

ACTIONS
Board of Supervisors Meeting of January 10, 2024

January 11, 2024

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The Meeting was called to order at 1:00 p.m. by the Chair, Mr. Andrews. All BOS members were present. Also, present were Jeff Richardson, Steve Rosenburg, Claudette Borgersen, and Travis Morris. 		
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Announced that agenda items #15 <i>ZMA202000012 Montclair (formerly known as White Gate Village)</i> and #16 <i>ACSA202100002 Montclair ACSA Jurisdictional Area Amendment</i> were deferred and removed from the agenda at the request of the applicant. CONSENSUS to move agenda item #18 <i>From the Board: Committee Reports and Matters Not Listed on the Agenda</i> earlier on the agenda. By a vote of 6:0, ADOPTED the final agenda as amended. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Remarked that growth in the White Hall District was demonstrated in the Third Quarter Building Report. Announced that Virginia Tech is the local organizer for the Alliance to Advance Climate-Smart Agriculture pilot program and mentioned that there was a newsletter for landowners who were interested in participating. Cautioned community members to not drive through closed roads during flood conditions. <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> Mentioned that he attended the recent Town of Scottsville Council Work Session and that they were engaging in their Comprehensive Plan process. He encouraged community members to participate. <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Reminded community members that early voting for the presidential election would begin on January 19. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Thanked staff members who support the Community Advisory Committee meetings and mentioned that she had shared the 2023 Albemarle County Year in Review video with the Places 29 Hydraulic Community Advisory Committee, and it was well received. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> Expressed gratitude to Albemarle County Fire Rescue for the life saving measures they took during the recent flooding event. He also thanked utility workers who operate under difficult conditions. Announced that the 2024 legislative session was beginning. 		Link to Video
<p>6. Proclamations and Recognitions.</p> <p>a. Proclamation Celebrating Martin Luther King, Jr. Day.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED proclamation and presented it to Graham Paige. 	(Attachment 1)	
<p>7. From the Public: Matters on the Agenda but Not</p>		

<p>Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • <u>The following individuals addressed the Board concerning agenda item #9, Proposed Projects for Housing Fund Support:</u> <ul style="list-style-type: none"> • <u>Susan Perry</u> • <u>Neil Williamson</u> 		
<p>8.2 Personnel Policy Amendments.</p> <ul style="list-style-type: none"> • ADOPTED, resolution to amend personnel policy § P-12, adopt policy § P-15, and archive policies § P-31, § P-32, § P-35, and § P-37. 	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources and County Attorney's office. (Attachment 2)</p>	
<p>8.3 SE202300030 Old Trail Village Block 32, Lot 65 Setback Variation.</p> <ul style="list-style-type: none"> • ADOPTED, resolution to approve a variation to increase the maximum permitted front setback on the subject parcel to 50 feet. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 3)</p>	
<p>9. Proposed Projects for Housing Fund Support.</p> <ul style="list-style-type: none"> • By a vote of 6:0, APPROVED the funding requests from Habitat for Humanity for \$1,500,000 and Virginia Supportive Housing for \$700,000, using funds from the Housing Fund. 	<p><u>Stacy Pethia:</u> Proceed as approved.</p>	
<p>18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Mentioned that the Rivanna Water and Sewer Authority had experience difficulties due to flooding and expressed appreciation for all they do to keep the water systems functioning. • Encourage community members to provide input for the Comprehensive Plan. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> • Reminded everyone that the Chamber of Commerce 2024 State of Community will be held on February 15 at the Code Building. 		
<p>Recess.</p> <ul style="list-style-type: none"> • At 1:56 p.m., the Board recessed and reconvened at 6:00 p.m. 		
<p>12. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • There were none. 		
<p>13. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • There were none. 		
<p>14. <u>Pb. Hrg.: Fiscal Year 2024 Budget Amendment and Appropriations.</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to approve appropriations #2024024; #2024025; and #2024026 for local government and school projects and programs. 	<p><u>Clerk:</u> Forward copy of signed resolution to Finance and Budget, and County Attorney's office. (Attachment 4)</p>	
<p>15. <u>Pb. Hrg.: ZMA202000012 Montclair (formerly known as White Gate Village).</u></p> <ul style="list-style-type: none"> • Deferred at the request of the applicant. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Cameron Langille:</u> Notify Clerk when ready to schedule.</p>	
<p>16. <u>Pb. Hrg.: ACSA202100002 Montclair ACSA Jurisdictional Area Amendment.</u></p> <ul style="list-style-type: none"> • Deferred at the request of the applicant. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Cameron Langille:</u> Notify Clerk when ready to schedule.</p>	

17. <u>Pb. Hrg.: Clarifying the Effective Date of the Community Development Fee Restructuring.</u> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED ordinance, setting July 1, 2024, as the date of the previously adopted CDD fee restructuring ordinances. 	<u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office (Attachment 5)	
18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <ul style="list-style-type: none"> Moved earlier on the agenda. 		
19. Adjourn to January 17, 2024, 1:00 p.m. Lane Auditorium. <ul style="list-style-type: none"> The meeting was adjourned at 6:08 p.m. 		

