

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of December 2, 2020</p>		
		December 3, 2020
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 1:00 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
4. Adoption of Final Agenda. <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
5. Brief Announcements by Board Members. <u>Donna Price:</u> <ul style="list-style-type: none"> Reported on her townhall meeting with School Board member Ellen Osborne and thanked staff for their support. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Announced that the Defense Affairs Committee is collecting cell phones and iPads to assist veterans, their spouses and children. <u>Liz Palmer:</u> <ul style="list-style-type: none"> Reported on recent activities at the Yancey Community Center. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Thanked community members on their adherence to the mask ordinance. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Echoed Supervisor McKeel's comments. Reported on her property tax payment experience and encouraged residents who have not had the opportunity to pay onsite at the County Office Building to do so. Mentioned the Building and Certificate of Occupancy reports as it relates to the growth in the western portion of the county. 		
7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board. <ul style="list-style-type: none"> <u>Gary Grant</u>, reminded the Board that there are two public hearings on the agenda and encouraged Board members to listen to the public comment on each. 		
8.1 FY 2021 Appropriations. <ul style="list-style-type: none"> ADOPTED Resolution to approve the appropriation #2021040, #2021041, #2021042, #2021043, and #2021044 for local government and school projects and programs. 	<u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 1)	
8.2 Schedule a Public Hearing to consider the Adoption of an Ordinance to Amend County Code Chapter 7, Health and Safety, Article 3, Smoking. <ul style="list-style-type: none"> DIRECTED, staff to schedule a public hearing to consider the adoption of the proposed ordinance. 	<u>Clerk:</u> Schedule on agenda when and advertise in the Daily Progress.	

8.3	<p>B.F. Yancey Community Food Pantry Lease for a Portion of the Yancey School Community Center.</p> <ul style="list-style-type: none"> • SCHEDULED, a public hearing to receive comments from the public regarding the proposed lease between the County and the B. F. Yancey Community Food Pantry. 	<p><u>Clerk:</u> Schedule on agenda when and advertise in the Daily Progress.</p>	
8.4	<p>Maintenance Agreement for North Pointe Pedestrian Tunnel.</p> <ul style="list-style-type: none"> • ADOPTED, resolution approving a maintenance agreement with VDOT for the pedestrian underpass and a maintenance agreement with the North/Pointe developer/owner that allows a responsible party to provide routine maintenance for this pedestrian underpass, and AUTHORIZED the County Executive to sign both agreements on behalf of the County once they have been approved as to substance and form by the County Attorney. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 2)</p> <p><u>County Attorney:</u> Provide clerk with copy of fully executed agreement.</p>	
8.5	<p>Amendment to the Board of Supervisors' Rules of Procedure Regarding Deferred Matters for Which a Public Hearing was Previously Held.</p> <ul style="list-style-type: none"> • ADOPTED, amended Rules of Procedure for Virtual and Hybrid Meetings. 	<p>(Attachment 3)</p>	
9.	<p>SE202000012 Homestay Special Exception Awen Retreat (Geiger).</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to approve the special exception with the conditions contained therein. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)</p>	
10.	<p>SE202000013 Homestay Special Exception – Place of Grace (Mariah C. Dean).</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to approve the special exception with the conditions contained therein. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)</p>	
11.	<p>Revocable License Agreement for Construction of Drainage Improvements on County Property Along Eastern Avenue.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution approving a revocable license agreement with the developer to correct drainage issues on County property at the Eastern Avenue / Jonna Street intersection and authorizing the County Executive to sign the agreement and any related documents on behalf of the County once they have been approved as to substance and form by the County Attorney. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)</p> <p><u>County Attorney:</u> Provide clerk with fully executed copy of agreement.</p>	
12.	<p>Consideration of New Enabling Authority to Levy Taxes on the Sale or Use of Cigarettes, and Two Finance and Budget Tax Deadline Extension Ordinances.</p> <ul style="list-style-type: none"> • By a vote of 6:0, SCHEDULED a public hearing on a potential Ordinance to levy a tax upon the sale or use of cigarettes; and SCHEDULED a public hearing on an Ordinance to extend the due date of property taxes; and SCHEDULED a public hearing on an Ordinance to amend County Code Chapter 15, Taxation, to provide an extension of time to 	<p><u>Clerk:</u> Schedule on agenda when and advertise in the Daily Progress.</p>	

