

ACTIONS
Board of Supervisors Meeting of November 20, 2019

November 21, 2019

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m., by the Chair, Mr. Gallaway. All BOS members were. Also present were Jeff Richardson, Andy Herrick, Claudette Borgersen and Travis Morris. 		
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Ned Gallaway announced Royal Fern was moved from a public hearing to the consent agenda for approval and to send it back to the Planning Commission for an additional review and a work session before presenting the revised plans at a future meeting. Agenda item #8.9, Resolution to Schedule and Advertise a Public Hearing to Consider Conveying Real Property to the Albemarle County School Board, added to the consent agenda. Added discussion regarding scooters to be held prior to the closed meeting. By a vote of 6:0, ADOPTED the final agenda as amended. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Commented that at a recent Board of Directors meeting of the Rivanna Water and Sewer Authority (RWSA), Bill Mawyer, Executive Director of the RWSA, presented that Sugar Hollow pipeline was opened the after the drought was lifted and it would take 90 days to refill the Ragged Mountain Reservoir and that if the South Fork to Ragged Mountain pipeline was installed, the fill would be done in 6 days. She noted this was important information to have as the Board of Supervisors goes through making decisions on the timing on that line. She also informed the Board that the easement acquisitions letters are still being sent out and it will take months to get through the entire process. Shared that on America Recycles Day, November 15, A SWACC member assisted a woman who accidentally threw her keys into one of the bins. <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Informed the Board about the November 19, 2019 Washington Post science section (page A12) about a new innovative recycling program that takes garbage in Israel and makes it into recyclable plastic. Suggested that when talking about scooters later in the day, they use the term shared mobility devices to refer to e-scooters and e-bicycles. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Commented that Sugar Hollow is still down about 5-6 feet, as this is the dry season for the north fork of the Mormon's River. 		<p>Link to Video</p>

<ul style="list-style-type: none"> • Mentioned leaks along the Sugar Hollow pipeline. Ms. Palmer asked Ms. Mallek to let her know about specific areas that are leaking because the County can fix those areas. • Remarked that she attended the VACO conference the previous week and one exhibit which stood out to her was called Tarbell, which is a cradle-to-cradle distributor of materials, which are totally reusable. She noted all the VACO presentations were all online on VACO's website and encouraged the Board to look at them. • Reminded Board members, even those who were leaving the Board, must complete the online Conflict of Interest training program by December 31 and that the link is available through email. <p><u>Norman Dill:</u></p> <ul style="list-style-type: none"> • Mentioned he was the only Supervisor at the presentation about getting more people involved in boards and commissions. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Resolution in Support of a Request by Holiday Lake: 4H Educational Center (HL4HEC) to the Commonwealth of Virginia.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED the Resolution and presented to Paul Benneche. 	(Attachment 1)	
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <p><u>The following individuals spoke toward item #12 on the agenda.</u></p> <ul style="list-style-type: none"> • Morgan Ashcom • Patrick Collins • Karina Monroy • Christina Osheim • Bill Emory • Sean Tubbs • Lauren Danley • <u>Kyle Reddinger</u>, owner and developer of the project formerly known as Royal Fern, share some details on a significantly revised proposal which he has now named Albemarle Business Campus (ABC). • <u>Charles Batting</u>, Scottsville District, spoke towards the Paris agreement for the United Nations. • <u>Nancy Hunt</u>, Rio District, Chair, Places 29 Rio Community Advisory Committee, announced that at the October meeting the committee had passed their first ever resolution which resolved to update their Master Plan. • <u>Caren Roper</u>, White Hall District, spoke towards the Barking Dog Ordinance. 		
<p>8.2 Fiscal Year 2020 County of Albemarle and State Health Department Local Government Agreement.</p> <ul style="list-style-type: none"> • ADOPTED the Resolution to approve the FY 20 County of Albemarle and State Health Department Local Government Agreement and to authorize the County Executive to execute the Agreement after it is approved as to form by the County Attorney. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney's office. (Attachment 2)</p>	