ckb/tom

- Attachment 1 – Proclamation Celebrating Martin Luther King, Jr. Day
- Attachment 2 – Personnel Policies Resolution
- Attachment 3 – Resolution to Approve SE 2023-00030 Old Trail Village Block 32, Lot 65 Setback Variation
- Attachment 4 – Resolution to Approve Additional FY 2024 Appropriations
- Attachment 5 – Ordinance No. 24-A(1)

Proclamation Celebrating Martin Luther King, Jr. Day

WHEREAS, Just a century after the Emancipation Proclamation, in 1963, Dr. King and allied forces marched on Washington and delivered the revered “I have a Dream” speech, advocating for the end of racial segregation and societal inequality; and,

WHEREAS, Dr. Martin Luther King, Jr. and other civil rights leaders devoted their lives to the expansion of civil rights and public service to *all* Americans; and

WHEREAS, In honoring his legacy, MLK Day is the only federal holiday designated as a National Day of Service to encourage all Americans to volunteer to improve their communities; and,

WHEREAS, Albemarle County has invested in creating a more equitable and inclusive society by centering Community as an organizational value which states that “we expect diversity, equity, and inclusion to be integrated into how we live our mission” to serve all members of our community; and,

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize and celebrate January 15, 2024, as Martin Luther King, Jr. Day and encourage our employees and residents to work towards his vision for a more equitable and inclusive society.

Signed this 10th day of January 2024.

RESOLUTION

WHEREAS, the Board of Supervisors may adopt Personnel Policies under Albemarle County Code §2-901; and


WHEREAS, the Board desires to amend and re-number the following Policies: §P-66 Coverage Due to Inclement Weather or Emergency as §P-12 Facility Closure, adopt §P-15 Employee Safety, and archive §P-31 Bloodborne Infectious Conditions, §P-32 Hazard Communications, §P-35 Staff Health, and §P-37 Emergency Situation Staffing.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Albemarle County, Virginia, hereby approves the renumbering and amendment to the County’s Personnel Policies as set forth in the documents attached hereto.

I, Claudette Borgersen, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of six to zero, as recorded below, at a meeting held on January 10, 2024.


Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	<u>Y</u>	—
Mr. Gallaway	<u>Y</u>	—
Ms. LaPisto-Kirtley	<u>Y</u>	—
Ms. Mallek	<u>Y</u>	—
Ms. McKeel	<u>Y</u>	—
Mr. Pruitt	<u>Y</u>	—

	P - §12	Policy Name: Facility Closure	Approved Date: January 10, 2024
	Prepared By: Human Resources		Adopted Date: March 1, 2019
	Amended Date: March 1, 2019, January 6, 2021		

A. PURPOSE

The purpose of this policy is to facilitate continuity in County operations in the event of inclement weather or other emergencies.

B. DEFINITIONS

Authorized Closing – the period when County operations are officially suspended due to inclement weather, emergencies, or other periods designated by the County.

Essential Personnel – An employee whose job supports the critical infrastructure required to maintain public health and safety of the community.

Inclement Weather – any weather conditions which impact travel, and interrupt businesses.

Liberal Leave - approved unscheduled leave taken during an inclement weather or an emergency event. The type of leave taken will be either annual leave, personal leave, or compensatory time (sick leave cannot be used as liberal leave).

Remote Work – an arrangement where an employee performs work at a site other than an Albemarle County office or County owned location.

C. ROLES AND RESPONSIBILITIES

Employees – Employees are responsible for notifying their supervisors in the event that inclement weather prevents them from reporting to their regularly scheduled worksite, and adhering to all paid leave policies.

Essential Personnel – Are expected to report to their scheduled worksite, regardless of weather conditions or building operation status.

Managers/Supervisors –Must arrange staff coverage to ensure safe and effective County operations. Supervisors are required to ensure that paid leave is taken in accordance with County policy.

Department Head - Department Heads are responsible for developing, maintaining, and executing the Continuity plan for their department.

County Executive Office – responsible for determining whether a delayed opening or closing of the County facilities is necessary due to inclement weather or other emergency events.

D. POLICY

It is the County’s policy to keep facilities open to the extent possible and provide staff coverage to maximize service to the public. During inclement weather and other emergency events, the County will staff operations to provide necessary services and to protect the safety of employees and the public.

1. Facility Closures

a. Designated Building Closure

The County Executive determines when buildings are closed and may retroactively designate these periods. If a situation only impacts certain buildings, such as a power outage, the County Executive may close only those locations. Employees whose locations are not impacted are required to report to their worksite as scheduled.

b. Closed for Business

During circumstances when the County is closed for business due to a weather or emergency event, only essential personnel are expected to work.

2. Staff Coverage

Department heads must arrange staff coverage to ensure continued safe and effective operation. During inclement weather or emergency situations, essential personnel may be required to report to their designated worksite.

3. Communication

Every effort is made to make operational decisions as early as practical. As soon as possible following a declaration of impact to County operations from the County Executive or designee, information will be shared with employees using established communication protocols.

