

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on January 12, 2022 at 1:00 p.m. This meeting was held by electronic communication means using Zoom and a telephonic connection, due to the COVID-19 state of emergency.

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

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Greg Kamptner; and Clerk, Claudette K. 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 said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(8), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." She said that the opportunities for the public to access and participate in the electronic meeting were posted on the Albemarle County website, on the Board of Supervisors' homepage, and on the Albemarle County calendar. He stated that participation included the opportunity to comment on those matters for which comments from the public would be received.

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

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Agenda Item No. 4. Adoption of Final Agenda.

Ms. Price said she had an amendment she would like to add to agenda item number 18, "From the Board: Committee Reports and Matters Not Listed on the Agenda." She requested authorization for the Chair to execute a letter of support for Deputy Senior Clerk Travis Morris in his candidacy for International Institute of Municipal Clerk (IIMC) Region II Director.

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

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

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

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

Mr. Andrews did not have any announcements.

Ms. McKeel did not have any announcements.

Ms. Mallek encouraged people to pretreat sidewalks and store up supplies before an approaching winter storm. She said people were concerned about debris and tree coverage on Berkmar Road. She announced that the Crozet Community Advisory Committee meeting was that evening, and there would be a presentation on the first application to come through under the new Crozet Master Plan. She said the application was called Montclair, located at White Gate Farm on Route 240. She said the community meeting was a chance for citizens to listen and ask questions, not a public hearing, and she would not be attending.

Ms. LaPisto-Kirtley announced that the Places29 North Community Advisory Committee was meeting on the evening of January 13 to discuss middle density. She congratulated Mr. Corey Clayborne for becoming Vice-Chair of the Planning Commission.

Mr. Gallaway said that Ms. Katie Shipley had emailed him to thank staff of the Northside Library because she had stayed at the library during a power outage. He said he had shared the email from Ms. Shipley with Mr. David Plunkett, and Mr. Plunkett shared it with the JMRL Board and Northside Library staff. He expressed his appreciation to the staff and team of the library.

Ms. Price said people should prepare for the winter storm. She encouraged citizens to include their magisterial district when communicating with the Board. She explained that as a courtesy and convention, the Board deferred to the supervisor of the district of the communicant to provide the response. She said the community approached a peak of infection of the Omicron variant of COVID-19 and noted that the number of hospitalized unvaccinated children was beyond the pale. She asked those eligible to get vaccinated and get booster shots if possible. She said people should improve their masks, KN95 masks were recommended, and people should continue to social distance.

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Agenda Item No. 6. Proclamations and Recognitions.

There were none.

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

Ms. Price stated that there were people signed up for public comment.

Ms. LaPisto-Kirtley read the protocol for speakers.

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Ms. Nellie Maybee said her family lived off Miller School Road and had lived there for seven or eight years. She said CenturyLink was their only internet provider. She explained that in July 2021, her family lost internet connection. She said that after calling CenturyLink and having a service agent come to the property, they were told the service line was disconnected because a new house had been connected instead. She said after many complaints and phone calls, CenturyLink then ran a cable across the road to the cable hookup outside of her house—temporarily on the ground to later be buried, according to the company.

Ms. Maybee said that in October 2021, a state maintenance tractor mowed the area and cut the cable, and her family lost internet again. She explained that she called CenturyLink and the company said it would be 10 days until a service agent would come to the property. She said she emailed and complained to the Board of Supervisors. She said that after a week, someone came to fix the line. She explained that the line was still above ground and on the ground, and it was only a matter of time before it was cut again, so she had placed orange flags along the cable. She said she was frustrated with CenturyLink's lack of responsiveness and sheer incompetence. She said internet was a necessity for her family, not a luxury, and not having an alternative provider to CenturyLink meant there was no incentive to improve service.

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Mr. Robert Klein stated that he is a resident of the Samuel Miller District and said that CenturyLink did not care about its service quality. He said he has a new house at Bundoran Farm, and over the last three years, it averaged one service visit from CenturyLink every six months. He said the problem was related to infrastructure. He explained he was the operations officer for a phone company in Seoul, South Korea, so he understood wire systems. He said he had spent the majority of his career in the Army in wired and wireless communications.

Mr. Klein said only one CenturyLink technician was able to pinpoint where the infrastructure problem was, and the farm management was disappointed in the lack of expertise. He noted that several of his neighbors had disconnected service from CenturyLink and moved on to a competitor, and he also considered changing service—but there were ways to solve the infrastructure problems. He noted that communications were sporadic in his area, and without a landline, he was unable to make emergency calls. He asked that the Board make CenturyLink improve its infrastructure and services.

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Mr. Ryan Loomis said he lived in the White Hall District in the Sugar Hollow area. He said the region did not have cellular service. He explained that during the recent snowstorm, he and his family were without internet and phone services for six days and had no access to emergency services. He said it was dangerous for the area—he had elderly neighbors with health and mobility issues that were unable to contact emergency services.

Mr. Loomis said the cause for the problem was well known, and the outage had occurred during other storms. He explained that there was a DSLAM box that lost power when the neighborhood lost power, and there was insufficient backup power—the DSLAM box only had an eight-hour battery. He said that the neighborhood had set up an airhorn system for the elderly neighbors to alert the other neighbors in case of emergency.

Mr. Loomis noted CenturyLink's legal obligation in the electronic code of federal regulations, Title 47, subpart H, "Resiliency, Redundancy, and Reliability of 911 Communications," section 9.19, "Reliability of Covered 911 Service Providers," and section 9.20, "Backup Power Obligations." He said CenturyLink had a legal obligation to provide resilient systems to contact 911. He noted that section 9.19 of the aforementioned code was passed as a response to the derecho the region experienced in 2013. He explained that CenturyLink stated, "There are numerous best practices associated with backup power that CenturyLink generally follows to ensure functionality in emergency—including engine maintenance, battery maintenance, backup battery maintenance, and fuel reserves." He said CenturyLink showed the solution was simple: provide backup power.

Mr. Loomis explained that providing backup power was the third "best practice" listed by the Federal Communications Commission (FCC) for small and rural service providers. He said network operators should provide backup power through a combination of batteries, generators, and fuel cells at cellular infrastructure sites and remote equipment locations. He asked that CenturyLink install backup generators across the County or allow the capability for external generators to be connected in order to ensure emergency services. He also asked the Board to contact the FCC about CenturyLink's failure to meet its legal obligations.

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Mr. Kirk Bowers said he is a resident of the Rivanna District and had lived in the same house for 34 years. He said he was also a retired civil engineer, and he served as the Conservation Chair for the Piedmont Group Sierra Club. He noted that he had lost power numerous times, and in the past year, he had lost power for a total of eight days. He explained that the eight days of lost power cost him over \$700 a day, and in the past week, he had lost \$5,000 in income because of power outages. He said he lost power for 12 days during the 2013 derecho. He said Key West had 200 to 250 homes, and there were a number of senior citizens who had to evacuate due to the weather.

Mr. Bowers said Dominion Energy was not fulfilling its responsibilities. He said there were powerlines that had not been maintained for years—and he noted a powerline located on the top of a hill that was frequently struck by lightning, causing power outages, because it was the highest point in the area. He said the new home construction was also losing power. He asked the Board to take a proactive approach to burying the powerlines throughout the County.

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Ms. Deane Begiebing stated that she is a resident of the White Hall District and lives on Clark Road and would echo comments from the other speakers. She said she wanted her neighbors to continue to speak up about issues with service providers, noting problems with reaching emergency services and 911. She explained that since T-Mobile had purchased Sprint, cellular service had been dropping out at night. She said that CenturyLink was putting profit above service, and that as a customer, she should not have to pay for a week without internet service. She said CenturyLink should credit customers for the times that they did not receive service.

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Mr. Dave Maybee stated that he is a resident of the Samuel Miller District. He said CenturyLink had no reason to expand its service where he lived, so he waited for more companies to provide for the area. He said he understood that CenturyLink did not have a financial incentive to expand service, but the company operated under the purview of the County, which required a certain quality of service. He said he moved to the area with the assumption that the cellular and internet infrastructure would be reliable, and it was not. He said there were various shortcomings related to choice, access, and speed.

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Mr. Ron Smith said that on December 16, he lost internet, and his provider was CenturyLink. He explained that he talked to customer support for two hours and was told that a technician would have to come to the property. He said that up to the date of his appointment, he received reminder texts; however, on the day of the appointment, the technician never showed up. He said he went down to the company offices in Scottsville to speak with a local technician. He continued that he was able to get a technician to eventually come to his house and fix his internet access..

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Agenda Item No. 8. Consent Agenda.

Ms. Price said there were no items to pull from the consent agenda..

Ms. Mallek **moved** to approve the consent agenda as presented. Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

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Item No. 8.1. Fiscal Year 2022 Appropriations.

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

The total change to the Fiscal Year 2022 (FY 22) budget due to the appropriations itemized in Attachment A is \$4,384,212. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

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

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<b><u>Appropriation #2022028</u></b>		<b><u>\$ 3,528,853</u></b>
<b>Source:</b>	School Special Revenue Funds' Fund Balances	<b>\$3,528,853</b>

<b>Uses:</b>	School Special Revenue Funds	<b>\$3,528,853</b>
<b>Net Increase to Appropriated Budget:</b>		<b>\$3,528,853</b>

This request is to re-appropriate \$3,528,853 in School Special Revenue Funds from FY 21 to FY 22. Following the end of FY 21, balances are retained in each of the division's Special Revenue Funds. These balances are retained for use in each individual fund and will be spent in accordance with the specific requirements for each individual fund. A list including fund descriptions and amounts requested for re-appropriation is included in Attachment C.

<b><u>Appropriation #2022029</u></b>		<b><u>\$ 195,359</u></b>
<b>Source:</b>	Federal Revenue	<b>\$195,359</b>
<b>Uses:</b>	Albemarle County Service Authority (ACSA)	<b>\$195,359</b>
<b>Net Increase to Appropriated Budget:</b>		<b>\$195,359</b>

This request is to appropriate \$195,359 in Federal American Recovery Plan Act State and Local Fiscal Recovery Funds (ARPA SLFRF) received by the Albemarle County Service Authority (ACSA) to assist with utility customer relief for all eligible customers of the ACSA. The County will serve as fiscal agent (pass-through entity) for the funding. The goal of this program is to assist residential utility customers experiencing economic hardship due to the COVID-19 pandemic with arrearage assistance for amounts owed from March 12, 2020 through August 31, 2021 that are over 60 days in arrears.

<b><u>Appropriation #2022030</u></b>		<b><u>\$ 660,000</u></b>
<b>Source:</b>	Federal Revenue	<b>\$660,000</b>
<b>Uses:</b>	Charlottesville Albemarle Convention & Visitors Bureau (CACVB)	<b>\$660,000</b>
<b>Net Increase to Appropriated Budget:</b>		<b>\$660,000</b>

This request is to appropriate a total of \$660,000 in Federal revenue granted to Albemarle County and the City of Charlottesville by Virginia Tourism Authority for the American Rescue Plan Act Tourism Recovery Program. This amount includes:

- The County share of the funding, \$400,000, is recommended to be provided to Charlottesville Albemarle Convention & Visitors Bureau (CACVB) as a subrecipient, for implementation of a joint tourism program between CACVB, the County, and the City of Charlottesville.
- The City share of the funding, \$260,000, is provided to the CACVB for the same purpose.

The goal of the joint proposal is to increase awareness of Charlottesville and Albemarle County to markets that haven't been reached before, increase the knowledge of the movement of visitors and residents in the destination, craft a Diversity, Equity, and Inclusion plan for the local visitor economy, generate stays during winter, and provide a safer space for visitors at the downtown mall. The County is the fiscal agent for CACVB.

<b><u>Appropriation #2022031</u></b>		<b><u>\$ 173,458</u></b>
<b>Source:</b>	Capital Advancing Strategic Priorities release (currently appropriated)	<b>\$173,458</b>
<b>Uses:</b>	Facilities and Environmental Services Department	<b>\$173,458</b>
<b>Net Increase to Appropriated Budget:</b>		<b>\$0</b>

This request is to appropriate \$173,458 from the Capital Advancing Strategic Priorities Reserve to the Facilities and Environmental Services Department for a study to inspect, review, asses, analyze, and recommend potential plans regarding the development of the Brookhill proffer (Tax Map Parcel # 46-18B & 46-18D) for use by Albemarle County Local Government and Albemarle County Public Schools (ACPS).

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the appropriations for local government and school projects and programs as described in Attachment A:**

**RESOLUTION TO APPROVE  
ADDITIONAL FY 2022 APPROPRIATIONS**

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

- 1) That Appropriations #2022028; #2022029; #2022030; and #2022031; are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2022.
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APP#	Account String	Description	Amount
2022028	3-3010-63010-351000-510100-6599	SA2022028 Fresh Fruit & Vegetables Grant	\$489.05
2022028	3-3101-63101-351000-510100-6599	SA2022028 Title I	\$615.17
2022028	3-3103-63103-351000-510100-6599	SA2022028 Migrant	\$752.68
2022028	3-3104-63104-351000-510100-6599	SA2022028 Misc Grants-Fund Balance	\$558,357.99
2022028	3-3105-63105-351000-510100-6599	SA2022028 CTE/Tech Grants-Fund Balance	\$22,141.42
2022028	3-3116-63116-351000-510100-6599	SA2022028 Economically Dislocated Workers	\$5,314.87
2022028	3-3142-63142-351000-510100-6599	SA2022028 Alternative Education	\$16,545.75
2022028	3-3145-63145-351000-510100-6599	SA2022028 AIMR-Summer Rental	\$100,000.00
2022028	3-3151-63151-351000-510100-6599	SA2022028 Teacher Mentoring Program-Fund Balance	\$454.08
2022028	3-3152-63152-351000-510100-6599	SA2022028 Algebra Readiness-Fund Balance	\$107,197.23
2022028	3-3159-63159-351000-510100-6599	SA2022028 KOVAR Grant-Fund Balance	\$613.33
2022028	3-3162-63162-351000-510100-6599	SA2022028 CARES Act	\$94.19
2022028	3-3202-63202-351000-510100-6599	SA2022028 ED-Fund Balance	\$136,004.30
2022028	3-3207-63207-351000-510100-6599	SA2022028 Carl Perkins-Fund Balance	\$19,294.88
2022028	3-3212-63212-351000-510100-6599	SA2022028 SPED Jail Grant-Fund Balance	\$5,082.64
2022028	3-3217-63217-351000-510100-6599	SA2022028 Project Graduation-Fund Balance	\$30,640.60
2022028	3-3221-63221-351000-510100-6599	SA2022028 EL Civics Partnership	\$1,291.06
2022028	3-3225-63225-351000-510100-6599	SA2022028 i3 Grant-Fund Balance	\$26,233.16
2022028	3-3226-63226-351000-510100-6599	SA2022028 STEM Learning Through The Arts	\$65,500.00
2022028	3-3300-63300-351000-510100-6599	SA2022028 Community Education	\$461,064.86
2022028	3-3304-63304-351000-510100-6599	SA2022028 Families in Crisis	\$84,885.90
2022028	3-3305-63305-351000-510100-6599	SA2022028 Driver Safety	\$87,891.61
2022028	3-3306-63306-351000-510100-6599	SA2022028 Open Doors	\$55,646.60
2022028	3-3310-63310-351000-510100-6599	SA2022028 Summer School	\$474,948.65
2022028	3-3380-63380-351000-510100-6599	SA2022028 Community Public Charter School	\$12,574.41
2022028	3-3501-63501-351000-510100-6599	SA2022028 McIntire Trust	\$12,000.00
2022028	3-3502-63502-351000-510100-6599	SA2022028 Foundation for Excellence-Shannon Grant	\$18,606.02
2022028	3-3905-63905-351000-510100-6599	SA2022028 School Bus Replacement	\$2,098.64
2022028	3-3907-63907-351000-510100-6599	SA2022028 Computer Equipment Replacement	\$628,032.98
2022028	3-3909-63909-351000-510100-6599	SA2022028 Textbook Replacement	\$552,912.88
2022028	3-3910-63910-351000-510100-6599	SA2022028 Vehicle Maintenance	\$41,568.05
2022028	4-3010-63010-460204-600220-6520	SA2022028 Ed & Rec Supplies	\$489.05
2022028	4-3101-63101-461101-601300-6530	SA2022028 Ed & Rec Supplies	\$615.17
2022028	4-3103-63103-461101-580000-6530	SA2022028 Miscellaneous Expenses	\$152.68
2022028	4-3103-63103-461101-601300-6530	SA2022028 Ed & Rec Supplies	\$600.00
2022028	4-3104-63104-460700-601300-6530	SA2022028 Ed & Rec Supplies	\$558,357.99
2022028	4-3105-63105-460700-601300-6530	SA2022028 Ed & Rec Supplies	\$22,141.42
2022028	4-3116-63116-463348-132100-6530	SA2022028 P/TWages-Teacher	\$3,000.00
2022028	4-3116-63116-463348-135000-6530	SA2022028 P/TWages-Clerical	\$1,000.00
2022028	4-3116-63116-463348-210000-6530	SA2022028 FICA	\$306.00
2022028	4-3116-63116-463348-312700-6530	SA2022028 Prof. Ser. Consultants	\$100.00
2022028	4-3116-63116-463348-360000-6530	SA2022028 Advertising	\$100.00
2022028	4-3116-63116-463348-520100-6530	SA2022028 Postal Services	\$50.00
2022028	4-3116-63116-463348-550100-6530	SA2022028 Travel/Travel Education	\$200.00
2022028	4-3116-63116-463348-580500-6530	SA2022028 Staff Development	\$100.00
2022028	4-3116-63116-463348-600100-6530	SA2022028 Office Supplies	\$100.00
2022028	4-3116-63116-463348-601300-6530	SA2022028 Ed & Rec Supplies	\$208.87
2022028	4-3116-63116-463348-601700-6530	SA2022028 Copy Expense	\$150.00
2022028	4-3142-63142-460410-112100-6530	SA2022028 Salaries-Teacher	\$15,369.95
2022028	4-3142-63142-460410-210000-6530	SA2022028 FICA	\$1,175.80

