

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of February 5, 2020</p>		
		February 6, 2020
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:02 p.m., by the Chair, Mr. Gallaway. All BOS members were present. Also present were Jeff Richardson, Greg Kamptner, Claudette Borgersen and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Diantha McKeel added discussion of the Biscuit Run funding letter to the General Assembly to From the Board: Committee Reports and Matters Not Listed on the Agenda. Item #19, Proposed Lease of Space for the Office of Voter Registration and Elections was removed from the agenda. Greg Kamptner provided and amended resolution for item #8.5 Motor Vehicle Safety Inspections. Ann Mallek added discussion regarding the Cost to Compete bill to From the Board: Committee Reports and Matters Not Listed 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>Donna Price:</u></p> <ul style="list-style-type: none"> Remarked about the significance of the County's and local area's school system in being able to provide the current level of education for special needs children. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Provided an update about the Crozet Master Plan. Mentioned that February 2, 2020 was the faculty open house and performance day at Crozet Arts. Announced that Saturday, February 8, 2020 was Second Saturday, which is when the art galleries and studios in Crozet hold special events. Mentioned that at the last Historic Preservation Committee, the members of a Court Square study group from the City meet with the committee and said they are getting reenergized to redo their proposed draft for changes to the historic sign on the side of the courthouse. Announced that she received a phone call the day before from the Administrative Clerk at the ABC in Richmond, notifying the Board that the applicant for the Camp Champion limited brewery license has been withdrawn and is now completely dead. <p><u>Liz Palmer:</u></p>		

	<ul style="list-style-type: none"> Commented that the attendance at the recent Yancey Community Center Community Night was over 200 people. She noted that there was roller skating, bingo, and refreshments that were provided by the food pantry. 		
6.	Proclamations and Recognitions. a. By a vote of 6:0, ADOPTED proclamation Celebrating Black History Month and presented to Siri Russell.	(Attachment 1)	
7.	From the Public: Matters Not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> <u>Mr. Randy Rodgers</u>, Manager of Community Services at Jefferson Area Board for Aging (JABA), mentioned a free service JABA provides the community is insurance counseling to people who are on Medicare and they have added Affordable Care Act Counseling. <u>Ms. Judy Schlussel</u>, Rio District and member of the Rio29 CAC, commented on the 999 Rio Road project. <u>Mr. Kent Schlussel</u>, Rio District, said he Spoke towards the rezoning of 999 Rio Road. <u>Ms. Susan Kruse</u>, Executive Director of the Charlottesville Climate Collaborative (C3), thanked the Board for agreeing to add the “We Are Still In” coalition letter to its agenda and encouraged the Board to sign a letter submitted to the Board by C3 and join the coalition. <u>Ms. Putnam Ivey de Cortez</u>, White Hall District, commented that she was there with partners from Sentara Martha Jefferson Hospital, UVA Health, and the UVA Department of Public Health Sciences to present the Board with copies of the 2019 Map to Health report. <u>Dr. Charles Battig</u>, Scottsville, presented additional facts on climate change asked the Board what was driving their policy. <u>Ms. Jamie Pudhorodsky</u>, Rio District, member of the Church of Incarnation which is a member of IMPACT (Interfaith Movement Promoting Action by Congregations Together), commented that she hoped that all the Supervisors will prioritize affordable housing in the policy adoption and budget. <u>Ms. Laura Allen</u>, Cville 100, urged the Board to vote in favor of joining the “We Are Still In” Coalition. 		
8.2	FY 2020 Appropriations. <ul style="list-style-type: none"> ADOPTED Resolution to approve appropriations #2020048; #2020049; and #2020050 for local government and school division projects. 	<u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney’s office. (Attachment 2)	
8.3	Adoption of Amended Board Administrative Policies. <ul style="list-style-type: none"> ADOPTED. 	(Attachment 3)	

8.4	<p>Authorization to Schedule a Public Hearing for Ordinance to Amend County Code Chapter 7, Health and Safety.</p> <ul style="list-style-type: none"> • SET a public hearing to consider adoption of the attached proposed ordinance at a future Board meeting. 	<p><u>Clerk:</u> Schedule on future agenda and advertise in the Daily Progress when ready.</p>	
8.5	<p>Motor Vehicle Safety Inspections.</p> <ul style="list-style-type: none"> • ADOPTED the Resolution to oppose legislation to eliminate Virginia's Motor Vehicle Safety Inspection Program. 	<p><u>Clerk:</u> Forward copy of signed resolution to the County Attorney's office and the Senate Transportation Committee. (Attachment 4)</p>	
8.6	<p>Berkmar Apartments - Mixed-Income Property Resolution.</p> <ul style="list-style-type: none"> • ADOPTED the resolution making the determinations requested by the Berkmar Apartments, LLC for the proposed Berkmar Apartments project. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 5)</p>	
8.7	<p>Special Exception - Stonefield Block D-1 - Additional Stories.</p> <ul style="list-style-type: none"> • ADOPTED the attached Resolution to approve the special exception request. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 6)</p>	
8.8	<p>B201902953ATWR 203 Patterson Mill Lane Special Exception.</p> <ul style="list-style-type: none"> • ADOPT the attached Resolution approving the special exception subject to condition. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 7)</p>	
8.9	<p>Resolution Endorsing the "We Are Still In" Letter to the Virginia General Assembly Supporting Climate Action.</p> <ul style="list-style-type: none"> • APPROVED Resolution Endorsing the "We Are Still In" Letter to the Virginia General Assembly and AUTHORIZED the Board Chair to sign the letter and send to General Assembly representatives listed in the Resolution. 	<p><u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Service and the County Attorney's office. (Attachment 8) Prepare letter and received signature of Chair. Send to the General Assembly representatives listed in the Resolution.(Attachment 9)</p>	
9.	<p>Special Exception HS201900015 Squirrel Path Homestay.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED the Resolution to approve the special exception with the conditions contained therein. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 10)</p>	
10.	<p>Housing Albemarle - Update on the Housing Policy Project.</p> <ul style="list-style-type: none"> • Liz Palmer requested information on how the the Southwood investment plays into policies. • RECEIVED. 		
11.	<p>Perrone Robotics Crozet Shuttle Close Out Report.</p> <ul style="list-style-type: none"> • RECEIVED. 		
	<p>At 3:16 p.m., the Board recessed and reconvened at 3:31 p.m.</p>		
12.	<p>Department of Social Services FY19 Annual Report.</p> <ul style="list-style-type: none"> • RECEIVED. 		
13.	<p>Bright Stars Annual Report FY19.</p> <ul style="list-style-type: none"> • RECEIVED. 		
14.	<p>Health Department Annual Update.</p>		

