this project because the neighbors would likely appreciate that the project would not take as long. She thanked Mr. Kindrick, the staff, and everyone who had worked on this application—because it was a better solution.

Ms. LaPisto-Kirtley thanked staff and Mr. Kindrick for finding this solution. She said that trucks would have to be used unless there was another mode of transporting dirt onto construction sites, so it was something that must be accepted. She said that this compromise was an example of how the County worked with the landowners and promoted the agricultural industry. She said that her visit to the site was informative. She said that the compromise was necessary, and she presumed that Mr. Kindrick would attempt to finish this project as soon as he could.

Ms. Price said that she concurred with Supervisors Gallaway, McKeel, and LaPisto-Kirtley's remarks. She said that she had put a lot of time into this application, having visited the property and met with the property owner on a number of occasions. She said that absolute standards sometimes worked to their detriment rather than to their benefit, so the ability for Mr. Kindrick and staff to work through the process piece by piece meant that they would end up with a much better project and product that everyone could be pleased with.

Ms. Price said that she thought that ultimately, everyone would be pleased, but it would take a while to get there. She said that she fully supported this project.

Ms. Price asked if there were any further comments from Supervisors. Hearing none, she asked if there was a motion from any Supervisor.

Ms. Mallek **moved** to approve special exceptions requested in SE2022-00068 Kindrick Farm Clean Earth Fill to modify the requirements of Albemarle County Code §18-5.1.28(a)(7), (a)(11), and (b)(5) for clean earth fill activity on parcels 03200-00-00-00100 and 03200-00-00-00200, for the reasons listed in the Resolution to Approve (Attachment N) and with the conditions listed therein.

Ms. McKeel **seconded** the motion. Roll was called and the motion passed 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
SE2022-00068 – KINDRICK FARM – CLEAN EARTH FILL
(4394 CARRIAGE HILL DRIVE)**

WHEREAS, upon consideration of the staff reports prepared for SE2022-00068 Kindrick Farm – Clean Earth Fill and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code § 18-5.1.28 and § 18-33.9, the Albemarle County Board of Supervisors hereby finds that modified regulations would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the applicable requirements, and that:

- (1) the proposed fill activity would further agricultural use of the property;
- (2) the special exceptions would allow for a more natural appearance of the site after the fill activity has occurred;
- (3) the special exceptions are supported by an abutting owner impacted by them; and
- (4) approval of the special exceptions is consistent with an approved and valid initial or preliminary site plan or other land use decision of the County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions SE2022-00068 – Kindrick Farm – Clean Earth Fill to modify the requirements of Albemarle County Code § 18-5.1.28(a)(7), (a)(11), and (b)(5) for clean earth fill activity on Parcels 03200-00-00-00100 and 03200-00-0000200, subject to the conditions attached hereto.

* * * * *

SE202200068 Kindrick Farm -Clean Earth Fill Conditions

1. Hours of operation are limited to 7:30 am to 6:00 pm, Monday through Saturday. Fill operations are prohibited on Sunday.
2. No more than 10 trucks may be used for fill activity on any day of operation.
3. Trucks must access the site through the intersection of Advance Mills Road and Earlysville Forest Drive to the greatest extent possible.
4. The owner(s) must provide evidence to the County of fill activity related to this Special Exception upon request.
5. Fill activity must conform with Best Management Practices and with the standards, specifications, and other special program criteria obtained from the Natural Resources Conservation Service (NRCS).

6. No more than four acres of activity may be active at any one time: no more than two acres may be in the reclamation process and no more than two acres may be in the fill activity process.
7. Each fill activity must be completed within one year of its commencement.
8. All fill activity under this special exception must be completed by August 31, 2028.

Non-Agenda Item. **Recess.** The Board recessed its meeting at 3:35 p.m. and reconvened at 3:47 p.m.

Agenda Item No.12. **Presentation:** Albemarle Charlottesville Regional Jail (ACRJ) Renovation Project Financing Strategy.

The Executive Summary forwarded to the Board states that at its meeting on September 7, 2022, the Board of Supervisors approved a Resolution seeking State support for 25% reimbursement of eligible costs associated with planned renovations at the Albemarle Charlottesville Regional Jail (ACRJ). Since that action, and along with similar action by Nelson County and the City of Charlottesville, the Governor included such funding in his budget proposal now before the General Assembly.

Included as attachments herewith are several documents directly related to the previous project process steps that have led to where the project is currently. Most notable are the facility needs assessment, planning study, and significant public engagement activities.

In anticipation of favorable consideration and action by the General Assembly this session, it is timely to engage the ACRJ member jurisdictions on the proposed financing strategy that could be implemented, with an interim financing as early as this Spring/Summer. Accordingly, Davenport and Company, ACRJ's financial advisors, are presenting information to each of the three ACRJ member jurisdictions with expectation that the Board of Supervisors will be asked to take action in support of the financing in the coming months.

This presentation is for information only. The County's share of any future costs will be considered at such time a funding commitment is recommended. Such costs would be included in subsequent annual budgets in the form of additional operating costs associated with the operation of the ACRJ.

This presentation is for information purposes. There is no recommended action.

Mr. Courtney Rogers, Davenport and Company, said that he had been the County's financial advisor since the early 2000s. He said that the presentation had been given to the City and to Nelson County. He said that this presentation was regarding the process, and that they would come back before the Board in the spring with interim financings.

Mr. Rogers explained that they were acting as the financial advisor to the Albemarle Charlottesville Regional Jail (ACRJ) Authority. He said that there was a process from the state. He said that the process was two steps for jails. He said that the first step was the interim financing process. He said that the second process was related to permit financing, where they would take out the interim financing and permanently finance the part that wouldn't be financed with state funds.

Mr. Rogers said that the Commonwealth would reimburse up to 25% of eligible costs. He said that they had to draft a community-based corrections plan and planning study which would go before the Board of Local and Regional jails. He said that the plan had been presented and approved, and now it was at the next step. He said that the plan would go to the General Assembly for approval and inclusion in the Governor's budget, and that is where it currently sat.

Mr. Rogers said that once the plan was approved, the reimbursement was set aside and made available once the project was complete. He said that they would have to come up with the funds for the project before the project was complete. He said that for interim financing, they would borrow enough for the authority to hire an architect to draft the design and provide cost estimates so that it was ready to go to bid. He said that they were currently trying to get someone on board, and once they knew that number, they would put together that interim financing process and would come back to the Board for approval.

Mr. Rogers said that after the bids had been received and they knew the total costs, they would do permit financing for the costs which were not eligible for the 25% reimbursement from the state. He said that they would also perform a Grant Anticipation Note (GAN) for the project costs which were eligible for that reimbursement.

