



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Samuel Miller District Jim H. Andrews
Supervisor, Rio District Ned L. Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, April 20, 2022

1:00 PM

Lane Auditorium

Regular Second Meeting

The opportunities for the public to access and participate in the hybrid meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Proclamations and Recognitions:
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.
8. Consent Agenda (on next sheet)

1:40 p.m. - Action Items:

9. [22-269](#) Barnes Lumber Addendum to Crozet New Town Associates, LLC, Development Agreement.
(Roger Johnson, Director, Economic Development)

2:40 p.m. - Presentation:

10. [22-227](#) Update on the Southwood Redevelopment Project.

(Stacy Pethia, Housing Policy Manager)

3:30 p.m. - Recess**3:45 p.m. - Action Items (continued):**

11. [22-226](#) Requests for Housing Fund Support.

(Stacy Pethia)

12. 4:30 p.m. - Closed Meeting.

Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- *Under Subsection (1):*
 1. *To discuss and consider the appointment of members to the Village of Rivanna Community Advisory Committee;*
 2. *To discuss and consider the performance of one member of a multi-jurisdictional public body who was appointed by the Board of Supervisors; and*
 3. *To discuss and consider the search for candidates for county attorney.*
- *Under Subsection (3), to discuss and consider the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.*
- *Under Subsection (8) to consult with legal counsel employed by the County regarding specific legal matters involving regulatory compliance and requiring the provision of legal advice.*

Closed meeting motion subject to change

13. Certify Closed Meeting.**6:00 p.m.****14. From the County Executive: Report on Matters Not Listed on the Agenda.****15. 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.**

Public Hearings:

16. [22-248](#) Public Hearing to Consider a Stillhouse Ridge Rural Preservation Boundary Line Adjustment. To receive public comment on a proposed boundary line adjustment to correct the location of an open space land use easement across Tax Parcel ID 85-29A9, known as the Stillhouse Ridge Rural Preservation Tract.
(Richard DeLoria, Senior Assistant County Attorney)
17. [22-255](#) Public Hearing to Consider the Adoption of an Ordinance to Exempt Real Property Owned by Surviving Spouses of Certain Persons Killed in the Line of Duty from Taxation. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend Article 7, Real Property Tax, Division 1, Generally, to add Section 15-704.1 to create an exemption from taxes on property for the surviving spouses of certain persons killed in the line of duty, as enabled by Virginia Code § 58.1-3219.14, to be effective on and after January 1, 2022.
(Jacob Sumner, Assistant CFO for Policy & Partnerships)
18. [22-256](#) Public Hearing to Consider the Adoption of an Ordinance to Modify the Real Estate Tax Relief for the Elderly and Disabled. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend Article 7, Real Property Tax, Division 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, Section 15-709, Real property eligible for an exemption, to increase the maximum annual income allowed to qualify for the exemption from \$69,452 to \$75,100, and would increase the percentage of the real estate tax exemption, as enabled by Virginia Code §§ 58.1-3210 and 58.1-3215, to be effective on and after January 1, 2022.
(Jacob Sumner)
19. [22-257](#) Public Hearing to Consider the Adoption of an Ordinance to Increase the Transient Occupancy Tax Rate. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend County Code § 15-901, Transient occupancy tax imposed; amount, to increase the tax from five percent to eight percent of the amount charged for the use or possession of rooms or spaces in hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms, as enabled by Virginia Code §§ 58.1-3819 and 58.1-3826, to be effective on and after July 1, 2022.
(Jacob Sumner)

20. [22-258](#) Public Hearing to Consider the Adoption of an Ordinance to Increase the Food and Beverage Tax Rate. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend County Code § 15-1001, Food and beverage tax imposed; amount, to increase the tax from four percent to six percent of the amount paid for food served, sold, or delivered for human consumption in the County in or from a restaurant, as enabled by Virginia Code § 58.1-3833, to be effective on and after July 1, 2022.

(Jacob Sumner)

21. [22-259](#) Public Hearing to Consider the Adoption of an Ordinance to Impose a Tax upon Disposable Plastic Bags Tax. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would add Article 8.1, Disposable Plastic Bag Tax, to impose a disposable plastic bag tax effective on and after January 1, 2023, as enabled by Virginia Code § 58.1-1745.

(Jacob Sumner)

22. From the Board: Committee Reports and Matters Not Listed on the Agenda.

23. Adjourn to April 27, 2022, 2:00 p.m., Lane Auditorium.

CONSENT AGENDA**8. FOR APPROVAL (by recorded vote):**

- 8.1. [22-266](#) Approval of Minutes: August 19, September 2, and September 8, 2020.
- 8.2. [22-245](#) Schedule a Public Hearing for Crozet Sports Community Foundation Lease Amendment.
(Bill Strothers)
- 8.3. [22-238](#) Resolution Affirming Commitment to Fund the Locality Share of Projects Under Agreement with the Virginia Department of Transportation.
(Blake Abplanalp)
- 8.4. [22-267](#) Amend Rule 6(D)(1) of the Board's Rules of Procedure.

8. FOR INFORMATION (no vote necessary):

- 8.5. [22-250](#) Albemarle Broadband Authority Quarterly Report.
(Mike Culp)
- 8.6. [22-261](#) Rivanna Water and Sewer Authority (RWSA) Quarterly Report.
(Bill Mawyer)
- 8.7. [22-240](#) Albemarle County Service Authority (ACSA) Quarterly Report.
(Gary O'Connell)
- 8.8. [22-247](#) VDOT Monthly Report (April) 2022.
(Carrie Shepheard)

Thank you for attending today's public hearing. During the 2022 Calendar Year, the Chair is Donna P. Price and the Vice-Chair is Bea LaPisto-Kirtley.

During the time set aside for "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" ("From the Public"), individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board. Please visit the Participation Guide for Public Meetings on the Albemarle County Board of Supervisors webpage for instructions on how to join the virtual meeting.

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a ten-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

Albemarle County residents may sign up online in advance of the meeting to speak during Public Hearings and "From the Public" at <https://albemarle.legistar.com/Calendar.aspx> and clicking on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Residents who are unable to sign up in advance of the meeting may do so during the meeting through the webinar chat, provided there are remaining slots available. If you require assistance, please contact the clerk's office at clerk@albemarle.org or call 434-296-5843.

Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis, with those persons signing up to speak before the meeting having priority. Each speaker may speak for up to three minutes and at only one "From the Public" session at each meeting. The speaker may include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the "From the Public" session at which the speaker plans to speak.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called on to speak, state your name and magisterial district
- Address comments directly to the Board as a whole
- If you have written statements, e-mail them to the Clerk at clerk@albemarle.org
- If you exceed your allotted time, you will be asked to end your comments
- If a speaker does not use all allocated time, the unused time may not be shared with another speaker
- Back and forth debate is prohibited

**All comments are live streamed, recorded and published on the Albemarle County website.
Please turn off all pagers and cellular telephones.**

Clerk, Board of County Supervisors
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