2022028	4-3145-63145-461101-540100-6599	SA2022028 Lease/Rent-Equipment	\$20,000.00
2022028	4-3145-63145-461101-601300-6599	SA2022028 Ed & Rec Supplies	\$20,000.00
2022028	4-3145-63145-461101-800100-6599	SA2022028 Machinery & Equipment	\$60,000.00
2022028	4-3151-63151-461311-580500-6530	SA2022028 Staff Development	\$454.08
2022028	4-3152-63152-463333-132100-6530	SA2022028 PT/Wages-Teacher	\$99,579.41
2022028	4-3152-63152-463333-210000-6530	SA2022028 FICA	\$7,617.82
2022028	4-3159-63159-461102-800100-6599	SA2022028 Machinery & Equipment	\$613.33
2022028	4-3162-63162-461101-601300-6530	SA2022028 Ed & Rec Supplies	\$94.19
2022028	4-3202-63202-461102-112100-6499	SA2022028 Salaries-Teacher	\$50,000.00
2022028	4-3202-63202-461102-113200-6501	SA2022028 Salaries-Psychologist	\$50,000.00
2022028	4-3202-63202-461102-114100-6499	SA2022028 Salaries-TA	\$20,000.00
2022028	4-3202-63202-461102-210000-6499	SA2022028 FICA	\$5,355.00
2022028	4-3202-63202-461102-210000-6501	SA2022028 FICA	\$1,530.00
2022028	4-3202-63202-461102-580500-6530	SA2022028 Staff Development	\$5,000.00
2022028	4-3202-63202-461102-601300-6530	SA2022028 Ed & Rec Supplies	\$4,119.30
2022028	4-3207-63207-461190-580500-6530	SA2022028 Staff Development	\$1,294.88
2022028	4-3207-63207-461190-601300-6530	SA2022028 Ed & Rec Supplies	\$8,000.00
2022028	4-3207-63207-461190-800100-6530	SA2022028 Machinery & Equipment	\$10,000.00
2022028	4-3212-63212-461102-601300-6530	SA2022028 Ed & Rec Supplies	\$5,082.64
2022028	4-3217-63217-461101-132100-6530	SA2022028 PT/Wages-Teacher	\$28,463.17
2022028	4-3217-63217-461101-210000-6530	SA2022028 FICA	\$2,177.43
2022028	4-3221-63221-461101-132100-6530	SA2022028 PT/Wages-Teacher	\$1,199.31
2022028	4-3221-63221-461101-210000-6530	SA2022028 FICA	\$91.75
2022028	4-3225-63225-461313-601300-6530	SA2022028 Ed & Rec Supplies	\$10,734.97
2022028	4-3225-63225-461313-800100-6530	SA2022028 Machinery & Equipment	15498.19
2022028	4-3226-63226-461101-301210-6530	SA2022028 Contracted Services	65500.00
2022028	4-3300-63300-465301-115000-6521	SA2022028 Salaries-Office Clerical	60000.00
2022028	4-3300-63300-465301-119401-6521	SA2022028 Salaries-Teachers Aide	130000.00
2022028	4-3300-63300-465301-119402-6521	SA2022028 Salaries-Supervisors	50000.00
2022028	4-3300-63300-465301-159400-6521	SA2022028 Salaries-Sub Wages	50000.00
2022028	4-3300-63300-465301-210000-6521	SA2022028 FICA	20609.00
2022028	4-3300-63300-465301-221000-6521	SA2022028 VRS	50000.00
2022028	4-3300-63300-465301-231000-6521	SA2022028 Health	30000.00
2022028	4-3300-63300-465301-232000-6521	SA2022028 Dental	15000.00
2022028	4-3300-63300-465301-241000-6521	SA2022028 VRS Group Life	25000.00
2022028	4-3300-63300-465301-242000-6521	SA2022028 Group Life-PT	10000.00
2022028	4-3300-63300-465301-601300-6521	SA2022028 Ed & Rec Supplies	20455.86
2022028	4-3304-63304-461101-579001-6530	SA2022028 Housing Assit. Payments Homeless	50000.00
2022028	4-3304-63304-461101-580004-6530	SA2022028 Misc Exp-Homeless	34885.90
2022028	4-3305-63305-461144-132100-6301	SA2022028 Salaries-P/T Wages Teacher	25000.00
2022028	4-3305-63305-461144-132100-6302	SA2022028 Salaries-P/T Wages Teacher	15000.00
2022028	4-3305-63305-461144-132100-6304	SA2022028 Salaries-P/T Wages Teacher	15000.00
2022028	4-3305-63305-461144-210000-6301	SA2022028 FICA	1913.00
2022028	4-3305-63305-461144-210000-6302	SA2022028 FICA	1148.00
2022028	4-3305-63305-461144-210000-6304	SA2022028 FICA	1148.00
2022028	4-3305-63305-461144-601300-6301	SA2022028 Ed & Rec Supplies	3000.00
2022028	4-3305-63305-461237-132100-6530	SA2022028 Salaries-P/T Wages Teacher	8000.00
2022028	4-3305-63305-461237-210000-6530	SA2022028 FICA	612.00
2022028	4-3305-63305-461237-312700-6530	SA2022028 Professional Services Consultant	14070.61
2022028	4-3305-63305-461237-601300-6530	SA2022028 Ed & Rec Supplies	3000.00
2022028	4-3306-63306-460000-115000-6301	SA2022028 Salaries-Office Clerical	25000.00
2022028	4-3306-63306-460000-135000-6301	SA2022028 Salaries-P/T Wages Office Clerical	10000.00
2022028	4-3306-63306-460000-210000-6301	SA2022028 FICA	2677.80
2022028	4-3306-63306-460000-221000-6301	SA2022028 VRS	3500.00
2022028	4-3306-63306-460000-231000-6301	SA2022028 Health Insurance	5000.00
2022028	4-3306-63306-460000-232000-6301	SA2022028 Dental Insurance	500.00

2022028	4-3306-63306-460000-241000-6301	SA2022028 VRS Group Life Insurance	250.00
2022028	4-3306-63306-460000-312700-6301	SA2022028 Professional Services Consultant	8627.00
2022028	4-3306-63306-460000-601300-6301	SA2022028 Ed & Rec Supplies	91.80
2022028	4-3310-63310-461120-117200-6599	SA2022028 Salaries-Transit Aide	35000.00
2022028	4-3310-63310-461120-132100-6599	SA2022028 P/T Wages Teacher	150000.00
2022028	4-3310-63310-461120-137100-6599	SA2022028 P/T Wages Bus Drivers	35000.00
2022028	4-3310-63310-461120-210000-6599	SA2022028 FICA	16830.00
2022028	4-3310-63310-461120-420110-6599	SA2022028 School Transportation	45000.00
2022028	4-3310-63310-461120-601300-6599	SA2022028 Ed & Rec Supplies	28000.00
2022028	4-3310-63310-461124-117200-6599	SA2022028 Salaries-Transit Aide	10000.00
2022028	4-3310-63310-461124-132100-6599	SA2022028 P/T Wages Teacher	75000.00
2022028	4-3310-63310-461124-137100-6599	SA2022028 P/T Wages Bus Drivers	25000.00
2022028	4-3310-63310-461124-210000-6599	SA2022028 FICA	8415.00
2022028	4-3310-63310-461124-420110-6599	SA2022028 School Transportation	28640.79
2022028	4-3310-63310-461124-601300-6599	SA2022028 Ed & Rec Supplies	18062.86
2022028	4-3380-63380-461101-132100-6280	SA2022028 PT/Wages-Teacher	7000.00
2022028	4-3380-63380-461101-210000-6280	SA2022028 FICA	535.50
2022028	4-3380-63380-461101-601300-6280	SA2022028 Ed & Rec Supplies	5038.91
2022028	4-3501-63501-463080-580000-6599	SA2022028 Miscellaneous Expenses	12000.00
2022028	4-3502-63502-460606-601300-6599	SA2022028 Ed & Rec Supplies	18606.02
2022028	4-3905-63905-462320-800506-6599	SA2022028 School Bus Replacement	2098.64
2022028	4-3907-63907-468200-800700-6599	SA2022028 Technology Equip-Computer	628032.98
2022028	4-3909-63909-461101-601200-6599	SA2022028 Books & Subscriptions	912.88
2022028	4-3909-63909-461101-601300-6599	SA2022028 Ed & Rec Supplies	33000.00
2022028	4-3909-63909-461101-602000-6599	SA2022028 Textbook Replacement	519000.00
2022028	4-3910-63910-462341-600900-6599	SA2022028 Vehicle & Equip Repairs	41568.05
2022029	3-5122-99999-333000-330055-9999	SA2022029 ARP Municipal Utility 21.027	195359.00
2022029	4-5122-91000-491000-593000-9999	SA2022029 ARP Municipal Utility 21.027	195359.00
2022030	3-5123-99000-333000-330055-9999	SA2022030 VTC 21.027 ARP Act	400000.00
2022030	4-5123-99000-493000-935100-9999	SA2022030 Grant VTC 21.027 ARP Act	400000.00
2022030	3-4607-73000-333000-330055-9999	SA2022030 Grant 5123 VTC 21.027 ARP Act	260000.00
2022030	4-4607-73000-481000-379300-9999	SA2022030 Transfer to VTC 21.027 City	260000.00
2022030	3-4606-73000-351000-512000-9999	SA2022030 Transfer from 5123 VTC 21.027 ARP Act	400000.00
2022030	4-4606-73000-481000-379300-9999	SA2022030 Transfer to VTC 21.027 County	400000.00

Item No. 8.2. Schedule a Public Hearing on the CACVB Operating Agreement Third Amendment.

The Executive Summary forwarded to the Board states that the purpose of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) is to promote the resources and advantages of the County, the City, and the region pursuant to the terms and conditions of the CACVB Operating Agreement, including marketing tourism, and marketing initiatives that: attract travelers to the City and County, increase lodging at properties located within the City and County, and generate tourism revenues within the City and County. A portion of the Transient Occupancy Tax from each local government funds the CACVB operations. The CACVB Operating Agreement is a legal document outlining the roles and responsibilities of the City of Charlottesville, Albemarle County, and the CACVB Board. The agreement was last amended in Fall 2019 and new terms and conditions were reconstituted to operate a joint convention and visitors bureau. Since 2019, the CACVB Board has had 15 members, including four elected officials (2 from the City and 2 from County), the County Executive, City Manager, and the Economic Development Directors from both local governments.

Since 2019, the CACVB Board has been operating under the Second Amended CACVB Operating Agreement and has successfully increased transparency and engagement with local elected officials. The current CACVB Board indicated that the CACVB operations are in good stead, and the CACVB Board is prepared to move to the next phase of operations. The CACVB Board met on October 25, 2021 to discuss changes to the Operating Agreement. The recommended changes included a reduction in the number of elected officials on the Board from four to two (one fewer from each local government), as well as the elimination of the County Executive and City Manager positions. These four vacancies will be occupied by local industry representatives appointed by elected officials. The CACVB Board unanimously agreed in principle to those changes, which are included in the proposed draft Third Amended Operating Agreement (Attachment A). The CACVB Board generally agreed that further aligning the CACVB Board composition to include an increase in industry representatives is in the best interest of the community. Industry stakeholders are also supportive of these proposed changes to the CACVB

Board.

In addition to changes in syntax and outdated references, the proposed Third Amended Operating Agreement includes language that confirms the CACVB's commitment to diversity, equity and inclusion; clarifies the process for appointing industry representatives; aligns terms to begin on January 1, 2022; and places limitations on fund balance carryover.

City Council approved the Third Amended Agreement on December 6, 2021. Subsequent to the City's approval of the Third Amended Agreement, the agreement was retitled from the Second Amended Agreement to the Third Amended Agreement, three comments were removed, underlining was added to the new language, amendments were tracked in ordinance formatting in place of track changes, and County and City signature blocks were added. Lastly, attached for consideration is a local ordinance that will be inserted into the County's code of laws to codify this agreement that address issues of local concern.

There are no anticipated budget impacts associated with this action.

Staff recommends that the Board schedule a public hearing to consider the approval of the CACVB Operating Agreement Third Amendment.

**By the above-recorded vote, the Board authorized staff to schedule a public hearing to consider the approval of the CACVB Operating Agreement Third Amendment (Attachment A) at a future Board meeting.**

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Item No. 8.3. Approval of Westminster Canterbury of the Blue Ridge Request for Bond Issuance.

The Executive Summary forwarded to the Board states that Westminster-Canterbury of the Blue Ridge is a non-profit retirement community offering various services, such as independent and assisted living, and nursing and memory care. Westminster-Canterbury of the Blue Ridge is in the Pantops area of Albemarle County and is an accredited Type A Lifecare community. It focuses on improving the lives of its residents and, in the finding of the EDA, provides a public good. On December 14, 2021, the EDA held a public hearing in accordance with Virginia Code Sec. 15.24906 and voted to approve the bond issue request.

The Applicant requests the Board to approve the EDA issuing up to \$73,000,000 of the Series 2022 Bonds:

1. to refinance the EDA's Residential Care Facility Mortgage Revenue Bonds (Westminster-Canterbury of the Blue Ridge), Series 2012A (the "2012A Bonds"), proceeds of which were used to finance (a) certain capital improvements at the Community and (b) a debt service reserve fund, capitalized interest, and costs of issuance in connection with the issuance of the 2012A Bonds; and
2. to refinance the EDA's Residential Care Facility Mortgage Revenue and Refunding Bond (Westminster-Canterbury of the Blue Ridge), Series 2016A and Residential Care Facility Mortgage Revenue Refunding Bond (Westminster-Canterbury of the Blue Ridge), Series 2016B (collectively, the "2016 Bonds"), proceeds of which were used to (a) finance certain capital improvements at the Community, (b) refinance existing debt of the Borrower that refinanced the costs of certain improvements at the Community, and (c) finance a debt service reserve fund, capitalized interest and costs of issuance in connection with the 2016 Bonds; and
3. to finance other capital projects at the Community all within the existing structures or existing parking facilities located at the Community and amounts required for reserves, working capital, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds.

The Series 2022 Bonds that the Applicant is requesting the EDA to issue would be "qualified 501(c)(3) bonds" under the Tax Code, which are a type of bonds that benefit from being issued as tax-exempt.

Public approval of the EDA's decision is required through this Board, which must approve or disapprove of the financing within sixty calendar days of the EDA's December 14 public hearing. Virginia Code Sec. 15.2-4906 (C).

Adoption of the attached Resolution imposes no financial obligation to or pledge of credit from Albemarle County.

There will be no budgetary impact by adopting the Resolution. However, the EDA will receive a recurring payment of annual fees in the amount of \$750 per \$1,000,000 of bonds issued.

Staff recommends that the Board adopt the attached Resolution (Attachment B) approving the Resolution.

**By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the EDA issuing up to \$73,000,000 of the Series 2022 Bonds:**



**RESOLUTION  
OF THE BOARD OF SUPERVISORS OF  
ALBEMARLE COUNTY, VIRGINIA**

**WHEREAS**, the Economic Development Authority of Albemarle County, Virginia (the "Authority") has approved the application of Westminster-Canterbury of the Blue Ridge (the "Borrower"), a Virginia nonstock corporation, requesting that the Authority issue up to \$73,000,000 of its revenue bonds in one or more series at one time or from time to time (the "Bonds") to provide funds to make a loan to the Borrower:

(1) to refinance the Authority's Residential Care Facility Mortgage Revenue Bonds (Westminster-Canterbury of the Blue Ridge), Series 2012A (the "2012A Bonds"), proceeds of which were used to finance (a) certain capital improvements at the Borrower's existing residential care retirement community located at 250 Pantops Mountain Road in Albemarle County, Virginia (the "Community") and (b) a debt service reserve fund, capitalized interest and costs of issuance in connection with the issuance of the 2012A Bonds;

(2) to refinance the Authority's Residential Care Facility Mortgage Revenue and Refunding Bond (Westminster-Canterbury of the Blue Ridge), Series 2016A and Residential Care Facility Mortgage Revenue Refunding Bond (Westminster-Canterbury of the Blue Ridge), Series 2016B (collectively, the "2016 Bonds"), proceeds of which were used to (a) finance certain capital improvements at the Community, (b) refinance existing debt of the Borrower that refinanced the costs of certain improvements at the Community, and (c) finance a debt service reserve fund, capitalized interest and costs of issuance in connection with the 2016 Bonds; and

(3) to finance other capital projects at the Community all within the existing structures or existing parking facilities located at the Community and amounts required for reserves, working capital, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds.

Items (1) through (3) above are collectively referred to as the "Plan of Finance".

**WHEREAS**, on December 14, 2021, the Authority held a public hearing regarding the Plan of Finance.

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4906 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act") sets forth the procedure for such approval;

**WHEREAS**, the Authority issues its bonds on behalf of Albemarle County, Virginia (the "County"), the facilities to be financed and refinanced with the proceeds of the Bonds are located in the County and the Board of Supervisors of Albemarle County, Virginia (the "Board"), constitutes the highest elected governmental unit of the County;

**WHEREAS**, the Authority has recommended that the County approve the Plan of Finance and the issuance of the Bonds; and

**WHEREAS**, a copy of the Authority's resolution providing initial approval of the issuance of the Bonds, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
ALBEMARLE COUNTY, VIRGINIA:**

1. The Board approves the issuance of the Bonds, in an aggregate principal amount up to \$73,000,000, by the Authority for the benefit of the Borrower, solely to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to assist in accomplishing the Plan of Finance.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Borrower. In accordance with Section 15.2-4909 of the Act, the Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit or taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the County.

3. This resolution shall take effect immediately upon its adoption.

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Item No. 8.4 Airport Trunk Sewer Upgrade Project.

The Executive Summary forwarded to the Board states that the Albemarle County Service Authority (ACSA) has requested that the County grant easements for the upgrade of a sanitary sewer line across two County-owned properties: Parcels 04600-00-00 -005A0 (adjacent to the Kohl's at Hollymead

Town Center) and 046B3-00-00-000A3 (Timberwood Parkway near the Lake Hollymead dam). Attachment A contains a description of the project.

The specific locations of the proposed easements are set forth in the attached plats (Attachments B and C). The sewer line would be buried within the easement and there would be no aboveground facilities. The proposed easement would not interfere with the County's use of its property. Virginia Code § 15.2-1800 requires a public hearing prior to the proposed conveyance of these interests in County-owned property.

There is no budget impact.

Staff recommends advertising a future public hearing to authorize conveyance of the requested ACSA easements in a form approved by the County Attorney.

**By the above-recorded vote, the Board approved advertising a future public hearing to authorize conveyance of the requested ACSA easements in a form approved by the County Attorney.**

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Item No. 8.5 Resolution for Scenic River Designation for the James River.

The Executive Summary forwarded to the Board states that in 2019, the County of Albemarle and the Town of Scottsville, together with the Counties of Buckingham, Fluvanna, and Nelson, requested that the Department of Conservation and Recreation (DCR) study whether the James River from Allen's Creek to Columbia qualified for designation as a State Scenic River. In October 2019, the DCR completed its study from one mile upstream of the Warren boat ramp running approximately 20 miles to New Canton and concluded that that section was eligible for designation.

Attachment A is the County's letter of request to DCR and Attachment B is DCR's 2019 James Scenic River Report (updated in April 2020), which includes this study of eligibility, as well as a description of the process in making the determination and impacts of a designation.

Following DCR's initial study, on January 15, 2020, the Board adopted a resolution to support State Scenic River designation for the Warren-New Canton section, approximately seven miles of which is located in Albemarle County. The 2020 Virginia General Assembly added the Warren-New Canton section to the James State Scenic River.

In September of 2020, the DCR completed its study of the remaining River sections and determined that two remaining sections also qualify for designation. A letter from the DCR confirming this qualification is provided as Attachment C. The two new sections, combined with the original 20 miles, would create a total of 65 miles of the Middle James River, from Allen's Creek to Columbia, qualified for designation as a Scenic River. Attachment D is a 2021 DCR memo confirming these findings and recommending designation. A map showing the full 65 miles is provided as Attachment E.

The next step would be for the Board to adopt a resolution of support to extend the designation to include the remaining portion of the James River in Albemarle County. If the resolution were adopted, upon the recommendation of the DCR Director, the DCR would then request that the General Assembly adopt legislation to make that designation in the 2022 session. The Board may (but is not required to) hold a public hearing on the proposed designation.

The designation of a river as "scenic" by the General Assembly is governed by the "State Scenic Rivers Act" (Virginia Code Section 10.1-400 et seq.). The only applicable limitation contained in the enabling legislation is as follows: After designation of any river or section of river as a scenic river by the General Assembly, no dam or other structure impeding the natural flow thereof shall be constructed, operated or maintained in such river or section of the river unless specifically authorized by an act of the General Assembly. (Virginia Code § 10.1-407(B))

DCR staff has clarified that bridges are typically not considered structures that would "impede the natural flow," with the possible exception of unique "bridge" structures such as low level/water level bridges or constructed fords. DCR staff advised that while the Scenic River status would not prevent a road or pedestrian crossing from being constructed, if Federal or State funds were used for the construction of such a project, an emphasis would be placed on the aesthetic design of the crossing to be in harmony with the scenic status of the river. Projects might be expected to use design features such as see-through guardrails and other features that would provide easy visual access to the river.

The following summarizes the impact of a designation:

- A designation does not impose any restrictions on private property.
- The only legislative prohibition of Scenic River designation is that no dam or other structure "impeding the natural flow" shall be constructed without General Assembly authorization.
- A designation does NOT give the public any right to use privately owned land.
- In general, designation is intended to recognize the scenic, natural, and historic values of the river and encourage present and future owners to continue to exercise good stewardship of the land and resources along the river. It informs County officials about the special attributes of the river, so that they can work with landowners to protect them.

Because a designation would not establish any new restrictions on private properties (except restrictions on the construction of dams or other structures impeding the flow of the river), staff does not believe a public hearing is necessary to support this designation. The intent of the designation is consistent with the County's Comprehensive Plan goals to protect natural, cultural, and historic resources and to designate eligible streams for Scenic River designation. A resolution recommending Scenic River designation for Albemarle County's section of the James River is attached (Attachment F).

There is no direct budget impact from establishing the Scenic River designation. The designation would provide opportunities for grants related to enhancing and protecting this section of the river.

Staff recommends the Board adopt the resolution (Attachment F) supporting State Scenic River designation for the entire James River in Albemarle County, including the approximately 4.5 currently undesignated miles from the Nelson County line at Howardsville to one mile upstream of the Warren boat ramp.