<ul style="list-style-type: none"> • RECEIVED. <p>15. Closed Meeting.</p> <ul style="list-style-type: none"> • At 4:46 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 the Board of Social Services, the Board of Appeals, and the Joint Airport Commission; and • Under Subsection (3), to discuss the acquisition of property for a County facility, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and • Under Subsection (6), to discuss and consider the investment of public funds in the Scottsville Magisterial District where bargaining is involved and where, if made public initially, the financial interest of the County would be adversely affected. • Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to existing and probable litigation regarding decisions of the Board of Zoning Appeals. <p>16. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:12 p.m., the Board reconvened into open meeting and certified the closed meeting. <p>17. Vacancies and Appointments.</p> <ul style="list-style-type: none"> • REAPPOINTED Mr. Ross L. Stevens to the Acquisition of Conservation Easement Appraisal Review Committee with said term to expire December 31, 2020. • APPOINTED Ms. Amy Laufer to the Board of Social Services with said term to expire December 31, 2023. • APPOINTED Mr. David J. Gibson, Jr. to the Fire Prevention Board of Appeals and Local Board of Building Code Appeals with said terms to expire November 21, 2023. • APPOINTED Mr. Michael P. Corrigan to the Places 29 (Hydraulic) Community Advisory Committee said term to expire August 5, 2021. <p>20. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • Ms. Annette Osso, Resilient Virginia, commented on Climate Action Planning. • Ms. Marcy Springett, Rio District, commented on 999 East Rio Road. • Ms. Vikki Bravo, IMPACT, commented on item #10 on the agenda. • Mr. Sean Tubbs, Piedmont Environmental Council, commented on Albemarle County's Dark Skies Ordinance. • The Green Grannies, Charlottesville, commented on climate issues and sang their version of "Twinkle, Twinkle, Little Star" to the 		
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	<p>leader meeting that occurred in January, where they invited the managers and supervisors from the organization to a half-day off-site at the Rivanna Fire Department.</p> <ul style="list-style-type: none"> • Commented that some of the Board members, as well as Ms. Pethia and others, worked with two 8th grade classes on a project to explore what a sustainable, affordable, and inclusive community would look like. • Presented a picture from their recent Lunch and Learn series at the Lewis and Clark Exploratory Center. • Commented that the previous week, they held the annual joint Community Advisory Committee (CAC) meeting at the 5th Street Office where all the CACs came together and there were 50 community members in attendance as well as 10-12 staff. • Announced that Ed Brooks joined the staff in January as the coordinator for the Yancey Community Center. • Commented that Mr. Trevor Henry met with students from Murray High School to share his story as a veteran in the community that continues with his public service life as well as his civilian life. • Announced that Mr. Henry presented with Wade Woolfrey (Rivanna Station) about the expansion of the base that will occur, and how the County is working differently to support the work of the Rivanna Station connected through the Defense Affairs Committee at the Chamber. 		
23.	<p>Adjourn to February 19, 2020, 12:00 p.m., Room 241.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:30 p.m. 		

ckb/tom

Attachment 1 – Proclamation Celebrating Black History Month

Attachment 2 – Resolution to Approve Additional FY 2020 Appropriations

Attachment 3 – Albemarle County Board of Supervisors Policies - Adopted February 5, 2020

Attachment 4 – Resolution Opposing Legislation to Eliminate the Motor Vehicle Safety Inspection Program

Attachment 5 – Resolution Supporting Determinations for Virginia Housing Development Authority Financing for Mixed-Income Property

Attachment 6 – Resolution to Approve Special Exception to Vary the Code of Development for ZMA2001-00007 Stonefield (Formerly Albemarle Place)

Attachment 7 – Resolution to Approve Special Exception for B2019-02953A TWR

Attachment 8 – Resolution Endorsing The “We Are Still In” Letter to The Virginia General Assembly

Attachment 9 – Call for Climate Action from Leading Virginia Institutions Letter to Members of The Virginia General Assembly

Attachment 10 – Resolution to Approve Special Exception for HS2019-00015 312 Squirrel Path

Attachment 11 – Ordinance No. 20-A(2) - ZMA 2019-00011 - An Ordinance to Amend the Zoning Map for Tax Parcel 045B1-05-0A-01100

Attachment 12 – Biscuit Run Funding Support (Budget Amendment Item 374 #2s) Letters

Attachment 13 – Cost to Compete (Budget Amendment Item 145 #1s) Letter



Proclamation Celebrating Black History Month

- WHEREAS,** Black History Month, celebrated during the month of February, originated in 1926 to recognize the heritage and achievements of Black people in the United States; and
- WHEREAS,** since its founding, Albemarle County has imperfectly progressed toward its mission of enhancing the well-being of all its residents; and
- WHEREAS,** following the Civil War, 52% of the local population were freed and soon thereafter, established a vibrant community of black-owned farms and homesteads known as Union Ridge that stretched across three miles, connecting present-day Hydraulic, Georgetown, and Woodburn roads; and
- WHEREAS,** Isabella Gibbons established a school for freed people in Albemarle County upon her emancipation at the end of the Civil War; and Rives Minor and Jesse Scott Sammons were long-term educators at the Union Ridge Grade School, established in 1886; and Mary Carr Greer was instrumental to its expansion when it became the Albemarle Training School in 1893 and served as the first and only four-year high school for the County's Black students until 1959; and John Gibbons Shelton, principal of the Albemarle Training School, also ran and edited the area's Black newspaper; and Dr. George R. Ferguson was the first Black physician with a sustained practice in Albemarle County from the early 1900s until 1932; and
- WHEREAS,** the substantial contributions of Albemarle County's Black residents to the County's history have not always been adequately recognized.
- NOW, THEREFORE, BE IT RESOLVED,** that we, the Albemarle County Board of Supervisors, do hereby acknowledge the importance of celebrating Black History Month as an opportunity for all County residents to recognize the social, physical, and cultural contributions of Black Americans, and to reflect on the complex history of Albemarle County in order to create a stronger and more resilient community in the future.

Signed this 5th day of February, 2020

*Ned Gallaway, Chair
Albemarle Board of County Supervisors*

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2020048; #2020049; and #2020050 are approved; and
- 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, 2020.