Mr. Rogers said that the preliminary cost estimate was \$49 million as provided by Moseley Architects. He said that they would assume \$48 million of the \$49 million was eligible for the 25% reimbursement. He said \$12 million would be reimbursed by the Commonwealth. He said that debt service was allocated based on inmate days per the service agreement. He said that for 2023, the figure was 46% for the County, 41% for the City, and 13% for Nelson County. He said that the numbers could change, but they currently used those figures for the debt service allocation from day one to the end.

Mr. Rogers said that for interim financing, they assumed a \$5 million project cost for the initial amount borrowed. He said that they estimated a planning interest rate of 4% over a term of 18 months. He said that they assumed the debt would be repaid in a year, during the summer of 2024. He said that they were at the first step of the schedule. He continued that in early April, they would distribute an RFP (Request for Proposal) for the interim financing, and in late April, they would receive the responses.

Mr. Rogers said that around the end of April, they hoped that the Governor would approve the budget with the 25% reimbursement included. He said that later in May, they would bring the results of the RFP process back to the authority and member jurisdictions, and they would seek approval to move forward. He said that the architect-engineer contracts would be awarded in June, and they would close the interim financing at around the same time.

Mr. Rogers said that they had to address permanent financing by taking out the GAN that they just did and issuing the GAN for reimbursements. He said that the issuance would happen about a year later. He said that the estimates were \$13.5 million for the GAN. He said that, not only would they pay that \$12 million, but they would also pay for a portion of the interest for the interim financing. He said that they estimated a higher interest rate of 4.5% over a three-year term. He said that the bonds, about \$35.5 million, were estimated at a 5.5% interest rate over 27 years—the first two years would be interest only, and the following 25 would be debt service.

Mr. Rogers said that in June, they would get the architect/engineers on board, and they would close the interim financing. He said that about six months later, the Department of Corrections (DOC) would require value engineering on the design. He said that in March of 2024, they expected to have all the documents complete for construction and the design approvals in hand. He said that they planned to advertise in May 2024 and receive the bids within the same month. He said that between June and August 2024, they intended to issue the permit financing and GAN. He said that the construction contract would be negotiated and the notice to proceed issued in August, and it would take approximately 14 months to substantially complete.

Mr. Rogers said that they expected the final completion of the project by November 2025, and eight months after, they anticipated paying off the GAN.

Mr. Rogers showed a slide of a summary of what the cashflow and impact might be to the County, detailing its columns. He said that he was able to answer any questions.

Mr. Andrews clarified that the figures were based on the rolling averages of inmates. He asked what progress had been made in terms of the design of the facility. He noted that they were not increasing the number of beds, but they would be increasing the space.

Mr. Martin Kumer, Superintendent of the ACRJ, said that they did a community-based corrections plan, which was necessary to achieve the 25% reimbursement from the state. He said that the plan provided ideas as to what the community wanted in the jail renovation. He said that they had a preliminary design to generate cost estimates. He said that the final design had not been drafted. He said that the community-based action plan required increased square footage. He said that they would tear down part of the oldest section of the jail and rebuild it.

Mr. Andrews asked if there would be further opportunities for input throughout the process.

Mr. Kumer said that after they onboarded an architect over the summer, they would notify the public of the process, and that input was welcome.

Ms. McKeel asked for more information about how the project would impact the County's CIP (Capital Improvement Plan).

Mr. Rogers responded that the project did not impact the County's debt ratios that were reviewed when evaluating the CIP. He said that the debt was of the jail authority, and the rating agencies viewed the debt service obligations from the contributing jurisdictions as operating costs.

Ms. McKeel asked for more information about how the County funded the jail.

Mr. Kumer explained that every year, they developed a budget, and he determined expenditures, payroll costs, and revenue sources other than the jurisdictions, and then he determined the deficit. He said that they determined the average inmate population over five years for each of the jurisdictions, and based on those figures, they determined the percent obligation of each jurisdiction. He said that they received payments monthly or quarterly depending on the jurisdiction. He said that the County was about \$4.5 million the previous year.

Mr. Gallaway asked where the County funds for the jail were in the County budget, whether they were in that department operational budget and whether that would increase with the debt payment.

Mr. Doug Walker, Deputy County Executive, said that in the upcoming budget, the Board would see the total cost the ACRJ was seeking from the County based on its proportionate share. He said that the cost would include the interest-only costs for the GAN for FY 24. He said there would be an explanation in the narrative that would differentiate the overall operating costs and what the increase was attributed to. He said that they did not typically itemize the costs at the County level to the same detail that the jail authority did, but they could, and it was easy. He said that it would be reflected as a single

contribution to the jail, and the level of detail desired by the Board could be provided.

Mr. Gallaway clarified that the amount would be included over the term of the repayment.

Ms. LaPisto-Kirtley noted that the County would be providing the jail \$8 million per year.

Mr. Kumer clarified that the County would be providing about 8%.

Ms. LaPisto-Kirtley asked if the reimbursement for inmates was included in the 8% or in addition to the 8%.

Mr. Kumer explained that the 8% was a placeholder for the operation costs normally provided to the jail in addition to the interest payment for the year until certain figures could be provided to the Board.

Ms. McKeel noted that the County's public safety budget included ACFR (Albemarle County Fire Rescue, ACRJ, ACPD (Albemarle County Police Department), the ECC (Emergency Communications Center), and other public safety agencies. She said that the ACRJ represented 8% of the \$53 million public safety budget.

Mr. Rogers explained that the slide showed the additional dollars that would be needed to fund the project moving forward based on their estimate of \$49 million, \$48 million of which would be reimbursable.

Ms. LaPisto-Kirtley asked whether the additional money that was needed would be reimbursed.

Mr. Rogers said no, that this would be the additional dollars they would need to find in the future to pay the debt service on this project.

Ms. LaPisto-Kirtley asked whether it would be above and beyond the 8%.

Mr. Rogers said that it would be in addition to the 8%. He asked Ms. McKeel how many dollars made up the 8%?

Ms. McKeel said that in the FY23 adopted, it was \$4,132,000.

Mr. Rogers said that they had \$4.1 million now, and if the project remained the same, they would need an additional \$1.2 million in 2027 on top of that \$1.2 million.

Ms. LaPisto-Kirtley confirmed another \$1.2 million in 2027.

Mr. Rogers said right, another \$1.2 million in 2025.

Ms. Price asked whether the Part 1 Interest Only Interim Financing and the Part 2 GAN & Permanent Financing Interest Only Periods were only three years because they did not have the final figure to calculate the principal and interest.

Mr. Rogers said that construction of the project was scheduled in 2025 and 2026, so they generally didn't repay the principal until that was completed.

Ms. Price noted that the timetable slide showed a very quick timeframe to get a lot of things done, and that she was impressed.

Mr. Rogers said that they were waiting for the state budgets to be approved. He said that could drag on the schedule could slide.

Ms. Price clarified that the proportion was based on inmate days from residents of the County, the City, and Nelson County.

Mr. Kumer said that was correct. He explained further that it was based on a five-year average.