**By the above-recorded vote, the Board adopted the resolution (Attachment F) supporting State Scenic River designation for the entire James River in Albemarle County, including the approximately 4.5 currently undesignated miles from the Nelson County line at Howardsville to one mile upstream of the Warren boat ramp:**

**RESOLUTION TO SUPPORT STATE SCENIC RIVER DESIGNATION  
OF THE JAMES RIVER IN THE COUNTY OF ALBEMARLE**

**WHEREAS**, the Code of Virginia, in Title 10.1, Sections 10.1-400 through 10.1-418.9, provides for a "Scenic Rivers Act" under the jurisdiction of the Virginia Department of Conservation and Recreation; and

**WHEREAS**, on August 7, 2019, the Albemarle County Board of Supervisors voted to request that the Virginia Department of Conservation and Recreation (DCR) study whether the James River in Albemarle County qualified for designation as a State Scenic River; and

**WHEREAS**, in 2020, following DCR study of a portion of the River, the Virginia General Assembly designated the portion from one mile upstream of the Warren boat ramp to the Fluvanna County line at Scottsville (among other portions) as a State Scenic River; and

**WHEREAS**, in a memo dated January 12, 2021, DCR staff determined that the remaining portion of the James River in Albemarle County (from the Nelson County line at Howardsville to one mile upstream of the Warren boat ramp), along with other portions of the James River outside of Albemarle County, qualifies as a Virginia Scenic River, and recommended its designation; and

**WHEREAS**, the Albemarle County Comprehensive Plan recognizes this designation and supports a strategy to pursue additional designations for rivers meeting state criteria; and

**WHEREAS**, designation of this portion of the James River as a Scenic River would recognize the quality and value of this natural and scenic resource.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby expresses its support for the designation of the entire James River in Albemarle County, including the remaining portion from the Nelson County line at Howardsville to one mile upstream of the Warren boat ramp (a distance of approximately four and a half miles), as a "Scenic River" pursuant to the Scenic Rivers Act, Virginia Code §§ 10.1-400 et seq.

**BE IT FURTHER RESOLVED** that the Albemarle County Board of Supervisors does hereby respectfully request that the members of the Virginia General Assembly representing Albemarle County introduce legislation in the 2022 session so designating this section of the James River as a "Scenic River."

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Item No. 8.6 SE202100042 2364 Mountain Brook Drive Homestay.

The Executive Summary forwarded to the Board states that the applicant is requesting one special exception for a homestay at 2364 Mountain Brook Drive.

Pursuant to County Code § 18-5.1.48(i)(1)(ii), the applicant is requesting to modify County Code 18-5.1.48(j)(2)(v) to reduce the required 125-foot setback to 73 feet +/- from the front property line for a homestay and its accompanying parking.

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

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception, subject to the conditions contained therein.

**By the above-recorded vote, the Board adopted the resolution to approve the special exception, subject to the conditions contained therein:**

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR SE2021-00042 2364 MOUNTAIN BROOK DRIVE HOMESTAY**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the SE202100042 2364 Mountain Brook 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 18-33.5, the Albemarle County Board of Supervisors hereby finds that the requested special exception would cause (i) no detriment to any abutting lot and (ii) no harm to the public health, safety, or welfare.

\* \* \*

**SE 2021-00042 2364 Mountain Brook Drive Homestay Special Exception Conditions**

1. Parking for homestay guests must continue to meet the approved setbacks required for homestays.
2. Homestay use is limited to (a) the existing structure as currently configured and depicted on the House and Parking Location Exhibit dated December 15, 2021, and/or (b) additional structures or additions meeting the approved setbacks required for homestays.
3. The existing screening, as depicted on the House and Parking Location Exhibit dated December 15, 2021, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained.

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Item No. 8.7 Albemarle County 2021 3rd Quarter Building Report, **was received for information.**

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Item 8.8 Albemarle County 2021 3rd Quarter Certificate of Occupancy Report, **was received for information.**

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**Agenda Item No. 9. Work Session – COVID-19 Update and Reconstitution.**

The Executive Summary forwarded to the Board states that on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic. On March 12, 2020, the County Executive, acting as the Director of Emergency Management, declared a local emergency because of the COVID-19 pandemic pursuant to Virginia Code § 44-146.21, and this declaration was confirmed by the Board of Supervisors on March 17, 2020. Beginning on April 1, 2020, all public meetings have been held virtually, pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.

On March 30, 2020, Albemarle County closed its office buildings to the public and transitioned to virtual service delivery, with key exceptions in public safety, inspections, and maintenance. Throughout the pandemic, adjustments have been made to County operations in-line with guidance and best practices from federal and state public health and safety agencies. Public meetings have remained virtual. As part of this work session, staff will present an update on County operations as they pertain to the pandemic and facilitate a discussion on Reconstitution.

There is no budget impact associated with this work session.

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

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Mr. Richardson said Mr. Trevor Henry, Assistant County Executive, would be leading the work session.

Mr. Henry introduced Ms. Emily Kilroy, Director of Communications and Public Engagement, and Mr. Greg Kamptner, County Attorney, who would be participating in the work session. He said they would discuss the return to in-person meetings. He explained that the agenda had been set prior to the discovery and spread of the Omicron variant of the COVID-19 virus. He said that staff did not recommend a return date for the return to in-person public meetings.

Mr. Henry explained that the COVID-19 Reconstitution team used data to inform decision making around operating posture, access to services, mitigation protocols, and community needs. He said the community was at an unprecedented level of transmission of COVID-19. He stated that there were nearly 20,000 new cases reported in the state that day, with 510 reported from the area health district and 175 reported from Albemarle County.

Mr. Henry said there had been a sustained, high demand for testing for about 90 days, and the highest demand had been the past three to four weeks. He explained that the percent positive rate had surged to 30% positive PCR tests, and this was likely an undercount based on disruption and available testing. He said the data did not include at-home antigen test kits, either. He stated that the positivity rate for the state was under 36%, and the rate for Albemarle County was about 29%.

Mr. Henry explained that the UVA COVID-19 pandemic model provided a guide for staff to understand the projections of the pandemic. He said that the model, focused on the Omicron variant, predicted a peak in infections on January 23 of 12,000 daily cases followed by a rapid drop-off. He said that statewide, nearly 70% of the population was fully vaccinated, and Albemarle County was a leader in those numbers.

Mr. Henry noted that the Governor had declared a limited state of emergency on Monday directed to hospitals and health care workers in order to provide resources to mitigate the surge in hospitalizations related to COVID-19. He said that at the state, health district, and local levels, COVID cases were at an all-time high. He said the County hospitals reported strains on their systems. He explained the County had adjusted operating guidelines to mitigate transmission, such as emphasizing work-from-home while still keeping all services open. He stated that staff did not recommend shifting public meetings to in-person or a hybrid model of virtual and in-person.

Ms. McKeel asked if there was data related to hospitalizations. She noted the presentation included data about case numbers.

Mr. Henry said he had not seen data related to hospitalizations. He noted that early in the pandemic, the County was able to get information from the health systems through its coordination with the health district, but he did not know if the information was still available. He said the hospitals had reported strains on their systems, and Martha Jefferson Hospital had reported publicly about restricting non-essential surgeries.

Ms. Price asked if there was more of the presentation to continue.

Mr. Henry said he had finished the COVID part of the presentation, and Mr. Kamptner would discuss the emergency ordinance, then Ms. Kilroy would discuss the proposed process to return to in-person meetings.

Mr. Kamptner explained that the County Executive issued the original local emergency order on March 12, 2020, and the order was still active—it had not been allowed to expire. He said that under the state emergency laws, the pandemic was a “disaster” because COVID-19 was a communicable disease. He noted that the Governor issued Executive Order 84, which reiterated that the pandemic was a disaster as well.

Mr. Kamptner explained that state code provided for when the state of emergency would end. He said the emergency would end when the Board determined that there were no further emergency services to be provided, and once the emergency order ended, the County would have 12 months to resume operations. He noted that the period to resume operations had previously been six months. He said that within the 12 months to resume operations, the County’s public bodies would be required to physically assemble for public meetings. He mentioned that there were exceptions in the Virginia Freedom of Information Act (FOIA) for medical and emergency situations for individual supervisors.

Ms. Kilroy said the County was developing a framework for the return to in-person public meetings. She said that the County wanted to maximize the effectiveness of the public body to conduct its business and create a consistent, safe, and comfortable user experience for those participating. She continued that the County wanted to ensure a high degree of reliability—the meetings start and finish when expected—and that the A/V infrastructure could support a successful meeting. She said the County prioritized meeting the obligations under the FOIA laws.

Ms. Kilroy said there were three templates for public body meetings. She said a hybrid template would be used for legislative bodies, a virtual access template would be used for authorities and decision-making bodies, and an in-person template would be used for boards and committees that were advisory in nature. She said that virtual meetings were easy for the County to operate, and the user experience depending on the broadband connection. She noted that in virtual meetings, everyone was on the same level and equally visible in the gallery.

Mr. Kilroy said that for a hybrid template, people in the meeting room would be able to see and hear those participating virtually, and people participating virtually would be able to see the people participating in the meeting room. She explained that there would be a camera operator who would switch between the in-room camera views to keep the meeting focused on the speakers. She said that members of the public and presenters participating virtually would be able to speak to the room, then their access would be limited to view-only once they were finished. She said the hybrid approach required a production team, and it sought to bring the in-person attendees onto the same plane as the virtual attendees. She said the technology was nearly in place in Lane Auditorium and Room 241 to be able to conduct hybrid meetings.

Mr. Kilroy explained that under FOIA law, members of the public body had to be physically assembled. She said that the virtual access template would facilitate virtual presentations, virtual public comment, and virtual real-time viewing. She said that the template caused the focus of the meeting to shift frequently from the decision-making body to the virtual participants. She said that there had been internal virtual access meetings, and she noted it was difficult for the virtual participants to participate. She said screen size and microphone positioning was a challenge to ensure everyone was seen and heard, but the template did enable the convenience of remote participation.

Ms. Kilroy said that during in-person meetings, the focus remained on the public body. She said that in-person meetings allowed decision makers to meet each other and community members. She noted that virtual-access or hybrid meetings were difficult to hold in the field because each meeting was different and had different access to broadband and A/V equipment. She said the advisory bodies were able to conduct work more effectively in person.

Mr. Andrews asked if virtual-access meetings would be recorded and available to view.

Ms. Kilroy said that meeting recording would be part of the procedures, so there would be recordings available for the meetings.

Ms. McKeel asked if citizen advisory committees (CAC) were included in the in-person meeting template.

Ms. Kilroy said that was correct.

Ms. McKeel said that her CAC board members preferred the virtual meetings. She noted that participation in CAC meetings was higher than it ever had been.

Ms. Kilroy said that FOIA law required that those bodies assembled in-person, so long as they were public bodies. She said the ability to support virtual access to the CAC meetings was challenging because those public bodies preferred meeting in locations like libraries and schools in the communities that they served.

Ms. McKeel asked if the CACs would have the opportunity to operate under a hybrid access meeting template.

Ms. Kilroy said it would be part of the discussion at the end of the presentation.

Ms. LaPisto-Kirtley wanted to clarify if after the decision to return to in-person meetings and end the emergency order, was the County allowed to continue to hold virtual meetings for another 12 months.

Mr. Kamptner said that once the emergency order was determined to be over, the County had 12 months to return to normal operations, and the County would transition to normal operations as decided by the Board. He noted there was the possibility some boards would continue to meet virtually until the end of the 12-month period.

Ms. LaPisto-Kirtley asked if all the various committees and boards would be able to continue to meet virtually during the 12-month transition to normal operations.

Mr. Kamptner said that could be a possibility.

Ms. LaPisto-Kirtley asked if it was possible for the Board, School Board, and Planning Commission to operate under a hybrid virtual model during the 12-month period.

Mr. Kamptner said it would be legally possible for some members of the board to be virtually present while others were physically present during meetings.

Mr. Henry said the schedule proposed by staff was a sequential schedule. He said staff recommended that the transition to normal operations begin with the legislative Boards—the Board of Supervisors, the School Board, and the Planning Commission—returning to a hybrid meeting model. He said that the County had tested the facilities and technologies for hybrid meetings, and he thought it would work well.

Mr. Henry explained that after the legislative boards were operational and the technology and facilities had been adjusted, staff recommended the transition move to include the meetings that would operate under the virtual-access template. He continued that once the virtual-access meetings were operational, fully in-person meetings for certain boards would return at the end of the 12-month period. He estimated it would take a calendar quarter to transition from the legislative boards to the virtual-access meetings. He reiterated the complexity to have virtual access meetings at remote locations.

Mr. Henry said that the County would continue to respond to concerns arising from the pandemic as well as follow CDC guidelines as it returned to normal operations. He said that the discussion around mask and social distancing requirements would continue as normal operations resumed. He asked if the Board would provide feedback, guidance, and questions regarding the proposed frameworks and implementation schedule.

Mr. Andrews said that having recordings of public meetings available and accessible was both helpful and valuable.

Ms. McKeel noted that though there was the urge to return to in-person meetings to signal a return to normalcy, public participation had increased significantly while meetings were virtual. She said she appreciated the access virtual meetings offered the public. She asked if staffing and labor were the only concerns about operating CAC meetings through a hybrid model.

Mr. Henry said it would be difficult to implement a hybrid model for advisory meetings because of

resource demands and because the meetings occurred in various locations around the County.

Ms. McKeel asked if there would be an impact to operations if the CAC decided to meet in the County buildings.

Mr. Henry said it could make operations less difficult, but the County would still have to find a way to staff and support the meetings. He noted scheduling was an issue because many of the meetings occurred at night.

Ms. McKeel explained the reason people liked virtual meetings was not only out of concern over the pandemic, but because the virtual meetings were easier to access. She said virtual meetings meant people did not have to drive to and from the meeting to attend or arrange for childcare.

Ms. Kilroy said that FOIA law dictated that the members physically assemble once the County ended its emergency order. She acknowledged that the virtual meetings made it easier for people to attend the meetings.

Ms. McKeel reiterated that she noted increased participation at the CAC meetings because of the virtual format.

Ms. Mallek said the County had discussed improving access to meetings and local government processes for 25 years. She said that the pandemic had required the County to update and improve access to public meetings, and she wanted to ensure that people would be able to continue to participate virtually. She said she was confused about what the issue was with providing virtual access to CAC meetings, and she asked what would differ from the current meeting arrangement. She said it would disable the CACs for months if they were required to meet in person. She noted that the Crozet library conference room was not large enough to seat 16 people within social distancing guidelines.

Ms. Mallek said that the FOIA regulations should only apply to larger committees, and not to small groups of people brainstorming. She noted that the timeline would take at least 12 months and possibly longer if more COVID-19 variants arise. She said she supported the step-by-step approach.

Ms. LaPisto-Kirtley asked if state law or FOIA regulations had to change in order to allow the CACs to continue to meet virtually after the emergency order had expired.

Mr. Kamptner responded that it would require a change in state law. He mentioned that there were a pair of bills introduced before the General Assembly that would allow local bodies to conduct virtual meetings if passed.

Ms. LaPisto-Kirtley said the County had to focus on changing the state law to enable the boards or CACs to meet virtually. She questioned if the pandemic emergency would be over if there were still mask and vaccination mandates in place for in-person meetings.

Mr. Kamptner said he would need a doctor to answer part of Ms. LaPisto-Kirtley's question because there were places in the world where people wore face coverings daily. He said there may be a point where the County resumes normal operations while a mask advisory was still in place, but he did not have a direct answer for Ms. LaPisto-Kirtley.

Ms. LaPisto-Kirtley said the County would have to reach a point where masks were no longer mandated and social distancing requirements were not in place for it to no longer be in an emergency. She noted that if people chose to wear masks or social distance out of personal concern, it would not be an issue for when the County resumed normal operations. She asked Mr. Kamptner if she was correct.

Mr. Kamptner said Ms. LaPisto-Kirtley's question had a lot of variables, but in general, he agreed with her statement.

Mr. Gallaway said he leaned towards being as lenient as possible to allow people to participate virtually. He explained that prior to the pandemic, governments and businesses frequently held virtual meetings, and it was not a new concept. He said the pandemic forced everyone to use virtual meetings, and it showed how virtual meetings could be beneficial, efficient, and enable better access. He noted that just as there was the possibility of technological glitches during virtual meetings, there could be glitches while driving that inhibited in person meetings as well—new forms of meeting come with new obstacles.

Mr. Gallaway said that time was a significant consideration when people decided whether to volunteer for committees or boards, and the virtual meetings allowed people to be more efficient with their time and opened up participation. He quoted the Virginia FOIA regulations, "the affairs of government were not intended to be conducted in an atmosphere of secrecy, since at all times the public should be the beneficiary of any action taken at any level of government." He said that virtual meetings did not make the affairs of government secret. He said FOIA regulations had to be updated for modern practices.

Mr. Gallaway said that the FOIA regulations stated, "nothing should be done by telephone, video, et cetera." He noted that it was difficult to find the state-level committee meetings in Richmond without a guide through the building and how that made those meetings secretive. He said those meetings would be easier to witness if they allowed virtual access. He said the County should support the argument that virtual meetings support FOIA's goals by increasing transparency and ease of access for the public, and he would support the use of virtual meetings for advisory committees. He said that the hybrid model

should be used for the School Board, Board of Supervisors, and Planning Commission, but for advisory committees, the staffing need for virtual access would not need to be as demanding.

Ms. Price said she supported the recommendation presented by the County staff. She said that virtual meetings did not work for people without broadband connectivity. She explained that there was a substantial portion of the population that did not have regular or reliable connectivity. She said virtual meetings increased participation and transparency for people with broadband access but excluded those without broadband access from government affairs.

Ms. Price noted that there had been many COVID-19 variants, and only three had raised significant concern: the alpha, delta, and omicron variants. She continued that there were 10 variants currently monitored. She said 2,654 died the day before. She said the COVID pandemic and future pandemics were likely to continue. She said she fully supported the hybrid model for the Board of Supervisors, the School Board, and the Planning Commission, and she was supportive of virtual opportunities for the other boards, committees, and commissions but noted a segment of the population would be excluded if the meetings were only virtual or only in-person. She asked Mr. Kamptner if the governor-elect could issue executive orders that would limit the County's ability to meet virtually in any capacity, or if state law would have to change in order to have an impact on the County.

Mr. Kamptner responded that he believed the General Assembly would have to amend or repeal the enabling authority under which the "Continuity of Governance" ordinance was adopted.

Ms. Price wanted to clarify that Albemarle County would have the ability to continue its operations virtually as it had been conducting them for the foreseeable future.

Mr. Kamptner said that was correct.

Ms. Mallek noted that while virtual meetings had their limits, there had always been populations of the community who could not participate in the government processes because of age, disability, transportation access, among others.

Ms. McKeel asked that virtual meeting access be placed on the Board's General Assembly legislative agenda. She echoed Ms. Price's comments about the lack of broadband connectivity.

Mr. Andrews said library resources could be used to attend virtual meetings for citizens who lacked access otherwise.

Ms. McKeel said Mr. Gallaway had made good points about the secrecy of state-level committee meetings in Richmond. She said if the CACs had a dedicated place to meet that could be accessed by County staff, then they should be able to operate under a hybrid meeting model.

Mr. Richardson said that the surges in the COVID pandemic had delayed the County's expected transition to normal operations. He said that moving forward, the County would discuss its General Assembly legislative agenda related to in-person meeting requirements. He said that Lane Auditorium and Room 241 would be used for hybrid virtual meeting access because they met Virginia FOIA requirements. He noted that Room 241 had capacity constraints. He said the County would not look to expand hybrid meeting access to other rooms or buildings at this time.

Ms. Mallek asked if there were different levels of obligations between legislative bodies and advisory committees regarding transparency requirements. She asked if staff would research the cost of equipping remote locations with hybrid virtual access for meetings.

Mr. Richardson said staff was looking to determine the library system's technological capabilities to host hybrid virtual meetings. He said that the County would not begin to evaluate the cost of retrofitting and staffing rooms for hybrid virtual meetings unless the Board appropriated funding in the budget process.

Ms. Mallek asked if there was an estimate for the per-room cost of retrofitting facilities for hybrid virtual meeting access. She noted that fire stations had large meeting rooms that could be utilized for public meetings and more emergency services.

Mr. Kamptner responded to Ms. Mallek's question about whether FOIA regulations distinguished between legislative bodies, such as the Board of Supervisors, and advisory committees. He said that the regulation did not distinguish between the different types of government bodies. He explained that all boards, commissions, and committees fell under the definition of "public body."

Ms. Price said she would poll the Board to determine if there was a consensus to allow staff to investigate the feasibility and evaluate the cost of expanding hybrid virtual meeting access beyond Lane Auditorium and Room 241 in the County office building. She noted that the use of Lane Auditorium would be limited to the Board of Supervisors, the School Board, and the Planning Commission.