8.3	<p>Housing Choice Voucher Program.</p> <ul style="list-style-type: none"> • ADOPTED the Resolution to approve the revised Administrative Plan and to authorize the Director of Social Services/Office of Housing to implement the Program in accordance with the approved Plan. 	<p><u>Clerk:</u> Forward copy of signed resolution to Department of Social Services and County Attorney's office. (Attachment 3)</p> <p><u>Director of Social Services/ Office of Housing:</u> Proceed as authorized.</p>	
8.4	<p>Termination of the Buck Mountain Surcharge.</p> <ul style="list-style-type: none"> • ADOPTED the attached Resolution to approve the termination of the Buck Mountain Surcharge. 	<p><u>Clerk:</u> Forward copy of signed ordinance to County Attorney's office. (Attachment 4)</p>	
8.5	<p>Jefferson Area Regional Transit Partnership (RTP) Memorandum of Understanding Revision.</p> <ul style="list-style-type: none"> • ADOPTED the Resolution to approve the revised MOU on the Jefferson Area Regional Transit Partnership. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney's office. (Attachment 5)</p>	
8.6	<p>Ordinance to Amend County Code Chapter 9, Motor Vehicles – Authorization to Schedule Public Hearing for Ordinance to Regulate Parking on Secondary Streets in Residential Areas.</p> <ul style="list-style-type: none"> • SET public hearing to consider the adoption of the proposed ordinance to Amend County Code Chapter 9, Motor Vehicles to Regulate Parking on Secondary Streets in Residential Areas. 	<p><u>Clerk:</u> Schedule on future agenda and advertise in Daily Progress.</p> <p><u>County Attorney:</u> Notify Clerk when ready to schedule.</p>	
8.7	<p>Acquisition of Conservation Easements (ACE) Appraisals and Purchases for FY 2019 Applicant Class.</p> <ul style="list-style-type: none"> • AUTHORIZED staff to invite Edelberg and Harlow to make written offers to sell conservation easements to the County for no more than: <ul style="list-style-type: none"> ○ full value of \$142,000 for the Edelberg easement ○ full value of \$154,000 for the Harlow easement; • ACCEPTED offers from any or all of these owners to sell conservation easements for no more than the above amounts; and • AUTHORIZED the County Executive to sign on behalf of the County the Deeds of Easement and related forms for both easements once such documents are approved by the County Attorney as to substance and form. 	<p><u>Ches Goodall:</u> Proceed as authorized.</p> <p><u>County Attorney:</u> Provide clerk with fully executed copy of deeds.</p>	
8.8	<p>ZMA201900003 Royal Fern.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to removed ZMA201900003, Royal Fern, from public hearing and referred it to the Planning Commission for a work session, at the request of the applicant. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)</p>	
8.9	<p>Resolution to Schedule and Advertise a Public Hearing to Consider Conveying Real Property to the Albemarle County School Board.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to Schedule and Advertise a Public Hearing to Consider Conveying Real Property to the Albemarle County School Board. 	<p><u>Clerk:</u> Forward copy of signed resolution to the County Attorney's office. (Attachment 7)</p> <p><u>Clerk:</u> Schedule on future agenda and advertise in Daily Progress.</p>	
9.	<p>Re-organization of the County's Emergency Management Function.</p> <ul style="list-style-type: none"> • By a vote of 6:0, AUTHORIZED establishing the Emergency Management Division within the ACFR Department; and 	<p><u>Staff:</u> Proceed as authorized.</p>	

	<ul style="list-style-type: none"> By a vote of 6:0, AUTHORIZED the new position of Emergency Management Coordinator within the Albemarle County Fire Rescue. 	
10.	<p>Website Project Status Update, Style Guide, and County Seal.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED adopt the resolution approving the altered County seal. 	<u>Clerk:</u> Forward copy of signed resolution to Communications and Public Engagement and County Attorney's office. (Attachment 8)
	Note: Ned Gallaway left the meeting at 2:38 and returned at 3:33.	
11.	<p>Economic Development Activity Report.</p> <ul style="list-style-type: none"> RECEIVED. Liz Palmer requested including tax benefits, jobs and salaries in future reports. 	<u>Roger Johnson:</u> Proceed as requested.
12.	<p>Update of the Broadway Blueprint Economic Development Revitalization Plan.</p> <ul style="list-style-type: none"> RECEIVED. 	
	<p>Recess. At 4:06 p.m., the Board recessed and reconvened at 4:16 p.m.</p>	
	<p>Non-Agenda: E-Scooters (Motorized Skateboards and Scooters)</p> <ul style="list-style-type: none"> DISCUSSED. CONCENSUS to scheduled for Public Hearing on the December 18, 2019 agenda. 	<u>Clerk:</u> Schedule on December 18, 2019 agenda and advertise in Daily Progress.
13.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> At 4:56 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 one County committee. 	
14.	<p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 6:01 p.m., the Board reconvened into open meeting and certified the closed meeting. 	
15.	<p>Boards and Commissions: Vacancies and Appointments.</p> <ul style="list-style-type: none"> APPOINTED Randall Switz to the Acquisition of Conservation Easement Committee, with said term to expire August 1, 2022. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.
16.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> Ned Gallaway announced that earlier that day, there was an item that was originally on the agenda for public hearing for Royal Fern and at that applicant's request that day during the Consent Agenda, the Board approved to send it back to the Planning Commission for additional review and work session before coming back with revised plans to the Board in the future. Mr. Matthew Christianson, Rio District, commented on Johnny Reb statue in front of the county courthouse and thanked the Board for its support in the last General Assembly session for getting local control over public spaces. Mr. Richard Turner spoke towards that dog barking problem in the County. Mr. John Springer, Rio District, spoke towards the rezoning application for 999 Rio Road. Ms. Caren Roper, White Hall, spoke towards that dog barking problem in the County. 	

<p>17. <u>Conveyance of Small Pieces of Land to Virginia Department of Transportation for Bridge Replacement in Totier Creek Park.</u> By a vote of 6:0, APPROVED the conveyance of the deed By a vote of 6:0, AUTHORIZED the County Executive to sign the deed of conveyance after it is approved as to substance and form by the County Attorney.</p>	<p><u>Jeff Richardson</u>: Proceed as authorized. (Attachment 9)</p>	
<p>18. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ned Galloway</u>:</p> <ul style="list-style-type: none"> Commented that he had stepped away earlier during the afternoon session to receive for New Belvedere 31 acres of greenway land to be dedicated over to the County, which will give them access to the Rivanna River for trail systems. <p>Diantha McKeel:</p> <ul style="list-style-type: none"> Mentioned that President Trump signed an executive order in September requiring all states and localities to affirm consent for refugee resettlement in order for the program to continue in jurisdictions. <ul style="list-style-type: none"> CONCENSUS to add letter of affirmation of consent for refugee resettlement to a December 2019 consent agenda. Commented that Sally Hudson and Lettie Bien would come before the Board on December 11. Sally Hudson will discuss the Board Legislative Priorities and Lettie Bien would discuss her work at the Batten School around the County's committees and how they might improve the committee process. <p>Liz Palmer:</p> <ul style="list-style-type: none"> Announced that at the last TJPDC meeting, Phil McKalips from Rivanna Solid Waste Authority announced that since Rivanna is the only entity that recycles glass now they would take Greene and Nelson Counties' glass if they can get it to Rivanna. Commented that she recently participated in the annual membership meeting of the Virginia Recycling Association, and that she was on a panel with Narissa Turner from County staff, Susan Elliott from City staff, Bob Corker (who runs a composting consulting firm), and Jessie Warner from UVA to discuss how to incorporate solid waste planning into climate change. 		
<p>19. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> Mentioned he and several staff participated in a one-day retreat on October 17 with the Charlottesville-Albemarle Airport staff. He commented that there is \$12 million in improvement projects at the airport that are coming to an end including an aircraft ramp project that will provide space for four additional aircraft at the airport. Additionally, they have also finished parking projects for one temporary lot that brings 200 badly-needed 		