Ms. Price said that the County's population at the beginning of the year was about 116,421, the City's was about 47,477, and Nelson County's was about 14,703. She said that the County's population, as a percentage, was almost 2.5 times the City's, but the inmate days were not. She said that Nelson County was only 10% of the County's population but accounted for more than 10% of inmate days.

Ms. McKeel requested an agenda item to discuss the community work done around criminal justice.

Ms. Price said that they could never get rid of jails because there were people who needed to be in jail.

Agenda Item No.13. **Presentation:** United Way of Greater Charlottesville.

Ms. Ravi Respeto, President of United Way, said that they had completed the five-year strategic plan. She said the overarching goal for the United Way was to eliminate barriers for minority and

economically disadvantaged populations and enable them to achieve financial stability and thrive economically. She said that their methods included coordinated service delivery among peer agencies supported by taskforce coalitions focused on long-term system change. She said that through this, they may begin to eliminate a dependency on those services so that individuals could thrive economically and become financially stable.

Ms. Respeto said that their first goal was to lift 1,800 families out of poverty over the next five years. She said that they based their work on an equity-based approach, and they committed that 630 of the total families would be Black families.

Ms. Respeto said that the second goal related to school-readiness work. She said that they wanted to increase by 10% kindergartners from economically disadvantaged families who passed developmental benchmarks, and they wanted to increase the number of Black kindergartners who passed by 20%.

Ms. Respeto said that the third goal was to build a more connected community through a deepened understanding of race and equity.

Ms. Respeto said that indicators for achieving the goals included the rate of poverty in the community. She said that 17% of families could not afford the essentials of life. She said that most families earn about \$30 thousand per year for a family of four. She said that childcare averaged between \$15 thousand to \$20 thousand per year. She noted that rent was a challenge in the community.

Ms. Respeto said that the impacts were not distributed equitably. She said that 35% of the families making less than \$35 thousand per year were Black families and 14% were White families. She said that homeownership continued to be a challenge. She said that 24% of Black families owned their home compared to 50% of White families. She said that the denial rate was higher for Black applicants than White applicants when seeking capital investments.

Ms. Respeto said that Black children scored 104% lower scores on kindergarten literacy assessments compared to White children, and they were 145% more likely to fail kindergarten literacy assessments. She said that they saw a 9% shorter lifespan for Black individuals than White individuals in the community. She said that they knew a lot of this stemmed from poverty.

Ms. Respeto said that over the past four years, nine organizations partnered, and United Way provided organizational support to the effort for the Financial Resiliency Task Force (FRTF). She said that the group had met monthly since the summer of 2019. She said that the goal was to identify how to better work together and better serve people who were accessing services that are less than 200% of the poverty level. She said that partner agencies included City of Promise, Habitat for Humanity, New Hill Development, CIC (Community Investment Collaborative), Uhuru Foundation, Piedmont House Alliance (PHA), Network to Work, and MACAA (Monticello Area Community Action Agency). She said that each agency determined which services they could provide to help clients achieve financial stability.

Ms. Respeto said that they had evaluated a matrix to evaluate clients. She said that they considered credit scores, income levels, housing situation, job status, transportation status, and childcare. She said that they have homed in on Level 3 clients who generally made between \$15 thousand to \$30 thousand per year, and the goal was to increase their pay to \$45 thousand per year. She said that \$45 thousand was considered financially stable—not enough to build wealth, but enough to cover the core basics.

Ms. Respeto said that a family would enter the referral network and commit to three years of participation. She said that they would get their credit established and work with a financial coach to set goals. She said that they would ensure clients would be able to access the services provided by the partner agencies.

Ms. Respeto said that they were seeking to include COVID-19 support in the care network. She said that many clients came to United Way with an emergency need, but after they dealt with the emergency need, they helped clients plan for long-term financial stability.

Ms. Respeto said that the Envision Pilot was a program they began a few years ago in partnership with Habitat for Humanity. She said that the referral network was an expanded version of the program. She said that the family investment program was where United Way invested \$10 thousand into a family over two years. She said that the family would have a financial coach, and they were seeking to purchase a Habitat home.

Ms. Respeto said that as the families hit financial milestones, United Way released funds. She said that many clients had bad debts and high interest loans. She said most of them do not have high credit scores. She said that at the end of the two-year program, three people had been able to purchase their Habitat homes, three had purchases pending, four had moved out of public housing, and one homeless client had moved into public housing. She said that the average credit score of participants increased by 13%, average monthly income increased by 12%, and average hourly wages increased by 19%.

Ms. Respeto said that they had taken on another 20 client families through the Envision program. She said that there were five families from Southwood, and the other families were from parts of the County and the City. She said that they now requested each family served by United Way to enter into

the FRTF so that they would make a longer commitment to financial stability.

Ms. Respeto said that the County, the City, and United Way had decided to move forward on the investment of \$150 thousand into minority-owned businesses. She said that the grant program would be launched later in the spring, on April 21. She said that there would be a three-to-four-week application period followed by a two- to three-week period of review. She said that they had a goal of funding by the end of June.

Ms. Respeto said that each of the grants was at the \$10 thousand level, and they hoped for more job creation and to contribute to the local tax base. She said that they had run a successful program for three years with the Minority Businesses Alliance. She said that the grants were \$5 thousand, and they were part of the Minority Enterprise Partnership. She said that they had provided 18 grants through the program over the past three years. She said that the grant program filled a gap in the continuum of services.

Ms. Respeto said that Driving Lives Forward was launched two years ago with Carter Meyers Automotive and Virginia National Bank. She said that they worked with referred families from Network to Work. She said that they owned a loaner fleet. She said that when clients left the loaner fleet, they were placed into a vehicle with a low-interest rate and a low payment. She said that they provided down payment assistance, and the Virginia National Bank administered the loans. She said that they tried to limit payments to no more than \$300 per month, and they limited terms to no longer than 48 months. She said that many clients did not have reliable transportation, and the bus system was not accessible for families who worked nights.

Ms. Respeto said that United Way continued to be involved in the early education space. She said that they were the leaders of Ready Region Blue Ridge, and there were nine regions across the state integrating early education through the Department of Education (DOE). She said that United Way had picked up 22 counties through this effort, and that they now oversaw Staunton, Augusta, Waynesboro, Harrisonburg, and Winchester. She said that they worked on the project with the Virginia Early Childhood Foundation and had sub-grantee partners in the Valley.

Ms. Respeto said that Mixed Delivery was a key program that continued to be offered. She said that the program ensured that children who needed subsidy support were able to get into childcare provider slots by allocating public funds to match private funds. She said that year, they had placed 77 children using the Mixed Delivery program.