Ms. LaPisto-Kirtley said the County had to ensure that people would attend the public meetings. She said she did not know the costs, but if the County were to invest funds into expanding hybrid meeting access and people were not showing up to the meetings, then it would be a waste of resources.

Ms. Price asked Ms. McKeel if she supported staff evaluating the cost of enhancing other existing



facilities.

Ms. McKeel said she was more interested in evaluating the cost of Lane Auditorium and the conference room in the County office building. She believed it was too early to evaluate the cost of enhancing other locations. She wanted to examine other legislative changes as well. She said she was interested in the County office building spaces possibly being used for hybrid virtual access for the CACs and noted there was the space to accommodate a hybrid assembly of the CACs.

Ms. Price asked Mr. Andrews if he was in favor of County staff evaluating the budget process to expand hybrid meeting access to other County facilities.

Mr. Andrews said he was interested in knowing the cost of expanding hybrid meeting access to libraries, but he did not want to commit moving forward without knowing the costs.

Ms. Price said the Board was only determining whether staff should evaluate the cost during the budget process, not appropriating funds. She said she was looking for whether Mr. Andrews approved of staff evaluating the cost.

Mr. Andrews said he approved.

Ms. Mallek said she assumed from the presentation that Lane Auditorium and Room 241 were set and ready to go.

Ms. Price said the rooms were ready to use.

Ms. Mallek said she supported staff evaluating the per-room cost to enable hybrid virtual meeting access at remote facilities. She said she supported the suggestion to use Lane Auditorium for advisory committee meetings.

Ms. LaPisto-Kirtley said she was not opposed to the staff evaluation as long as time was not wasted on the evaluation. She said if the General Assembly expanded the local authority to allow virtual public meetings, then the other hybrid meeting locations would not be needed.

Mr. Gallaway said he was not opposed to staff evaluating the cost. He said the County could operate any way under the emergency ordinance, and he envisioned the current participation methods continuing without the need for an emergency order. He noted that the biggest cost for setting up remote hybrid virtual meeting spaces was staff to help with the technology. He said he was not interested in remote hybrid access spaces because he did not want staff to have to travel and increase the hourly cost.

Mr. Gallaway said that someone could connect to the virtual meetings with a television and a computer. He said he was not interested in evaluating the costs if the state was going to deny the localities the ability to host virtual meetings. He said he supported the plan recommended by the County staff related to the transition to normal operations. He said that the state had responsibility to address issues that were not initially considered when the Virginia FOIA regulations were adopted.

Ms. Price said that it appeared there was no broad consensus for staff to move forward until there was more information about what resources would be available to the County.

Mr. Richardson said it was more cost efficient to maintain operations within the County facilities. He said the discussion would move forward the next time the topic comes before the Board.

Mr. Henry said he valued the Board's input, and he had received the needed feedback. He said it appeared that the Board supported using the 12-month transition period to remain meeting virtually.

Ms. Price said that was accurate, and that the Board wanted to take advantage of the time available to meet virtually and to take advantage of any potential changes in state law.

Mr. Richardson said that the combination of in-person and virtual attendance for public meetings created complications. He said the County continued to troubleshoot issues with the virtual meetings, and there was a significant number of resources dedicated to addressing those issues. He said the hybrid meeting model would be resource heavy to make sure the citizens have satisfactory experiences.

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#### Agenda Item No. 10. **Work Session** – CenturyLink Lumen Update and Discussion.

The Executive Summary as forwarded to the Board states that the Executive Summary forwarded to the Board states that CenturyLink/Lumen provides phone and internet service in Albemarle County. During the past eight months, 107 community members reported unique service issues to the County's Broadband Accessibility and Affordability Office (BAAO) and to Albemarle Broadband Authority's (ABBA) Chief Administrative Officer. These service issues include outages, reliability issues, and new service activations.

CenturyLink/Lumen recently announced a plan to transfer all residential telephone and internet assets in Virginia to Apollo Global Management, a private asset management business. Connect Holdings, an Apollo subsidiary doing business as BrightSpeed, will assume ownership over Lumen's incumbent local exchange carrier (ILEC) assets and operations in Virginia and 19 other states. ILEC

assets are comprised of legacy copper-line telephony and broadband equipment and services. In addition to all copper-based assets, all of Lumen's residential fiber broadband customers and infrastructure in Virginia are included in this sale. The Board requested a work session to discuss and plan future tasks.

Staff will present a brief history and data supporting community members and the Boards' concerns about CenturyLink/Lumen service issues. Staff is providing a background document as Attachment A. CenturyLink/Lumen staff will present actions taken to alleviate past issues and steps underway to prevent further service issues. CenturyLink/Lumen staff will provide background on the planned phone and internet assets transfer to a new company, followed by a discussion.

There is no expected budget impact.

Staff recommends the Board assign additional tasks to BAO and counsel, as required to affect an improvement in service delivery, resilience, and reliability for all CenturyLink/Lumen broadband and telephony customers in the County, prior to closing on the sale of Lumen ILEC assets and to advise Connect Holdings of continuing service issues prior to and following closing. Staff also recommends the Board assign staff an additional task to update the Albemarle Broadband Authority, at least monthly, regarding the planned transfer of phone and internet assets in Virginia to a new company..

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Mr. Henry introduced Mr. Mike Culp, Director of the Broadband and Affordability Office (BAO), and Mr. Jason Inofuentes, the Program Manager of the BAO. He said the purpose of the work session was to allow the Board to speak to CenturyLink representative. He introduced Mr. Steve Brewer, Ms. Deloris Carroll, Mr. Joe Ragozzine, and Ms. Trish Stipanovich, representatives of CenturyLink who were available to answer questions from the Board.

Mr. Culp said it was challenging to ensure the community needs were addressed. He said there was the opportunity to help CenturyLink Lumen improve its processes and potentially invest more into Albemarle County. He said the meeting was a chance to illustrate the ways the BAO worked with CenturyLink Lumen to improve service in the County. He said the BAO was working to get community input for the County's fifth Virginia Telecommunications Initiative (VATI) project, which was in partnership with CenturyLink Lumen.

Mr. Culp said that the "quantum fiber" brand would be released for new fiber broadband customers in 1,675 locations. He said there were monthly updates via virtual meeting. He said there was high participation because the meetings were hosted virtually. He noted that there had been a delay in the first rollout to Jonesville Road because of unexpected rock in the path of the fiber that needed to be laid in the ground. He said orders for service in that area were supposed to take place on December 31, but now the date was expected to be January 30, 2022.

Mr. Inofuentes said he had tracked resident complaints, received by email or telephone, regarding concerns with CenturyLink service since August 2021. He said a total of 200 contacts had been recorded since April 2021, referencing 117 addresses in Albemarle County. He said the data only represented complaints that came through the BAO, so it was a subset of residents frustrated with CenturyLink service. He said that since Monday morning, when the Board requested public comment via email regarding CenturyLink service, the BAO received over 100 additional emails and phone calls that reflected many of the complaints that had already been received.

Mr. Inofuentes said that the most common subject of complaint related to new installations and VATI 2020 concerns, and outages and reliability trailed behind. He said that the BAO was confident that process changes made for VATI 2021 projects—in communication and service initiation—should lessen the number of complaints. He noted that one in six of the new installation emails referenced an outage or reliability issue that arose following installation of fiber service.

Mr. Inofuentes said that if complaints related to service initiation concerns were removed, outages dominated the concerns followed by new and ongoing reliability issues. He continued that the bulk of responses received since Monday echoed the same results. He said that the "other" category represented instances where during construction or repair, concerns were raised by residents about deployment, such as improperly placed pedestals and poles, debris and unresolved property damage, improperly laid fiber, and equipment left on private property.

Mr. Inofuentes said that access to telephony systems, either through traditional copper phone lines or the internet, was vital for residents of the County who lacked sufficient cellular coverage to access 911. He said that the prevalence of outages and reliability concerns were a matter of public safety. He said that the analysis and research of the citizen complaints suggested two common issues. He explained that the first issue related to insufficient investment in maintaining copper infrastructure. He explained that copper telephone lines were susceptible to degradation when exposed to the elements, resulting in frequent outages and reliability issues. He continued that additionally, fissures in customer service processes left residents frustrated and uncertain if a resolution would be reached.

Mr. Inofuentes explained that CenturyLink Lumen staff endeavored to resolve escalations as they arose, and VATI 2021 demonstrated a willingness to address customer service issues. He said that the impact of the changes and the willingness to invest in maintaining copper infrastructure was yet to be determined.

Mr. Brewer said he was the Director of Government Affairs with Lumen, also known as

CenturyLink. He introduced Ms. Trish Stipanovich, the Manager of Regional Operations, and Ms. Deloris Carroll, Director of Government Affairs.

Ms. Stipanovich said that she had heard the complaints from the constituents about the ability to reach 911 during severe events. She said the need to be able to reach emergency services was understood. She said she was unable to show the Board the exact metrics because the figures were confidential, but CenturyLink maintained a prioritized restoral rate. She said that there had been increases in restoral time in the second half of 2021.

Ms. Stipanovich said that at the end of July, Albemarle experienced a season of weather that substantially impacted the area. She noted that there was a derecho storm in Scottsville and Schuyler on July 28. She explained that there were extensive challenges from the resulting tree damage that disabled cable poles, and there were supply challenges due to the amount of fiber and copper cable required to do the repairs. She said the delays were significant, but it was not a common situation.

Ms. Stipanovich said CenturyLink continued to look for mechanisms to mitigate the challenges. She said that the length of cable required to repair the damages from the July 28 derecho was not a typical length. She said that in August, there was a large amount of lightning storms and high winds. She noted that while it was not unusual for summer storms to occur, the amount of lightning damage provided a level of challenge to restore services. She said that customers who experienced multiple outages continued to face frustrations.

Ms. Stipanovich said that the company's first VATI project had challenges. She said CenturyLink tried to use processes that were new and not standard to the company that created customer experience issues and engineering issues. She said that the company had addressed the issues through an audit and was confident to move forward. She said CenturyLink was not immune to the impacts of the pandemic related to the workforce. She noted that there may have been extended windows of service for customers due to lack of available staff and resources to accommodate the requests because of the pandemic.

Ms. Stipanovich said that CenturyLink had met with the State Corporation Commission (SCC) Damage Prevention in November to discuss 3rd party damages. She said CenturyLink highlighted the damages they received from 3rd parties as a telecommunications ISP provider. She said the company had set up recurring discussions with the SCC to determine how to improve the reduction of damages for the ISP community because it impacted the customers. She said that Virginia, as a whole, had been within the guidelines for expected restoral rates.

Ms. Stipanovich said that the company was investing in employee training. She explained that training was offered in the spring and the fall to improve trouble isolation. She said 20% of the company's technicians had completed the training. She said CenturyLink had implemented a new tool, called the "Good Pair Check." She said the tool was introduced in concert with the trouble isolation work to improve diagnostic testing on copper-based services. She explained that there was an emphasis on reducing the need for repeat service calls. She said that CenturyLink was investing in proactive copper rehabilitation efforts, and several million dollars had been invested to date.

Ms. Stipanovich said a new customer repair ticketing process had been implemented, and during the transition to the new system, from June to August, customers experienced challenges opening report tickets. She said the company had taken steps to solve those ticketing problems. She noted that customers had concerns regarding the lack of automated credits for outages and lack of service. She said the company supported customers credits, but the systems were not integrated in a way to allow it to be automated. She encouraged customers to contact the company in the case of service interruption in order to receive credit.

Ms. Stipanovich explained that extended due dates were provided to customers based on working every individual ticket with the available staffing capacity. She said that the company did not have the ability to overlay the ongoing restoral effort with the expected restoration dates. She noted that many customers were given extended dates but received a restoration of service earlier than expected due to ongoing restoral efforts. She explained that the extended due dates reflect a worst-case scenario.

Ms. Stipanovich said that customers had noted recurrent performance challenges. She said that as those concerns were investigated, there were instances where repair tickets were not reported. She explained that the company was only able to address performance issues if there was a repair ticket, and if there was not a repair ticket, then the company was at a disadvantage because it lacked critical information. She encouraged customers to create repair tickets. She said the network condition was visible through the repair tickets, and she noted that some repairs could be done through regular maintenance while others required capital funding.

Ms. Stipanovich noted customer concerns regarding phone service outages, and she said customers had asked if the company had backup power generators. She said the company did have backup power generators for the central offices that could power the offices for multiple days. She said there were smaller network elements with a similar setup. She said all the equipment had backup power, but given multi-day events, the batteries might not have enough capacity. She said that customers were sometimes unaware that they had to have backup power for their personal electronic devices, such as digital phones, in order to contact emergency services. She said if there was damage to a cable, then 911 calls would not resolve, and crews would work to restore service as soon as possible.

Ms. Stipanovich said CenturyLink was part of 10 sites for 2022 VATI projects. She said Jones Mill Road and Old Garth Heights were the first set of deployments to be followed by a series of deployments throughout the year. She said that the dates listed for the deployments were estimated start times, and there could be delays or improvements to the dates. She said constituents would be updated with project statuses and developments at the monthly townhall calls.

Ms. Stipanovich said the company was transitioning to use a "q.com" site. She noted that pre-orders for "Quantum Fiber" were no longer going to be available 30 days prior to launch, and customers were notified that orders for "Quantum Fiber" would be available at market launch. She said that the "q.com" site was a new platform, and there was a difference in terms of network and customer experience.

Ms. Stipanovich said that the new website allowed potential customers to check fiber availability in the area, and if fiber were not available, the customer could let the company know they were interested in service through a webform. She said the company was searching for a better mechanism to show availability, such as using a map overlay. She said that there was a lot that people did not understand about fiber technology, so the company was building out a user-friendly "frequently asked questions" webpage to illustrate various aspect of fiber service and installation.

Mr. Brewer said that CenturyLink was involved in a multi-state transaction where Apollo Investment had invested in a company, Connect Holding. He explained that Connect Holding would ultimately be the owner of the assets that were transitioned, and those services would be marketed under "Brightspeed." He said that as part of the transition, there was no planned reduction in incumbent local exchange carrier (ILEC) workforce, and the transition had committed to bringing additional services and ensured continuity with Lumen personnel who interfaced regularly with the SCC. He said the transition was before the SCC, and it was expecting an approval timeline no later than May 3. He said on a national level, the transition should be approved sometime in the July. He said the transaction would bring additional investment to the 20 participating states.

Mr. Andrews said the Samuel Miller District was possibly the most rural in the County. He said there had been significant issues where CenturyLink Lumen controlled the local exchange telephone service and the internet service. He said the company should carefully read the complaints from citizens. He said he wanted to hear more about the policies regarding the response to service complaints. He said he was concerned when the company said it did not know the status of its systems, and it was not a good system if there was no way of knowing if services were not accessible to customers. He mentioned that the County was also a customer, and there had been outages at many school facilities.

Mr. Andrews said that CenturyLink had a \$2.3 million VATI 2021 grant, and the projects associated with the grant were behind schedule. He said he did not know the status of the transferability of the grant, and he was concerned about falling further behind schedule with the statement that conditions were unknown. He explained that the Board might have to give a report on CenturyLink's performance issues. He said that February 17 was the SCC deadline for public comment on the asset transfer, and there was a public hearing scheduled in February. He said the County could involve the Attorney General's Office Consumer Council about reliability and service issues.

Mr. Andrews said it would be helpful to hear more information about the transfer and what kind of investment was expected. He said there had been no further description of the improvements to service and infrastructure beyond "significant." He said he was worried that the statements from CenturyLink were vague. He said he saw the value of the BAO informing the public of resources for those experiencing service issues, and he recommended that the BAO include links to SCC and FCC complaint pages. He said it was a regulatory requirement to provide 911 service.

Ms. McKeel said that each of the six magisterial districts in the County faced service issues. She agreed with Mr. Andrews that links to the SCC and FCC complaint forms should be available to citizens. She asked if CenturyLink provided links to the SCC and FCC complaint forms to customers. She acknowledged that there were recent storms that exacerbated service issues but explained that citizens had been experiencing service issues for years. She said with climate change, severe storms would become more frequent, so systems needed redundancy in order to prepare. She asked what investments CenturyLink would make before the sale and transfer to address redundancy and improve service issues.

Ms. Mallek said she was focused on telephone service because landline access was necessary for many citizens to contact doctor's offices and emergency services. She explained that she lost telephone service multiple times a year, and she was told by technicians that the lines were at least 50 years old. She explained that the same repairs had been made to the same places on the lines multiple times. She said the support poles were 50 years old as well. She asked if the poles were properly grounded for lightning strikes. She said she had been told by management at CenturyLink that the company was not interested in investing in the copper system.

Ms. Mallek said she noted when Ms. Stipanovich said that some recurring service challenges did not have repair tickets. She explained that customers had to wait 45 minutes on the phone in order to speak to a customer representative to file a repair ticket, and that often, no confirmation email was received, and no record of the repair ticket or phone contact was recorded in CenturyLink's systems. She said customers were directed to file repair tickets through the website, and she noted it would be impossible if the customer had a service outage.

Ms. Mallek noted that Ms. Stipanovich had blamed customers for not powering personal phones,

and she said that the minimum requirement should be that the copper service be able to power simple landline phones. She said that neglect to the lines had gone on for too long. She asked what was next for CenturyLink service. She wanted to know what investment the County would receive and what the transition meant. She said someone had to provide maintenance to ensure 911 service. She said people had complained about abandoned wires for years and had been told the lines were abandoned so they were not an issue. She said that the abandoned lines were a concern because tree limbs clung to the wires and posed a safety issue when the wires broke and dropped the limbs. She said the lines were CenturyLink's responsibility.

Ms. LaPisto-Kirtley said the presentation was underwhelming and was as if CenturyLink was a sacrificial lamb. She asked how many VATI grants CenturyLink had received and how the funds were used. She asked if the VATI grant would be used to update the years of infrastructure neglect or if Brightspeed would provide the funds. She asked why the copper wires had not been maintained. She said the automated process did not work and was a source of customer complaint. She said automated notifications did not improve customer experience—she received hundreds of email notifications a day.

Ms. LaPisto-Kirtley said that customers had no way to contact the company to report service outages during outages. She said CenturyLink outlined issues dating back to June 2021, but citizens had complaints stretching back for years. She said people were at the end of their patience. She said CenturyLink should focus on providing better service. She agreed that the FCC and SCC complaint forms should be distributed.

Mr. Gallaway said that his review of email complaints from residents over several years revealed an integrity issue, and he asked how CenturyLink would address those issues. He said residents turned to the Board because they felt the company was not accountable and expected the Board to hold the company accountable. He said it was hard to do because the Board was not the boss of CenturyLink. He wanted to know the line of accountability if residents continued to experience the same issues and fixes did not happen. He said service customers and the Board deserved to know.

Mr. Gallaway said he had received a resident complaint that it took CenturyLink over a month to claim ownership of one of its own lines. He said he would like to know the process to receive credit for service outages. He said customers should not have to specifically ask for credit for outages. He said he had been sent a petition by an HOA in the Carrsbrook neighborhood to have CenturyLink bury its cables while Dominion buried powerlines. He said he had sent the information to the Deputy County Executive and the County Executive to pass to the appropriate people. He said burying the lines would help solve outage and service issues, and it made sense to take advantage of the opportunity. He said that he hoped moving forward, the way to restore integrity would be through positive action from CenturyLink, and if changes were not made, then the appropriate methods for accountability would be used.

Ms. Price said the presentation from CenturyLink was an advertisement, not an answer. She found some of the material to be candidly invalid. She said that the chart on voice reliability, chart 11, did not have data on the y-axis and was therefore meaningless. She said the claims that CenturyLink only knew about service issues when they were reported flew in the face of customer efforts to report issues to CenturyLink. She said CenturyLink was a technology company and it had no way to determine if its service was reaching customers.

Ms. Price said she was a former CenturyLink customer, from July 2018 to July 2021, and when she called to cancel service, she explained to the representative that she had three years of horrible service. She said she would go weeks without internet, and it would take hours to call through to customer support. She said she was given a \$20 credit for 2 weeks without service, and the credit took months to appear on the bill.

Ms. Price noted that issues had gone on for years and were not limited to the recent storms and the pandemic. She said her telephone never worked in three years of service. She said the Board wanted answers for community members, not advertisements. She said the company was not responsive, and its credibility was at an all-time low. She said residents overwhelmingly expressed the desire to change companies, but CenturyLink had a monopoly in the area. She said unreliable 911 service was a violation of CenturyLink's moral and legal responsibilities. She said Mr. Brewer would have a few minutes to respond, and she asked Mr. Culp to share all of the concerns and complaints. She asked that CenturyLink provide specific answers to each of the concerns provided.

