

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of June 7, 2023</p>		
		June 8, 2023
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:00 p.m., by the Chair, Ms. Price. All BOS members were present, with the exception of Bea LaPisto-Kirtley. Also present were Jeff Richardson, Steve Rosenberg, Claudette Borgersen and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Consensus to add for consideration sending a letter signed by the Chair to Albemarle County delegates regarding H.R. 3372 and H.R. 2948 to item #22 on the agenda. By a vote of 5:0, ADOPTED the final agenda as amended. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> Stated that that a community meeting was held the previous Friday with community members, VDOT, and County representatives regarding Plank Road and that the work to repair the bridge to make it safer for emergency travelways would proceed on the following Monday. Mentioned that he had attended an open house on AC44 phase 2 at Walton Middle School. He announced that there was another open house scheduled on the following Monday at Murray Elementary School at 5:30 p.m. and encouraged citizens to attend. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Stated the Charlottesville-Albemarle Metropolitan Planning Organization was working on a long-range transportation plan and would be starting their community outreach and engagement portion of the plan over the summer. He encouraged community members to provide input during future public meetings. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Observed that the previous day was the 79th anniversary of D-Day, June 6, 1944, and highlighted the service of Carl "Chubby" Proffitt, was Frank Peregoy, who were both young men who fought and received honors during WWII. Mentioned that that on May 22 and 23, she attended the EPA local government advisory committee meeting in Washington, D.C. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Commented that the previous week she attended the Charlottesville Business Innovation Council's gala event, at which awards for innovation in the business community and in education were given. <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> Remarked that the previous week she had attended a "Communities in Action" work session at the White House complex in Washington, D.C. 		

	<ul style="list-style-type: none"> • ADOPTED the resolution of intent. 	Development and County Attorney's office. (Attachment 5)	
8.5	<p>SE202300006 347 Greenbrier Drive PWSF Special Exception</p> <ul style="list-style-type: none"> • ADOPTED the resolution approve the special exception provided that the back of no antenna may project more than 37.5 inches from the subject facility, structure, or building. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)	
8.6	<p>SE202300011 - Starbucks Parking Special Exception.</p> <ul style="list-style-type: none"> • ADOPTED the resolution approve the special exception. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)	
8.7	<p>SE202300017 St. Anne's Sports Field Lighting Height Increase.</p> <ul style="list-style-type: none"> • ADOPTED the resolution approve the special exception subject to the conditions. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)	
9.	<p>Work Session: Commercial Solar.</p> <ul style="list-style-type: none"> • HELD. 		
	At 3:20 p.m., the Board recessed and reconvened at 3:32 p.m.		
10.	<p>Presentation: Rivanna Station Futures Update.</p> <ul style="list-style-type: none"> • RECEIVED. 		
11.	<p>Presentation: Board-to-Board, A Quarterly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.</p> <ul style="list-style-type: none"> • RECEIVED. 		
12.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> • At 4:30 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: • Under Subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation, Agricultural and Forestal District Advisory Committee, Community Policy and Management Team, Crozet Community Advisory Committee, Pantops Community Advisory Committee and Jefferson Madison Regional Library Board. 		
13.	<p>Certify Closed Meeting.</p> <p>At 6:00 p.m., the Board reconvened into open meeting and certified the closed meeting.</p>		
14.	<p>Vacancies and Appointments.</p> <ul style="list-style-type: none"> • REAPPOINTED, Ms. Barbara Barrett and Mr. Barry Blumenthal to the Region Ten Community Services Board with said terms to expire on June 30, 2026. • REAPPOINTED, Mr. Louis Falzer, Mr. Michael Fraser, Ms. Judith Joyce, Mr. Henry Light, Mr. Richard Ruffin, Mr. Michael Spatz, and Ms. Ida Lee Wootten to the Pantops Community Advisory Committee, with said terms to expire on June 30, 2025. • APPOINTED, Mr. Mike Haas to the Agricultural and Forestal District Advisory Committee, to fill an unexpired term ending April 17, 2024. • APPOINTED, Mr. Peter Morville to the Jefferson Madison Regional Library Board, with said term to expire on June 30, 2027. • REAPPOINTED, Mr. Anthony D. Townsend to the Jefferson Madison Regional Library Board, with said terms to expire on June 30, 2027. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	
15.	From the County Executive: Report on Matters Not		