<p>spaces online, as well as an economy lot expansion that is nearly finished. Mr. Richardson said they are close to breaking ground and starting on a new parking deck that will be positioned in front of the airport.</p> <ul style="list-style-type: none"> • Announced that on October 23, RSWA launched the oyster shell recycling drop-off at McIntire Recycling Center. • Commented that the County hosted the local American Legion on November 11 at 11:00 a.m., • Commented that the County hosted the Rivanna Roll Call on Wednesday, November 13. • Noted that it has been a busy couple of weeks on employee engagement. He said in the past week, they have had two all-call meetings, one in Lane Auditorium and the other at 5th and COB. • Shared a picture of Captain Shaun Reeves, who is the commander of the Criminal Investigation Division, and congratulated the division on the recent announcement of an arrest in conjunction with the City of Charlottesville on several commercial burglaries that have occurred during the month of October. • Shared that on the previous Saturday, the County partnered with the Public School System on a Connecting Communities 5K event sponsored by the Public Education Foundation. • Announced that UVA partnered with Albemarle County the Friday night before on the launch of the new Equity Center. • Mentioned that the previous Saturday, Stacey Pethia (Housing Planner) and Jeannie Brooks (intern in the Office of Equity and Inclusion) were at the Hydraulic Wash Laundromat speaking with community members about access to key services, experiences in the community, and housing needs. • Commented that the previous week, Board members attended the celebration of Agribusiness supporting the expansion of Potters Craft Cider in Albemarle. He noted that this was the Governor's fourth visit to the County that year. • Announced that in December, he would be providing an Executive's Report that would be more data-driven. 		
<p>20. Adjourn to December 4, 2019, 1:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 6:47 p.m. 		

ckb/tom

Attachment 1 – Resolution in Support of a Request by Holiday Lake: 4-H Educational Center (HL4HEC) to the Commonwealth of Virginia for Essential Capital Safety Improvement Projects

Attachment 2 – Resolution to Approve the FY 20 Agreement Between the County of Albemarle and the Commonwealth of Virginia Department of Health

Attachment 3 – Resolution for the Approval of Administrative Plan for the Housing Choice Voucher Program

Attachment 4 – Joint Resolution to Approve the Termination of the Buck Mountain Surcharge.

Attachment 5 – Resolution to Approve a Revised Memorandum of Understanding on the Jefferson Area Regional

Transit Partnership

- Attachment 6 – Resolution to Refer ZMA 2019-00003, Royal Fern, to the Albemarle County Planning Commission
- Attachment 7 – Resolution to Schedule and Advertise a Public Hearing to Consider Conveying Real Property to the
Albemarle County School Board
- Attachment 8 – Resolution Altering the County Seal
- Attachment 9 – Totier Creek Deed of Conveyance

**RESOLUTION IN SUPPORT OF A REQUEST
BY HOLIDAY LAKE: 4-H EDUCATIONAL CENTER (HL4HEC)
TO THE COMMONWEALTH OF VIRGINIA
FOR ESSENTIAL CAPITAL SAFETY IMPROVEMENT PROJECTS**

- WHEREAS,** the Holiday Lake 4-H Educational Center (HL4HEC's) mission is to improve the quality of life by educating youth and adults in a natural setting and it has served the youth and adults of Central/Southside Virginia and beyond since 1941 and for almost 80 years, Albemarle County has played an active part of the more than 100,000 lives that have been enriched at the 4-H Center through educational programs, friendships and a closeness to nature; and
- WHEREAS,** the HL4HEC serves nineteen (19) Virginia localities including Albemarle County, and today at HL4HEC, over 10,000 participants (many of which are underserved youth) benefit annually from a variety of programs; and
- WHEREAS,** in 2011, HL4HEC was registered as a Virginia Historic Landmark and listed on the National Register of Historic Places and the historic registration (which in part includes 15 cabins built-in 1937 by the WPA which are still used today) assures that the original character of the historic buildings will be preserved; and
- WHEREAS,** the HL4HEC Center's capital improvement projects include facility upgrades/installations to include Medical Clinic Facility and Equipment Upgrade (including floor replacement and AED), PA System (Active Shooter), ADA accessibility improvements, Emergency Generator, Exterior Security Lighting, Infrastructure Upgrades (drainage system, sidewalks, sewer lines and water storage and pressure tank repair/painting), HVAC units, Large Pavilion Upgrade, Roof, Gutter and Siding Replacements, Kitchen Floor Replacement, Challenge Course Repairs and Improvements and Platform Tents for Outdoor Skill Education; and
- WHEREAS,** upon receiving the funds and completing the necessary capital improvements, the HL4HEC will be able to increase the Center's useful life and continue to serve thousands of youth and adults for many years to come in Central and Southside Virginia.
- NOW, THEREFORE, BE IT RESOLVED,** that we, the County Board of Supervisors for Albemarle County, Virginia do hereby support Holiday Lake 4-H Educational Center (HL4HEC) requesting funds for essential capital safety improvements from the Virginia General Assembly, in the amount of \$332,000 for the 2020/2022 biennial budget.