Ms. Respeto said that Coordinated Enrollment was a program launched within the past 2.5 years. She said that they worked with the City and County school systems on the program. She said that the Coordinated Enrollment program was focused on getting children better coordinated with the best preschool program for their family's needs. She said that a full-time employee at United Way collected applications online. She said that the coordinator would be able to connect family applicants to the appropriate preschool program. She said that they had seen an increase in enrollment. She said that the goal was to make the system easier for parents and the school system to navigate.

Ms. Respeto said that 48 of the current client families were homeless, 33 parents were under the age of 19, the preponderance of families were single-parent households, and 310 parents had less than a 12th-grade education. She said that the total number of applications over the past two years was 2,377.

Ms. Respeto explained that the County invested about \$161 thousand into the Early Learners Scholarship Program the prior year. She said that the program was crucial for families who could not afford the full cost of childcare. She said that most families were placed in non-profit centers.

Ms. Respeto said that the Santa Fund provided supplies for children who could not afford them and clothing. She said that the program operated year-round, and they worked with counselors at local schools. She noted that the counselors identified the families most in need, and United Way provided vouchers to the families to shop for what they needed. She said that they received local, private philanthropy investment. She said that they were considering local school drives within the County and City school systems.

Ms. Respeto said that they continued to issue impact grants, and they had invested \$210 thousand. She said that moving forward, they would only be funding individuals who were part of the task force and working with United Way on systems-level priorities.

Ms. Respeto said that they held a weekly radio program hosted at WINA. She said that they held community table discussions. She noted that they partnered with the Virginia Film Festival and Virginia Public Media to advertise the work of United Way and the work they were doing in the realm of equity. She said that the work was about education and communication. She said that they had held over 100 radio shows for Envision. She said that they installed a mural by local artist "Jay" Johnson.

Mr. Gallaway asked what was in place to respond to emergency situations. He noted that events could happen to participating families that reset their progress. He asked if there were safeguards to keep participants in the programs.

Ms. Respeto said that emergency funding was complicated. She said that they had disbursed over \$4 million of emergency funding in the County through CARES (Coronavirus Aid, Relief, and Economic Security) Act and ARPA (American Rescue Plan Act) funding. She said that there was a large

need for emergency funds. She said that they tried to build a small fund to help clients of the Financial Resiliency Taskforce in case of emergency. She said that other partners had small emergency funds to help clients. She said that in absence of the emergency funding, there was a large need, and there was likely not enough funding to keep up with the need. She said they try to target the emergency funds to individuals who were working on a specific plan and who had a relationship with one of the agencies.

Ms. LaPisto-Kirtley asked if some clients of the programs were working under the table. She said that working under the table hindered people from receiving benefits, and she noted that people could be taken advantage of.

Ms. Respeto said that they only knew about what people reported. She said that they could request reportable sources of income, but otherwise, they could not prove other income sources. She said that there was only so much information they could require.

Ms. LaPisto-Kirtley said she was concerned about people being taken advantage of by employers.

Ms. Respeto said that relationships with clients took time and trust. She noted the need for more financial coaches.

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

Ms. Price said that Agenda Item No. 21 "From the Board" had been moved up in the agenda.

Mr. Andrews said that he attended the Solid Waste Alternatives Advisory Committee (SWAAC) meeting, and they heard a presentation on #1 PET (Polyethylene terephthalate) recycling. He said that PET recycling was a seller's market. He said it was something he hoped to look into with Rivanna. He said that not all #1 plastics were the same, but they were desired. He said that they learned about a grant application for the bailing facility and about composting programs.

Ms. Mallek said that she attended the NACo (National Association of Counties) conference, and the legislative days were Saturday and Sunday. She said that the Environment, Energy, and Land Use (EELU) Committee debated and approved several resolutions. She said that reauthorization was supported for the national heritage areas, which came up every 15 years. She said that there was support for a new national heritage area in New Mexico. She said that there were presentations from various EPA (Environmental Protection Agency) representatives on the regulation and development of PFAS (polyfluoroalkyl substances) and their manufacturing, use in products, and required disposal methods. She said there were funding programs and testing requirements coming for communities that received the toxins in their water supplies, as well as accountability for the source businesses and jurisdictions.

Ms. Mallek said that the Arts and Culture Commission had met and shared a series of community videos about the use of the arts to help healing. She said that it was a federally funded grants program. She said that one community in Hawaii had received a grant, and they used art to heal after a volcano eruption.

Ms. Mallek said she had attended committee meetings about veterans and military services. She said they discussed getting sufficient funding for the toxics act, which they supported in their legislation the previous year. She said that the CVSO (County Veteran Services Officers) bill was before Congress, and the return on investment for localities that have a CVSO was \$8 for each dollar spent.

Ms. Mallek said that Operation Greenlight had been happening for several years in the November-December timeframe. She said that households would put green lights in their windows to show awareness of the services that the Veterans Service Administration and other agencies that support veterans and active-duty military provide.

Mr. Gallaway said that he provided a Regional Housing Partnership presentation to the Nelson County Board of Supervisors. He said that the conversation focused on the actual steps to take. He said that wages played into solving the housing issue. He noted that Nelson County recently received its compensation study. He said that he and Ms. McKeel had co-hosted a traffic townhall.

Mr. Gallaway mentioned that he and Ms. McKell had co-hosted a traffic town hall, and that the auditorium was filled with participants. He said that holding town halls on topics other than the budget could be important for the residents.

Ms. McKeel said that Delegate Sally Hudson had sent the Board an email regarding a survey. She said that the Secretary of Transportation and Chairman of the CTB (Commonwealth Transportation Board) requested the General Assembly to review the SMART SCALE process. She said that it would benefit the County to take the survey seriously. She said that SMART SCALE had made a significant difference for funding in the County.

Ms. McKeel noted that they were interviewing for the new positions for the mental health response team. She requested an update on the hiring process.

Ms. McKeel requested an update on the invasive plant list. She requested an update on the

review of the home occupation list.

Ms. LaPisto-Kirtley noted that the last invasive plants study was done in 2013. She said that they had a current list, but it had not been approved. She suggested a draft of the list be included on the website so developers could use the updated list. She said that the 29 North CAC (Community Advisory Committee) met, and they offered to review the AC44 survey questions.

Agenda Item No. 14. Closed Meeting.

At 4:55 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- under subsection (8) to consult with legal counsel regarding specific legal matters requiring legal advice related to the public animal shelter operated for the County and the City of Charlottesville by the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (CASPCA) and the agreement among the County, City and the CASPCA.

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. 15. 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.

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. 16. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson reported that the final "Let's Talk About Traffic" town hall would be held the following night at the North Garden Fire Station. He said that they had 112 community members participate in the previous two town halls. He said that the community had the opportunity to ask questions about roads that they travel most. He said that recordings would be posted later in the month.

Mr. Richardson said that Albemarle County Fire Rescue (ACFR) officially started Recruit School 22. He said that 22 recruits became full members of the ACFR team, and they would be onboarded over the next six months.