**Albemarle County
Board of Supervisors**

Policies

Adopted February 5, 2020

**Policies of the
Albemarle County Board of Supervisors**

1. Travel Reimbursement

Supervisors will be reimbursed travel expenses pursuant to uniform standards and procedures that will allow Supervisors to travel for official County business purposes consistent with the prudent use of County funds as follows:

A. Routine Travel Expenses. Supervisors may be reimbursed for the following routine travel expenses at the County's authorized car mileage reimbursement rate, provided there are available funds:

- 1. Mileage to Attend Board and Committee Meetings.** Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Supervisor is appointed, from home or work, if a work day, which is not part of routine personal travel. Travel to use the Board's County Office Building office between other personal travel or meetings, is not eligible for reimbursement.
- 2. Mileage to Attend Matters within the Board's Responsibilities.** Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters within the Board's responsibilities (e.g., site visits, informational meetings, local ceremonies to which the Supervisor was invited or is related to a matter for which the Board or the County has an interest) which is not part of routine personal travel.
- 3. Mileage to Attend Parades and Other Community Gatherings.** Parades and other community gatherings, that are not campaign events, to discuss County business.

B. Educational Conference Travel Expenses. Supervisors may be reimbursed for the following educational conference travel expenses, provided there are available funds:

- 1. Regional, Statewide, and National Meetings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Supervisor represents the County, as approved by the Board.
- 2. Legislative or Congressional Hearings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.

C. Matters for Which Supervisors will not be Reimbursed. Supervisors will not be reimbursed for the following travel expenses:

- 1. Political Events.** Travel to events which are political in nature (*i.e.*, campaigning or partisan events).
- 2. Personal Expenses.** Personal expenses incurred during travel.
- 3. Travel Not Part of Duties.** Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Subsections (C)(1) or (C)(2).

D. Implementation. This policy will be applied and overseen in the following manner:

- 1. Reimbursement Requests.** Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board (the "Clerk") and shall itemize the date, number of miles of travel, and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be for the amount of costs expended and shall be documented by receipts for actual amounts paid.
- 2. Clerk Review.** The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
- 3. Exhaustion of Funds.** When all allocated funds for Board reimbursements have been

expended, there will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

2. Supervisors Appointed to Boards, Committees, and Commissions

The Board appoints its members to a variety of boards, committees, and commissions to represent the interests of the Board on those bodies. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

- A. Voting Representatives.** Supervisors who are appointed to boards, committees, and commissions are required to vote on matters that come before those bodies in a manner which is consistent with the policies and positions of the Board as reflected in previously adopted resolutions or official actions of the Board on those matters.
- B. Liaison Representatives.** Supervisors who are appointed to boards, committees, and commissions as liaisons are to act as a resource for the board, committee, or commission and are to report to the Board on the activities of the board, committee, or commission.
- C. Alternates.** Supervisors may serve as alternates for the Board-appointed voting representatives or liaison representatives when the representative is unable to attend a meeting. The organizational documents for the board, committee, or commission must allow alternates to be appointed. Any alternate must be appointed by the Board to serve as an alternate for the particular board, committee, or commission.

3. Boards, Commissions, and Committees

A. Review and Creation of Boards, Commissions, and Committees are as Follows:

- 1. Annual Report.** By October 1 of each year, all boards, commissions, and committees shall submit a report to the Board covering the prior fiscal year (July 1 to June 30) that includes the key activities that support their mission and a summary of their activities and the attendance of each appointee.
- 2. Annual Evaluation.** On an annual basis, the list of active boards, commissions, and committees will be evaluated and purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior 12-month period.
- 3. Combining Functions and Activities.** Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.
- 4. Short-Term Task Forces and Ad Hoc Committees.** Any newly created task force or ad hoc committee which is intended to serve for a limited duration may be comprised of magisterial or at-large members at the discretion of the Board. The appointment process shall follow that adopted in Section 3(B) for other magisterial and/or at-large positions.

B. Appointments to Boards, Commissions, and Committees

- 1. Appointments, Generally.** All appointments to boards, commissions, and committees based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the Supervisor of that district.
- 2. Compilation of List of Expired Terms and Vacancies.** Prior to the first regular Board meeting each month, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next 60 days. The Board will then advise the Clerk which vacancies to advertise.
- 3. Advertising Positions.** When the Board advises the Clerk which vacancies to advertise, the Clerk shall, in collaboration with the County's Director of Communications and Community Engagement, distribute notice of the vacancy on any board, commission, or committee through available and appropriate media in order to reach as many citizens as possible. The advertisement shall provide a brief description of the duties and functions of the board, commission, or committee, the length of term of the appointment, the frequency of meetings, the minimum qualifications necessary to fill the position, and the Board's expectations for appointees to attend meetings and to participate in other activities of the board, commission,

or committee. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.

4. **Application Content.** The application form shall request information in the following areas: (i) the name of the board, commission, or committee to which the applicant seeks to be appointed; (ii) the name, address, and other contact information of the applicant; (iii) employment; (iv) County resident status and resident history; (v) family relationship (natural or legal offspring, parent, grandparent, spouse, or sibling) to any County Supervisor or other officer, employee, or appointee; (vi) education; (vii) offices or memberships in civic, not-for-profit, and similar organizations; (viii) activities and interests; (ix) reasons for seeking to serve on the board, commission, or committee; and (x) how the applicant learned about the vacancy.
 5. **Application Period.** All interested applicants will have a minimum of 30 days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that the application may be released to the public, if requested. No applications will be accepted if they are received or, if the application is mailed through the United States Postal Service, postmarked after the advertised application deadline, however, the Board, at its discretion, may extend the deadline.
 6. **Distribution of Applications.** After the application deadline has passed, the Clerk will distribute all applications received to the Supervisors before the Board meeting at which the applications will be considered. For magisterial appointments, the Clerk will forward applications as they are received to the Supervisor of that district who will then recommend his or her appointment.
 7. **Interviews; Appointments Without Interviews.** From the pool of qualified candidates, the Board, in its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held on the day of a regular or special Board meeting.
 8. **Appointments Within 90 Days.** The Board will make all reasonable efforts to interview selected applicants and make appointments within 90 days after the application deadline. For Board-designated agency appointments to boards, commissions, and committees, the Clerk shall ask the agency to recommend a person for appointment by the Board.
 9. **Vacancies Filled as They Occur; Exception.** All vacancies will be filled as they occur, except that vacancies occurring on a Community Advisory Council will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on that Council at the same time and more than three months remaining from the annual appointment date.
 10. **Appointees Required to File Real Estate Disclosure Form.** As a condition of assuming office, all citizen members of boards, commissions, and committees shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*) and thereafter shall file the form annually on or before February 1.
 11. **Termination of Appointment for Excessive Absences.** If a member of a board, commission, or committee does not attend and participate in at least 75 percent of that body's meetings, the Chair of the body may request the Board to terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period. If permitted by applicable law, the Board may establish different attendance requirements and procedures to terminate an appointment for excessive absences for a particular board, commission, or committee.
 12. **Appointees to Advisory Bodies Serve at the Pleasure of the Board.** Any person appointed by the Board to an advisory board, commission, or committee serves solely at the pleasure of the Board.
4. **Supervisors Serving Without Remuneration on the Board of Trustees of Not-for-Profit Entities**
- A. **State Law.** The State and Local Government Conflict of Interests Act (the "Act") recognizes that a system of representative government depends in part upon: (i) Supervisors representing fully the public in the legislative process; and (ii) the County's citizens maintaining the highest trust in

the Board of Supervisors. The Act establishes rules designed to assure that the judgment of any Supervisor is free of inappropriate conflicts of interest. Under the Act, a Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity, where neither the Supervisor's nor his or her immediate family has a personal interest in the not-for-profit entity, is not required to disclose or disqualify themselves from participating in any transaction related to the not-for-profit entity.