Mr. Brewer said the company would work on a suitable timeline to return answers to the Board. He said he was excited about the transaction related to Brightspeed. He said that the acquiring company had publicly committed to substantial investments across 20 states. He said he had seen the figure of \$3 billion above the purchase price for the assets in investments. He said that he hoped the transaction would be beneficial.

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Non-Agenda Item. Recess.

The Board recessed its meeting at 3:51 p.m. and reconvened at 4:00 p.m.

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Agenda Item No. 11. **Presentation** – Transportation Planning Quarterly Report.

Ms. Jessica Hersh-Ballering, Principal Planner, said that much of the work had been focused on

the fifth round of the Smart Scale grant program. She said the program was the primary method for funding large scale transportation projects in Virginia by providing state and federal funds for the design, right-of-way, and construction of transportation projects. She explained the program operated on a two-year cycle with mandatory pre-applications due April 1, and final applications due August 1. She said that funding decisions for submissions would not be finalized until June 2023. She said that the numbers next to the project names listed on the slide represented the priority ranking in the County's 2019 transportation priorities document. She said that the "Rivanna River Bike and Pedestrian Bridge" project did not have a number because it was not considered for ranking in the document, but it was prioritized in the Pantops Area Master Plan.

Ms. Hersh-Ballering said the slide showed other projects the County considered for Smart Scale funding. She said that "Avon Street Bicycle and Pedestrian Improvements," "5th Street Extended Bicycle and Pedestrian Improvements," and "Belvedere Boulevard/Rio Road Intersection Improvements" were projects considered for County submission to Smart Scale. She noted that staff had clear infrastructure requests due to recent studies. She said that the other projects listed were being studied by VDOT and consultants for consideration in Smart Scale funding. She said that projects #9 and #39 were part of the VDOT project pipeline process, and projects #16 and #21 were investigated in separate studies. She said the studies needed to be completed so that staff knew what infrastructure funding to request.

Ms. Hersh-Ballering explained that the County could submit a total of four project applications for this round of Smart Scale. She said the Thomas Jefferson Planning District Commission (TJPDC) could be requested to submit additional project proposals on the County's behalf. She noted that the TJPDC had a limit of four applications, and it was expected that the TJPDC would use one of the slots for a project that was expected to come out of the ongoing Route 29 Corridor study. She said she was hopeful the TJPDC would be able to accommodate the County's projects.

Ms. Hersh-Ballering said that the County had been successful at funding projects through Smart Scale. She explained that VDOT had fast-tracked four of the County's Smart Scale projects from the previous round, and the tentative schedule from VDOT showed three of the projects beginning in the spring of 2023, and another project beginning in the summer of 2023. She said the County was required to sign agreements related to the fast-tracked projects because the applications included a commitment of local funds for each project.

Ms. Hersh-Ballering said that the project for "Intersection Improvements at Route 20/US 250 in Pantops" was awarded funding in round three of Smart Scale and was currently in the design phase. She said VDOT expected to combine the project into a single construction contract with the "Route 250 East Corridor Improvements" to reduce construction costs and disruption to road users.

Ms. Hersh-Ballering said revenue sharing was another funding opportunity for transportation projects. She said the County had submitted an application for Eastern Avenue. She said the project would construct a new road to connect US 250 to Cory Farms Road and include a new bridge spanning Lickinghole Creek. She said the funding award decision would be released in the spring. She explained that consultants were working on a geo-technical survey of the project area to be submitted to VDOT. She said the survey would help firm up project cost estimates.

Ms. Hersh-Ballering said that "Berkmar Drive," "Crozet Square," and "Library Avenue" were previously awarded revenue share funds and were in the design phase. She explained that a project kickback meeting had been held for the "Berkmar Drive" project, "Crozet Square" was wrapping up the design phase and moving into the right-of-way phase, and "Library Avenue" had staff working with private developers on the design.

Ms. Hersh-Ballering said that the "Route 29 North Corridor Study" was led by the TJPDC, and the goal was to identify safety and operational improvements to the Route 29 corridor between Airport Road in Albemarle County and Deerfield Drive in Green County. She said a public meeting had been held, a second public meeting would be held soon, and the study would be completed in February. She said it was expected that the TJPDC would apply for Smart Scale funding for a project that would arise from the study. She said that the "Phase 1 Report for the Rio Road Corridor study" was being completed, and "Phase 2" had been initiated at a Places29/Rio Road CAC meeting. She said that "Phase 2" examined the Rio Road Corridor between John Warner Parkway and the City line.

Ms. Hersh-Ballering said that the "Multi-Modal Transportation plan" was going to be the transportation chapter of the comprehensive plan update. She explained that staff worked closely with Ms. Rachel Falkenstein's team to determine the next steps. She said that one of the outcomes from the plan would be access to more data about the multi-modal transportation network in Albemarle County. She hoped that the additional information would allow the County to overhaul its project prioritization process. She said staff was working on a brief refresh of the 2019 Transportation Priorities document.

Ms. Hersh-Ballering said that consultants had completed and submitted a final study document for the "Earlsville/Rheas Ford Intersection Improvements," which was being reviewed by County staff. She said the results would be shared with the Board in April to determine the next steps. She said that VDOT had worked to proactively identify projects for Smart Scale, and the County had 2 study areas in the process. She said that one of the areas was in Pantops on Route 250 between Hansen Road and Hansen Mountain Road, and the other area was in Shadwell at the intersection of Route 250 and Route 22/Louisa Road.

Ms. Hersh-Ballering explained that consultants hired by VDOT held three stakeholder meetings

for the studies and were seeking feedback for potential design solutions. She said the County expected the consultants to hold at least one more public meeting and another stakeholder meeting before the final recommendations were shared. She said the County was likely to choose one or multiple of the recommendations to submit as applications for Smart Scale funding.

Ms. Hersh-Ballering said that County staff continued to attend Regional Transit Partnership meetings. She said the partnership had prioritized the Regional Transit Vision Plan. She explained that the Vision Plan was intended to create a community-driven vision of the future of transit for the region. She noted that staff would return to further discuss the Regional Transit Vision Plan and its outcomes on January 19. She said that there was the need for additional funding and collaboration to meet the community's expectations for transit. She mentioned that the TJPDC proposed to complete a Regional Transit Governance study to determine how to best meet the funding and collaboration needs.

Ms. Hersh-Ballering said that progress continued for transit stop improvements. She said County staff had worked closely with Charlottesville Area Transit staff to prioritize locations for additional infrastructure, such as concrete pads, benches, and shelters. She said that the "Sense of Place" program attempted to pair transit stop infrastructure with art installations. She said that the first installation for "Sense of Place" was in the Stonefield development. She said that staff currently worked to get contractors a building permit to install a shelter and concrete pad at the Stonefield development. She said that Northside Library was being considered as a potential second site for "Sense of Place."

Ms. Hersh-Ballering said that the Albemarle County Transit Expansion study was close to completion. She said that the study intended to examine immediate service changes to improve transit in three priority locations in the County. She continued that there had been numerous public and stakeholder meetings, and final recommendations were nearly ready. She said the topic would be before the Board on January 19. She said that the study recommended the implementation of micro transit service in 2 of the study areas through DRPT's Demonstration Grant process.

Mr. Kevin McDermott, Planning Manager, said that the slide listed the significant projects underway related to bicycle and pedestrian transportation. He said the projects were led by the Project Management team in Facilities and Environmental Services. He noted that the crosswalk project in front of Mountain View elementary school was essentially complete and had been operational. He noted that the "Ivy Road Bike and Pedestrian Improvements" included a sidewalk and a bike lane from the City line almost to the Bypass, and the project was under construction with an expected completion date in the late summer or early fall. He noted that the "Rio Road Pedestrian Improvements" was a project being done in conjunction with "Avon Street" and "Route 250 West" because the separate projects were awarded grant funding as one project. He explained that all three projects were under construction with expected completion dates ranging from late spring to late summer.

Mr. McDermott said that the "Greer/Jouett Bike and Pedestrian Improvements" was funded through a transportation alternatives grant that was awarded to create a pedestrian network between Albemarle High School and Greer and Jouett schools. He said the project was not yet under construction, and the contract award was pending as staff worked through some details. He said the project was expected to be completed by the summer.

Mr. McDermott said the "Commonwealth Drive/Dominion Drive Pedestrian Improvements" connected disparate segments of sidewalk and transit stops starting from Hydraulic Road to Dominion Drive, then between Commonwealth Drive and Route 29. He said the project had been discussed with consultants and internally to find a way to complete the project within the available budget. He said that the "Berkmar Drive Bicycle and Pedestrian Improvements" was funded through a revenue sharing grant. He said the project would construct a shared-use path from the end of the existing shared-use path on Berkmar Drive south to Rio Road. He said the project was in design, and a first round of design drawings had been reviewed. He said there was not yet a construction timeline.

Mr. McDermott said that "Free Bridge Lane" was a project in the conceptual planning stage. He said the project considered whether to close the road or make it one-way on the segment between Darden Towe Park and Route 250 in order to make the road friendlier to cyclists and pedestrians. He said staff recommended that a consultant examine the impacts of closing the road or converting it to one lane. He said staff had requested planning funding in the next budget round to investigate the project. He said that the County had previously examined a concept for Route 20 that was not recommended. He said staff wanted to investigate other project options for the Route 20 shared-use path that would connect from the City to the Monticello trailhead at the base of Monticello Mountain. He said staff wanted to hire a consultant to examine the possible options for the shared use path.

Mr. McDermott said a number of the projects listed on the slide had been approved by the Board, and a couple had had Planning Commission public hearings, including a residential development on Avon Street and the Living Earth School. He said there were a number of other projects under review that had not gone to the Planning Commission. He said those projects under review included the Old Ivy Residences, a large residential development on Old Ivy Road adjacent to the bypass, and the Heritage on Rio, a fairly significant residential development on Rio Road to the west of Route 29.

Mr. McDermott explained that the Southwood Phase 2 project was under review, and the North Fork Discovery Park would amend the previous rezoning to include residential uses. He said that the Old Dominion Village, located on Route 240 in Crozet, was a medium sized residential development. He said that the Willow Glen project, located off Earlysville Road, was a previous rezoning application submitted to increase the number of residences that was previously approved. He reiterated that those projects

were under review.

Mr. McDermott said that the slide listed significant transportation issues that the County, along with the Albemarle County Police Department and VDOT, had worked to address. He said typically, people called with concerns regarding parking, speeding, and other safety issues related to transportation. He said he was open to questions from the Board.

Mr. Andrews said he was thrilled to see the emphasis on bicycle and pedestrian, and to hear a bit more later about micro-transit. He said with respect to the projects and presentation, he appreciated that there was a lot to keep track of. He said there was a slide in there about development projects. He said it would be nice to see some maps once in a while, where they looked at the development projects in the context of these reports on the presentations of different road projects. He said he would encourage, if it was possible, to get a map in the presentations to show the relationship between these different things.

Ms. McKeel said under local transportation issues, the last bullet on the page said, "speeding issues, standard operating procedures development." She asked Mr. McDermott what this was referencing.

Mr. McDermott said that the Board members may recall that a number of months ago, they had come to them to discuss the volume of speed related calls that they received and the frustration with the difficulty to find a way to address those problems. He said what they would like to do is come up with an even more defined process for how they took those calls and how they responded to them. He said that would require working with Ms. Shephard's team at VDOT and the Albemarle County Police Department to find out what options they had and if there was any flexibility.

He said as they knew, there was a traffic calming process they used when working with VDOT, but it did not apply to all situations. He said one of the areas they found it lacking was that they needed to demonstrate that 80th percentile of vehicles was going ten miles or more over a speed limit, but if they did not meet that threshold, they could not enter into that traffic calming process. He said in a lot of cases, especially residential areas, 35 miles per hour was too fast to be driving, so what he would like to do was come up with methods to address those problems when the traffic calming process that was outlined did not work.

Ms. McKeel said she thought it was a great idea, because it was an issue that came up constantly. She said mentioned in the report several times was the very unsafe triangle of Old Ivy Road, 250, the bypass, and the railroad bridge, and she wondered if there was any coordination between the County and VDOT on that area.

Mr. McDermott said that was correct, and that it was mentioned a couple times, one of those being in the SmartScale 2022 list. He said they were still considering a project out there as a potential SmartScale application. He said the issue was that they had not been able to find a project that would solve the issue and be competitive for SmartScale. He said they were still talking with the consultants VDOT had hired and Ms. Shephard's team to come up with an option for that. He said they had not come up with a solution but had not put that aside.

Ms. Shephard said she thought Mr. McDermott covered that issue well. She said they had not set it aside and were still in discussions about that.

Ms. McKeel said she assumed most people were aware of the area she was talking about, but because it was a road that had a lot of growth, on either end was a railroad bridge that flooded anytime it rained, and a whole triangular area that was not safe and had a bridge that needed to be done meant that it needed some thoughtful work, so she was curious as to where they were. She said it may need a work session all by itself.

Ms. Mallek said she looked forward to hearing these reports because it could be difficult to keep track of issues. She said at the beginning, they discussed the CAMPO projects versus the County projects, and she wondered if the Albemarle County projects should be focused on ones that were not City-County line, because she thought the MPO was focused on things that were impacting both the City and County, so perhaps they could think of ways to scramble that list of seven to make sure the County ones were ones that were eligible for the MPO to fund. She said the 10 and 19 show up in multiple places, so they perhaps should both be under the MPO and come off of the AC list. She said she would leave that concern with them. She said in the analysis of the Route 20/53 improvements, she wanted to know someone had done a physical layout there to make sure it would work. She said it had been discussed in the past as being impossible to do.

Mr. McDermott asked if she was talking about the funded SmartScale project from last year that they were advancing, which was on slide 4.

Ms. Mallek said she did not have the slides in front of her, but knew it was the 20/53 improvements, which now was a functioning traffic light. She said she would be surprised but hoped they could make it work. She asked if someone could send her and Mr. Gallaway the report on Rheas Ford Road. She said she was sure someone could explain it to her but would like a chance for improvement. She asked if in the report it was taken into consideration the portable roundabout mound that was suggested earlier as a way to deal with this issue without millions of dollars being spent.

She said she looked forward to hearing more about the vision plan and the County's control



would be for the money they were expected to put in. She said she was always weary of the County having to spend money when they had no leash on how it would be used. She said about the bike-ped planning of Three Notched Trail that in May of 2021, Chuck Proctor said that they should back off on Three Notched Trail design because they were filled up with consultants, but they were sure to apply for 2023. She said she wanted to pass that along to them and hoped it had actually been followed through, and they were able to get that study underway. She asked if there was any update on that.

Mr. McDermott said that currently they were still hoping that there might be VDOT funding available for a planning study. He said he had been told that the planning study could occur in the spring of 2022, so that would be a continued discussion within Community Development administration to make sure they could work it into their work program, which he believed had been part of the issue previously due to their staffing.

Ms. Mallek said that this was the consultant doing this work. She said she would like to get an answer as to what staff involvement would mean, because she did not know. She said since spring was coming, people would ask about it again, so she would like to think about having an answer ready. She said about the Route 20 shared use path that they already had a consultant, so she would like for some more explanation about whether it was to be directed to look at the east side of the road which they were forbidden to do last time.

Mr. McDermott said yes. He said perhaps they did not properly consider all the options, so they were going to hire a consultant through the County instead of relying on VDOT to do so, so they could more specifically see how that study was done.

Ms. Mallek said they were directed not to from what she was reading. She said she was very glad they were pursuing that from that perspective. She said she loved the idea about the SOP for speeding, and it would be tremendously helpful for someone to make an excel sheet or another way to keep track of the complaints that came in. She said she was sure that the six of them had forwarded onto them hundreds of neighborhoods over the years, and other than searching for Ms. Shephard's name or Joel DeNunzio, or Mr. McDermott's name, she had a hard time finding them in her emails because she had not made her own excel sheet to keep track of them.

Mr. McDermott said that they had an excel sheet where they kept track of essentially all of those complaints. He said with the volume of complaints they get, there may be some that were missed, but they tried to keep track of all of them in that excel sheet.

Ms. Mallek said she understood they had to do triage for all of those things. She thanked him for answering those questions.

Ms. LaPisto-Kirtley asked to see slide number 11. She said the 29 and Polo Grounds Road intersection traffic light sometimes only two to three cars had the chance to turn left coming from Polo Grounds Road and going south on 29. She asked if there was anything underground that measured the cars in line to give them a little more time.

Mr. McDermott said that was something Ms. Shephard and her team had looked into so he would let her handle that.

Ms. Shephard said they did review that light. She said one of their signal technicians went out there and checked the signal, and everything seemed to be working fine. She said he did admit that with heavy southbound traffic in the morning on 29, the phase may experience some delay, because the phases would not terminate early to allow Polo Grounds to go. She said they continued to review that to see if there was a recurring problem, and she had not heard since the end of December that there had been a problem, but it was likely that was the reason. She said she did not believe they had anything underground to see how long the queue gets and then coordinate with the signal for timing.

Ms. LaPisto-Kirtley said that in a lot of places there was something underground that measured how many cars were in line, and that was how long the light was. She asked if they had it on any other streets.

Ms. Shephard said she would have to check in with their traffic personnel about that. She said she knew they were looking at putting a function like that on 29 that went over the interstate overpass because that queue backed up into 29 as they were turning left to get on the interstate, but other than that she did not know and would have to ask.

Ms. LaPisto-Kirtley said it might be something they want to look into because it would greatly reduce the number of cars that would go through, and if there were no cars, they would not have to wait, and it would not even trip the signal. She said those large intersections like that, especially getting on and off of 29 would be good. She said she saw they were looking at the pedestrian crossing at Fontana and Delphi Drive/Avemore.

Mr. Gallaway said if there was anything they wanted to send written follow-up to he would be happy with that. He said he wanted to reiterate Ms. Mallek's request about the options for Earlysville and Rheas Ford Road. He said he would love to see it mainly because it said options range from \$200,000 to \$4.3 million, and he would like to get his head wrapped around that range. He said anything that could be done on that update would be great because it touched both his and Ms. Mallek's districts. He said he would like a written follow-up about what the transit stop improvements' process was to identify which

ones would be improved and when. He said he did not get an email out to ask about it before this meeting, and there were a lot of places that needed transit stops and he would like to be reminded of what that process was. He said that now that Rio Point was approved, and the concerns that came up about the entranceway and the left turn there, he was curious about the process of that follow-up, to make sure the concerns voiced in the application meeting were being attended to or followed, so he would appreciate a summary of that.

Mr. Gallaway said the Belvedere/Rio Road was something he would be supporting being on a SmartScale piece. He said it had been a while since they had done a study for a traffic light. He said there was a lot more buildout in that area since the last study, so now that it was being considered for SmartScale, he wondered if it now merited a new study to see if a traffic light was warranted until any other improvement was made or could be done.

Mr. McDermott said they had requested that VDOT get someone in Chuck Proctor's district to get the potential options to them. He said their preference was what was discussed through the Rio Corridor study, which was the protected left turn, or green-T, but they wanted to preclude other options such as a signal if that was best. He said he would verify with Mr. Proctor that that was something they would consider. He said they knew they would do the counts for it anyway, so they would have the data they would need to warrant that study, and they would make sure it was included.

Mr. Gallaway said he thought in the meantime, and not as the solution. He said whatever the solution they decided on would be a SmartScale application. He confirmed it was the green-T and not R-cut. He said even if it was a signalized green-T, he knew that was a possibility. He said in the meantime, if it warranted a traffic signal, that may be something they had to do temporarily, so he was curious about the timing because it had been five or six years since the last one, so any follow-up on that would be great. He said that under Brentwood Road and Idlewood, there was an intersection that currently had two stop signs, but they were experiencing a speeding issue through the intersection that a potential four-way stop could handle. He wanted to know who to make the request of to see if they could look into that. He said if it was an intersection or a four-way stop piece, whatever needed to be done to help determine that.