Mr. Richardson recommended that the community take time to take stock of household preparedness for snow, ice, and power outages. He said that it was a good practice to keep 72 hours' worth of food and medicine in the home. He encouraged residents to sign up for Code Red at <communityemergency.org>, follow the County newsletter, and follow the County's social media to stay informed before, during, and after events.

Mr. Richardson said that the Facilities and Environmental Services (FES) team received a grant award from the DEQ (Department of Environmental Quality) for \$860 thousand. He said that the grant would fund half the cost of the first phase of the Biscuit Run stream restoration project. He said that project sought to improve the stream which was currently considered impaired. He said that the project was in the design phase, and it would focus on a one-mile area within the park boundaries.

Mr. Richardson said that bringing your own grocery bags would save 5 cents while shopping. He said that a bin was placed in both County office building lobbies for people to give or take reusable shopping bags. He said that community feedback was open until March 10 on the Comprehensive Plan topics. He said that they had begun Phase 2, and they were looking for input to shape the goals and objectives of each topic. He said that feedback could be submitted at <engage.albemarle.org/phase2>.

Mr. Richardson said that informational reports were included in the consent agenda. He said that the new residential dwelling unit permit year-end data for 2022 was available. He said that the past two years were similar to 2016 and 2017 in terms of permits. He said that they continued to see a large share of multifamily units, and they continued to see most of the growth concentrated in the Development Area.

Mr. Richardson said that VDOT shared that major work was remaining on the construction of the new interchange at exit 124 at US 250 East in Pantops. He said that final surface asphalt and striping had to be done, and the work was weather dependent. He said that the work required the surface to approach 50 degrees and rising with no precipitation. He said that the work could only be done under full lane closure, between 9 p.m. and 5 a.m. He said that the work would be performed as soon as the weather permitted for at least one week, likely in March or April. He said that VDOT would continue to tweak the signal timings and phasing to optimize the intersection and synchronize it with the rest of the corridor.

Mr. Richardson said that the Office of Equity and Inclusion partnered with the City to host a children's financial literacy workshop at the Jefferson School African American Heritage Center on Saturday, February 25, from 12 p.m. to 2:30 p.m. He said that activities would focus on the book, *Mahogany Goes to Wallstreet*, by Janasha "Jay" Bradford. He said that the author, Ms. Bradford, would read excerpts from her book, and attendees would receive a copy. He said that the event was targeted toward youth in the 3rd and 4th grades, but all were welcome.

Mr. Richardson said that the 2022 Community Report was available.

Ms. Emily Kilroy, Assistant to the County Executive, explained that they digitally published the annual Community Report for 2022, and it would be promoted over the next several weeks. She said that it was a way to share the known and unknown events that had happened over the past year. She said that they would distribute physical copies once they were available.

Mr. Richardson said that they had received concerns from the general public regarding their relationship with and operations at the SPCA (Society for the Prevention of Cruelty to Animals). He said that the County contracted with the SPCA to provide sheltering services for the County government, specifically with the Police Department through Animal Control. He said that they worked closely with the SPCA regularly, but they were also in partnership with the City through a three-party agreement that had been in effect since 2009.

Mr. Richardson said that the Virginia Department of Agriculture and Customer Services (VDACS) indicated that they were aware of the publicly expressed concerns regarding the SPCA, and they were reviewing the matter to include an inspection. He said that the County would receive the results of the inspection, and staff would follow up with the Board regarding any actions required by the County.

Mr. Andrews noted that the County residents generated about 180 thousand vehicle trips per day every day of the year. He said that the County was concerned about traffic on the roads, but they should address alternative modes of transportation. He said that he hoped there would be ways to travel around the County without a car in the future.

Mr. Richardson said that people should pay attention when they drive. He said that distracted driving was one of the most significant reasons for accidents.

Mr. Gallaway said that the distracted drivers were predominantly people in their 20s and 30s.

Ms. Price said that the reports helped the Board get the facts and work with the community to be safer.

Agenda Item No. 17. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Sally Duncan, Rio District, said she was speaking on behalf of Livable Cville to discuss homelessness in the Charlottesville and Albemarle area. She said that housing was a human right, and it was a violation of the basic right when someone experienced homelessness in the community. She said that insufficient housing was the underlying cause. She said that according to the Blue Ridge Area Coalition for the Homeless, the point-in-time count increased by 50% to 266 people in 2022. She said more than 440 people accessed the Haven day-shelter services more than 19,000 times in 2022.

Ms. Duncan said that they needed to overcome inaccurate stereotypes and address factors that caused people to experience homelessness. She said that attributing homelessness to individual choices or behaviors misunderstood why people became homeless, resulted in harmful policies, and deferred real solutions. She said that the cost and availability of housing explained the regional variation in homelessness. She said that low rental vacancy rates and high rent increased homelessness.

Ms. Duncan said that they had to ensure there was adequate funding and housing. She said that she would distribute copies of the book, *Homelessness is a Housing Problem*, to each of the Board members, and a flyer was included from the Haven with information about the work they did. They hoped the Board would implement the book's lessons in the new Comprehensive Plan, the Zoning Code, and the budget to reduce homelessness in the area.

Ms. Heather Rowland, Samuel Miller District, said she wanted to revisit the topic that she spoke about at the last Board meeting, namely the controversy surrounding the CASPCA (Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals) regarding its alleged toxic work environment and the mistreatment of animals in its care.

Ms. Rowland said that on February 9, the CASPCA Board belatedly announced that it had appointed the McGuire Woods law firm to conduct a third-party investigation of the allegations. She said that maybe that was progress, but that the County should still proceed with its own inquiry, overseen by Deputy County Executive Trevor Henry? She said that the County's investigation remained appropriate because the County is CASPCA's single biggest funder, and that it was essential.

Ms. Rowland said that the community did not know what terms of reference McGuireWoods had been given, whether they were authorized to speak to current or former staff and volunteers, which the CASPA Board had not done, whether their full report would be released, and whether the inquiry was seeking the truth, or simply providing cover for the CASPCA Board to maintain the status quo.

Ms. Rowland said there was every reason for skepticism based on the CASPCA Board's track record. She said that the CASPA Board's approach to discharging its obligations in the face of widely circulating rumors and allegations was to ask the CEO, Angie Gunter, if there was any substance behind the rumors and to simply take her word for it when she said there was not. She said that the CASPCA Board Chair, Jenn Corbey, continued to make false, unsubstantiated, defamatory claims on the record, including that the issues raised by CASPCA Concerns were new, and that the photos circulated by CASPCA Concerns were fake. She said that the CASPA Board had demonstrated blind allegiance to senior management and repeatedly failed to act in the best interests of the shelter, its employees, its volunteers, and its donors.

Ms. Rowland said that the animals, the staff and the volunteers at CASPCA and, the taxpayers of the County were relying on the County's study to provide the truth about operations at CASPCA.