- B. Board Policy.** A Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered or acted upon. The disclosure must be made at the beginning of the Board meeting at which the matter will be considered or acted upon.

**RESOLUTION OPPOSING LEGISLATION TO ELIMINATE THE
MOTOR VEHICLE SAFETY INSPECTION PROGRAM**

WHEREAS, several sections within Title 46.2 of the Virginia Code require that a motor vehicle's equipment and devices be in proper working order; and

WHEREAS, it is unlawful to operate a motor vehicle with defective equipment or devices; and

WHEREAS, the Virginia Motor Vehicle Safety Inspection Program (Virginia Code § 46.2-1157 *et seq.*) (the "Safety Inspection Program") was established in 1932 to help reduce highway crashes and related deaths in the Commonwealth; and

WHEREAS, the Safety Inspection Program currently requires all motor vehicles registered in the Commonwealth to undergo an annual safety inspection to ensure that the equipment and devices on every motor vehicle meet established safety standards for the highway; and

WHEREAS, Virginia State Police reports that 8,209,716 motor vehicles were inspected in 2018 and over 20 percent (1,634,740) of those vehicles failed their safety inspection due to critical safety defects which then had to be promptly repaired in order for the vehicle to be lawfully driven on the highways; and

WHEREAS, the Safety Inspection Program has significantly contributed to motor vehicle safety, as evidenced by a 2018 United States Department of Transportation study which found that Virginia had 9.6 traffic deaths per 100,000 population, which was well below the national average; and

WHEREAS, by comparison, the number of traffic deaths in South Carolina rose 29.4% in the 11 years after it repealed its motor vehicle safety inspection program, and the number of traffic deaths in Mississippi, which repealed its motor vehicle safety inspection program in 2015, is 22.62 traffic deaths per 100,000 population; and

WHEREAS, Senate Bill 125 would repeal the Safety Inspection Program; and

WHEREAS, on January 27, 2020, House Bill 130, which also would have repealed the Safety Inspection Program, was recommended to be laid on the table by the House Motor Vehicles Subcommittee.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia (the "Board") that the Board opposes the repeal of the Virginia Motor Vehicle Safety Inspection Program (Virginia Code § 46.2-1157 *et seq.*) and all other amendments in Senate Bill 125 related to that repeal; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to provide by email a copy of this Resolution on this date to the members of Senate Committee on Transportation and to the Director of Legislative Services for the Thomas Jefferson Planning District Commission, and that it thereafter be distributed as necessary and appropriate to members of the General Assembly.

RESOLUTION

WHEREAS, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Board of Supervisors of the County of Albemarle, Virginia, desire to designate the area (the "Area") described in Exhibit A attached hereto as a revitalization area;

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

- (1) the industrial, commercial or other economic development of the Area will benefit the County but the Area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in the Area; and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the Area and will induce other persons and families to live within the Area and thereby create a desirable economic mix of residents in the Area.

NOW, THEREFORE, BE IT HEREBY RESOLVED that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Area is hereby designated as a revitalization area.

NOW, THEREFORE, BE IT FURTHER DETERMINED that the following nonhousing building or buildings (or nonhousing portion or portions of the building or buildings) located or to be located in the Area are necessary or appropriate for the industrial, commercial or other economic development of the Area:

Community Clubhouse: the clubhouse will be its own building with an adjoining resort-style saltwater outdoor swimming pool. The clubhouse will contain a resident lounge, luxury kitchen, game and conference rooms, business center, fitness center and management/leasing office. In addition to the swimming pool, proposed outdoor amenities include decking, a fire pit area, outdoor kitchen and restrooms/locker rooms.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION TO VARY THE CODE OF DEVELOPMENT FOR
ZMA2001-00007 STONEFIELD (FORMERLY ALBEMARLE PLACE)**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3, 18-33.5 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development approved in conjunction with ZMA2001-00007 Stonefield (formerly Albemarle Place), subject to the conditions attached hereto.

* * *

ZMA2001-00007 Stonefield (formerly Albemarle Place) – Special Exception Conditions

1. The special exception applies to Block D1 as depicted on the application plan of ZMA201300009 entitled "Amended Application Plan – Full Build, Exhibit A," prepared by W/W Associates, dated October 21, 2013.
2. All rooftop mechanical equipment must be fully screened from the view of adjacent properties and adjacent public streets.
3. The following major elements of the development must be in general accord with the application plan for this Special Exception Request entitled "Special Exception Application: Stonefield Block D1", prepared by Mitchell Matthews Architects, dated November 4, 2019, and revised December 23, 2019:
 - a. Structured parking
 - b. Less than or equal to the maximum number of stories along each street, as shown on Sheet 7.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR B2019-02953A TWR**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.40 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(c) for B2019-02953A TWR, subject to the condition attached hereto.

* * *

B201902953A TWR Special Exception Condition

1. No antenna authorized by this special exception shall project more than eighteen inches (18") from the face of the monopole to the back of the antenna.

**RESOLUTION ENDORSING THE “WE ARE STILL IN”
LETTER TO THE VIRGINIA GENERAL ASSEMBLY**

WHEREAS, the County of Albemarle on September 5, 2018, authorized the Board Chair to sign the “We Are Still In” Declaration and join a coalition of localities, states, tribes, businesses, universities, healthcare organizations and faith groups committed to reducing greenhouse gas emissions; and

WHEREAS, the County of Albemarle on October 16, 2019, established a Community-wide Greenhouse Gas (GHG) Emissions Reduction Target in line with the Intergovernmental Panel on Climate Change (IPCC), adopting GHG emissions reduction targets of 45% by 2030 and net zero by 2050 using the County’s 2008 GHG inventory as a baseline; and

WHEREAS, the County of Albemarle is currently working on developing a Climate Action Plan as part of the Board of Supervisor’s Prioritized FY2020-2022 Strategic Plan; and

WHEREAS, the Virginia General Assembly is currently considering a number of pieces of legislation that address Regional Greenhouse Gas Initiative (RGGI), clean energy standards, greater customer access to clean energy, and polies and programs that reduce transportation-related emissions; and

WHEREAS, “We Are Still In” is encouraging members in Virginia to sign the attached letter to be sent to the Virginia General Assembly endorsing the Regional Greenhouse Gas Initiative (RGGI), clean energy standards, greater customer access to clean energy, and policies and programs that reduce transportation-related emissions.