	<p>Listed on the Agenda.</p> <ul style="list-style-type: none"> • There was no report. 	
16.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • There were none. 	
17.	<p><u>Pb. Hrg.: EMS Agency Permit for Non-Emergency Medical Transport.</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED resolution to issues permit to allow Delta Response Team to provide non-emergency medical transport services within the County. • By a vote of 5:0, ADOPTED resolution to issues permit to Kiwi Emergency Medical Services to provide non-emergency medical transport services within the County. 	<p><u>Clerk:</u> Forward copy of signed resolutions to Fire Rescue and County Attorney's office. (Attachments 9 and 10)</p>
18.	<p><u>Pb. Hrg.: SP202200001 Misty Mountain Camp Resort.</u></p> <ul style="list-style-type: none"> • By a vote of 3:2 (Andrews, Mallek), ADOPTED the resolution to approve SP202200001, subject to the conditions contained therein, as amended. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 11)</p>
19	<p><u>Pb. Hrg.: Ordinance to Amend County Code Chapter 2, to Provide Sign-on Incentives</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED the ordinance to provide sign-on incentives to employees in any department, as amended. 	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources, Fiance, and County Attorney's office. (Attachment 12)</p>
20.	<p><u>Pb. Hrg.: Consider Compensation for Planning Commission and Other Boards</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED the ordinance to increase the compensation of Planning Commissioners and members of the Other Boards. 	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources, Fiance, and County Attorney's office. (Attachment 13)</p>
21.	<p><u>Pb. Hrg.: Ordinance to Amend County Code Chapter 2, Administration, to Increase the Compensation of the Board of Supervisors</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED the ordinance to increase the Board of Supervisors' compensation by 4%. 	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources, Fiance, and County Attorney's office. (Attachment 14)</p>
22.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. Letter to delegates regarding H.R. 3372 and H.R. 2948.</p> <ul style="list-style-type: none"> • By a vote of 5:0, AUTHORIZED the chair to sign a letter regarding H.R. 3372 and H.R. 2948 and send it to Albemarle County congressional delegates. <p>b. Other Matters.</p> <p><u>Ned Gallaway</u></p> <ul style="list-style-type: none"> • Mentioned that on July 12, the Regional Housing Partnership would meet to work on developer incentives and would hold a second meeting if needed. <p><u>Ann Mallek</u></p> <ul style="list-style-type: none"> • Mentioned that the High Growth Coalition would hold its summer meeting on Thursday, July 13. <p><u>Diantha McKeel</u></p> <ul style="list-style-type: none"> • Commented that she wanted to get back to the discussion on how to shorten the timeframe to approve minutes. <p><u>Donna Price</u></p> <ul style="list-style-type: none"> • Remarked that she voted to approve the Misty Mountain permit because the sites in the flood plain would be in the flood plain 	<p><u>Clerk:</u> Prepare the letter for signature and send to the Albemarle County delegates after it is signed by the chair.</p>

<p>regardless of the Board's decision and that she would have moved to remove the sites in the flood plain, if possible.</p> <p><u>Jeff Richardson</u></p> <ul style="list-style-type: none"> Stated that Mr. McDermott, Dr. Pethia, Ms. Ragsdale, and Mr. Stewart would be attending the High Growth Coalition meeting. 		
<p>24. Adjourn to June 21, 2023, 1:00 p.m. Lane Auditorium.</p> <ul style="list-style-type: none"> The meeting was adjourned at 9:16 p.m. 		

ckb/tom

Attachment 1 – Proclamation Celebrating Juneteenth

Attachment 2 – Proclamation Celebrating LGBTQ Pride Month

Attachment 3 – Resolution to Approve Additional FY 2023 Appropriations

Attachment 4 – Resolution to Approve Additional FY 2024 Appropriations

Attachment 5 – Resolution of Intent Zoning Text Amendment County-Wide Certificate of Appropriateness

Attachment 6 – Resolution to Approve SE 2023-00006 347 Greenbrier Drive Personal Wireless Service Facility

Attachment 7 – Resolution to Approve SE202300011 Starbucks Parking

Attachment 8 – Resolution to Approve SE 2023-00017 St. Anne's Sports Field Lighting

Attachment 9 – Resolution to Grant Commercial EMS Agency Permit: Delta Response Team, L.L.C.

Attachment 10 – Resolution to Grant Commercial EMS Agency Permit: Kiwi Emergency Medical Services, L.L.C.