4. Liberal Leave

The County Executive may designate a liberal leave period due to inclement weather or emergency situations when a building is not closed but employees may be unable to report to their designated worksite. Employees may use the appropriate accrued leave without prior approval during liberal leave periods.

	P - §15	Policy Name: Employee Safety	Approved Date: January 10, 2024
	Prepared By: Human Resources		Adopted Date: January 10, 2024
	Amended Date:		

A. PURPOSE

The purpose of this policy is to reduce the occurrence of injuries and illnesses that result from workplace hazards by implementing engineering controls, administrative controls, and employee training.

B. DEFINITIONS

Bloodborne Pathogen – microorganism, such as virus or bacteria, that are carried in blood and can cause disease in humans.

Communicable Disease – illnesses caused by viruses or bacteria that people spread to one another through contact with contaminated surfaces, bodily fluids, blood products, insect bites, or through the air.

Hazard Communication – written information about the identities and hazards associated with chemicals and substances that must be available and understandable to workers.

Lockout- Tagout – practices and procedures necessary to disable machinery or equipment to prevent hazardous energy release.

C. ROLES AND RESPONSIBILITIES

Employees – responsible for maintaining a safe work environment, following safety procedures, wearing appropriate personal protective equipment, and reporting unsafe work conditions or acts

Supervisors – ensure that staff follow all safety procedures, attend required training, and the all injuries and accidents are reported through the appropriate protocols

Department Head – identify and recommend correction of deficiencies noted in facilities, work procedures, employee job knowledge or behaviors that adversely impact safety efforts

Human Resources – responsible for the establishment and implementation of written safety programming and procedures, facilitation of employee training, maintaining compliance with and reporting to regulatory agencies

D. POLICY

Albemarle County will strive to provide safe equipment, procedures and surroundings for all employees and the general public and to provide safe and healthful working conditions.

1. Written Program and Procedures

The Department of Human Resources shall establish and maintain a written safety program with procedures and protocols for the following topics, at minimum.

- Accident and Injury Reporting
- Bloodborne Pathogens Exposure Control
- Communicable Diseases
- Emergency Response in the Workplace
- Hazard Communication
- Lockout- Tagout

2. Safety Committee

A cross-functional and cross-departmental Safety Committee shall be established and meet regularly to discuss hazard mitigation, injury and illness prevention strategies, and regulatory compliance. Committee members will consist of a representative from Human Resources, Facilities and Environmental Services, Police Department, and Fire Department, at minimum. The Committee is responsible to track and report injury trends and related work efforts.

3. Safety Training

All County employees are required to participate in safety training related to their work environment or job function.

4. Recordkeeping

The Department of Human Resources will keep records pertaining to workplace injuries and illnesses and completed safety training in accordance with federal and state regulations.

ATTACHMENT 3

**RESOLUTION TO APPROVE
SE 2023-00030 OLD TRAIL VILLAGE BLOCK 32, LOT 65 SETBACK VARIATION**

WHEREAS, upon consideration of the staff reports prepared for SE2023-00030 Old Trail Village Block 32, Lot 65 Setback Variation and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code § 18-8.5.5.3(c), the Albemarle County Board of Supervisors hereby finds that the proposed variation would:

1. be consistent with the goals and objectives of the Comprehensive Plan;
2. not increase the approved development density or intensity of development;
3. not adversely affect the timing and phasing of development of any other development in the zoning district;

4. not require a special use permit; and
5. be in general accord with the purpose and intent of the approved application

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a variation to increase the maximum front setback permitted on Parcel 055E0-01-32-06500 to 50 feet.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 24 Budget is amended to increase it by \$13,564,362;
- 2) That Appropriations #2024024; #2024025; and #2024026 are approved;
- 3) 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.

ORDINANCE NO. 24-A(1)

AN ORDINANCE TO CLARIFY THE EFFECTIVE DATE OF CERTAIN COMMUNITY DEVELOPMENT DEPARTMENT FEES

WHEREAS, following notice and a public hearing, on December 6, 2023, the Board of Supervisors adopted Ordinance Nos. 23-1(1), 23-3(3), 23-5(1), 23-7(2), 23-14(1), 23-17(1), and 23-18(3) (collectively, the "Adopted Ordinances"), restructuring the Community Development Department's fees for certain applications, permits, and activities; and

WHEREAS, as adopted, the Adopted Ordinances did not specify a delayed effective date; and

WHEREAS, County staff recommends that the new fee structure have a delayed effective date of July 1, 2024, both to allow staff time to make the necessary changes to its information and systems and to limit cost impacts of contracts for developments that are underway; and

WHEREAS, the premature implementation of the Adopted Ordinances would have adverse and unintended impacts on applicants, the public, and County staff.

NOW, THEREFORE, BE IT HEREBY ORDAINED THAT:

The Adopted Ordinances are to be effective on and after July 1, 2024. All provisions amended or repealed by the Adopted Ordinances remain effective retroactive to the adoption of the Adopted Ordinances and will remain effective continuously, without interruption, from December 6, 2023, the date of adoption of the Adopted Ordinances, through and including June 30, 2024.