**RESOLUTION TO APPROVE THE FY 20 AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE AND
THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH**

WHEREAS, the Board finds it is in the best interest of the County to enter into an Agreement with the Commonwealth of Virginia Department of Health for the operation of the local Thomas Jefferson Health District Health Department.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Virginia Code § 32.1-31, the Board of Supervisors of Albemarle County, Virginia hereby approves the FY 20 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Health and authorizes the County Executive to execute it on behalf of the County after it is approved as to form by the County Attorney.

AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF HEALTH AND THE
ALBEMARLE COUNTY BOARD OF SUPERVISORS FOR FUNDING AND SERVICES
OF THE ALBEMARLE COUNTY HEALTH DEPARTMENT

This agreement ("Agreement") for the services to be provided by the Albemarle County Health Department and the funding therefore is by and between the Virginia Department of Health ("VDH") and the Albemarle County Board of Supervisors (collectively "the Parties").

The Agreement is created in satisfaction of the requirements of § 32.1-31 of the Code of Virginia (1950), as amended, in order to operate the Albemarle County Health Department under the terms of this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements in this Agreement, the sufficiency of which is acknowledged, the Parties agree as follows.

§ 1. VDH, over the course of one fiscal year, will pay an amount not to exceed \$920,609.00, from the state general fund to support the cooperative budget in accordance with, and dependent upon, appropriations by the General Assembly, and in like time frame, the Board of Supervisors of Albemarle County will provide by appropriation and in equal quarterly payments a sum of \$753,226.00 local matching funds and \$112.00 one-hundred percent local funds for a total of \$753,338.00 local funds for this fiscal year.

In addition, the Board of Supervisors has approved the Albemarle County Health Department to carry forward \$0.00 in local matching funds for a total of \$753,226.00 matching funds and an additional \$0.00 in one-hundred percent local funds from the prior fiscal year closing locality balance.

These joint funds will be distributed in timely installments, as services are rendered in the operation of the Albemarle County Health Department, which shall perform public health services in Albemarle County as indicated in Attachment A(1.), and will perform services required by local ordinances as indicated in Attachment A(2.). Payments from the local government are due on the third Monday of each fiscal quarter.

§ 2. The term of the agreement begins July 1, 2019. This Agreement will be automatically extended on a state fiscal year to year renewal basis under the existing terms and conditions of the Agreement unless timely written notice of termination is provided by either party. Such written notice shall be given at least 60 days prior to the beginning of the fiscal year in which the termination is to be effective.

§ 3. The Commonwealth of Virginia ("Commonwealth") and VDH shall be responsible for providing liability insurance coverage and will provide legal defense for state employees of the local health department for acts or occurrences arising from performance of activities conducted pursuant to state statutes and regulations.

- A. The responsibility of the Commonwealth and VDH to provide liability insurance coverage shall be limited to and governed by the Commonwealth of Virginia Public Liability Risk Management Plan, established under § 2.2-1837 of the Code of Virginia (1950), as amended. Such insurance coverage shall extend to the services specified in Attachments A(1.) and A(2.), unless the locality has opted to provide coverage for the employee under the Public Officials Liability Self-Insurance Plan, established under § 2.2-1839 of the Code of Virginia (1950), as amended, or under a policy procured by the locality.
- B. The Commonwealth and VDH will be responsible for providing legal defense for those acts or occurrences arising from the performance of those services listed in Attachment A(1.), conducted in the performance of this contract, as provided for under the Code of Virginia and as provided for under the terms and conditions of the Commonwealth of Virginia Public Liability Risk Management Plan.

- C. Services listed in Attachment A(2.), any services performed pursuant to a local ordinance, and any services authorized solely by Title 15.2 of the Code of Virginia (1950), as amended, when performed by a state employee, are herewith expressly exempted from any requirements of legal defense or representation by the Attorney General or the Commonwealth. For purposes of assuring the eligibility of a state employee performing such services for liability coverage under the Commonwealth of Virginia Public Liability Risk Management Plan, the Attorney General has approved, pursuant to § 2.2-507 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia Public Liability Risk Management Plan, the legal representation of said employee by the city or county attorney, and, the Board of Supervisors of Albemarle County hereby expressly agrees to provide the legal defense or representation at its sole expense in such cases by its local attorney.
- D. In no event shall the Commonwealth or VDH be responsible for providing legal defense or insurance coverage for local government employees.

§ 4. Title to equipment purchased with funds appropriated by the local government and transferred to the Commonwealth, either as match for state dollars or as a purchase under appropriated funds expressly allocated to support the activities of the local health department, will be retained by the Commonwealth and will be entered into the Virginia Fixed Asset Accounting and Control System. Local appropriations for equipment to be locally owned and controlled should not be remitted to the Commonwealth, and the local government's procurement procedures shall apply in the purchase. The locality assumes the responsibility to maintain the equipment and all records thereon.

§ 5. This Agreement may only be amended or otherwise modified by an instrument in writing signed by the Parties.

Robert W. Hicks
Deputy Commissioner for Community Health Services
Virginia Department of Health

Local authorizing officer signature

Date

Authorizing officer printed name

Denise Bonds, MD, MPH
District Health Director
Thomas Jefferson Health District

Authorizing officer title

Date

Date

Approved as to form by the Office of the Attorney General on July 23, 2018

Attachments: Local Government Agreement, Attachment A(1.)
Local Government Agreement, Attachment A(2.)