	pay real property taxes subject to supplemental bills when good cause exists.		
13.	Presentation: FY 20 Comprehensive Annual Financial Report (CAFR). • RECEIVED.		
14.	Presentation: Board-to-Board, November 2020, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors. • RECEIVED.		
22.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Donna Price:</u> • Spoke towards looking at affordable housing in ways to help residents to stay in their homes. <u>Liz Palmer:</u> • Encouraged staff to investigate extending the County's Zoom meeting license to accommodate meetings of 100 or more attendees. <u>Diantha McKeel:</u> • Requested a work session with the Forestry Department to discuss the condition of our local forests. • Commented that she would like to have a discussion regarding what the County allows with modular homes. <u>Ann Mallek:</u> • Echoed Supervisors McKeel's comments and reminded the Board that there once was an annual presentation to the Board. • Mention that Bettina Ring, secretary of agriculture and forestry, said the State is evaluating the Best Management Practices (BMP's) for forestry. • Commented that only 21 of the 300 affordable housing units in Crozet are occupied by those for whom they were designed. • Reported that at the last MPO meeting, it was discussed that the smart scale decision making process will be conducted with a more structured process and commented that the new federal requirements for VTrans were reviewed.		
15.	Closed Meeting. • At 4:55 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 Architectural Review Board and multiple regional boards and commissions, authority boards, and advisory committees.		
16.	Certify Closed Meeting. • At 6:01 p.m., the Board reconvened into open meeting and certified the closed meeting.		
17.	Vacancies and Appointments. • REAPPOINTED , Ms. Jennie More to the	<u>Clerk:</u> Prepare appointment/reappointment letters, update	

<p>Albemarle Conservation Easement Authority with said term to expire December 13, 2023.</p> <ul style="list-style-type: none"> • REAPPOINTED, Mr. Dade Van Der Werf and Mr. Fred Missel to the Architectural Review Board with said terms to expire November 14, 2024. • APPOINTED, Mr. Christian Henningsen to the Architectural Review Board to fill an unexpired term ending November 14, 2022. • APPOINTED, Ms. Myra Symmes to the Historic Preservation Committee with said term to expire June 4, 2023. • APPOINTED, Ms. Kimberly Swanson to the JAUNT Board with said term to expire September 30, 2023. • APPOINTED, Mr. Anthony Townsend to the Jefferson Madison Regional Library Board to fill an unexpired term ending June 30, 2023. • REAPPOINTED, Mr. Eric Walden and Mr. John Mattern to the Joint Airport Commission with said terms to expire December 1, 2023. • APPOINTED, Mr. Bruce Gatling-Austin to the Natural Heritage Committee with said term to expire September 30, 2023. • APPOINTED, Ms. Martha Davis to the Places 29 (Rio) Community Advisory Committee with said term to expire September 30, 2022. • RECOMMENDED, Mr. Mike Gaffney to the City of Charlottesville for appointment to the Rivanna Solid Waste Authority. • RECOMMENDED, Mr. Mike Gaffney to the City of Charlottesville for appointment to the Rivanna Solid Waste Authority. 	<p>Boards and Commissions book, webpage, and notify appropriate persons.</p>	
<p>18. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • There were none. 		
<p>19. Action Item: The Regents School – Private Central Sewerage System.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution approving the installation of a central sewerage system (pump station and gravity sewer), subject to the conditions therein. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)</p>	
<p>20. Pb. Hrg.: ZMA202000009 Forest Lakes PDSC Amendment.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 8-9)</p>	
<p>21. Pb. Hrg.: Realignment of Galaxie Farm Lane.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution approving the proposed realignment of Galaxie Farm Lane, and authorizing the County Executive to execute all documents necessary for the realignment of Galaxie Farm Lane, once those documents are approved as to form and substance by the County Attorney. 	<p><u>Clerk:</u> Forward signed copy of resolution to Community Development and County Attorney's office. (Attachment 10)</p> <p><u>County Attorney:</u> Provide Clerk with fully executed copy of agreement. (Attachment 11)</p>	
<p>22. From the Board: Committee Reports and Matters</p>		