Attachment 11 – Resolution to Approve SP202200001 Misty Mountain Camp Resort

Attachment 12 – Ordinance No. 23-2(1)

Attachment 13 – Ordinance No. 23-2(2)

Attachment 14 – Ordinance No. 23-2(3)

Proclamation Celebrating Juneteenth

WHEREAS, on June 19, 1865, more than two years after the Emancipation Proclamation was signed to free all enslaved people, enslaved Americans in Galveston, Texas, were finally told that they were free from the bondage of slavery and were, for the first time, recognized as citizens of our Nation; and

WHEREAS, Black Americans came to commemorate this day as Juneteenth with celebrations across the country, building new lives and a new tradition that we honor today; and

WHEREAS, the Board of Supervisors recognizes the cultural and historical significance of emancipation and the universally cherished values of liberty and justice; and

WHEREAS, the County of Albemarle, in keeping with the core principles of the United States of America, believes that all persons are created equal and possess unalienable rights to life, liberty, and the pursuit of happiness.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize June 19, 2023, as Juneteenth to celebrate freedom, the centuries of struggle and progress for civil rights, and to commit towards ensuring an equitable, inclusive community for all.

Proclamation Celebrating LGBTQ Pride Month

WHEREAS, Lesbian, Gay, Bisexual, and Transgender Pride Month (LGBT Pride Month) is celebrated annually in June to commemorate the catalyst event of the 1969 Stonewall riots and works to achieve equal justice and equal opportunity for lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) Americans; and

WHEREAS, on April 11, 2020, the Virginia Values Act was signed into law, making Virginia the first state in the South to protect LGBTQ people from discrimination in their daily lives, including discrimination in housing, public and private employment, public accommodations, and access to credit; and

WHEREAS, Albemarle County's stated mission is to enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds; and

WHEREAS, the Board of Supervisors is committed to supporting through its actions and its partnerships the promotion of an equitable and inclusive Albemarle County that allows all members of our community to grow and thrive; and

WHEREAS, LGBTQ individuals have shaped, advanced, and enriched the fabric of Albemarle County and our nation by making immense contributions to all areas of life, including government, business, arts and sciences, medicine, law enforcement, technology, and the military.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, continue to affirm our commitment to our stated mission to enhance the well-being and quality of life of all the members of our community, and recognize with pride the rich cultural diversity and contributions of lesbian, gay, bisexual, transgender, queer and questioning (LGBTQ) residents to the vibrancy of Albemarle County.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2023 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2023046; #2023047; #2023048; #2023049; #2023050; #2023051; #2023052; and #2023053 are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2023.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 3) That Appropriation #2024001 is approved;
- 4) 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, 2024.

**RESOLUTION OF INTENT
ZONING TEXT AMENDMENT
COUNTY-WIDE CERTIFICATE OF APPROPRIATENESS**

WHEREAS, Albemarle County Code § 18-30.6.4 identifies both the types of certificates of appropriateness that the Architectural Review Board is authorized to issue, including county-wide certificates of appropriateness, and the categories of structures, sites, improvements, or architectural elements that are eligible for county-wide certificates of appropriateness; and

WHEREAS, the Albemarle County Board of Supervisors desires to establish a new category of county-wide certificate of appropriateness to enable efficient architectural review of development applications for properties on which the County has entered into a public-private partnership;

NOW, THEREFORE, BE IT RESOLVED that for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-30.6.4 and any other relevant section(s) of the Zoning Ordinance deemed appropriate to achieve the purposes described herein.

**RESOLUTION TO APPROVE
SE 2023-00006 347 GREENBRIER DRIVE
PERSONAL WIRELESS SERVICE FACILITY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2023-00063 347 Greenbrier Drive Personal Wireless Service Facility (“PWSF”) application and the attachments thereto, including staff’s supporting analysis, any comments received, all of the relevant factors in County Code §§ 18-5.1.40 and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the proposed special exception would not have adverse visual impacts.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(c) as to Parcel ID 061W0-03-00-00700, provided that the back of no antenna may project more than 37.5 inches from the subject facility, structure, or building.

**RESOLUTION TO APPROVE
SE202300011 STARBUCKS PARKING**

WHEREAS, upon consideration of the staff reports prepared in conjunction with the special exception proposal and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the relevant factors in Albemarle County Code §§ 18-4.12.2(c), 18-4.12.6, and 18-33.9, the Albemarle County Board of Supervisors hereby finds (i) that the public health, safety or welfare would be equally or better served by the proposed modification and (ii) that the proposed modification would not otherwise be contrary to the purpose and intent of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, the Albemarle County Board of Supervisors hereby approves SE202300011 Starbucks Parking to modify Albemarle County Code § 18-4.12.6 to reduce the minimum required parking on Parcel 046B4-00-00-001D1 from 60 spaces to 32 spaces.