RESOLUTION

WHEREAS, the County of Albemarle is a Public Housing Agency ("PHA") as defined by the U.S. Department of Housing and Urban Development ("HUD") for the administration of the Housing Choice Voucher Program (HCV); and

WHEREAS, federal requirements for the HCV program include that each PHA maintain an Administrative Plan which sets forth policies for the administration of the program; and

WHEREAS, the Office of Housing is required to have the Plan approved by the Board; and

WHEREAS, the Board finds it is in the best interest of the County to approve the proposed Administrative Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County hereby approves the proposed Administrative Plan and authorizes the Office of Housing to implement the policies set forth in the plan.

JOINT RESOLUTION

WHEREAS, the Rivanna Water and Sewer Authority ("Rivanna") was formed in 1972 by a joint resolution of Albemarle County and the City of Charlottesville for the purpose of maintaining facilities to supply drinking water to both communities under terms set out in the "Four Party Agreement" dated June 12, 1973 among the City, the County, the Albemarle County Service Authority, and Rivanna; and

WHEREAS, pursuant to Section 4.3 of the Four Party Agreement, Rivanna, at the request of the City and the County, purchased certain land in the County of Albemarle for the purpose of building a reservoir on Buck Mountain Creek; and

WHEREAS, the purchase of such land was financed with the issuance of bonds by Rivanna; and

WHEREAS, pursuant to a Joint Resolution adopted by the Albemarle County Board of Supervisors on January 5, 1983, the Charlottesville City Council on January 18, 1983, the Albemarle County Service Authority (the "Service Authority") on March 17, 1983 and the Rivanna Water and Sewer Authority on January 10, 1983, the City and the Service Authority were directed, beginning July 1, 1983, to collect a surcharge for each new water service connection in the City and in the urban water area of the County, respectively and remit such surcharges to Rivanna for the purpose of paying the debt incurred under the bonds; and

WHEREAS, the Joint Resolution provided that that obligation of the City and the Service Authority to collect the surcharge would terminate upon the retirement of the long-term debt financing incurred by Rivanna for the land acquisition; and

WHEREAS, the bonds issued by Rivanna were subsequently refinanced with bonds issued by Rivanna for other projects; and

WHEREAS, as a result of such refinancings it cannot be determined exactly when such long-term debt financing for the land acquisition has been retired; and

WHEREAS, the parties have agreed that it is no longer necessary to collect such surcharge in order to pay the long-term debt financing under such refinanced bonds;

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY ALBEMARLE COUNTY, THE CITY OF CHARLOTTESVILLE, THE ALBEMARLE COUNTY SERVICE AUTHORITY, AND THE RIVANNA WATER AND SEWER AUTHORITY, as follows:

1. The obligation of the City and the Albemarle County Service Authority under the Joint Resolution to collect the surcharge for each new water service connection in the City and in the urban water area of the County and remit such surcharges to the Rivanna Water and Sewer Authority shall be terminated upon the last to occur of (i) approval of this Joint Resolution by Albemarle County, the City of Charlottesville, the Albemarle County Service Authority and the Rivanna Water and Sewer Authority, and (ii) approval of such termination by the bond trustee.

ATTEST:

ADOPTED BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF ALBEMARLE

Date

Clerk

Chairman

ATTEST:

ADOPTED BY THE COUNCIL OF THE CITY
OF CHARLOTTESVILLE

Date

Clerk

Mayor

ATTEST:

ADOPTED BY THE ALBEMARLE COUNTY
SERVICE AUTHORITY

Date

Secretary

Chairman

ATTEST:

ADOPTED BY THE RIVANNA WATER AND
SEWER AUTHORITY

Date

Secretary

Chairman

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**RESOLUTION TO APPROVE A REVISED
MEMORANDUM OF UNDERSTANDING
ON THE JEFFERSON AREA
REGIONAL TRANSIT PARTNERSHIP**

WHEREAS, the Board of Supervisors approved a Memorandum of Understanding on the Jefferson Area Regional Transit Partnership on July 3, 2019; and

WHEREAS, the Board finds it is in the best interest of the County to approve a revised Memorandum of Understanding that is amended to include one representative from the University of Virginia as a voting member of the Regional Transit Partnership.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the revised Memorandum of Understanding on the Jefferson Area Regional Transit Partnership, and authorizes the County Executive to execute the revised Memorandum of Understanding on behalf of the County once it has been approved as to substance and form by the County Attorney.



**Charlottesville-Albemarle Metropolitan Planning Organization
of the Thomas Jefferson Planning District Commission**
POB 1505, 401 E. Water St, Charlottesville, VA 22902 www.tjpd.org
(434) 979-7310 phone • (434) 979-1597 fax • info@tjpd.org email

**MEMORANDUM OF UNDERSTANDING
ON THE JEFFERSON AREA
REGIONAL TRANSIT PARTNERSHIP (RTP)**

This agreement is made and entered into as of [Date TBD], by and between the Charlottesville-Albemarle Metropolitan Planning Organization hereinafter referred to as the MPO, the City of Charlottesville hereinafter referred to as the CITY, the County of Albemarle hereinafter referred to as the COUNTY, JAUNT, Inc hereinafter referred to as JAUNT, with JAUNT and Charlottesville Area Transit together hereinafter referred to as the PUBLIC TRANSIT OPERATORS, and the Thomas Jefferson Planning District Commission serving as planning and administrative staff to the MPO, hereinafter referred to as the TJPDC.