Mr. Gallaway said the Hillsdale-Greenbrier intersection that continued to come up with a lot of concerns being voiced, the most recent being that somebody that did not go through it as a pedestrian did not drive it, but they relied on transit service to get there, and hearing the concerns that the drivers were expressing to the passengers in the transit vans of dealing with those issues. He said Ms. Shephard's predecessor, Joel DeNunzio, had to hear him complain about the timing of the first study, which he felt was done too soon, and before that parallel roadway was an operation that everyone knew about. He said this Hillsdale-Greenbrier intersection had been an ongoing piece, but to see if it needed signalized like it originally had planned to do, he was requesting a new study be done to see if it warranted a traffic signal there as well, if there were no objections to that. He said with the things they had done so far, there were still people flying through there, and they had to pull past the stop sign to get out to the puppy-dog tracks to see if anything was coming, which was really not safe at all. He said there had to be a better solution than the efforts they had put in there so far. He said he got emails about that intersection on a fairly regular basis, and whatever he needed to do to formalize or get a new request through to get a new study done about the traffic lights then he would like to pursue that.

Ms. Price said she was extremely pleased, as were the residents of the Mill Creek Foxcroft area of the completion of the Mountain View Elementary School improvements. She said that was a very high visibility, high interest safety issue, so she thanked them for getting that done. She said she was cautiously optimistic that this additional look and consideration for the multiuse path down 20 would get through this time and be valid. She said to Ms. Shephard that she was looking to schedule some sort of community member meeting with the Route 20 safety issues, so she would follow up with them for that.

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

Ms. Carrie Shephard said she would first give some quick project updates. She said project 240-250 roundabout had an update that was highlighted in bold with what had been changed since her last report. She said the ad date was winter 2022. She said the connector road from Berkmar Drive to the airport ad date was July of 2024, and as Ms. Hersh-Balling had stated, the 250-Route 20 intersection improvements and the Route 250 East corridor improvements would be lumped into one project with an ad date in 2025. She said next she would go over "State of Good Repair" which were their bridge projects to fix structurally deficient bridges.

She said Route 702-Fontaine construction start was March 2022, Route 708's construction start was 2023, and Catterton Road Bridge construction start was January 2023. She said Old Ivy was still slated for January 2024, but they did feel there was a high likelihood that would be accelerated due to some things they were working on now. She said as soon as she had a more detailed update of when they were expecting to accelerate that, she would let them know. She said 641 Fray's Mill Road bridge replacement had an October 2023 start date. She said they also would try to accelerate that project if it was at all possible.

Ms. Shephard said next was their 29 solutions package. She said scoping was still underway, and public hearing was tentatively scheduled for later this spring. She said their design-build projects included exit 124 which was still under construction, and 151, 250, 649 roundabouts were still under construction. She said they expected completion for 151 early next year, and Proffit Road was to be completed in the fall of 2022. She said the second design-build bundle was prepared to begin tentative

advertising in the summer of 2023. She said farther out on that list was the 29 to Fontaine Avenue interchange was to begin the design engineering phase late in 2023, with an advertisement expected in 2024.

Ms. Shephard said rural rustic updates had largely remained unchanged at this point now that they had reached the winter season. She said they were still doing the background processes of scoping and environmental clearances, so she should have more updates on that later in the spring and summer. She said as far as construction activities, they had been making great headway with their concrete repairs using County safety and operational improvement funds. She said they had repaired numerous drop-inlets, v-ditches, and sidewalks in various communities, some of which they had done in the last few months.

Ms. Shephard said a bridge project to note was Route 689, Burch's Creek Road, had to be closed earlier than expected to make some repairs due to the excessive deterioration found upon inspection. She said they closed it on December 27th and made repairs, reopened it on January 6th, and was still posted with a five-ton weight limit. She said however, they had plans to come back and fully replace the bridge at a later date.

Ms. Shephard said that they had gotten signs installed to close some of the traffic engineering projects. She said Red Hill Road, Route 20, was able to have a stockbar and directional arrows installed. She said they were pending install on Mountain Vista and Rio Mills, which would soon be complete, and there were various other speed and crash safety locations under review as well.

Ms. Shephard said there was not too much to update on land use. She said the North Pointe internal road network construction was still ongoing. She said they had received permit applications for Rivanna Village Phase 2 and Cascadia phases 1 through 3 were near completion. She said the last thing she would like to mention was that they were hit pretty hard by the snowstorm last week, and debris removal was undergoing. She said they had a contractor in place right now that was on I-64. She said they had a crew working from Albemarle County east, and a crew from Richmond that was headed west. She said it would take time for those crews to catch up but wanted to let everyone know they were working on it. She said they were also bringing in many crews to work on their internal County routes; Albemarle and Louisa County were hit the hardest, so that was where they were focusing their efforts for cleanup as a district. She said that would be ongoing. She said that ended her formal presentation and was open to questions or concerns.

Mr. Andrews said he apologized that his system glitched and he missed a few slides of the presentation. He said he appreciated VDOT's ability to take calls over the past week, because he knew there were some secondary roads where elderly people walked, and it took several days for cleanup to come so it was difficult for them to navigate. He said looking ahead at what they were working on now was very encouraging, and he looked forward to the Old Ivy Road being studied further.

Ms. McKeel said it was not in the report today, but she would like to know where they stood with the City doing their part to synchronize the traffic lights from Old Ivy Road to the County limits. She asked if they recalled when they were doing all that work that the City agreed to upgrade their lights so they could synchronize all the way out, and she did not know if that was still happening.

Ms. Shephard said they believed some of the signals they decided to not fund because they redirected their priorities. She said she had not heard any updates on that recently either, so she was not sure where it stood as far as the City was concerned.

Ms. McKeel said there was a promise the City made to them when they upgraded their traffic lights to fourth or fifth generation that the City would also upgrade their lights so that all of that traffic along Ivy Road heading towards 29 North had continuous lights. She said that some of the bottlenecks could perhaps be improved, especially in the City, so she would like to know where that project was as far as the City was concerned. She said they had a huge undertaking over the last week with all the snow and trees and thought they did a wonderful job, but there was a way to go. She said in the urban areas where there were VDOT roads, trees and branches were down on the sidewalks, trees down in the neighborhoods, and while they were not blocking traffic at this point, there were piles of debris on the road. She asked if using the VDOT website to report a concern was the best way to resolve this.

Ms. Shephard said they were doing their own assessments. She said their area headquarters staff had been riding all of the routes. She said they would be focusing first on primary routes through Albemarle County. She said they had a very long list, because the entirety of the County had been hit very hard, so they were focusing debris efforts with their contractors on primary routes, and some subdivisions as well, but those would be lower on the list. She said this was because their main goal was to use state forces, but they were taking their own assessments of those. She said to be patient with them, because they would get there.

Ms. McKeel said she had not had reports of roads being blocked, because those had already been reported and taken care of, and it was more about the debris that people could not get rid of, and in some cases some sidewalks that remained blocked. She said she would just tell people to be patient, and if they were doing their own assessments and writing that was good. She said she understood it would take a long time, and there was another storm perhaps coming that Sunday.

Ms. Mallek said she also would like to know the status of the synchronization of those traffic lights, because that was an absolute contract between the City and the County for 29 solutions. She said

somebody needed to drop the hammer on that, because it was messing everything up. She said attention was necessary. She said she also wondered if VDOT had the ability to weigh in on the "chicken row [strip]" issue. She said one of those places had a drive thru that blocked the right lane at rush hour, and people had told her that they had called the City police and they did not care. She said it was an interstate and they were not doing anything, and she was not sure if they could before somebody got killed. She said she always tried to say let's not wait until somebody got killed before they fix something. She said they had not gotten anywhere in four or five months of complaining with that one.

Ms. Mallek said in their chart the 240-250 advertised date was winter 2022, but she was not sure if she meant in the next few months or if it meant December of the next year.

Ms. Shepherd said that it referred to the upcoming winter. She apologized for that. She said it was not this winter, but the next one.

Ms. Mallek said that in November or December of 2022, they would be getting the advertising out and they would finally get going. She said on the debris issue, she would like to know if they had any leverage over Dominion and CenturyLink. She said she knew it was a vicious triumvirate and they all had to deal with each other, but there were numerous trees 8- to 10- inches in diameter with 20-foot lengths, and 6- to 8-feet of it was hanging over Earlysville Road, some near the village of Earlysville and some down Horseshoe Bend. She said they were sort of cleared and were held up by abandoned CenturyLink wires. She said she had already scolded the CenturyLink people about that for 15 years on that issue, and things were hanging on the wires that they promised to take care of nine months ago. She said that VDOT was the one who would be blamed when someone was killed when they fell onto a school bus or whatever, so she hoped they all could conjure up some leverage to get in there and take care of them rather than wait for a jurisdiction issue, because it was really scary to call 911 and say can you get a school bus under it was not exactly the right response, and it made people very uncomfortable to drive under those things daily.

Mr. Gallaway said he knew at Bleak House Road they had a grading piece out there from both Supervisor Mallek and he believed it was all completed. He said he greatly appreciated their attention to get out there to that. He said at the Rio-29 intersection, as one traveled west on Rio Road and turned to go north on 29, there was a tree growing out of the storm grate that cars were hitting. He said that to him was becoming a safety issue because it was clipping sideview mirrors. He said if one progressed through the intersection and headed west on Rio Road to the left side, there was a much smaller tree that was not in traffic, but he knew it was going to later this year as fast as they were growing. He thanked them for the follow-up on the median issue, but those two particular ones were a different situation, and he needed to know how to get it fixed right away, because it was a major thoroughway. He said he understood and was taking into consideration the amount of cleanup they had to do after the recent snowstorm.

Mr. Gallaway said he also wanted to thank them for the diverging diamond interchange construction, He said the way the traffic still moved out there while they still did construction on that level of a project was pretty incredible. He said he understood lane closures were necessary for some part of the project, but people had thought it would be a much larger issue than it had. He wanted to know the targeted completion date for that diverging diamond interchange.

Ms. Shepherd said it was this coming winter.

Mr. Gallaway said it was moving along pretty quickly.

Mr. Gallaway said he knew primary roads were cleared first, then secondary, then tertiary. He said it seemed the volume was so high because of the event itself, and that was what had put off getting to the tertiary road cleanup. He asked for confirmation that resources were spread thin due to the severity of the storm.

Ms. Shepherd said that was correct. She said like Supervisor Mallek stated, there were a lot of problems with powerlines and communications lines and getting response back to get those roads cleared, so that hampered the efforts to even get to roads. She said this storm was a mess and they were pulling in a lot of resources for debris cleanup. She said again that they were starting on the interstate, then moving to the primaries, and their crews would begin work on areas that were not quite as widespread or hit quite as hard, where it was more doable for their group to do. She said it would be a team effort between their state forces and contractors.

Mr. Gallaway said he knew it was a huge event everyone was dealing with, so he wanted to thank them for their work on that.

Ms. Mallek said around 1990, there were twenty orange dump trucks at Free Union, and each one was staffed. She said she understood now that there were only four. She asked if they had enough manpower and machinery at their depots to be able to do this. She said she had the sense that they had 300% more neighborhoods to do and only a tenth of the staff to do it with. She asked if that was an issue they should bring up to the Commissioner to fix.

Ms. Shepherd said they completely agreed with her. She said their staff at Free Union was thirteen if they were lucky. She said there was a lot of turnover, vacation, and sicknesses. She said more staff would be appreciated; however it was completely out of their control. She said manpower was given to them by the General Assembly.

Ms. Price said her comment was in no way meant as a criticism, understanding the breadth of the damage and cleanup. She said on Rolling Road and James Monroe Parkway right now, there were still a number of branches hanging down into the travel lane that must be swerved around to avoid hitting them with your windshield, and there were also some logs that were slightly in or on the edge of the roadway, and cars had to swerve out of their travel lane to avoid them and was a safety issue. She said she recognized those were only two of the roads they were working on but wanted to mention them. .

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Agenda Item No. 13. **Closed Meeting.**

At 5:07 p.m., Mr. Andrews **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider the appointment of the Chief of Police.

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

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

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Agenda Item No. 14. Certify Closed Meeting.

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

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

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

Mr. Andrews **moved** to appoint Sean A. Reeves as Albemarle County Chief of Police.

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

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

Mr. Richardson said that Doug Walker had led a process with an outside consultant that had begun several months ago. He said that was where the Albemarle County Executive's Office worked to reach to their community in earnest to provide feedback on the attributes that their community was looking for in its next police chief. He said Mr. Walker worked diligently with the search firm, and he was pleased to tell the Board they had received almost 600 responses through the search firm that helped to begin to build through this community feedback process what were the critical attributes of the next police chief, to help ensure his or her success as that person came on board and led their police department for some time in the future.

Mr. Richardson said this Board knew they enjoyed a nice history in their police department. He said he would first thank the retired Chief Sellers for his leadership and work in the community. He said he did not have the honor to work with Chief Sellers but heard still today how that wonderful gentleman came to the community and helped lead the department forward. He said he knew when visiting Major Reeves that Chief Sellers made an impact on his career, and he still had his fingerprints on the department as they stood there today. He said retired of Chief Ron Lance that he and Mr. Walker had the opportunity to visit with him early that morning and talk to him about his impending retirement at the end of February and the celebration that would be forthcoming later in February to celebrate not only his work with the Albemarle County Police as Deputy Chief and Chief, but also his career in law enforcement. He said his contributions to the department and community were well noted.

Mr. Richardson said tonight they were proud to announce Major Sean Reeves. He said when they received the feedback from the community, which they studied intently, on what the leadership attributes they wanted were, they immediately looked at Major Reeves' credentials. He said he could not be prouder of how Mr. Reeves had worked beginning as a line level police officer and committing himself to 20 years in the Police Department in a variety of roles. He also thanked Mr. Walker for his leadership and connection with the search firm and with their community and organization. He said he was honored to present Major Sean Reeves, who would be sworn in as their next Chief of Police on March 1st.

Mr. Reeves said he was honored in the faith, trust and confidence the Board of Supervisors and County Executive's Office had in him to appoint him as the next Chief of Police for the Albemarle County Police Department. He said he also was probably the first police officer internally promoted through the ranks from ACPD to the position of Police Chief. He said looking back, this journey would not have been possible without the support of his family, friends, various community members, and members of the

Albemarle County Police Department, both past and present. He said he would continue to work closely with Chief Lance over the next two months to ensure a seamless transition as their department continued several initiatives launched during his tenure as they built towards the future. He thanked them for the opportunity and said he looked forward to continuing his service to the community and to the men and women of the Albemarle County Police Department in his new role as Chief of Police.

Mr. Andrews said he was thrilled this was an easy one and was happy to have heard the results of the survey and how he had checked all the boxes.

Ms. McKeel said they were thrilled for Mr. Reeves and his family, but most of all for the community that he had worked with for a long time. She said they thanked him for staying with them and for taking the role of their next Police Chief.

Ms. Mallek said she was so fortunate to see Mr. Reeves grow throughout his career. She said on the side of the road he once talked about how he had been at the very same property during his first year on the job, dealing with the same issues they dealt with in 2015. She said she was grateful for the challenges he was willing to take on as their department continued to evolve. She said the residents had confidence in the fairness and caring of their officers, and she thanked him for all he had personally done to bring that about, and for leading the department in the future.

Ms. LaPisto-Kirtley said that coming up through the ranks, he had not only a good understanding of the police department but of the community and what they wanted and needed. She said she would miss Mr. Lance but knew that Mr. Reeves would have no problem filling his role and excelling in his own way. She said she was proud to call him their Police Chief.

Mr. Gallaway said it was remarkable in any given situation or context to rise from entry level to this position, and the fact that Mr. Reeves was doing it within one organization was extraordinary. He said they would be the beneficiary of that. He said oftentimes Supervisors were asked why they did their jobs, and the answer for him had always included that he got to take certain votes that he had great pride and joy in making the vote for, and appointing Mr. Reeves was one of those times. He congratulated him on earning the position, and they looked forward to his service.

Ms. Price said when she first moved there a few years ago, she had interactions with the Albemarle County Police Department, and at that time, Mr. Reeves' professionalism came through. She said now as a Supervisor for two years, she had been able to interact with him on a much more frequent basis as he had responded to countless inquiries from their community members. She said of "service to God, country, and family" that Mr. Reeves exemplified all three qualities. She said he was an army veteran who was deployed and came back to the Police Department to work his way up through the ranks and was a success story for Albemarle County. She said she looked forward to him moving the department forward as Chief Lance had done during his tenure.

Mr. Richardson said they had people who were at full-service retirement eligibility, and they notably left their organization and were missed. He said there were several people who came to mind who had served the County well, but in his mind, some of the most important work they did. He said the support the Board gave was tremendously helpful as they worked through this process. He said there was a balance of internal promotion and outside hire. He said there were many other County government offices who worked hard and knew how meaningful this work was. He said they were fortunate to have someone like Mr. Reeves and his skillset inside their organization. He said there would be a formal swearing in around March 1st and they would also be making plans with their Police Foundation on a formal retirement gathering for retiring Chief Lance near the end of February, so there was a lot to celebrate over the next month.

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

Mr. Richardson said he would devote his time this evening to the January 2022 snowstorm and mass power outage event. He said he was joined this evening with their Fire Chief, Dan Eggleston. He said he would be joined by Major Sean Reeves who was the key commander out of the police department during this time. He said also this evening was Doug Walker and Trevor Henry out of the County Executive's Office. He said he would discuss some of the data beginning from last Wednesday up to the present.

Mr. Richardson said he would begin by saying last Wednesday, January 3rd, was day three of the snowstorm and the mass power outage event. He said they shared at the Board's meeting that day their initial assessment of the extent of the damage and expectations for power restoration. He said that was based on the information they had received from their energy providers at that time. He reminded the Board that they had approximately 55,000 homes that were connected to their four energy providers in Albemarle County. He said the largest by a substantial margin was Dominion Energy, which carried about 84% of those 55,000 homes in Albemarle. He said at the peak of the storm's power outage event, 70% of Albemarle County's 55,000 energy customers were without power.

He said that storm began on Monday morning and created about ten inches of snow within a six-hour period. He said because it was such a wet and heavy snow, as well as being spread throughout so much of Virginia, Dominion Energy stated at their peak that they had 400,000 customers without power. He said initially, 70% of Albemarle County was without power, and by Wednesday afternoon, 40% of the County remained without power. He said it was important to note that on Wednesday morning, when they

saw the initial estimates of power restoration not being met by the energy providers, on Wednesday morning they made a conscious decision that they were going to go ahead and open warming shelters, which took until 4:00 p.m. that afternoon.

Mr. Richardson said they were told on Tuesday that the bulk of power customers would have restored power by Wednesday afternoon. He said they then understood that was not going to be the case, and they began to change their emergency management planning as he had described by standing up warming centers that went through Friday. He said by Friday, 20% of the County remained without power, and they began to expand their footprint both in facilities and in plans to offer those services throughout the weekend, including showers and charging stations, as well as the steps to make sure they were adequately staffed throughout the weekend. He said on Saturday morning, only 1% of the County remained without power, but in reality, that 1% was about 628 homes. He said several Board members were included in that number, which continued until the sixth day of restoring power.

Mr. Richardson said on Sunday, they decided that by Monday morning, there would be a plan put in place to personally reach out to every energy customer who had not had their power restored, or those who had been without power for one week. He said most of the day Sunday was spent coordinating with energy providers, which took a significant amount of their information technology, finance, and real estate personnel who were helping to give an accurate indication going into Monday of where those customers were and how they could get in touch with those customers. He said they were hoping the majority of contacts would be by phone, but they were preparing through Chief Eggleston and Major Reeves to have the ability to personally go to each address of the people necessary to make a personal contact on Monday, which at that point in time would be classified as a safety and wellness check.

Mr. Richardson said on Monday, there were 143 households without power. He said twelve teams from ACPD and ACFR called or visited every house to see what individualized the County and their partner agencies could provide. He said their emergency management planning was hampered at the beginning of this storm by a lack of accurate data from the energy providers that served their County. He said their estimated service restoration times that were posted on the web and provided in conversation with management in the first few days were not close to being accurate. He said that made it difficult for customers to make plans and made it difficult for the local government, who was primarily responsible for the emergency management planning and operations of this County when there was an event like this, to bring the right resources at the right time. He said he would be remised if he did not say that during Tuesday and Wednesday last week, they were battling a significant spike in covid cases, so he had a significant hesitancy for setting up overnight emergency shelters if it was not necessary because the spike in the Omicron variant was the highest they had seen since the beginning of the covid outbreak. He said they were also grappling with that and doing what they thought was best for the community, but also having sensitivity from a public safety standpoint to realize that if there was mass sheltering, they would have to be extremely cautious in how they approached it.