**RESOLUTION TO APPROVE
SE 2023-00017 ST. ANNE'S
SPORTS FIELD LIGHTING**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2023-00017 St. Anne's Sports Field Lighting application and the attachments thereto, including staff's supporting analysis, any comments received, all of the relevant factors in County Code §§ 18-4.17.5 and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby finds that the maximum permitted height of a pole supporting an outdoor luminaire lighting an athletic facility under the applicable district regulations would prevent the luminaire from providing sufficient illumination of the facility for its safe use, as determined by the recommended practices adopted by the Illuminating Engineering Society of North America for that type of facility and activity.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to modify the maximum structure height limitation of County Code § 18-13.3 as to Parcel ID 06000-00-00-05700, subject to the conditions attached hereto.

RESOLUTION TO GRANT COMMERCIAL EMS AGENCY PERMIT:***DELTA RESPONSE TEAM, L.L.C.***

WHEREAS, Virginia Code § 32.1-111.14 authorizes a local governing body to grant permits to medical services agencies to operate within its jurisdiction; and

WHEREAS, Delta Response Team, L.L.C. (Delta) has submitted an application to Albemarle County Department of Fire and Rescue (ACFR) for a permit to provide non-emergency medical transport services in Albemarle County, in compliance with requirements of the Virginia Department of Health, Office of Emergency Medical Services (OEMS); and

WHEREAS, ACFR staff have reviewed the applications and determined that Delta has a current license with the OEMS, thereby meeting the minimum liability insurance coverage requirements for an OEMS license, and is in good standing with the Virginia State Corporation Commission; and

WHEREAS, granting a permit to Delta will allow it to provide valuable services to residents of Albemarle County that are not routinely provided by ACFR or the Coordinated Fire and Rescue System.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board that a permit is granted to Delta Response Team, L.L.C. for a period of two years to provide non-emergency medical transport in Albemarle County, subject to the following conditions:

1. Delta will have at all times an active license issued by the OEMS;
2. Delta will maintain minimum liability insurance coverages as required by the OEMS;
3. Delta will maintain its registration with the Virginia State Corporation Commission; and
4. Delta will obtain or maintain a business license with Albemarle County, if required.

The County Executive is empowered to issue a permit for Delta in a final form approved by the County Attorney.

BE IT FURTHER RESOLVED that, if at any time during the term of the two years, Delta's OEMS license, liability insurance coverage, SCC registration, or Albemarle County business license, if applicable, is revoked or suspended or if Delta fails to comply with federal, state, or local law or regulation, the County Executive is empowered to suspend temporarily the permit granted by this Resolution and is required, as soon as practicable, to bring the matter before the Board for consideration of revocation or further suspension of the permit.

RESOLUTION TO GRANT COMMERCIAL EMS AGENCY PERMIT:
KIWI EMERGENCY MEDICAL SERVICES, L.L.C.

WHEREAS, Virginia Code § 32.1-111.14 authorizes a local governing body to grant permits to medical services agencies to operate within its jurisdiction; and

WHEREAS, Kiwi Emergency Medical Services, L.L.C. (Kiwi) has submitted an application to Albemarle County Department of Fire and Rescue (ACFR) for a permit to provide non-emergency medical transport services in Albemarle County, in compliance with requirements of the Virginia Department of Health, Office of Emergency Medical Services (OEMS); and

WHEREAS, ACFR staff have reviewed the application and determined that Kiwi has a current license with the OEMS, thereby meeting the minimum liability insurance coverage requirements for an OEMS license, and is in good standing with the Virginia State Corporation Commission; and

WHEREAS, granting a permit to Kiwi will allow it to provide valuable services to residents of Albemarle County that are not routinely provided by ACFR or the Coordinated Fire and Rescue System.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board that a permit is granted to Kiwi Emergency Medical Services, L.L.C. for a period of two years to provide non-emergency medical transport in Albemarle County, subject to the following conditions:

1. Kiwi will have at all times an active license issued by the OEMS;
2. Kiwi will maintain minimum liability insurance coverages as required by the OEMS;
3. Kiwi will maintain its registration with the Virginia State Corporation Commission; and
4. Kiwi will obtain or maintain a business license with Albemarle County, if required.