	Not Listed on the Agenda. • Held earlier on the agenda		
23.	From the County Executive: Report on Matters Not Listed on the Agenda. • Held earlier on the agenda		
24.	Adjourn to December 8, 2020, 6:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16). • The meeting was adjourned at 8:35 p.m.		

ckb/tom

Attachment 1 – Resolution to Approve Additional FY 2021 Appropriations

Attachment 2 – Resolution to Approve Agreements with the Virginia Department of Transportation and the North Pointe Developer/Owner for the Routine Maintenance of a Pedestrian Underpass Under North Pointe Boulevard

Attachment 3 – Rules of Procedure for Virtual and Hybrid Meetings

Attachment 4 – Resolution to Approve Special Exception for SE2020-00012 Awen Retreat Homestay

Attachment 5 – Resolution to Approve Special Exception for SE2020-00013 Place of Grace Homestay

Attachment 6 – Resolution Approving an Agreement for Access to Construct Drainage Improvements on County Property Along Eastern Avenue

Attachment 7 – Resolution to Approve a Central Sewerage System on Tax Parcels 07500-00-00-06600, 07600-00-00-01700 and 07600-00-00-017C0

Attachment 8 – Ordinance to Amend the Zoning Map for Tax Parcel 046b4-00-00-00300

Attachment 9 – ZMA2020-00009 Application Plan dated October 23, 2020

Attachment 10 – Resolution to Approve the Realignment of Galaxie Farm Lane

Attachment 11 – Proposed Modification Agreement

**RESOLUTION TO APPROVE
ADDITIONAL FY 2021 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2021040; #2021041; #2021042; #2021043 and #2021044 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, 2021.

**RESOLUTION TO APPROVE AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION
AND THE NORTH POINTE DEVELOPER/OWNER
FOR THE ROUTINE MAINTENANCE OF A PEDESTRIAN UNDERPASS
UNDER NORTH POINTE BOULEVARD**

WHEREAS, the Board approved the North Pointe rezoning in 2006, which included a proffer obligating the property owner to construct a pedestrian underpass that connects a public trail as it passes under North Pointe Boulevard; and

WHEREAS, the Virginia Department of Transportation (VDOT) does not routinely maintain pedestrian underpasses and requires an agreement that the County maintain the underpass before considering the roadway as part of the Secondary Street System; and

WHEREAS, the County in turn would require the responsibility for future maintenance of this pedestrian underpass to be borne by the owner of the trail facility; and

WHEREAS, the Board believes it is in the best interest of the County to approve agreements with VDOT and with the North Pointe developer/property owner to ensure the maintenance of the pedestrian underpass.

IT IS HEREBY RESOLVED that the Albemarle County Board of Supervisors hereby approves an agreement with VDOT for the maintenance of a pedestrian underpass under North Pointe Boulevard and a maintenance agreement with the North Pointe property owner that requires a responsible party to assume all responsibility to provide routine inspection and maintenance of the pedestrian underpass; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the County Executive to sign the agreements subject to their approval as to substance and form by the County Attorney.

Albemarle County Board of Supervisors

Rules of Procedure for Virtual and Hybrid Meetings

Adopted December 2, 2020

Rules of Procedure of the Albemarle County Board of Supervisors for Virtual and Hybrid Meetings

1. Introduction

A. Purpose. The purpose of these Rules of Procedure (the “Rules”) is to facilitate the timely, efficient, and orderly conduct of public meetings and decision-making, and they are designed and adopted for the benefit and convenience of the Albemarle County Board of Supervisors (the “Board”).