WHEREAS, in 2016, the Planning and Coordination Council (PACC) asked TJPDC to review and recommend opportunities for improved communication, coordination and collaboration on transit matters.; and,

WHEREAS, the TJPDC completed work on a Regional Transit Coordination Study, where the main recommendation from this study was to establish a Regional Transit Partnership (RTP) hereinafter referred to as the PARTNERSHIP, consisting of an Advisory Board and whose charge is to provide a venue for continued communication, coordination and collaboration between transit providers, localities and other stakeholders.; and,

WHEREAS, City Council and the Albemarle Board of Supervisors held a joint meeting on February 14th, 2017, where both bodies voted to support development of the PARTNERSHIP and asked TJPDC to develop an MOU; and,

WHEREAS, on October 30, 2017 the Charlottesville-Albemarle Metropolitan Planning Organization, the City of Charlottesville, the County of Albemarle, JAUNT, Inc, and the Thomas Jefferson Planning District Commission did enter into an original Memorandum of Understanding defining the vision, roles and responsibilities for the Regional Transit Partnership; and

WHEREAS, on [Date TBD], these parties amend this Memorandum of Understanding to include the University of Virginia hereinafter referred to as UVA among the PUBLIC TRANSIT OPERATORS and signatories of this agreement.

NOW THEREFORE, be it recognized and agreed that the MPO, CITY, COUNTY, JAUNT, and UVA hereby establish the Jefferson Area Regional Transit Partnership (RTP), in accordance with the following articles.

**Article 1
Staffing, Funding and Boundaries**

The MPO is responsible, as the lead, for staffing and programming for the PARTNERSHIP, with Section 5303 program funding from the Federal Transit Administration (FTA) and Virginia Department of Rail and Public Transportation (DRPT). Funding will be a regular item in the MPO's Unified Planning Work Program (UPWP). The PARTNERSHIP's program area is limited to the Charlottesville-Albemarle metropolitan transportation planning area (MPA) that includes the CITY and the urbanized portions of the COUNTY.

**Article 2
Function and Authority**

The PARTNERSHIP will be an advisory board that provides recommendations to CITY, COUNTY, PUBLIC TRANSIT OPERATORS and other stakeholders, such as the University of Virginia (UVA). The

PARTNERSHIP shall not have any inherent decision-making powers and does not supersede management over the PUBLIC TRANSIT OPERATORS.

Article 3

Membership and Voting Structure

The composition of the PARTNERSHIP may change with time, as the Advisory Board meets and identifies an improved membership structure. At a later date, the PARTNERSHIP may extend to surrounding counties and towns, as needed. Expansion of Advisory Board members will require written amendments to this MOU. The PARTNERSHIP roster includes voting and non-voting membership. Each voting member is permitted one vote on all matters addressed by the PARTNERSHIP. All individuals on the Advisory Board have equal voting powers, with no weighted privileges given to any members.

Voting membership includes *eight* representatives, including:

- Charlottesville City Council – *two representatives*
- Albemarle Board of Supervisors – *two representatives*
- JAUNT Corporation Board – *two representatives*--one urban & one rural representative with at no time having both serve from the same governmental jurisdiction.
- Department of Rail and Public Transportation (DRPT) – *one representative*
- University of Virginia – *one representative*

There shall also be a nonvoting representative as designated by the PARTNERSHIP.

The designating body of each member locality or agency, having appointed the appropriate number of representatives to the PARTNERSHIP, as indicated in this ARTICLE, whether voting or nonvoting, may appoint an alternate member(s). Voting privileges for alternates shall be the same as for the regular member in the absence of the regular member.

There are no set term-limits for members of the PARTNERSHIP Advisory Board. Each member locality or agency shall reassess membership to the PARTNERSHIP, according to their own processes.

Article 4

Meeting Schedule and Bylaws

The PARTNERSHIP will set a meeting schedule that is coordinated with the MPO Policy Board meeting schedule. The PARTNERSHIP shall convene at least four times in a given fiscal year.

This MOU will serve as the main guiding documents for the PARTNERSHIP. The PARTNERSHIP may adopt bylaws, to aid in management of meetings. Unless otherwise determined by the PARTNERSHIP, TJPDC will facilitate and manage meetings. Voting and parliamentary procedure will be conducted according to simplified Robert's Rules of Order.

Article 5

Deliverables and Roles

As recurring responsibilities, the PARTNERSHIP will be responsible for the following:

- *Building the CITY/COUNTY Relationship.* The PARTNERSHIP will help the region build relationships and momentum for future successes.
- *Create a formal means of sharing information.* Created by an MOU, the PARTNERSHIP will create and maintain a formal mechanism for exchanging information between transit providers, localities and other stakeholders.
- *Address pressing issues immediately.* The PARTNERSHIP will provide immediate attention to pressing concerns and issues, as laid out in the Regional Coordination Study, conducted by TJPDC.
- *Facilitate transit planning.* The PARTNERSHIP will provide recommendations, assessments and guidance on transit-related matters to the CITY, COUNTY and PUBLIC TRANSIT OPERATORS.

- *Integrating transit into other decision-making.* The PARTNERSHIP will ensure that transit will receive increased consideration in regional and local planning efforts.
- *Test an RTA structure.* The PARTNERSHIP will provide a sample model version of a Regional Transit Authority (RTA) that allows all parties to become more familiar with the concept of a consolidated transit system.
- *Preparing for an RTA.* Within the PARTNERSHIP, the region will have a venue for negotiating and studying an RTA that could benefit all partners in the region.