The County Executive is empowered to issue a permit for Kiwi in a final form approved by the County Attorney.

BE IT FURTHER RESOLVED that, if at any time during the term of the two years, Kiwi's OEMS license, liability insurance coverage, SCC registration, or Albemarle County business license, if applicable, is revoked or suspended or if Kiwi fails to comply with federal, state, or local law or regulation, the County Executive is empowered to suspend temporarily the permit granted by this Resolution and is required, as soon as practicable, to bring the matter before the Board for consideration of revocation or further suspension of the permit.

**RESOLUTION TO APPROVE
SP202200001 MISTY MOUNTAIN CAMP RESORT**

WHEREAS, upon consideration of the staff reports prepared for SP 202200001 Misty Mountain Camp and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.2.2(20) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200001 Misty Mountain Camp, subject to the conditions attached hereto.

* * *

SP202200001 Misty Mountain Camp Special Use Permit Conditions

1. Development of the camp use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the conceptual plan titled "Misty Mountain Camp Resort Redevelopment – Concept Plan - Overview," prepared by Line + Grade, and dated 02/21/2023. To be in accord with the Conceptual Plan, development must reflect the following major elements within the development essential to the design of the development:
 - a. Maximum number of RV and tent campsites is 158.
 - b. Maximum number of camping cabins is 19.
 - c. Location of screening fences must be as shown on the Conceptual Plan.
 Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. No new campsites may be established within the 100-year floodplain.
3. Prior to commencing the expanded use, the permittee must provide contact information for on-site campground management to all owners of parcels within 1,000 feet of the exterior boundaries of Parcel 07100-00-00-00300 and to the Zoning Administrator. The notice must include:
 - a. A telephone number at which the on-site campground manager may be contacted at any time when the campground is in operation. The manager must respond and attempt in good faith to resolve any complaint(s) within 60 minutes of being contacted. The manager may initially respond to a complaint by requesting guest(s) to take such action as is required to resolve the complaint.
 - b. The County's zoning complaint hotline telephone number (currently 434-296-5834), identified as such.
4. The expanded use must not commence until the campground's water and septic systems have been approved by the Board of Supervisors pursuant to Article I of Chapter 16 of the County Code.
5. Other than the owners or their employees or agents, no one may reside or camp on the Property for more than 180 days in any calendar year.
6. The proposed new bath house may not be located within 150 feet of any adjacent parcel.
7. Any new outdoor lighting must be only full cut-off fixtures and shielded to reflect light away from all abutting properties.

ORDINANCE NO. 23-2(1)

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, is hereby amended as follows:

By Adding:

Sec. 2-909 Compensation and Sign-On Incentives.

Chapter 2. Administration

Article 9. Personnel

Sec. 2-909 Compensation and Sign-On Incentives.

The Board of Supervisors shall establish a schedule of uniform compensation for officers and employees. With the consent of the County Executive, the head of each department may provide officers and employees in such department a sign-on incentive as part of their compensation. Incentives will not exceed \$5,000 per officer or employee, and must be based upon a determination that incentives are necessary, under prevailing market conditions for the position, to acquire well-qualified employees. Sign-on incentives shall be offered uniformly to similarly situated officers and employees.

For the purpose of this section, "sign-on incentive" means an additional payment to an officer or employee, paid at a specified time, such as a certain number of weeks after starting employment or upon the successful completion of a training program.

State law reference – Va. Code § 15.2-514.

This ordinance shall be effective on and after June 10, 2023.

ORDINANCE NO. 23-2(2)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, ARTICLE 4, PLANNING COMMISSION, AND ARTICLE 9, PERSONNEL, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, Article 4, Planning Commission and Article 9, Personnel, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 2-401 Composition, appointment, terms, and compensation.

Sec. 2-904 Identified appointed boards; compensation and reimbursement.

Chapter 2. Administration**Article 4. Planning Commission****Sec. 2-401 Composition, appointment, terms, and compensation.**

The composition of the Planning Commission and the appointment, terms, and compensation of its members are as follows:

- A. *Composition.* The Planning Commission is composed of eight members, seven of whom are voting members and one of whom is a non-voting member.
- B. *Qualifications.* All members of the Planning Commission shall be County residents and qualified by knowledge and experience to make decisions on questions of community growth and development. Members are not required to be residents of the magisterial district represented by the member of the Board of Supervisors who nominated them. At least one-half of the members shall be owners of real property.
- C. *Nomination and appointment.* Each member of the Planning Commission is appointed by the Board of Supervisors. Before being appointed by the Board, each member of the Planning Commission is nominated as follows:
 1. *Voting members.* Of the seven voting members, one is nominated from each of the six magisterial districts by the member of the Board of Supervisors representing that district, and one is nominated to serve at-large.
 2. *Non-voting member.* The non-voting member is nominated by the President of the University of Virginia.
- D. *Terms.* The terms served by members of the Planning Commission are as follows:
 1. *Voting members, other than at-large member.* The voting members, other than the at-large member, are appointed for four-year terms. The terms are coterminous with the term of the member of the Board of Supervisors who nominated the member.
 2. *Voting member, at-large.* The at-large member is appointed for a two-year term, and is appointed each even-numbered year following County elections for the Board of Supervisors.
 3. *Non-voting member.* The non-voting member is appointed for a one-year term.
- E. *Compensation and Expense Reimbursement.*
 1. *Compensation.* Each voting member of the Planning Commission shall be paid \$7,534.00 per year, to be paid in monthly installments. The chairman of the Planning Commission shall be paid an additional \$1,500.00 per year, to be paid in monthly installments.

2. *Reimbursement for travel and related expenses.* Each voting member of the Planning Commission shall be reimbursed for reasonable and necessary travel and related expenses incurred to attend regular and special meetings and to discharge duties.

F. *Vacancies.* The Board of Supervisors may appoint a qualified person to fill a vacancy. The appointment shall be for the unexpired term only.

G. *Holdover until successor appointed.* Any member of the Planning Commission whose term has expired shall continue as a member until the Board of Supervisors re-appoints the member or appoints a successor.

(4-21-66, § 1; 2-15-68, § 1; 1-16-69; 10-16-69; 1-21-71; 7-19-73; 4-17-75; 1-15-76; 4-21-76; 1-3-77; 5-2-79; 2-13-80; 12-10-80; 2-10-82; 6-13-84; 11-14-84; 3-12-86; 9-10-86; Ord. of 8-1-90; Code 1988, § 2-4; § 2-401, Ord. 98-A(1), 8-5-98; Ord. 00-2(2) , 8-2-00; Ord. 18-2(2) , 4-11-18; Ord. 23-2(2), 6-7-23, 7-1-23)

State law reference(s)—Va. Code § 15.2-2212 .

Chapter 2. Administration

Article 9. Personnel

Sec. 2-904 Identified appointed boards; compensation and reimbursement.

The duly appointed members of the boards identified in this section shall be compensated and entitled to reimbursement for their travel and related expenses as follows:

- A. *Eligible boards.* Each member of the Architectural Review Board, the Board of Zoning Appeals, the Building Code Board of Appeals, the Board of Equalization, and the Fire Prevention Code Board of Appeals is entitled to compensation and reimbursement as provided in subsections (B) and (C).
- B. *Compensation to attend meetings.* Each member shall be paid \$83.00 for each regular and special meeting attended, provided that any member of the Board of Supervisors and any County employee appointed to a board shall not be compensated for attending meetings.
- C. *Reimbursement for travel and related expenses.* Each member shall be reimbursed for reasonable and necessary travel and related expenses incurred to attend regular and special meetings and to discharge duties.

((§ 2-1105: 6-20-74; 3-20-75; 10-16-75; 10-10-84; 4-13-88; Ord. of 8-1-90; Ord. of 7-17-91; Ord. of 12-11-91; Code 1988, § 15-2; Ord. 98-A(1), 8-5-98; Ord. 00-2(2) , 8-2-00); (§ 2-1106: 6-20-74; 3-20-75; 1-15-76; 4-21-76; 10-10-84; 4-13-88; Ord. of 8-1-90; Code 1988, § 15-3; Ord. 98-A(1), 8-5-98); (§ 2-1107: 6-2-74; 3-20-75; 10-10-84; Ord. of 8-1-90; Code 1988, § 15-4; Ord. 98-A(1), 8-5-98); § 2-904, Ord. 18-2(2) , 4-11-18; Ord. 23-2(2), 6-7-23, 7-1-23)

State law reference(s)—Va. Code § 15.2-514 .

This ordinance is effective on and after July 1, 2023.

ORDINANCE NO. 23-2(3)

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

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

By Amending:

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

Chapter 2. Administration**Article 2. Board of Supervisors****Sec. 2-202 Compensation of the Board of Supervisors.**

The Board of Supervisors' compensation is as follows:

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

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

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

This ordinance is effective on and after July 1, 2023.