Ms. Teresa Hepler, Samuel Miller District, said she was speaking as a resident and as an attorney with the Legal Aid Justice Center. She requested that the Board pause the jail renovation plans. She said that more robust community engagement was required, and a workgroup was needed to better inform people in the County and the City about the best ways to keep people out of jail.

Ms. Hepler said that the first reason was that any expenditure of taxpayer dollars, particularly a project costing an estimated \$72 million, required robust community input. She said that the current outreach and public engagement efforts were not enough. She said that it was not clear whether incarcerated people had been consulted on whether they wanted a nicer jail or better community support to divert from jail.

Ms. Hepler encouraged the Board to fund programs that met people's needs and prevented them from entering the criminal legal system. She stated that the jail population had been declining, and they should be talking about how to ensure that the population continued to decline. She said that the Community Services Board could be fully funded based on the County's wealth and population size. She said that they needed to invest in affordable housing to address the impacts of poverty.

Ms. Hepler said that they had to invest in diversion programs like the restorative justice program and the Marcus Alert program. She said that they needed to invest in mental health education. She said that such supports kept people out of jail and gave judges and prosecutors options. She noted that the County contributed \$0 to partner for mental health, \$0 to the Fountain Fund, and \$0 to the Bridge Ministry in 2022, and it just started to fund those services in 2023.

Ms. Hepler said that it did not make fiscal sense to invest in a jail with a decreasing population when there had been little effort to invest in the supports necessary to keep people out of jail. She explained that there were several jail alternatives and jail diversion programs. She said that UVA had several experts on jail alternatives. She requested that a work group be formed of experts and directly impacted people to do robust community engagement. She said that she did not want her children to pay for the jail.

Agenda Item No. 18. Public Hearing: SP202200017 Maple Grove Daycare Center.

PROJECT: ACSA202200001 Request for water service (Pitsiokos)

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 13600-00-00-02700; 92.97 acres

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

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

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

OVERLAY DISTRICT(S): Flood Hazard Overlay District

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

The Executive Summary forwarded to the Board states that pursuant to Virginia Code §15.2-5111, the Board has adopted jurisdictional areas for parcels that may be served by Albemarle County Service Authority (ACSA) water and sewer. The boundaries of the Development Areas generally define

the ACSA's Jurisdictional Area (ACSAJA). The subject parcel (described in the Attachment A application and shown on the map in Attachment B) was designated "water to existing structures only" in 1983. Attachment C shows the current ACSAJA designations on the parcel and surrounding parcels. Without any structures of its own that existed as of 1983, this subdivided parcel does not retain any authorization for water service. The applicant established a water connection to an existing barn/apartment (531 James River Road) without authorization and is now seeking the ACSAJA amendment to bring that connection into compliance.

As noted in the Community Facilities chapter of the County's Comprehensive Plan, changes to ACSAJA boundaries outside of the Development Areas should be the exception and should be allowed only when: (1) the area to be included is adjacent to existing lines; and (2) public health and/or safety is in danger. Staff has found that the application does not meet the second criterion. A detailed staff analysis is provided as Attachment D. ACSA has issued a final compliance notice dated January 4, 2023 (Attachment E).

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

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

Mr. Kevin McCollum, Senior Planner, said that the proposed special use permit was for a child day center within an existing church. He said the subject property was located north of the City at 3210 Proffit Road, and the property was about 1,500 feet east of the intersection of Airport Road, Seminole Trail, and Proffit Road. He said that it was 6.86 acres, and it was zoned R-1 Residential. He said that the site was home to an existing 18,000-square-foot church building used by the Maple Grove Christian Church. He said that the parcel included existing parking areas, two playgrounds, a basketball court, a youth center in the rear, and a parsonage building in the front.

Mr. McCollum said that the surrounding properties were zoned residential with single-family houses. He said that the properties to the west included the Lighthouse Christian Church and preschool, Bright Beginnings preschool, and various commercial uses along 29 North. He said that Proffit Road Townhomes were being developed on the property immediately to the west and across the street.

Mr. McCollum said that the applicant requested a special use permit for a five-day-a-week child day center for up to 50 children. He said that the proposed daycare program would operate from 7 a.m. to 6 p.m., Monday-Friday year-round. He said that they would utilize the existing buildings, parking, playgrounds, and basketball court. He said that the concept plan provided an overview of the site layout and displayed the proposed parent pick-up and drop-off loop.

Mr. McCollum said that based on the findings in the staff report, the proposed use was consistent with the Places29 Master Plan. He noted that the proposal provided a daycare option for the people who worked and lived in the area. He said that no detrimental impacts were anticipated to adjoining properties, and staff recommended approval of the special use permit with the proposed conditions.

Ms. Price opened the public hearing.

Mr. Steve Bailey, applicant, noted that they were surrounded on three sides by residential communities. He said that the daycare operations would take place in the main building. He said that the main building was approved by the County to hold 400 persons in worship, and 60 or more pre- and elementary-aged school children in Sunday school.

Mr. Bailey said that they had a children's wing of about 2,800 square feet. He said that they were able to have up to 50 children in the wing according to the Department of Education (DOE) standards. He said that they had adjacent space to use for the daycare restrooms, storage room, and office. He said that the fellowship hall would be used for lunch and games.

Mr. Bailey said that adjacent to the children's wing, there was a fenced outdoor playground which would be used for the children. He said that there was a tree border all the way around the property to provide a buffer. He said that they proposed to operate the daycare from 7 a.m. to 6 p.m., Monday-Friday. He said that church activities were held in the evenings and on weekends. He said that they did not plan to have any scheduled activities that would conflict with the daycare operations. He said that they had to make modifications to the interior of the children's wing, but no changes would be made on the exterior.

Ms. Price closed the public hearing.

Mr. Gallaway noted that left turns onto Proffit Road out of the church property would be difficult. He requested that parents be educated on the traffic pattern.

Ms. McKeel noted that the operating hours were helpful for working parents, many of whom were desperate for childcare.

Ms. LaPisto-Kirtley and Ms. Price expressed their appreciation for the provision of childcare with extended days and hours.

Ms. LaPisto-Kirtley **moved** that the Board approve SP202200017 Maple Grove Daycare Center (Attachment D).

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

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

**RESOLUTION TO APPROVE
SP202200017 MAPLE GROVE DAY CARE
CENTER**

WHEREAS, upon consideration of the staff reports prepared for SP 202200017 Maple Grove Day Care Center and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-13.2.2 and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas zoning district, with the applicable provisions of *County Code* §18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200017 Maple Grove Day Care Center, subject to the conditions attached hereto.