Specific deliverables include but are not limited to:

- *Drafting Formal Agreements:* The PARTNERSHIP will review existing arrangements and transit relationships, reviewing and drafting if necessary, formal contracts and agreements. The initial and primary task would be to address the most pressing problem, the complicated web of arrangements.
- *Integrating Transit into Decision-Making:* The PARTNERSHIP will work to integrate greater transit considerations into planning efforts around the region. The PARTNERSHIP will have involvement with the MPO's Long Range Transportation Plan (LRTP), vetting transit-related recommendations. It would also provide recommendations to local planning efforts and projects.
- *Coordinated Transit Development Plans and Strategies:* Currently, the three transit providers have entirely separate planning documents. PUBLIC TRANSIT OPERATORS must update their Transit Development Plan (TDP) or Transit Strategic Plans (TSP) every five years. Whether done through the TDP or as a document that later consolidates planning recommendations, the PARTNERSHIP is responsible for overseeing the region's transit planning process.
- *Update RTA Study:* The PARTNERSHIP, in coordination with the MPO, will update the RTA Study and develop a new report that will help the region determine if an RTA is feasible.
- *RTP Bylaws and Mission:* The PARTNERSHIP may develop bylaws and mission statement.

ARTICLE 7-AMENDMENTS

Amendments to this AGREEMENT, as mutually agreed to, may be made by written agreement between all parties of this AGREEMENT.

IN WITNESS WHEREOF, all concerned parties have executed this AGREEMENT on the day and year first written above.

Signatures:

Ann Mallek,

WITNESS BY _____

Chair
Charlottesville-Albemarle Metropolitan Planning Organization

Ned L. Gallaway,
Chair
County of Albemarle Board of Supervisors

WITNESS BY _____

Nikuyah Walker,
Mayor
City of Charlottesville, and on behalf of the Charlottesville Transit Service

WITNESS BY _____

Patricia Thomas,
President
JAUNT, Inc.

WITNESS BY _____

Dale Herring,
Chair
Thomas Jefferson Planning District Commission

WITNESS BY _____

Jennifer Wagner Davis,
EVP-COO
University of Virginia

WITNESS BY _____

**RESOLUTION TO REFER ZMA 2019-00003, ROYAL FERN,
TO THE ALBEMARLE COUNTY PLANNING COMMISSION**

WHEREAS, the applicant for ZMA 2019-00003 has stated that it desires to revise its application before the Board of Supervisors considers ZMA 2019-00003 and any related matters (collectively, “ZMA 2019-00003”); and

WHEREAS, the applicant has requested that the Board of Supervisors refer its application back to the Albemarle County Planning Commission for the Commission’s consideration of the revised application.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, refers ZMA 2019-00003 to the Albemarle County Planning Commission so that the Commission may consider the revised application in one or more work sessions, hold one or more public hearings if required by law, and make a recommendation to the Board on the revised application.

**RESOLUTION
TO SCHEDULE AND ADVERTISE A PUBLIC HEARING TO CONSIDER CONVEYING REAL
PROPERTY TO THE ALBEMARLE COUNTY SCHOOL BOARD**

WHEREAS, the County of Albemarle is the fee simple owner of real property identified as Tax Parcel 09100-00-00-01100 located at 133 Galaxie Farm Lane and composed of approximately 15.80 acres (the “Property”); and

WHEREAS, by a resolution adopted November 14, 2019, the Albemarle County School Board (the “School Board”) has requested that the Board of Supervisors convey the Property to the School Board for the purpose of Albemarle County Public Schools (“ACPS”) constructing a high school center on the Property that will accommodate 400 students and provide educational resources that will enhance the academic programs of the existing ACPS high schools; and

WHEREAS, the Board of Supervisors is willing to consider the School Board’s request; and

WHEREAS, Virginia Code § 15.2-1800(B) requires a public hearing before the Property may be disposed of as proposed.