NOW, THEREFORE, BE IT RESOLVED, the County of Albemarle authorizes the Board Chair to sign the “We Are Still In” letter attached to this Resolution on behalf of the Board of Supervisors and for the Clerk to send copies of the letter to Delegates Chris Runion, Sally L. Hudson, Robert B. Bell and C. Matthew Fariss as well as copies to Senators R. Creigh Deeds and Bryce E. Reeves.



Beatrice (Bea) LaPisto-Kirtley
Rivanna

Donna P. Price
Scottsville

Ann H. Mallek
White Hall

COUNTY OF ALBEMARLE
Office of Board of Supervisors
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Charlottesville, Virginia 22902-4596
(434) 296-5843 FAX (434) 296-5800

Diantha H. McKeel
Jack Jouett

Liz A. Palmer
Samuel Miller

Ned L. Gallaway
Rio

February 7, 2020

RE: Call for Climate Action from Leading Virginia Institutions

Dear Members of the Virginia General Assembly,

As a group of businesses, municipalities, higher education institutions, hospitals, cultural institutions, and faith groups across the Commonwealth, we urge lawmakers to lead on climate change by supporting policies to accelerate Virginia's transition to a low-carbon, clean energy economy.

Climate change poses a significant risk to the health, livelihood, and economic stability of our communities. Recognizing these risks, our institutions are making ambitious commitments and taking action to reduce greenhouse gas emissions and adopt clean energy. Clean energy and clean transportation technologies provide an important economic opportunity for the Commonwealth—attracting new local investments, creating jobs, and enabling consumers to save money. However, we need policies that prioritize the decarbonization of our economy in order to fully address the risks or realize the value of tackling the climate crisis.

Specifically, we ask you to support:

- **The Regional Greenhouse Gas Initiative (RGGI)**
- **Clean energy standards**
- **Greater customer access to clean energy**
- **Policies and programs that reduce transportation-related emissions**

An important step to ensure carbon emissions reductions in Virginia's electricity sector is for the Commonwealth to join the **Regional Greenhouse Gas Initiative (RGGI)** through legislative decree. As a regional, market-based program, RGGI incentivizes the lowest-cost means of reducing carbon pollution from power plants and has proven to be highly effective. The nine

February 7, 2020

Page 2

states that have participated in RGGI over the past ten years have successfully reduced electric-sector carbon emissions while growing their economies faster than other states and have saved ratepayers money through lower electricity prices.¹

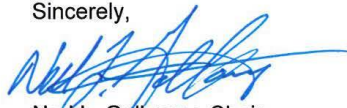
Legislative authorization to join RGGI would enable Virginia to receive and invest RGGI proceeds, which are estimated at \$75 million annually for the Commonwealth². Use of these revenues should be prioritized toward clean energy investments and energy efficiency programs that relieve the energy burden in low-income communities.

In addition to RGGI, lawmakers should pass policies that incentivize a swift transition to energy efficiency and renewable energy sources such as wind and solar.³ Standards that require increases in renewable energy deployment and incentivize utility investments in energy efficiency, also known as **clean energy standards**, are a key component for transitioning Virginia to a 100% carbon-free electricity system by 2050. Clean energy standards are proving successful in many states around the country as a cost-effective means of guiding utility decision-making in favor of lower-carbon, efficient, and renewable electricity. While RGGI clearly defines and guarantees carbon emissions reductions, clean energy standards help ensure that the right investments are being made locally to build a thriving, self-supporting, clean energy economy in Virginia. Virginia households, businesses, and institutions can also play an important role in scaling up clean energy resources; policies that remove barriers and provide **greater customer access to clean energy** are similarly critical for success.

Furthermore, we cannot ignore that transportation has now surpassed the electric power sector as the largest source of the Commonwealth's carbon emissions. We encourage lawmakers to explore and adopt **policies and programs that reduce transportation-related carbon emissions**—such as standards to incentivize low- and zero-emission vehicles, investments in electric vehicle charging stations, public transit systems, and more. We also encourage the Commonwealth to continue to explore regional opportunities to address transportation-related carbon emissions.

As leaders with operations, employees, investments and/or constituents in Virginia, we want to ensure that Virginians can enjoy a thriving economy, a clean environment, and healthy communities for the many generations to come. We look forward to working with lawmakers to tackle the climate crisis and make this vision a reality.

Sincerely,



Ned L. Gallaway, Chair
Albemarle County Board of Supervisors

¹ RGGI states reduced carbon emissions from power plants by 47% between 2009-2019, while during the same period electricity prices fell 5.7% and GDP growth has outpaced the rest of the country by 31%. Source: Acadia Center, "The Regional Greenhouse Gas Initiative: Ten Years in Review," September 17, 2019.

<https://acadiacenter.org/document/the-regional-greenhouse-gas-initiative-ten-years-in-review/>

² Energy News Network

<https://energynews.us/2018/12/17/southeast/rggi-works-virginia-advocate-on-what-state-stands-to-gain-from-carbon-cap/>

³ We do not view energy derived from woody biomass as renewable or sustainable.

NLG/ckb

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR HS2019-00015 312 SQUIRREL PATH**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125 foot front, side, and rear yards required for a homestay in the Rural Areas zoning district for HS2019-00015 312 Squirrel Path, subject to the conditions attached hereto.

* * *

HS 2019-00015 312 Squirrel Path Special Exception Condition

1. No more than two (2) guest rooms may be rented for homestay use within the existing residence as depicted on the Parking and House Location Exhibit dated January 15, 2020.
2. Parking spaces for homestay guests are limited to the existing parking areas as depicted on the Parking and House Location Exhibit dated January 15, 2020.

**ORDINANCE NO. 20-A(2)
ZMA 2019-00011**

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCEL 045B1-05-0A-01100**

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2019-00011 and their attachments, including the proffers last revised on January 3, 2020 and signed on January 13, 2020, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-24.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2019-00011 with proffers last revised on January 3, 2020 and signed on January 13, 2020.

* * *

Original Proffers Yes
Amendment

PROFFER STATEMENT

Revised January 3, 2020

ZMA No. 2019-00011

Tax Map and Parcel Number(s): 045B1-05-0A-01100

Owner(s) of Record: Commercial Rentals, LLC

Date of Proffer Signature: January 13, 2020

0.702 acres to be rezoned from "Commercial Office (CO)" to "Highway Commercial (HC)"

Commercial Rentals, LLC, is the owner (the "Owner") of real property described in Albemarle County records as Tax Map and Parcel Number 045B1-05-0A-01100 (the "Property") which is the subject of rezoning application ZMA No. 2019-00011.