B. Rules Do Not Create Substantive Rights in Others. The Rules do not create substantive rights in third parties or participants in matters before the Board.

C. Compliance with These Rules. The Rules that are parliamentary in nature are procedural, and not jurisdictional, and the failure of the Board to strictly comply with them does not invalidate any action of the Board. The Rules that implement the requirements of State law are jurisdictional only to the extent that Virginia law makes them so.

D. Applicability. These Rules apply to all virtual and hybrid meetings of the Board, as those meetings are defined in these Rules, while a continuity of government ordinance adopted by the Board pursuant to Virginia Code § 15.2-1413, and pertaining to the COVID-19 disaster, is in effect. Any Board meeting at which the Supervisors and all of the participants are physically assembled is to be conducted pursuant to the Board’s Rules of Procedure adopted January 8, 2020, or as they may be amended.

E. Definitions. The following definitions apply to the administration of these Rules:

1. Hybrid Meeting. A “hybrid meeting” is a meeting where persons may either physically attend the meeting or connect to the meeting by electronic communication means.

2. Present. A person is “present” at a meeting when physically attending on the date, and at the time and place identified for the meeting, or is connected to the meeting by electronic communication means.

3. Virtual Meeting. A “virtual meeting” is a meeting where persons are connected to the meeting by electronic communication means.

2. Supervisors

A. Equal Status. Except for the additional responsibilities of the Chair provided in Rule 3(A), all Supervisors have equal rights, responsibilities, and authority.

B. Decorum. Each Supervisor will act in a collegial manner and will cooperate and assist in preserving the decorum and order of the meetings.

3. Officers and Their Terms of Office

A. Chair. When present, the Chair presides at all Board meetings during the year for which elected. The Chair has a vote but no veto. (Virginia Code §§ 15.2-1422 and 15.2-1423) The Chair also is the head official for all of the Board’s official functions and for ceremonial purposes.

B. Vice-Chair. If the Chair is absent from a Board meeting, the Vice-Chair, if present, presides at the meeting. The Vice-Chair also discharges the duties of the Chair during the Chair's absence or disability. (Virginia Code § 15.2-1422)

C. Acting Chair in Absence of Chair and Vice-Chair. If the Chair and Vice Chair are absent from any meeting, a present Supervisor must be chosen to act as Chair.

D. Term of Office. The Chair and Vice-Chair shall be elected for one-year terms, but either or both may be re-elected for one or more additional terms. (Virginia Code § 15.2-1422)

E. References to the Chair. All references in these Rules to the *Chair* include the Vice-Chair or any other Supervisor when the Vice-Chair or the other Supervisors is acting as the Chair.

4. Meetings

A. Annual Meeting. The *Annual Meeting* is the first meeting in January held after the newly elected Supervisors qualify for the office by taking the oath and meeting any other requirements of State law, and the first meeting held in January of each succeeding year. At the Annual Meeting, the Board:

1. **Elect Officers.** Elects a Chair and a Vice-Chair.

2. **Designate Clerks.** Designates a Clerk of the Board ("Clerk") and one or more Deputy Clerks who serve at the pleasure of the Board, and who have the duties stated in Virginia Code § 15.2-1539 and any additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code § 15.2-1416)

3. **Establish Schedule for Regular Meetings.** Establishes the days, times, places (if applicable), and how the public may access and participate in the meeting for regular meetings of the Board for that year. (Virginia Code § 15.2-1416) The then-current continuity of government ordinance adopted by the Board pursuant to Virginia Code § 15.2-1413 governs how the public may access and participate in the meeting if the public is not physically attending.

4. **Adopt Rules and Policies.** Adopts Rules of Procedure and Policies that will apply in the calendar year, subject to amendment under Rule 12.