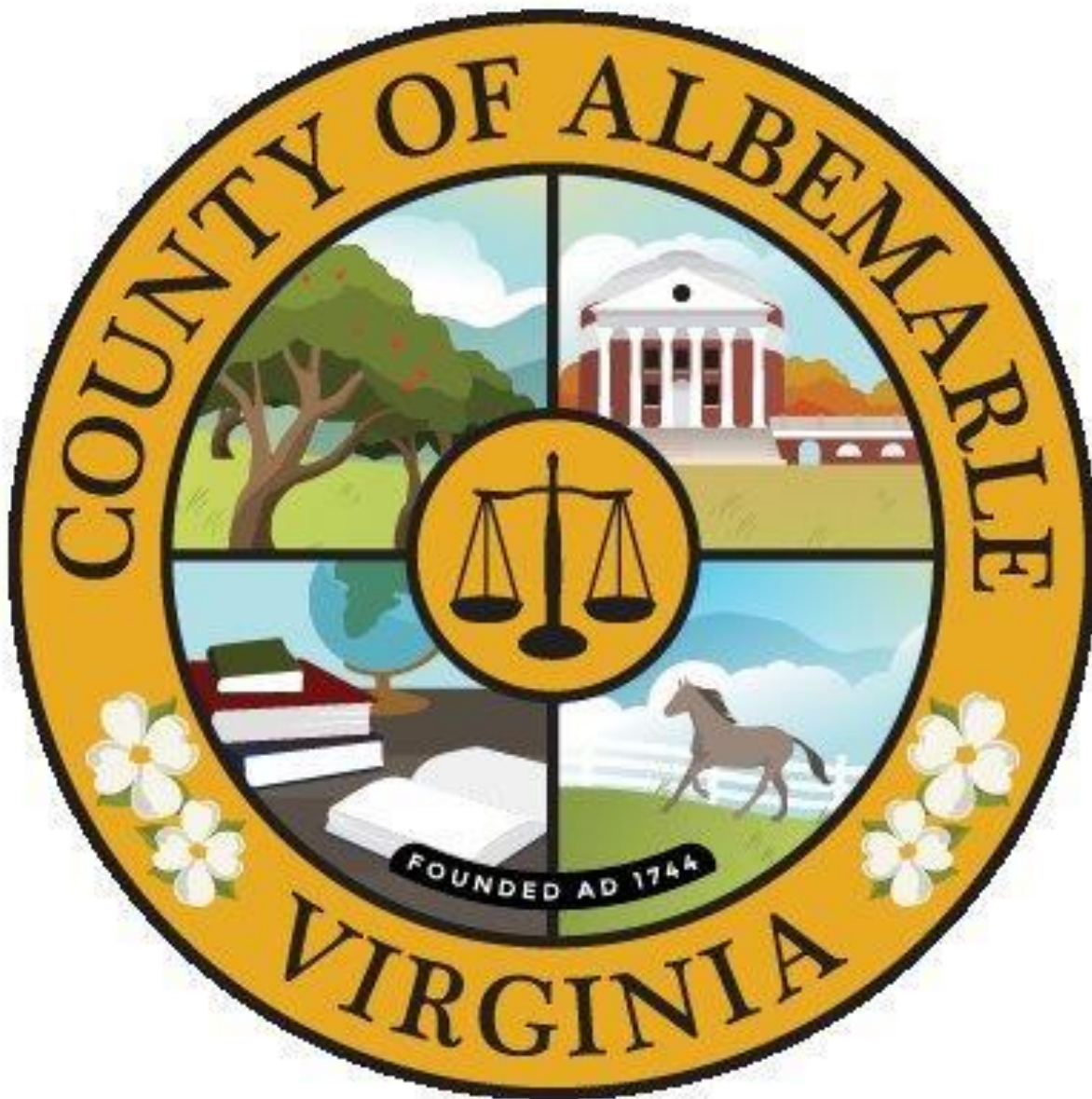
NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, authorizes a public hearing to be scheduled and advertised as soon as possible to receive comments from the public regarding the County conveying the Property to the School Board.

**RESOLUTION
ALTERING THE COUNTY SEAL**

WHEREAS, Virginia Code § 15.2-1402 authorizes the Board of Supervisors to “alter” the County Seal “at its pleasure”; and

WHEREAS, the Board desires that the design and appearance of the County Seal be consistent with that of other forthcoming County documents and web content.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, alters the County Seal as depicted in the image attached hereto.



G-PIN #13600-00-00-02900

SF-5
Revised 9/16
UPC 109601**PREPARED BY VDOT
UNDER SUPERVISION OF THE
OFFICE OF THE ATTORNEY GENERAL**Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(5), 58.1-3315, 25.1-418,
42.1-70, 17.1-266, and 17.1-279(E)

THIS DEED, made this ____ day of _____, 2019, by and between the BOARD OF SUPERVISORS OF ALBEMARLE COUNTY, VIRGINIA, Grantor, and the COMMONWEALTH OF VIRGINIA, acting by and through its Department of Transportation, Grantee;

WITNESSETH: THAT WHEREAS, by a meeting duly called of the Albemarle County Board of Supervisors, a resolution was duly passed authorizing the conveyance to the Commonwealth of Virginia, Department of Transportation, of the hereinafter described real estate; and

WHEREAS, a public hearing on this conveyance was held pursuant to Section 15.2-1800 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, for and in consideration of the sum of **\$400.00** paid by the Grantee to the Grantor, receipt of which is hereby acknowledged, the Grantor hereby grants and conveys unto the Grantee in fee simple, with special warranty the land located in Albemarle County, Virginia, and described as follows:

Parcel 003

Being shown on Sheets 18m and 18mRW of the plans for Route 726, State Highway Project 0726-002-931, RW201 and beginning on the South (right) side of the James River Road (Route 726) Construction Baseline from a point in the lands of the landowner at opposite station 100+75 to a point in the lands now or formerly belonging to Alexandria S. Ward and Roberta F. Ward, Trustees, at opposite station 103+73 and containing 2,818 square feet, more or less, of which 735 square feet is existing Right of Way and 2,083 square feet is additional land; Together with the temporary right and easement to use the additional areas shown as being for the construction of cut and/or fill slopes containing 6,744 square feet more or less. Said temporary easement will terminate at such time as the construction of the aforesaid project is completed.

For a more particular description of the land herein conveyed, reference is made to photocopies of Sheet No. 18m and 18mRW , showing outlined in RED the land conveyed in fee simple, outlined in ORANGE the temporary construction easement, which photocopies are hereto attached as a part of this conveyance and recorded simultaneously herewith in the State Highway Plat Book _____, Page _____.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect its property have been fully explained to its authorized representative.

The Grantor covenants that it has the right to convey the land to the Grantee, that it has done no act to encumber the same and that it will execute such further assurance of the same as may be requisite.

The Grantor covenants and agrees that the consideration hereinabove mentioned and paid shall be in lieu of any and all claims to compensation for land, including all costs to cure and all incurable damages to the value of the Grantor's remaining property caused by this acquisition, if any.

WITNESS the following signature and seal:

BOARD OF SUPERVISORS
ALBEMARLE COUNTY, VIRGINIA

BY: _____ (SEAL)
TITLE: _____

STATE OF VIRGINIA

COUNTY OF ALBEMARLE

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by

_____, _____ of the County of Albemarle, Virginia,
(Name) (Title)
on behalf of the County of Albemarle.

My Commission expires: _____
Notary Registration No.: _____

Notary Public