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

Proffer 1. Uses: The following uses will not be permitted on the Property:

1. 24.2.1 (5) Churches, cemeteries;
2. 24.2.1 (6) Clubs, lodges;
3. 24.2.1 (13) Fire and rescue squad stations;
4. 24.2.1 (14) Funeral homes;
5. 24.2.1 (23) Manufactured home and trailer sales and service;
6. 24.2.1 (24) Modular building sales;
7. 24.2.1 (41) and 22.2.1 (b)(3) Religious assembly use, cemeteries;
8. 24.2.1 (41) and 22.2.1 (b)(4) Clubs, lodges;
9. 24.2.1 (41) and 22.2.1 (b)(6) Fire and rescue squad stations;
10. 24.2.1 (41) and 22.2.1 (b)(7) Funeral homes.

Proffer 2. Sidewalk: A pedestrian walkway will be constructed from the building entrance area to the existing public sidewalk along Seminole Trail (Route 29), comprised of a concrete sidewalk with a striped crosswalk provided where the walkway crosses the private asphalt entrance road into the Site.

Proffer 3. Architectural Design. Any new buildings constructed on the property must be designed such that the wall facing Route 29 will serve as the primary building façade, or the wall facing Route 29 must incorporate transparent windows and doors at a minimum, and may also incorporate pilasters, recessed or projecting bays, or similar architectural elements and will not be a single, undifferentiated plane.

Proffer 4. Managed Slopes: The managed slopes and existing landscape buffer will not be disturbed within the 20 ft. parking setback from the rear property line and all grading and retaining wall construction will adhere to the requirements in County Code Section 18-30.7.5.

The undersigned certifies that it is the only owner of the Property. These proffers shall run with the Property and shall be binding upon the Owner and Owner's successors in interest.

OWNER

Commercial Rentals, LLC

By: *[Signature]*
Dhanvant H. Goradia
Title: Manager

Date: 1/13/19



Beatrice (Bea) LaPisto-Kirtley
Rivanna

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Liz A. Palmer
Samuel Miller

Ned L. Gallaway
Rio

February 6, 2020

The Honorable Creigh Deeds
25th Senate District
P.O. Box 396
Richmond, VA 23218

Dear Senator Deeds,

On behalf of the Albemarle County Board of Supervisors, I write to thank you for introducing Budget Bill SB 30 (Budget Amendment Item 374 #2s), which would add \$5 million in State funding in both Fiscal Years 2021 and 2022, to be provided to the County of Albemarle to develop Biscuit Run as a County and regional park.

On December 4, 2019, the Albemarle County Board of Supervisors approved two major actions related to Biscuit Run Park that I want to bring to your attention.

The first Board decision involved the County restoring 1,000 feet of Biscuit Run Creek at the northern most section of the Park. The County recently submitted a VA DEQ Stormwater Local Assistance Fund (SLAF) request for funding assistance. The stormwater work is included in the County's FY 2021 work plan for the Facilities and Environmental Services Department.

The second Board decision involved a unanimous decision to re-zone the Biscuit Run property (excepting a section of privately-owned land) back to "Rural Areas," a zoning designation most appropriate for the park. Prior to the park's donation to the State in 2009, the Board of Supervisors had approved the property owners' request in 2008 to re-zone the property from Rural Areas to "Neighborhood Model District," which would have allowed a relatively high density mixed-use development pursuant to an approved master plan. Because Biscuit Run will open as a County-operated park, the County was required to re-zone Biscuit Run back to Rural Areas.

Budget Amendment Item 374 #2s is vitally important to the County because two years ago last month, the State offered Biscuit Run to the County to operate as a County and regional park under a 99-year lease agreement. One expectation of that agreement was that \$5 million in Dominion Energy's Atlantic Coast Pipeline mitigation funds would be made available to assist the County in opening the park. The combination of court challenges and Federal actions have delayed (if not foreclosed) the County's receipt of any mitigation funds.

Lacking this critical funding, the Board of Supervisors decided last spring to redirect \$2.97 million in scarce County capital improvement funds to start Phase I (at \$7.5 million) of the County's \$34 million Master Plan for the park. **The Board also requested this fall that \$5 million be included in Governor Northam's FY 2021 budget; however, it was not included in the Governor's budget.**

If your budget amendment is approved, \$3.5 million of the State funds in FY 2021 would support the completion of the build-out of Phase I (see the attached sheet) and the other \$1.5 million would allow four badly needed athletic fields to be constructed as part of Phase II.

Given that the State's 2015 projected cost to open Biscuit Run was \$42.5 million, the County intends to open Biscuit Run at far less cost per user served than the State could have.

Again, the Board of Supervisors thanks you for introducing Budget Amendment Item 374 #2s.

Best regards,



Ned L. Gallaway,
Supervisor, Rio Magisterial District
Chair, Albemarle County Board of Supervisors

Attachments:

Biscuit Run Phase I and Phase II Projects

Biscuit Run Map

Albemarle County Board Resolution Seeking General Assembly Support for Biscuit Run

Cc:

Albemarle County Board of Supervisors

Jeffrey Richardson

Greg Kamptner

Trevor Henry

Doug Walker

Bob Crickenberger

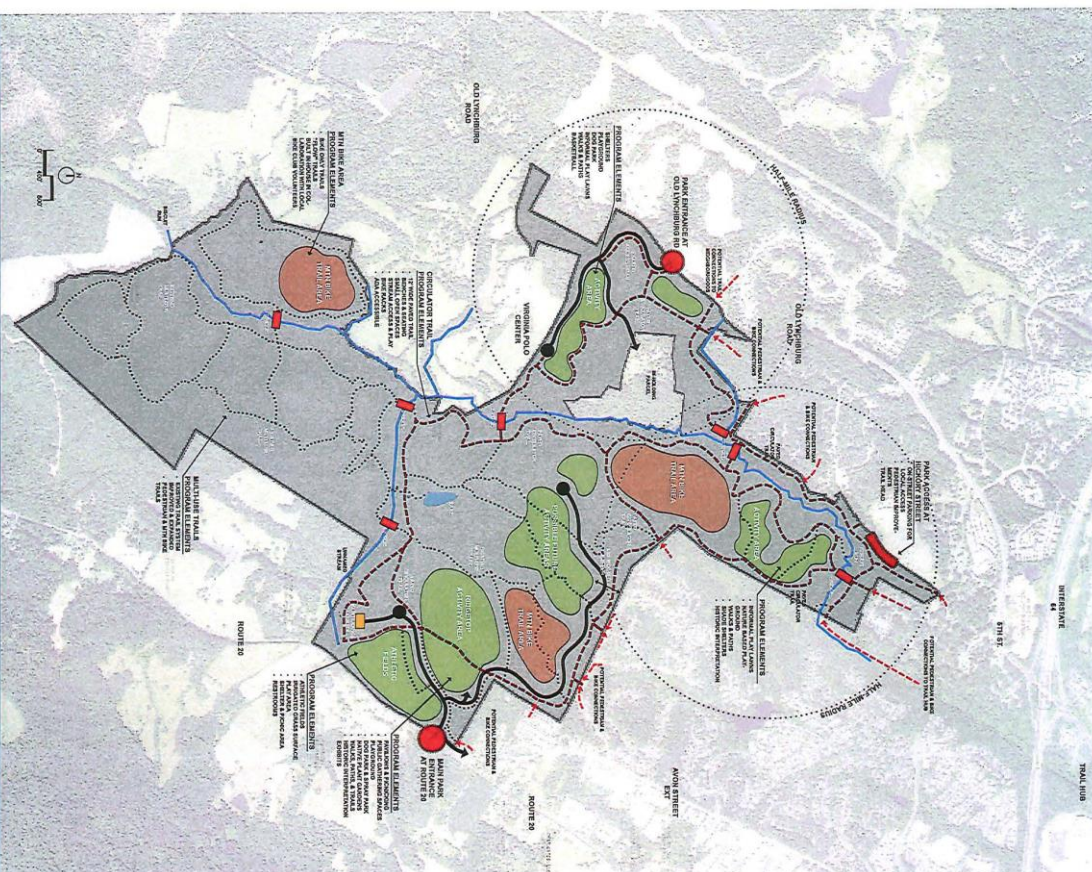
Biscuit Run Park

Phase I Development: Intended Projects: Maximum Cost: \$7.5 million

- Creation of Route 20 Entrance, Access Roads, Trailhead Parking & Restrooms
- Trailhead opened at Hickory Street with on-street parking
- Site utilities constructed at Route 20 parking area
- Park maintenance facilities installed adjacent to Route 20 parking area
- New multi-use earthen and gravel trails built and existing trails improved by County parks staff and volunteer groups
- Invasive species removal by park staff, volunteers and others (students, etc.)

Phase II Development: Intended Projects: Maximum Cost: \$14 million

- Creation of four athletic fields with adjacent parking (gravel)
- Construction of two bridges fording Biscuit Run Creek along with circulator trail
- Hilltop clearing with lawn, meadows and trails developed
- Playground and picnic area created, along with neighborhood activity area
- Additional multi-use and bike trails improvements by park staff and volunteers



**RESOLUTION
REQUESTING THE LOCAL GENERAL ASSEMBLY DELEGATION TO SUPPORT
STATE FUNDING TO DEVELOP BISCUIT RUN PARK
IN ALBEMARLE COUNTY**

WHEREAS, the State acquired the approximately 1,200 acre property located in Albemarle County known as "Biscuit Run" in 2009 and thereafter developed a master plan to develop it as a State park; and

WHEREAS, the cost to the State to develop Biscuit Run as a State park was estimated in 2017 to be approximately \$42,000,000, an amount that was never funded; and

WHEREAS, on January 4, 2018, the County entered into a 99-year lease of Biscuit Run with the State for the purpose of developing it as a County and regional park; and

WHEREAS, the Governor's January 4, 2018 press release stated: "This new partnership will allow for the park to open sooner than expected and will provide high-quality recreational opportunities for Albemarle County and the surrounding communities"; and

WHEREAS, the Board of Supervisors adopted a master plan for Biscuit Run Park on December 15, 2018, and it was thereafter reviewed and approved by the Virginia Department of Conservation and Recreation; and

WHEREAS, the estimated cost to develop Biscuit Run Park over three phases as planned is estimated to be between \$31,000,000 and \$34,000,000; and

WHEREAS, despite Biscuit Run Park being characterized as both a County and a regional park, other localities in the region have declined to provide funding to develop the park; and

WHEREAS, on September 5, 2019, the Board held a public meeting with its local delegation of the General Assembly or their representatives to share the Board's legislative priorities for the 2020 General Assembly session, and they included a request for a State commitment to provide \$15,000,000 in funding for Biscuit Run Park over three years; and

WHEREAS, on October 16, 2019, the Board adopted a resolution stating its support for including \$5,000,000 in the Governor's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, requests that those members of the General Assembly whose districts include Albemarle County support the Commonwealth providing \$5,000,000 in the Commonwealth's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of the County of Albemarle, Virginia, by a vote of six to zero, as recorded below, at a meeting held on November 6, 2019.


Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	<u>Y</u>	_____
Mr. Gallaway	<u>Y</u>	_____
Ms. Mallek	<u>Y</u>	_____
Ms. McKeel	<u>Y</u>	_____
Ms. Palmer	<u>Y</u>	_____
Mr. Randolph	<u>Y</u>	_____



Beatrice (Bea) LaPisto-Kirtley
Rivanna

Donna P. Price
Scottsville

Ann H. Mallek
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Diantha H. McKeel
Jack Jouett

Liz A. Palmer
Samuel Miller

Ned L. Gallaway
Rio

February 6, 2020

The Honorable Robert B. Bell
Virginia House of Delegates – 58th District
P. O. Box 406
Richmond, Virginia 23218

Dear Delegate Bell,

On behalf of the Albemarle County Board of Supervisors, I am writing to request your support for Budget Bill SB 30 (Budget Amendment Item 374 #2s). This amendment, introduced by Senator Creigh Deeds, would add \$5 million in State funding in both Fiscal Years 2021 and 2022 to be provided to the County of Albemarle to develop Biscuit Run as a County and regional park. Biscuit Run is a 1190-acre recreational asset that the State leased to Albemarle County in 2018 for 99 years and is located just south of Interstate 64 and the City of Charlottesville in the Scottsville Magisterial District.

Since the County acquired its leasehold interest in Biscuit Run, the Board of Supervisors has funded a County Master Plan for the park, and the County has continued site-design with VDOT through a VDOT Recreation Access Program grant for the construction of a primary entrance to the park from Route 20 (Scottsville Road), prepared for the submission of two Transportation Alternative Program (TAP) grant requests to help fund two additional entrances to the park, and undertaken extensive discussions with homeowner associations proximate to the park about providing trail access on their property.

In addition, on December 4, 2019, the Albemarle County Board of Supervisors approved two major actions related to Biscuit Run Park.