B. Regular Meetings. *Regular Meetings* are those meetings established at the *Annual Meeting* to occur on specified days and at specified times and places, with instructions for how the public may connect to the meeting by electronic communication means.

1. **Regular Meeting Falling on a Holiday.** If any day established as a Regular Meeting day falls on a legal holiday, the meeting scheduled for that day will be held on the next regular business day without action of any kind by the Board. (Virginia Code § 15.2-1416)

2. **Adjourning a Regular Meeting.** Without further public notice, the Board may adjourn a Regular Meeting from day to day, from time to time, or from place to place, but not beyond the time fixed for the next Regular Meeting, until the business of the Board is complete. (Virginia Code § 15.2-1416) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).

3. **Continuing a Regular Meeting When Weather or Other Conditions Create a Hazard.**

If the Chair finds and declares that weather or other conditions are hazardous for Supervisors to physically attend a Regular Meeting, prevent one or more Supervisors from being present at a meeting, or prevent a reasonably significant portion of the public from being present at a meeting considering, among other things, the items on the agenda, the meeting must be continued to the next Regular Meeting date. The Chair's finding, and the continuation of the meeting, must be communicated by the Chair or the Clerk to the other Supervisors and to the general news media as promptly as possible. All hearings and other matters previously advertised will be conducted at the continued meeting and no further advertisement is required. (Virginia Code § 15.2-1416)

4. **Establishing a Different Day, Time, Place, and Instructions.** After the Annual Meeting, the Board may establish for Regular Meetings different days, times, places, and instructions for how the public may connect to the meeting by electronic communication means by adopting a resolution to that effect. (Virginia Code § 15.2-1416)

C. **Special Meetings.** A *Special Meeting* is a meeting that is not a Regular Meeting. The Board may hold Special Meetings as it deems necessary at times and places that it deems convenient. (Virginia Code § 15.2-1417) The then-current continuity of government ordinance adopted by the Board pursuant to Virginia Code § 15.2-1413 governs how the public may connect to the meeting by electronic communication means.

1. **Calling and Requesting a Special Meeting.** A Special Meeting may be called by the Chair or requested by two or more Supervisors. The call or request must be made to the Clerk and shall specify the matters to be considered at the meeting. (Virginia Code § 15.2-1418)

2. **Duty of Clerk to Provide Notice; When Notice May Be Waived.** Upon receipt of a call or request, the Clerk, after consultation with the Chair, must immediately notify each Supervisor, the County Executive, and the County Attorney about the Special Meeting. The notice must be in writing and be delivered to each Supervisor, the County Executive, and the County Attorney at their place of residence or business. Notice will be provided by email to each Supervisor's County email address. The notice may be waived if all Supervisors are present at the Special Meeting or if all Supervisors sign a waiver for the notice. (Virginia Code § 15.2-1418) An email from the Supervisor to the Clerk waiving notice satisfies this requirement. The Clerk must also notify the general news media about the Special Meeting.

3. **Contents of the Notice Provided by the Clerk.** The notice provided by the Clerk must state the date, time, place (if applicable) of the meeting, provide instructions for how the public may connect to the meeting by electronic communication means, and specify the matters to be considered.

4. **Matters That May Be Considered.** Only those matters specified in the notice may be considered at a Special Meeting unless all Supervisors are present. (Virginia Code § 15.2-1418)

5. **Adjourning a Special Meeting.** A Special Meeting may be adjourned from time to time as the Board finds necessary and convenient to complete the business of those matters identified in the notice of the Special Meeting. (Virginia Code § 15.2-1417) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).

5. **Order of Business for Regular Meetings**

A. **Establishing the Agenda.** The Clerk must establish the agenda for all Regular Meetings in consultation with the County Executive and the Chair. The County Executive and the Clerk will then review the agenda with the Chair and the Vice Chair before the meeting. The Clerk sets the order of business as provided in Rule 5(B), provided that the Clerk may modify the order of

business to facilitate the business of the Board. The draft agenda must be provided to the Board at least six days before the Regular Meeting date.