Mr. Richardson said their energy providers knew how that hampered them. He said they visited with the energy providers late last week and explained the criticality of receiving accurate information early in a long-term storm event like what was experienced last week. He said they ended the week with management from all four of their power companies and continued to engage with them. He said they would continue to engage with them in the weeks ahead about the criticality of what he had brought up this evening. He said the line workers that were out in the field last week did a phenomenal job, and many of them who worked for these companies worked 12- to 16-hour days in the cold. He said many of the local crews were leaving behind their families who did not yet have power restored, and he was sensitive to the work, danger, and circumstances for those folks because they were out in such cold and wet weather for an extended period time. He said he understood there was significant damage and destruction throughout the County, which hampered the energy companies from being able to get where they needed to be in order to make accurate assessments.

Mr. Richardson said the Chief of Fire and Rescue was present for questions if there were any. He continued that the Fire and Rescue Department, who took the lead in their emergency management planning and logistics for emergency operations, was in ongoing communication with the City and the Regional Emergency Communications Center during the first few days of the event, and they were also coordinating their internal services. He said during events of this magnitude, their focus was on the health and safety of their residents, especially those who did not have access to basic services. He said their team worked closely with the Department of Social Services to evaluate the community's pressing basic needs, which included shelter, food, and water. He said they received data from the 911 center about the types of requests coming in throughout the entirety of the storm, which helped inform them on their resource mobilization. He said potable water for drinking, non-potable water for livestock, the warming centers with Wi-Fi, shower access, and ultimately the setup of their hotline.

Mr. Richardson said human service needs for overnight shelter and food were supported using a case management approach. He said that seeking natural support networks, and where that would not work, bridging overnight temporary sheltering at reserved local hotel rooms, which they were able to accomplish. He said for their warming centers they set up, they were operated from last Wednesday through Monday evening. He said those centers served 65 individuals in Albemarle County. He said for their Monday contacts, phone contact was successful for 911 addresses, and teams made visits to 191 houses and a connection of 157 of those was made by Monday night. He said these households were located all over the 725 square miles of Albemarle County.

Mr. Richardson said any emergency operation finished with an after-action review. He said the main event of the January 2022 snowstorm after-action review was to evaluate the management,

response to the event, identify the strengths to be maintained and built on, and perhaps most importantly, to identify the areas they needed to improve in and a strategy for how to improve. He said areas of focus would include a review of their community resilience, critical transportation, infrastructure systems, mass care services, search and rescue operations, communications, and operational coordination. He said it of course required them to revisit the relationships they had with their key partners and to check in with not just the energy providers but also with key partners in order to understand and share information back and forth, because there were still things to learn. He said they spent the majority of their time focused on the energy companies because it was a loss of power event. He said staff anticipated this report would be completed by February 2022. He said that was the conclusion of his formal remarks. He said to Chair Price that Police and Fire personnel were present at the meeting as well as Mr. Walker and Mr. Henry. He asked if the Board had questions or comments they would like to make.

Mr. Andrews said he thought they got lucky, because he had not heard of any significant injuries or other aftereffects that threatened anyone. He said he was interested in those numbers on the shelters, such as how the number of 65 was distributed and what types of services they availed themselves of. He said he would like to hear more about that eventually. He said that this would continue to be a dialogue about how they could be prepared, because this would not be the last time. He said they knew things like this were going to happen and they needed to be ready. He said nothing was mentioned about the debris cleanup, and he thought it was great that there was the ability for people to bring storm debris up to the 17th at Ivy. He said they may want to consider extending that, because there had been concern about whether cleanup could happen that fast.

Mr. Richardson said he forgot to mention that Mr. Henry should address the extension of the debris program.

Mr. Henry said that was correct, and that Mr. Lance Stewart was able to work it through with the City and Rivanna to extend that to the 24th, but it needed to be publicized. He said they had worked it through yesterday and that afternoon, so it was a late-breaking announcement.

Ms. McKeel said that was something she would have suggested as well, knowing how much debris was still out there that people were dealing with. She said there were many people in the community who helped their neighbors, and it was amazing how much help the County was able to provide to people too. She said she was also interested in the data breakdown of the shelters and would like a little more information about details such as pets, and other things that were allowed or not allowed. She said she did not know if Mr. Richardson was planning on sharing their report with the Board.

Mr. Richardson said that Chief Eggleston would be working on that. He said that Ms. McKeel probably spoke for the Board in that when they were preparing that report, anything they could provide with the Board on specifics on shelters, the breakdown of day-by-day and where activity would be helpful for the Board.

Ms. McKeel said she thought it would be good to know, because they unfortunately would probably have the opportunity to face these same issues again, whether it was the same type of weather event or in a different season. She appreciated looking towards the future to find what they could do better. She said she looked forward to more information.

Ms. Mallek said she was grateful for this update and would like to learn what they had analyzed, because in 2010 and 2013, they had edited an after-action plan in Dominion's offices on Hydraulic Road after the snowstorm in 2010 and the derecho in 2013. She said she would be curious to see if anything was adopted and what the struggles were with the other events, because every time it got better. She said that she was grateful for the shelters, and some people may not think of 65 people as being a lot, but that was 65 families who were out of risk, which was very important to her, even if it was a much smaller number of people. She said she would get the information about the extension of the cleanup in a newsletter right away, and she knew they would be publicizing it as well. She said one of the challenges for the assets and obstacles, was that they were so reliant on the partners to do their job. She said they were dealing with that every day, and she did not know if the County would have better leverage than supervisors individually had, but she would share a few things she hoped they could all work together on to get a little more leverage going.

Ms. Mallek said she had been working with Felix Sarfo-Kantanka as well as his two predecessors at Dominion about maintaining their rights of way better. She said they were in constant argument with landowners who did not want to have their trees trimmed, for example an ongoing battle in White Hall, where a growing pine tree fell and hit the transformer of a neighbor's house and almost burned it all down. She said at that point, the neighbor who was responsible for blocking the clearing said to take the trees down. She said they owned the right of way and had the responsibility, but quite often dodged their job, so if they could figure out ways to get that done better, it would save them a lot of trouble. She said they each knew of properties where there were enormous trees that were only trimmed instead of working with the landowner to say to cut them down and to replant with something that would only grow to 20 feet instead of 150 feet. She said there was one line specifically that was a main feeder line along Earlysville Road where if a tree knocked the line down, it cut power from there to Boonesville. She said there were things that could be done better if they were willing to be brave and have their partners live up to their obligations.

Ms. Mallek said another concern that others may be able to weigh in on with Felix as well was that Dominion's systems, just like CenturyLink's, were not working. She said in other words, people would make daily reports of lights not working, and it would not be recorded. She said her own personal



experience was that people on the crew did not know that her neighborhood's houses were all out until the afternoon when she tracked down a truck and found that none of their houses were in the systems after five days. She said perhaps that was something the County Executive could influence to be fixed. She said another concern of hers was when there was such poor prediction of restoration times, it puts the citizens at such risk. She said if they told they would be told their power would be back on within the next day or two, they would not think to go to a hotel, and by the time they found out it would be five more days, all the rooms were full. She said she did not personally know that the County had a block of rooms, and if she did, she could have pushed that information out to people as well. She said those were things they could try to do their very best to do right the next time, which may be sooner than they wished.

Ms. LaPisto-Kirtley said that on Monday, Dominion said there would be power restored between 6 and 11, and then the next day it was 6 and 11, and then the next day. She asked if they ever gave an explanation of why it was 6 and 11 instead of saying they did not know. She said that it ultimately delayed the County's response in getting resources to their residents.

Mr. Richardson said he would try to be as fair as he could to the energy provider, because they were in contact with them frequently throughout Monday and Tuesday. He said that number one, they requested mutual aid, and he understood that, through Dominion, they received mutual aid from eight different states. He said that he was unsure of when that mutual aid request went out, but those trucks from other states were delayed from the storm. He said many states were sending assistance to them, but it took them awhile because of the issues caused by the weather, so the response times were not as good as they had hoped in terms of getting support groups in. He said it also was a widespread storm across Virginia, so Dominion's resources were taxed all through the Commonwealth, and as jobs were being completed, they were pulling staff to them and other areas in central Virginia, because they were one of the most affected areas in the state. He said Dominion said it was the hardest-hit area anywhere in the Commonwealth, so they certainly were saying to bring in crews. He said they were doing a lot of restoration estimations based on historical data to his understanding. He said he saw Chief Eggleston nodding his head and said he may have a better understanding of this data. He said that they were looking at historical data on storm outage times and restoration times. He said they had data analysis and things going on, but the problem with that was when they looked at it in bulk across the County, it overstated how quickly the majority of the County would be back in service.

Mr. Eggleston said they understood that Dominion's estimate was based on similar jobs from previous outages and was not based on an assessment of that outage, and an estimate would be developed from there. He said this was different from what they were led to believe, and did hamper a lot of their planning, because they understood that a large majority of people planned to be brought back online, when in fact they were not for a couple of days. He said since then, they had learned a lot about that, and would certainly adjust their emergency planning accordingly.

Ms. LaPisto-Kirtley said her next question was about the debris cleanup at the Ivy station. She asked if they could take debris like trees and such, and it was free for owners but not for commercial entities.

Mr. Henry said that was correct.

Ms. LaPisto-Kirtley asked if someone paid for someone to clean up their yard, they would not be able to dispose of it for free.

Mr. Henry said it was free for residents of the County. He said if it was a commercial activity, it was not free.

Mr. Gallaway asked when something was just across a jurisdictional line, such as a major tree that was down on a major road that was just outside of the County, was that something that should be reported to the County if it was a thoroughfare that County residents drove through. He said he drove seven miles to work and left the County, went through the City, and was back in the County. He said he was struck that he did not know the answer to that question or who he should direct that question to.

Mr. Eggleston said he would recommend calling the County for that matter. He said they often worked on those fringe areas that affected the residents of Albemarle, and that incident should be reported to the incident to the ECC who would dispatch someone to take a look at it.

Mr. Gallaway said a lot of emails received during the power outages were talking about redundancy, which was even discussed with CenturyLink. He asked if they had any jurisdictional authority to require redundancy in a new development as it was going in, or if it was left up to the developer to figure out.

Mr. Walker said the short answer was that it was up to the developer working directly with the power companies with respect to how it would serve those developments with energy. He said he posed that question because he saw it earlier in a communication out from Supervisor Gallaway to CDD. He said they would do more research on that to see the extent to which they could affect, influence, or inform that work as it related to the relationship between the County, the developer, and its service providers.

Mr. Gallaway said that for some applications, they were in critical spots. He said what came to his mind were the rezonings that often came before the Board, and utility lines and utility infrastructure that was in a point that was critical to other communities, that redundancy question should probably be a topic during the land use application if it could be. He said he did not know enough, and he suspected that was

the answer, but like he said, to see if there was any influence that could be had down the road. He commented that he could not remember which County Executive's report it was, but recently they had pictures of people doing the chainsaw training, which received a bit of comment as to why they had people doing that, and now only a month or two later he was certain much of that training was put to good use.

Ms. Price said their community had been challenged in the past few years between the pandemic and a number of significant storms that had hit them. She said the Board of Supervisors set policy, but where the rubber meets the road was with the Office of the County Executive and the staff. She said they did not deliver the mail, clear the roads, provide electricity, internet, or phones, but they had to respond when those services were not being provided. She said not only did County staff respond exceptionally well, but their community members did as well. She said while they may have criticism on projected restoration services, Dominion's line crews did a great job.

Ms. Mallek asked if she was correct that all new developments had to have their powerlines underground.

Mr. Walker said he would check on that question specifically. He said what he was talking about today was redundancy and the relationship between the work the County did in site development and the relationship between the developer and the power companies themselves. He said he would add that to their list of questions to follow up on.

Ms. McKeel said she had lots of people contact her who said that they wished they had underground utilities. She said the truth of the matter was that there were a lot of neighborhoods that did have underground utilities who were still without power, so it was not a perfect fix. She said she did appreciate the ability to put them in the ground because it helped to a certain degree. She said she would like them to take a look at their leverage to get those underground utilities, to be able to run other utilities in that same trench, as Mr. Gallaway had mentioned earlier. She said it would make a big difference if they could make that happen.

Mr. Gallaway said he thought the cost savings for them would be enough.

Ms. McKeel said that for people listening, Dominion Power had a program where they installed lines underground in neighborhoods based on how often they had lost power. She said the neighborhoods that lose power a lot were on the priority list. She said over the last five years, they had done this for two neighborhoods in her district. She said both of those same neighborhoods were without power during this storm, so it would not always work, but it was helpful. She said the other thing she heard was that there was a big problem of transformers blowing when the energy company was trying to get someone's energy back on and quickly the transformer blew and was out again until they could permanently replace the transformers.

Ms. Price said they got the information out, and she thought that was something they would have to go to the companies on. She said about the multi-utilities in a single trench, there were single requirements that required not too close a connection in distance between things like electricity, gas, and some electrical lines needed to be shielded, so it was not as simple as putting them in a single trench.

Ms. Mallek added that with separate rights of way for the separate companies, it took new legislation being passed for Dominion to be required to share their rights of way with broadband providers. She said that happened only two years ago or so. She said that now that there were new activities underway in this area, improvements could be made with that. She said she was glad to know there was underground utility installation in the County because people were paying for it. She said she hoped the critical feeder lines would be put underground soon.

Ms. Price clarified that the effective date of Major Reeves' appointment as Chief of Police would be March 1st.

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

Ms. LaPisto-Kirtley read the protocol for public comment.

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Mr. Kent Schluskel introduced himself as a resident of Rio District. He said as a chairman of the Delaware Trails Committee, they established approximately six miles of trails throughout the community for the enjoyment of residents in Dunlora. He said they rent, for \$1 a year, a trail to the RTF that runs through Dunlora for public use, and they maintained that trail also. He said the RTF trail paralleled the fifteen acres of clearcutting that took place last year for expansion of Belvedere. He said with the rearrangement of the topography of the fifteen acres, they now had a stream cutting across Dunlora property with runoff from the new development. He said more importantly, the County continued to allow developments to clearcut in the name of progress. He said he would maintain that this was contrary to the environmental goals of the County. He said trees were the most important element of environmental goals and were the most earth friendly. He said according to the Department of Agriculture, one acre of mature trees provided four tons of oxygen and absorbed six tons of carbon dioxide as well as other pollutants. He said this was enough oxygen for a year for eighteen people.

Mr. Schlusel said the Amazon rainforest had been responsible for 20% of the oxygen produced in the world. He said trees were nature's only source of oxygen. He said fifteen acres of clearcut was the equivalent of driving 390,000 miles in a year. He said the clearcutting of fifteen acres meant that they cut off oxygen for 270 people. He said he hoped they understood the importance of the trees. He asked why they allowed developers to destroy all the trees where they built. He said the developments on 29 North, 5th Street and elsewhere were clearcut. He said when Dunlora was built, that was not the case. He asked why it had changed. He said they forced the developers to have green space, however he wanted to know if they had really looked at those green spaces. He said it normally meant there was not a building and parking lot on a parcel of land.

Mr. Schlusel said in Dunlora, they had worked with the Rivanna Conservation Alliance and the Virginia Department of Forestry who had recently planted 2,725 trees and shrubs on nine acres. He said they shortly would be doing another reforestry project on 4.5 acres for the Department of Forestry. He said the fields where the trees were planted probably had not seen a tree since before the Civil War. He said they had tried to work with the County, but the bureaucracy had made it difficult. He said they also learned that the County wanted to keep the restoration points and give them to developers for future projects. He said when they asked if Dunlora could keep the restoration points, the County told them it would cost them thousands of dollars to get into the so-called system. He said they found they could do the job themselves, and working with the RCA and Department of Forestry, the project was completed. He said the County seemed to be more interested in gaining control over the land than improving the environment. He asked what the rest of the County and the Board of Supervisors doing to plant trees and improve the environment.

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Ms. Judy Schlusel introduced herself as a resident of the Rio district and member of the Rio-29 CAC, as well as the liaison to the Dunlora HOA. She said they in the Rio corridor had received many conflicting answers to questions, which in turn created rumors. She said that who best could squelch rumors, but the experts associated with the Rio Corridor Study. She said in her position as a CAC member and liaison, she approached the experts associated with the Rio Corridor Study and would share some of the information in order to hopefully assist them in making informed decisions when development requests came before them. She said to please remember the words "safety or cost." She said the experts were asked about the crosswalk safety in a form-based code meeting, residents were given the opportunity to voice which types of crosswalk markings were appealing, would there be any crosswalk markings on the Rio roadway similar to those around UVA grounds and on McIntire near McDonald's, would there be any streetlights for crosswalks so pedestrians would be visible.

Ms. Schlusel said the experts' answer was "There are no mid-block crossings as part of the current Rio Road sidewalk project, however, they were adding two signalized pedestrian crossings at the stoplight at Pen Park Road on north and west sides of the intersection. There would also be new, unsignalized crossings at Towne Lane and Dunlora Drive. All of these crosswalk markings incorporate the two parallel lines styles. No streetlights were included in this project's scope of work for Rio Road." She said that was a concern because Rio Road was a country road with no streetlights, therefore it was extremely dark. She said consideration should be given to some kind of blinking light similar to those around UVA grounds and on McIntire near McDonald's to ensure the safety of the intersection for those citizens who wanted to cross from one side of the road to the other.

Ms. Schlusel said the use of public transportation should be encouraged, however, if a citizen lived on the other side of the road from the bus stop, there was no assurance of safely crossing with a posted speed of 40 miles per hour. She said vehicles traveling this dark country road needed visual assistance before somebody stepped into the road. She said she was currently waiting for additional answers to questions. She said they were "who would be responsible for the maintenance of the greenery near the sidewalk?" She asked if they remembered the junipers on Rio Road that no one had ownership over. She said the crosswalk at Dunlora Drive attached to a sidewalk near Rio Point. She asked if the line of sight would be changed at Dunlora Drive and Rio Road. She said for them to please look at all types of scenarios and to question the expert why more safety features would not be incorporated onto Rio Road. She said she asked and received several answers to questions regarding the Rio Corridor study. She said as time went on, she would be sharing the experts' answers to perhaps give them additional knowledge so they would be able to ask questions like what drove the experts to make a particular decision and whether it was for safety or cost.

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Agenda Item No. 17. **Public Hearing: ZTA202100003 Bonus Densities.**

PROJECT: ZTA202100003 Bonus Densities.

Public Hearing on Zoning Text Amendment to Condense and Clarify Bonus Density Provisions. This proposed ordinance would amend the following sections of County Code Chapter 18 (Zoning): Sections 18-2.4 (Intent of bonus factor provisions) and 18-32.7 (Minimum standards for improvements) - to consolidate and simplify the bonus factors currently repeated separately in each zoning district's regulations, and align the bonus factors with existing regulations in the ordinance; Sections 18-12.3 (Area and bulk regulations), 18-12.4 (Bonus factors), 12-13.3 (Area and bulk regulations), 18-13.4 (Bonus factors), 18-14.3 (Area and bulk regulations), 18-14.4 (Bonus factors), 18-15.3 (Area and bulk regulations), 18-15.4 (Bonus factors), 18-16.3 (Area and bulk regulations), 18-16.4 (Bonus factors), 18-17.3 (Area and bulk regulations), 18-17.4 (Bonus factors), 18-18.3 (Area and bulk regulations), 18-18.4 (Bonus factors) – to eliminate repetitive text; and Section 18-3.1 (Definitions) - to clarify and codify existing practice..

The Executive Summary forwarded to the Board states that in a presentation to the Board on May 5, 2021, Community Development staff proposed adding a Zoning Text Amendment (ZTA) to the work program towards the goal of "Bonus densities clean-up, including implementing Housing Policy bonus." Following staff discussions, this proposed ZTA was recommended to be addressed as two separate ZTA's, the first of which would address the "clean-up" of the ordinance, and the second of which would implement the Housing Policy. On August 18, 2021, the Board adopted a Resolution of Intent to "condense and clarify the bonus density provisions available in residential zoning districts, and to align the standards for all zoning districts for consistency with existing ordinances." At its meeting on October 5, 2021, the Planning Commission unanimously voted to recommend approval of the "clean-up" ordinance, ZTA 202100003.

The proposed ordinance would reorganize the density bonuses available throughout the text of the Zoning Ordinance to consolidate the regulations into a central location and standardize the language of the bonuses through the residential zoning districts.

The Planning Commission made multiple suggestions regarding future work on the revision of bonus density regulations, focusing heavily on the incorporation of stronger tree protections, the use of green building materials and strategies, and encouraging the use of renewable energy and passive solar design. The Commission also requested that the future ZTA incorporating the new Housing Policy include thorough research and revision of the standards for bonus densities available for the use of manufactured homes as affordable housing. The Commission noted a typo in the draft ordinance, which has been corrected, but had no other concerns about or suggested changes to the proposed ordinance.