* * *

SP202200017 Maple Grove Day Care Center Special Use Permit Conditions

1. Development of the use must be in general accord with the conceptual plan. To be in general accord with the conceptual plan, development must reflect the following major elements essential to the design of the development:
 - a. Location of buildings, preschool, and playground areas;
 - b. Location of parking areas;
 - c. Site access, including pick-up and drop-off locationMinor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety
2. Signage for pick-up and drop-off location and circulation may be required at the time of Zoning Clearance to ensure safe vehicular circulation.
3. Enrollment may not exceed fifty (50) children/students per day.
4. The hours of operation for the preschool may not exceed 7:00 a.m.-6:00 p.m. Monday through Friday.
5. Upon demand of the County, the owner(s) must dedicate sufficient right-of-way adjacent to Proffit Road, along the full length of the property, for a multi-use path built to County and VDOT specifications.

Agenda Item No. 19. Public Hearing: SP202200025 Ivy Proper Vet including special exception request SE202200051.

PROJECT: SP202200025 Ivy Proper Vet

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 058A2000002000

LOCATION: An 0.87 acre parcel at the intersection of Route 250/Ivy Rd and Ivy Depot Lane, between the railroad and 4282 Ivy Rd., across Ivy Road from the Ivy Post Office.

PROPOSAL: Request for a 2,500-3,000 square foot veterinary office within a new 6,500 square foot, multi-tenant building under construction.

PETITION: Veterinary offices-Section 22.2.2.5 of the zoning ordinance, including a special exception request (SE202200051) to waive the requirements of Sec. 5.1.11(b) to allow the proposed location of the veterinary building to be within 200 feet of a residential property line. No dwelling units proposed.

ZONING: C-1 Commercial – retail sales and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT: Entrance corridor

PROFFERS: No

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

The public hearings for Agenda Items No. 19 SP202200025 Ivy Proper Vet including special

exception request SE202200051, and No 20. SP202200024 Ivy Proper Water Consumption and SP202200031 Catering, were held together as one hearing.

Agenda Item No. 20. Public Hearing: SP202200024 Ivy Proper Water Consumption and SP202200031 Catering.

PROJECT: SP202200024 Ivy Proper Water Consumption and SP202200031 Catering

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 058A2000002000

LOCATION: A 0.87 acre parcel at the intersection of Route 250/Ivy Rd and Ivy Depot Lane, between the railroad and 4282 Ivy Rd., across Ivy Road from the Ivy Post Office.

PROPOSAL: Request to consume up to 875 gallons of water per day for uses within a 6,500 square foot multi-tenant mixed commercial building, including proposed veterinary office, office, and potential retail or catering uses. The potential catering(restaurant) would be limited to no more than 2,000 square feet and there would be no on-site dining (SP202200031). By-right, 348 gallons per day may be consumed.

PETITION: Section 22.2.2.11(a)- Not served by public water, involving water consumption exceeding 400 gallons per site acre per day and Section 22.2.2.16(c) restaurant not served by public water.

ZONING: C-1 Commercial – retail sales and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT: Entrance corridor

PROFFERS: No

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

The Executive Summary forwarded to the Board states that at its meeting on November 29, 2022, the Planning Commission (PC) held a combined public hearing to review the proposed applications. The staff report, PC action letters, and PC minutes are provided as Attachments A, B, and C. During the public hearing, no members of the public spoke. The PC actions are summarized below:

SP202200025 Ivy Proper Veterinary Office – Recommended approval of by a vote of 6:0, for the reasons stated in the staff report with conditions, including a revision to condition 2 to allow Sunday operations for emergencies only. Associated with this request is SE202200051. The PC had no concerns during discussion.

SP202200024 Water Consumption – Recommended approval of by a vote of 6:0, for the reasons stated in the staff report with conditions.

SP202200031 Caterer – Recommended approval by a vote of 6:0, for the reasons stated in the staff report with conditions, including a revision to condition 2 to allow customer pick up of food.

Staff has updated conditions of approval for SP202200025 Ivy Proper Veterinary Office and SP202200031 Caterer to reflect the PC's recommendations.

Staff recommends the Board hold a combined public hearing on the requests. The Board should take separate action on each request. Staff recommends the Board adopt the resolutions to approve each request with conditions as provided in the following attachments:

D. Resolution to approve SP202200025 for a veterinary office

E. Resolution to approve SE202200051

F. Resolution to approve SP202200024

G. Resolution to approve SP202200031

Ms. Rebecca Ragsdale, Planning Manager, said that the site was located at the corner of the Buckingham Branch railroad on Ivy Road in Ivy Village across from the post office and the garden center and near Scotts Ivy Exxon. She said that land use requests for Scotts Ivy had come before the Board in recent years and St. Paul's Church Daycare a few months before. She said that because the site was a former village in the Comprehensive Plan, there was some commercial zoning in the area.

Ms. Ragsdale said that the properties to the east and across the road were zoned commercial, and the residential areas were separated by railroad tracks. She said that it was in the entrance corridor and would be subject to review by the ARB (Architectural Review Board). She said that the request was related to a building under construction. She said that the first request was for a veterinary office, which was not a by-right use in any of the commercial districts, up to 3,000 square feet of the building under construction. She said that staff did not find issue with the veterinary request in terms of impacts.

Ms. Ragsdale said that a special exception request was necessary. She said that the lot line adjacent to the railroad tracks was less than 200 feet from the residential use, so it required a special exception. She noted that the building would be soundproofed.

Ms. Ragsdale said that the second request related to water consumption. She said that the ordinance required a special use permit if water consumption was to exceed 400 gallons per site acre per day. She said that the limit for the parcel would be 348 gallons per day. She said that the request would allow an increase of up to 875 gallons per day, and it would allow for greater flexibility in terms of the

tenant mix. She said that a water analysis was provided that indicated there were no concerns about groundwater in the area. She said that the groundwater recharge was included in the analysis.

Ms. Ragsdale explained that for the second request, the ordinance required any restaurant use that was not supplied by public water to be permitted by special use permit. She said that a small catering operation was proposed at the site, but there would be no onsite dining. She said that staff recommended a condition of no carry-out, but the Commission believed the condition was too restrictive and were not concerned about that having any water impacts.

Ms. Ragsdale said that the uses were reviewed against the criteria in the ordinance for special use permits in terms of no substantial detriment to adjacent parcels. She said this was an existing commercial building that had already undergone the final site plan process and was under construction. She said that commercial uses were anticipated, but the type of commercial uses required special use permits. She said that the proposed uses would not increase traffic beyond what was anticipated with the commercial building that was approved or would change the nearby area or have any issues with harmony or consistency with surrounding commercial uses. She said that the Comprehensive Plan did not typically encourage additional commercial development but acknowledged that there was a certain level of service required by Rural Area residents.

Ms. Ragsdale said that staff recommended approval, and the Commission unanimously recommended approval. She said that they had not received community input. She said that a community meeting was held for the veterinary use when it was proposed. She said that staff had not received comments or questions from the abutting owners. She said that approval was recommended with the provided conditions.

Mr. Andrews asked when metering was required to monitor groundwater usage.