The first Board decision involved the County restoring 1,000 feet of Biscuit Run Creek at the northern most section of the Park. The County recently submitted a VA DEQ Stormwater Local Assistance Fund (SLAF) request for funding assistance. The stormwater work is included in the County's FY 2021 work plan for the Facilities and Environmental Services Department.

The second Board decision involved a unanimous decision to re-zone the Biscuit Run property (excepting a section of privately-owned land) back to "Rural Areas," a zoning designation most appropriate for the park. Prior to the park's donation to the State in 2009, the Board of Supervisors had approved the property owners' request in 2008 to re-zone the property from Rural Areas to "Neighborhood Model District," which would have allowed a relatively high density mixed-use development pursuant to an approved master plan.

Because Biscuit Run will open as a County-operated park, the County was required to re-zone Biscuit Run back to Rural Areas.

Budget Amendment Item 374 #2s is vitally important to the County. One expectation of the State-County lease agreement was that \$5 million in Dominion Energy's Atlantic Coast Pipeline mitigation funds would be made available to assist the County in opening the park. The combination of court challenges and Federal actions have delayed (if not foreclosed) the County's receipt of any mitigation funds.

Lacking this critical funding, the Board of Supervisors decided last spring to redirect \$2.97 million in scarce County capital improvement funds to start Phase I (at \$7.5 million) of the County's \$34 million Master Plan for the park. **The Board also requested this fall that \$5 million be included in Governor Northam's FY 2021 budget; however, it was not included in the Governor's budget.**

If Budget Amendment Item 374 #2s is approved, \$3.5 million of the State funds in FY 2021 would support the completion of the build-out of Phase I (see the attached sheet) and the other \$1.5 million would allow four badly needed athletic fields to be constructed as part of Phase II.

Given that the State's 2015 projected cost to open Biscuit Run was \$42.5 million, the County intends to open Biscuit Run at far less cost per user served than the State could have.

Best regards,



Ned L. Gallaway
Supervisor, Rio Magisterial District
Chair, Albemarle County Board of Supervisors

Attachments:

Biscuit Run Phase I and Phase II Projects

Biscuit Run Map

Albemarle County Board Resolution Seeking General Assembly Support for Biscuit Run

Cc:

Albemarle County Board of Supervisors

Jeffrey Richardson

Greg Kamptner

Trevor Henry

Doug Walker

Bob Crickenberger

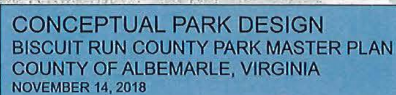
Biscuit Run Park

Phase I Development: Intended Projects: Maximum Cost: \$7.5 million

- Creation of Route 20 Entrance, Access Roads, Trailhead Parking & Restrooms
- Trailhead opened at Hickory Street with on-street parking
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- Invasive species removal by park staff, volunteers and others (students, etc.)

Phase II Development: Intended Projects: Maximum Cost: \$14 million

- Creation of four athletic fields with adjacent parking (gravel)
- Construction of two bridges fording Biscuit Run Creek along with circulator trail
- Hilltop clearing with lawn, meadows and trails developed
- Playground and picnic area created, along with neighborhood activity area
- Additional multi-use and bike trails improvements by park staff and volunteers



454 002 5425 214011000000

**RESOLUTION
REQUESTING THE LOCAL GENERAL ASSEMBLY DELEGATION TO SUPPORT
STATE FUNDING TO DEVELOP BISCUIT RUN PARK
IN ALBEMARLE COUNTY**

WHEREAS, the State acquired the approximately 1,200 acre property located in Albemarle County known as "Biscuit Run" in 2009 and thereafter developed a master plan to develop it as a State park; and

WHEREAS, the cost to the State to develop Biscuit Run as a State park was estimated in 2017 to be approximately \$42,000,000, an amount that was never funded; and

WHEREAS, on January 4, 2018, the County entered into a 99-year lease of Biscuit Run with the State for the purpose of developing it as a County and regional park; and

WHEREAS, the Governor's January 4, 2018 press release stated: "This new partnership will allow for the park to open sooner than expected and will provide high-quality recreational opportunities for Albemarle County and the surrounding communities"; and

WHEREAS, the Board of Supervisors adopted a master plan for Biscuit Run Park on December 15, 2018, and it was thereafter reviewed and approved by the Virginia Department of Conservation and Recreation; and

WHEREAS, the estimated cost to develop Biscuit Run Park over three phases as planned is estimated to be between \$31,000,000 and \$34,000,000; and

WHEREAS, despite Biscuit Run Park being characterized as both a County and a regional park, other localities in the region have declined to provide funding to develop the park; and

WHEREAS, on September 5, 2019, the Board held a public meeting with its local delegation of the General Assembly or their representatives to share the Board's legislative priorities for the 2020 General Assembly session, and they included a request for a State commitment to provide \$15,000,000 in funding for Biscuit Run Park over three years; and

WHEREAS, on October 16, 2019, the Board adopted a resolution stating its support for including \$5,000,000 in the Governor's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, requests that those members of the General Assembly whose districts include Albemarle County support the Commonwealth providing \$5,000,000 in the Commonwealth's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of the County of Albemarle, Virginia, by a vote of six to zero, as recorded below, at a meeting held on November 6, 2019.


Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	<u>Y</u>	_____
Mr. Gallaway	<u>Y</u>	_____
Ms. Mallek	<u>Y</u>	_____
Ms. McKeel	<u>Y</u>	_____
Ms. Palmer	<u>Y</u>	_____
Mr. Randolph	<u>Y</u>	_____



Beatrice (Bea) LaPisto-Kirtley
Rivanna

Donna P. Price
Scottsville

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Diantha H. McKeel
Jack Jouett

Liz A. Palmer
Samuel Miller

Ned L. Gallaway
Rio

February 11, 2020

Members of the K-12 subcommittee of Senate Finance:

Thank you, Senator Deeds, for proposing a budget amendment (Item 145 #1s) of \$8.3 million to fund the addition of Charlottesville and Albemarle to the cost-of-competing program (for teacher salaries). Cost to compete has been in discussion for years in Albemarle, before Culpeper was granted access to the program, though their cost of living is lower than Albemarle's.

The cost of living addition would help in teacher recruitment and retention, helping them live in the community they serve. Due to the \$604 per pupil reduction in state funding since 2008/09, Albemarle has had to find other sources to replace approximately \$74M in non-received state revenue over the last ten years.

The cost to compete would assist our School Board to retain our best teachers and help County taxpayers stretch the County's financial resources.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ned L. Gallaway", with a long horizontal flourish extending to the right.

Ned L. Gallaway, Chair
Board of Supervisors

Cc:
Albemarle County Board of Supervisors
Jeffrey Richardson
Greg Kamptner