Following the Planning Commission meeting, staff was alerted that the federal affordable housing programs previously administered by the Farmers Home Administration are now administered under the USDA Rural Development program. The references to the Farmers Home Administration in the attached proposed ordinance have been updated to reflect that change. In addition, staff also (a) addressed the existing gap in Section 2.4.3 for wooded areas between 19 and 20 percent and (b) updated the subsection cross-references in Section 2.4.5(b)(7).

Staff recommends that the Board adopt the attached proposed Ordinance (Attachment D).

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Senior Planner Leah Brumfield introduced herself and said she would be presenting staff's recommendation as well as the Planning Commission's recommendation for zoning amendment 2021-00003, Bonus Densities Cleanup, which served as one of the first steps for zoning modernization work they had planned and as they had seen on the work program. She said this public hearing had been postponed from its originally scheduled date of December 15th due to scheduling issues. She said this ZTA was outlined in the 2022 work program under the zoning modernization initiative. She said they had been gaining momentum in the work, and Rebecca Ragsdale had brought to them the special exceptions and waivers cleanup on December 1st. She said this particular ZTA was a cleanup-type that they had been doing for the past couple of years and was more focused on modernizing and streamlining the ordinance.

Ms. Kilroy said her presentation was not shown on the screen.

Ms. Brumfield said the previous slide was just the title slide, so nothing was missed there. She said the zoning modernization section was outlined in a yellow box on the slide. She said this was "initiative D, bonus densities cleanup, including housing policy bonus." She said the ZTA before them today was the first part of this initiative where they were making this section of the ordinance easier to read and consolidating a lot of the information into one section in preparation for the second half, which would be another ZTA intended to bring definitions and policies of the actual housing policy into the ordinance. She said the resolution of intent for that ZTA would be before the Board around March or April depending on scheduling. She said adoption was estimated for the second quarter of 2022. She said before addressing the definitions and housing policy bonus, these particular changes would make the ordinance clearer and simpler to read.

Ms. Brumfield said this public purpose of this ZTA was again part of a larger push within their zoning modernization initiative. She said they were prioritizing County housing goals and teeing up the regulations for future work, general clarity, and understanding of the ordinance. She said the history of this was that on August 18th, the Board adopted a resolution of intent for this bonus density regulation text amendment. She said they were trying to eliminate repetitive text, eliminate bonuses that were required already somewhere else in the ordinance, and consolidate and reduce inconsistencies throughout the text. She said on October 5th, at a Planning Commission public hearing, the Commission unanimously recommended approval, and also proposed an additional work for additional housing bonuses that the County might consider targeting green infrastructure, sustainable building materials, and renewable energy sources, among others.

Ms. Brumfield said following anticipated adoption of the ZTA, staff were bringing forward part two of initiative D, which was examining bonuses available and analyzing them against housing policy goals, suggesting changes to bring those goals into the ordinance, and encourage the type of development that they were looking for in the housing policy. She said the summary of the ZTA before them today was reformatting regulations. She said they were moving towards tables to make sense of the ordinance that was across different zoning districts and that had slightly different zoning regulations for different sections. She said that would be removing repetitive text. She said right now, they had nearly identical

text in every single zoning district's ordinance section. She said they also were looking to create consistencies. She said the text was largely the same between districts, but now they would be completely the same.

She said they were also requiring that affordable housing used to qualify for bonus densities was maintained for ten years in all districts, because some had listed fewer years. She said they also increased the maximum bonuses to 50% increase in all districts. She said these were small inconsistencies throughout all the districts. She said in the current ordinance, they were encouraging non-interconnected streets in certain developments, which directly contradicted their regulations in the subdivision ordinance and in the site plan regulations where they required interconnected streets and currently offered bonuses for street trees, which was already required, so needed to be removed from the ordinance.

Ms. Brumfield said the future work they were looking towards in this ordinance included bringing the affordable housing bonus densities ZTA to them soon. She said they were looking at the resolution of intent on that in March and there would be a PC hearing in April or May, followed by the Board of Supervisors' meeting in May or June. She said additionally, they kept in mind that this ROI had come forward and they had worked on bonus densities that were already in this ordinance, but that they were looking forward to additional Albemarle County housing policy initiatives. She said they were working with the housing planner, Stacy Pethia on the potential form larger density bonus options that was completely optional and was an opt-in for higher standards of affordable housing as well as additional development criteria. She said there was a higher risk and higher reward with that, and there would be a work session about the topic in the coming months as well. She said it would be separate from the ZTA that would be coming to them with the resolution of intent in March. She said that concluded staff's formal presentation.

Ms. Mallek asked if it were in this phase or a later phase when they could discuss having something higher than the required percentages of affordable units. She said there may be broad agreement that there should be more moderately priced things than more expensive things. She said she was unsure if they had made sure there was enough detail to make that happen.

Ms. Brumfield said she could address a little bit of it, and if they went in depth, she would need to call in Dr. Pethia to address it as she was the expert on the subject matter. She said as far as this particular ZTA and the things that staff were bringing forward, everything that they had discussed today was voluntary and none of it was required. She said these were additional bonuses that developers could opt into. She said right now, the ones that they were discussing as far as the ROI in March, they were looking at that as a smaller bonus option. She said the additional opt-in overlay that Dr. Pethia would bring to them later would again be optional. She said they would not be making anything required, but those things would be permitted and encouraged to be used by offering more incentives as opposed to requiring it as they did in rezonings. She said she did not know if Dr. Pethia had any more information on that.

Dr. Pethia introduced herself as Stacy Pethia, housing policy manager. She said the overlay district they were looking at potentially bringing forward to them was something she had worked on with developers for the last couple of months. She said it offered additional incentives beyond bonus densities if they provided greater than 20% affordable housing in their developments. She said that overlay was a stopgap measure until they worked through the entire zoning code and comprehensive plan rewrites, so the plan was to work with the planning staff moving forward to come up with something permanent. She said they could definitely address those higher affordability, higher number of units, and additional incentives for bringing more units online. She said that was definitely in the future.

Ms. Mallek said she cringed every time they saw a new application for five hundred units knowing it was under the current rules, which did not help them for very long.

Mr. Gallaway asked if saying "tracking with the ROIs" if they were speaking about the incentive piece of the housing policy that had yet to be ironed out, and bonus densities would be part of that incentive package along with other incentives. He asked if that was correct.

Ms. Brumfield said they did not have any dates for the ROI for the overlay. She said they did have the estimated dates for the ZTA that would have some incentives but was not a major overhaul of affordable housing and housing policy bonuses. She said that was what they were looking for with the timeline of a March ROI with June adoption. She said they had not put forward any dates for the larger work yet, and obviously the comprehensive plan was ongoing.

Mr. Gallaway said they adopted the housing policy which had new numbers in it regarding percentages. He said the first step was to clean up inconsistencies under the old plan. He asked if it would not also just go ahead and enter the numbers that they adopted in the housing policy as well, or if that would be a separate step.

Ms. Brumfield said she now understood what he was asking. She said yes, that was bringing in the numbers and definitions from the housing policy that was most recently adopted. She said that yes, that was the March ROI that they were looking at.

Mr. Gallaway said there was a separate track running of getting these incentives figured out for the housing policy, because the incentives were bigger than just bonus densities.

Ms. Brumsfield said that was correct, and there was a collaborative process with the local developers, property owners, as well as all the interest groups that were involved in this.

Mr. Gallaway asked if they had a rough date on that yet.

Ms. Pethia said she was currently scheduled to bring that to them next month during the second meeting of the month. She said she needed to change it to a work session because she wanted to discuss it with all of them and make sure they were on the right track before they brought something final.

Mr. Gallaway said he thought February was what he had remembered, so he was glad they were staying on track with that.

Noting that there were no speakers from the public, Ms. Price closed the public hearing and placed the matter before the Board.

A **motion** was offered by Ms. McKeel to adopt the proposed ordinance.

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

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

NAYS: None.

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#### **ORDINANCE NO. 22-18(1)**

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE I, GENERAL PROVISIONS, AND ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article I, General Provisions, and Article III, District Regulations, is hereby amended and reordained as follows:

#### **By Amending:**

Sec. 2.4.1 - Application of bonus factors.  
Sec. 2.4.2 Procedures – Generally  
Sec. 12.3 Area and bulk regulations  
Sec. 12.4.1 Environmental standards.  
Sec. 12.4.2 Development standards.  
Sec. 12.4.3 Low and moderate cost housing.  
Sec. 13.4.1 Environmental standards.  
Sec. 13.4.2 Development standards.  
Sec. 13.4.3 Affordable housing.  
Sec. 14.4.1 Environmental standards.  
Sec. 14.4.2 Development standards.  
Sec. 14.4.3 Affordable housing.  
Sec. 15.4.1 Environmental standards.  
Sec. 15.4.2 Development standards.  
Sec. 15.4.3 Affordable housing.  
Sec. 16.4.1 Environmental standards.  
Sec. 16.4.2 Development standards.  
Sec. 16.4.3 Affordable housing.  
Sec. 17.4.1 Environmental standards.  
Sec. 17.4.2 Development standards.  
Sec. 17.4.3 Affordable housing.  
Sec. 18.4.1 Environmental standards.  
Sec. 18.4.2 Development standards.  
Sec. 18.4.3 Affordable housing.

#### **By Adding:**

Sec. 2.4.3 Environmental Standards Bonus Factors  
Sec. 2.4.4 Development Standards Bonus Factors  
Sec. 2.4.5 Affordable Housing Bonus Factors

#### **By Repealing:**

Sec. 12.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 13.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 14.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 15.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 16.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 17.4.4 The cumulative effect of density factors above may not exceed 50 percent.  
Sec. 18.4.4 The cumulative effect of density factors above may not exceed 33 percent.

**Chapter 18. Zoning**

**Article I. General Provisions**

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**Section 2 Application of Regulations**

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**Sec. 2.4.1 - Application of bonus factors.**

Bonus factors will be applied to the gross density-standard level in accordance with the regulations of the applicable district, except that (a) the resulting density shall not exceed the recommended density shown in the comprehensive plan and (b) the cumulative effect of all density factors may not exceed 50 percent.

Unless otherwise specifically provided, bonus factors shall not be permitted for any improvement or design feature required by this ordinance, Chapter 14 of the Code of Albemarle, or any other applicable law or regulation. Where permitted, bonus factors shall be applied in toto only.

(§ 20-2.4.1, 12-10-80; 8-14-85; § 18-2.4.1, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

**Sec. 2.4.2 Procedures—Generally.**

Bonus factors may be applied at the time of subdivision or site development plan approval, whichever is applicable. The applicant must submit preliminary plats or site development plans which must be of sufficient detail to permit preliminary determination of probable bonus factors by the staff.

Following the approval of a plan or plat which utilizes a bonus provision, such density increase will be reflected and retained in official County records.

(§ 20-2.4.2, 12-10-80; 8-14-85; § 18-2.4.2, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

**Sec. 2.4.3 Environmental Standards Bonus Factors**

- a. Environmental standards bonus factors apply to the following zoning districts:

BONUS FACTORS - ENVIRONMENTAL STANDARDS		
STANDARD	If existing wooded areas equal to at least 10 percent but less than 20 percent of the site*are maintained	If existing wooded areas equal to 20 percent or greater of the site* are maintained
DENSITY INCREASE	A density increase of 5 percent will be granted	A density increase of 10 percent will be granted
DISTRICT		
VR	X	X
R-1	X	X
R-2	X	X
R-4	X	X
R-6	X	X
R-10	X	X
R-15	X	X
*In order to qualify for this bonus, a conservation plan as specified in section 32.7.9 must be submitted.		

(Ord. 22-18(1), 1-12-22)

**Sec. 2.4.4 Development Standards Bonus Factors**

a. Development standards bonus factors apply to the following zoning districts:

BONUS FACTORS - DEVELOPMENT STANDARDS		
STANDARD	If road improvements to secondary or primary roads not otherwise required by this ordinance or Chapter 14 of the Code of Albemarle are provided	If land not otherwise required by law is dedicated* to public use,
DENSITY INCREASE	Up to 20 percent will be granted	The acreage of the land will be multiplied by twice the gross density standard level, and the resulting number of dwellings may be added to the site, up to a 15 percent increase
DISTRICT		
VR	X	
R-1	X	X
R-2	X	X
R-4	X	X
R-6	X	X
R-10	X	X
R-15	X	X
*The dedication must be accepted by the board of supervisors prior to final approval.		

(Ord. 22-18(1), 1-12-22)

**Sec. 2.4.5 Affordable Housing Bonus Factors**

a. Affordable housing bonus factors apply to the following zoning districts, subject to the applicable standards of subsection b:

BONUS FACTORS – AFFORDABLE HOUSING		
STANDARD	If at least one-half of the additional housing units allowed by this density bonus are developed as affordable housing units	If at least 30 percent of the number of units achievable under gross density-standard level are developed as low or moderate cost units
DENSITY INCREASE	Up to 30 percent will be granted	
VR		X
R-1	X	
R-2	X	
R-4	X	
R-6	X	
R-10	X	
R-15	X	

**b. Affordable housing standards**

1. The initial sale price for sale units or the rental rate for a period of at least ten years for rental units must qualify as affordable housing under either the Virginia Housing Development Authority, USDA Rural Development program, or Housing and Urban Development housing choice voucher program.
2. If rental units, the developer must enter into an agreement with the County of Albemarle restricting the rental rates of the affordable units for a period of at least ten years or until the units are sold as affordable units, whichever comes first.
3. If sale units, the developer must provide the County of Albemarle with confirmation of the initial sale price for the affordable units prior to the issuance of building permits for the bonus units.
4. Manufactured homes for rent in an approved manufactured home park may be considered rental units under this section provided they qualify as affordable housing under the Housing and Urban Development housing choice voucher program.
5. Manufactured home lots for rent in an approved manufactured home park may qualify for this bonus provided the developer enters into an agreement with the County of Albemarle that the lots will be available for rent to manufactured home owners for a period of at least ten years.
6. Manufactured home lots for sale in an approved manufactured home subdivision may qualify for this bonus provided the developer restricts the use of the lots to manufactured homes or other affordable housing for a period of at least ten years.



- 7. The decision to extend the periods beyond the ten year minimum provided in subsections (b)(1), (b)(2), (b)(5), and (b)(6) will be at the sole discretion of the developer.
- 8. The occupancy of the affordable units must be restricted to those households with incomes at or below 80 percent of the area median income for for-sale units and at or below 60 percent of the area median income for rental units. Prior to issuance of the first certificate of occupancy for a building providing affordable rental units, the developer must enter into a rental rate agreement with the County, that delineates the terms and conditions pertaining to rental rates, occupancy and reporting during the minimum ten year period.

(Ord. 22-18(1), 1-12-22)

ARTICLE III – District Regulations

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SECTION 12 - Village Residential - VR

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Sec. 12.3 Area and bulk regulations.

AREA AND BULK REGULATIONS

REQUIREMENTS	STANDARD LEVEL		BONUS LEVEL	
	CONVENTIONAL DEVELOPMENT	CLUSTER DEVELOPMENT	CONVENTIONAL DEVELOPMENT	CLUSTER DEVELOPMENT
Gross density	0.7 du/acre	0.7 du/acre	1.05 du/acre	1.05 du/acre
Minimum Lot Size	60,000 sq ft	40,000 sq ft	40,000 sq ft	25,000 sq ft
Minimum frontage:				
public, private	130 feet	110 feet	110 feet	90 feet
Yards, minimum:				
Front	25 feet	25 feet	25 feet	25 feet
Side	15 feet	15 feet	15 feet	15 feet
Rear	20 feet	20 feet	20 feet	20 feet
Maximum structure height	35 feet	35 feet	35 feet	35 feet

(§ 20-12.3, 12-10-80; § 18-12.3, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22; Ord. 22-18(1), 1-12-22)

Sec. 12.4 Bonus factors. (Reference 2.4)

Sec. 12.4.1 Environmental standards.

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-12.4.1, 12-10-80; 8-14-85; 9-9-92; § 18-12.4.1, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

Sec. 12.4.2 Development standards.

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-12.4.2, 12-10-80; 8-14-85; § 18-12.4.2, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

Sec. 12.4.3 Affordable housing.

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 20-12.4.3, 12-10-80; 8-14-85; 3-5-86; § 18-12.4.3, Ord. 98-A(1), 8-5-98; Ord. 18-18(1) , 1-10-18; Ord. 22-18(1), 1-12-22)

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SECTION 13 - Residential – R-1

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Sec. 13.4 Bonus factors. (Reference 2.4)

Sec. 13.4.1 Environmental standards.

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-13.4.1, 12-10-80; 8-14-85; 9-9-92; § 18-13.4.1, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

Sec. 13.4.2 Development standards.

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-13.4.2, 12-10-80; 8-14-85; § 18-13.4.2, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

Sec. 13.4.3 Affordable housing.

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 13.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

....

## **SECTION 14 - Residential – R-2**

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### **Sec. 14.4 Bonus factors. (Reference 2.4)**

#### **Sec. 14.4.1 Environmental standards.**

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-14.4.1, 12-10-80; 8-14-85; 9-9-92; § 18-14.4.1, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

#### **Sec. 14.4.2 Development standards.**

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-14.4.2, 12-10-80; 8-14-85; § 18-14.4.2, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

#### **Sec. 14.4.3 Affordable housing.**

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 14.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

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## **SECTION 15 - Residential – R-4**

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### **Sec. 15.4 Bonus factors. (Reference 2.4)**

#### **Sec. 15.4.1 Environmental standards.**

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-15.4.1, 12-10-80; 8-14-85; 9-9-92; § 18-15.4.1, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

#### **Sec. 15.4.2 Development standards.**

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-15.4.2, 12-10-80; 8-14-85; § 18-15.4.2, Ord. 98-A(1), 8-5-98; Ord. 22-18(1), 1-12-22)

#### **Sec. 15.4.3 Affordable housing.**

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 15.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

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## **SECTION 16 - Residential – R-6**

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### **Sec. 16.4 Bonus factors. (Reference 2.4)**

#### **Sec. 16.4.1 Environmental standards.**

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-16.4.1, 12-10-80; 8-14-85; 9-9-92; Ord. 22-18(1), 1-12-22)

#### **Sec. 16.4.2 Development standards.**

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-16.4.2, 12-10-80; 8-14-85; Ord. 22-18(1), 1-12-22)

#### **Sec. 16.4.3 Affordable housing.**

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 20-16.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

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## **SECTION 17 - Residential – R-10**

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### **Sec. 17.4 Bonus factors. (Reference 2.4)**

**Sec. 17.4.1 Environmental standards.**

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-17.4.1, 12-10-80; 8-14-85; 9-9-92; Ord. 22-18(1), 1-12-22)

**Sec. 17.4.2 Development standards.**

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-17.4.2, 12-10-80; 8-14-85; Ord. 22-18(1), 1-12-22)

**Sec. 17.4.3 Affordable housing.**

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 20-17.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

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**SECTION 18 - Residential – R-15**

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**Sec. 18.4 Bonus factors. (Reference 2.4)**

**Sec. 18.4.1 Environmental standards.**

Environmental standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.3.

(§ 20-18.4.1, 12-10-80; 8-14-85; 9-9-92; Ord. 22-18(1), 1-12-22)

**Sec. 18.4.2 Development standards.**

Development standards bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.4.

(§ 20-18.4.2, 12-10-80; 8-14-85; Ord. 22-18(1), 1-12-22)

**Sec. 18.4.3 Affordable housing.**

Affordable housing bonus factors will be applied to the gross density-standard level in accordance with the applicable regulations in Section 2.4.5.

(§ 18.4.3, 12-10-80; 8-14-85; 3-5-86; Ord. 07-18(2), 10-3-07; Ord. 22-18(1), 1-12-22)

Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Price **moved** to authorize the Chair to execute a letter of support for Travis O. Morris, certified municipal clerk, and his candidacy for International Institute of Municipal Clerk, Region II Director.

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

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

There were no committee reports.

Ms. McKeel said she appreciated staff’s hard work.

Agenda Item No. 19. Adjourn to January 19, 2022, 1:00 p.m. electronic meeting pursuant to Ordinance No. 20-A(16).

At 7:20 p.m., the Board adjourned its meeting to January 19, 2022 at 1:00 p.m., which would be an electronic meeting held pursuant to Ordinance No. 20-A(16), “An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster.” Information on how to participate in the meeting will be posted on the Albemarle County website Board of Supervisors homepage.

Approved by Board
Date 09/20/2023
Initials CKB

Chair