Ms. Ragsdale explained that the ordinance required groundwater studies based on the proposed land use. She said that a Tier 3 groundwater study was performed with the site plan. She said that they were not typically allowed to require the metering unless it was a special use permit request exceeding the 400 gallons per site acre per day.

Ms. Mallek asked if the staff report analyzed the measurements for various chemicals.

Ms. Ragsdale said that the applicant may be able to speak to that, but he complied with the well-completion reports and the necessities of the building permits. She said that the leak sites had been tested.

Ms. Mallek asked for clarification regarding the report.

Ms. Ragsdale clarified that the analytics report was in the packet, and that it did not indicate any issues with the water.

Ms. McKeel asked about the combination of a catering use and a veterinary use.

Ms. Ragsdale explained that they would be separate tenants with separate entrances, and they would not necessarily be located next to each other.

Ms. Price asked if there were health concerns over having a veterinary office in the same building as a food preparation facility.

Ms. Ragsdale said that such issues were covered by the building permitting process.

Ms. Price opened the public hearing.

Mr. Reid Murphy, applicant, said that he did not have a presentation, but he was available for any questions.

Mr. Andrews noted concerns about a veterinary use next to a catering use. He asked about the building's air circulation.

Mr. Murphy explained that each space would have its own separate air conditioning and ventilation system. He said that there would be separate sewer drainage for each space. He noted that there would be no cross-contamination of the air or water between spaces. He said that the location of the uses next to each other was a business decision, and it would be determined by the Zoning Ordinance whether the co-location was appropriate. He said that he had seen other locations where such businesses were located next to each other.

Mr. Andrews clarified that there would be separate entrances.

Mr. Murphy said that there would be separate entrances.

Ms. Mallek asked for an explanation of the water quality analysis.

Mr. Murphy explained that after they drilled the well, they were required to test it. He said that the

results were cleared. He said that he could provide the information if the Board did not have it. He explained that it was a prerequisite for the building permits.

Ms. Mallek clarified that the health department had taken the proposal under consideration.

Mr. Murphy said that was correct.

Ms. Mallek clarified that the catering use would require a separate licensing procedure from the health department.

Mr. Murphy said that was correct.

Mr. Gallaway said that there was a similar layout on Rio Road with several restaurant uses and the Dogtopia use within the same strip. He noted that the building was all one structure.

Ms. McKeel said that she supported the proposal. She said that 35 years ago, she operated a catering company out of her kitchen, and the health department inspected her kitchen.

Mr. Murphy said that if the caterer decided to pursue the space, they would have to go through a zoning clearance process before receiving a building permit.

Ms. McKeel said that her catering business was called Delicious Delicacies.

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

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

Mr. Andrews **moved** that the Board adopt a Resolution (Attachment D) to approve SP202200025 Veterinary Office for the reasons stated in the staff report and with the staff conditions.

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 SP 202200025 IVY PROPER VETERINARY OFFICE

WHEREAS, upon consideration of the staff reports prepared for SP 202200025 Ivy Proper Veterinary Office and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.5 and § 18-33.8, the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the zoning district, with the applicable provisions of Albemarle County Code § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

* * * * *

SP2022-25 Ivy Proper Veterinary Office Special Use Permit Conditions

1. Development and use of the veterinary office must be in general accord with the concept plan titled "Ivy Proper Final Site Plan" prepared by Timmons Engineering and last revised March 24, 2022. To be in general accord with this concept plan, the proposed use must reflect the following major elements essential to the design of the site:
 - a. Location of building and parking
 - b. No outdoor exercise areas or runs.
2. The hours of operation for the clinic must not begin earlier than 7:00 a.m. and must end later than 8:00 p.m., each day, Monday through Saturday. Sunday hours shall be for emergencies only.
3. No overnight boarding use, other than for those animals under medical care, may take place at the veterinary clinic.

Mr. Andrews **moved** that the Board adopt a Resolution (Attachment E) to approve SE202200051 to allow a veterinary building to be within 200 feet of a residential property line for the reasons stated in the staff report and with the recommended condition.

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.

**RESOLUTION TO APPROVE
SE202200051 IVY PROPER VETERINARY OFFICE**

WHEREAS, upon consideration of the staff reports prepared in conjunction with SE202200051 Ivy Proper Veterinary Office 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 §§ 185.1.11(b) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SE202200051 Ivy Proper Veterinary Office, to allow the veterinary clinic and associated uses to be located less than 200 feet from a residential property line, subject to the condition attached hereto.

* * * * *

SE20200051 Ivy Proper Veterinary Office Condition

1. Prior to the issuance of a building permit, the applicant must submit information to the satisfaction of the County Engineer and the Zoning Administrator (or their designees) that demonstrate that the sound attenuation qualities of the construction materials used in the renovation, expansion, and/or construction of the veterinary clinic and overnight animal boarding service buildings can reasonably meet the fifty-five (55) decibel sound limit in County Code §18-5.1.11(b).

Mr. Andrews **moved** that the Board adopt a Resolution (Attachment F) to approve SP202200024 for water consumption increased to 875 gallons per day for the reasons stated in the staff report and with the recommended conditions.

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
SP 202200024 IVY PROPER WATER CONSUMPTION**

WHEREAS, upon consideration of the staff reports prepared for SP 202200024 Ivy Proper Water Consumption and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.11 and § 1833.8, the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

* * * * *

SP2022-24 Ivy Proper Water Consumption Special Use Permit Conditions

1. The applicant must install a meter on the well head to monitor water consumption. Results of daily water consumption monitoring must be made available within forty-eight (48) hours of a request by the Zoning Administrator.
2. Water consumption must be restricted to 875 gallons per day.

Mr. Andrews **moved** that the Board adopt a Resolution (Attachment G) to approve SP202200031 Caterer for the reasons stated in the staff report and with the recommended conditions.

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
SP 202200031 IVY PROPER CATERING**

WHEREAS, upon consideration of the staff reports prepared for SP 202200031 Ivy Proper Catering and all of their attachments, the information presented at the public hearings, any comments

received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.16(c) and § 18-33.8, the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200031 Ivy Proper Catering, subject to the conditions attached hereto.

* * * * *

SP2022-31 Ivy Proper Catering Special Use Permit Conditions

1. The gross floor area for catering must be limited to 2,000 square feet.
2. On-site dining is prohibited.

Agenda Item No. 16. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson, County Executive, said that he had two final comments. He announced that the Chamber of Commerce event would be occurring Friday morning and would be hosted at the Darden Business School. He said that the Board had received an invitation.

Mr. Richardson thanked Ms. Elizabeth Cromwell, Executive Director of the Chamber of Commerce, for her services.

Agenda Item No. 22. Adjourn to February 22, 2023, 12:00 p.m. Room 241.

At 7:02 p.m., the Board adjourned its meeting to February 22, 2023, 12:00 p.m., Room 241 on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902. 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: 02/19/2025
Initials: CKB