1. **Resolutions Proposed by Supervisors.** Resolutions may be proposed by a Supervisor requesting the Board to take a position on an issue of importance to the Board.

a. **Initial Notice by Supervisor.** A Supervisor requesting the Board to adopt a resolution should give notice of the intent to request action on the resolution on a specified meeting date and submit a draft of the proposed resolution.

b. **When Request Must be Made.** The request must be made at least seven days before the meeting at which the resolution may be considered.

c. **Distributing the Draft Resolution to Supervisors for Comments.** The Clerk will distribute the draft resolution with background information, if available, to all Supervisors. Any Supervisor may submit proposed changes to the proposed resolution to the Clerk in a redline format. The Clerk must forward all comments received from any Supervisor to the Board.

d. **Preparing the Resolution.** The Supervisor requesting the resolution will then coordinate with the Clerk to prepare a resolution for consideration by the Board.

e. **Adding the Resolution to the Agenda.** The Clerk then polls the Supervisors to determine if a majority of the Supervisors supports adding the resolution to the agenda for consideration. If a majority of the Supervisors indicates support for considering the resolution, the resolution will be added to the proposed final agenda. If all Supervisors indicate support for the resolution, the resolution may be placed on the proposed consent agenda unless any Supervisor requests otherwise.

2. **Other Items Proposed To Be Added to the Clerk's Draft Agenda.**

a. **By Supervisors.** Any Supervisor may propose to add items, other than resolutions subject to Rule 5(A)(1), to the Clerk's draft agenda for action if notice of that item has been given in writing or by email to all Supervisors, the Clerk, and the County Executive by 5:00 p.m. two days before the date of the meeting or upon the unanimous consent of all Supervisors present at the meeting. Any item that has been timely proposed and properly noticed will be added to the end of the agenda for discussion or action unless a majority of the Supervisors present agrees to consider the item earlier on the agenda.

b. **By the County Executive.** The County Executive may add items to the Clerk's draft agenda for action by 5:00 p.m. two days before the date of the meeting if the item requires consideration and action by the Board at its next meeting. In an emergency, the County Executive may add an item at any time with the consent of the Chair and the Vice Chair. When the County Executive adds an item to the agenda, he must provide information about the item to all Supervisors as soon as practicable and prior to the meeting.

3. **Proclamations and Recognitions Proposed by Residents.** A request by a resident to place a proclamation or recognition on the agenda must be made as follows:

a. **When Request Must be Made.** The request must be made at least four weeks in advance of the Board meeting date.

b. **Request Made to the Clerk.** The resident must submit the request to advance a proclamation or recognition to the Clerk. If the request is made to a Supervisor, the person making the request will be directed to make the request to the Clerk. The Clerk will advise the person making the request of the process and submittal requirements.

c. **Review of the Request for Completeness and Distribution.** Upon submittal of the request, the Clerk will review the submittal for completeness and forward it to the Supervisors for review.

d. **Adding the Proclamation or Recognition to the Agenda; Informing the Requester.**

The Clerk shall poll Supervisors to determine whether a majority of the Supervisors supports adding the proclamation or recognition to the agenda. The Clerk will advise the person requesting the proclamation or recognition whether the proclamation or recognition will be considered by the Board.

4. **Public Hearings for Zoning Map Amendments; Prerequisites.** Public hearings for zoning map amendments are subject to the following rules in order for the item to be placed on the agenda and heard by the Board:

a. **Public Hearing Should Not Be Advertised Until Final Documents Are Received.** The Board's preference is that a public hearing for a zoning map amendment should not be advertised until all of the final documents for a zoning application have been received by the County and are available for public review. To satisfy this preference, applicants should provide final plans, final codes of development, final proffers, and any other documents deemed necessary by the Director of Community Development, to the County so that they are received no later than two business days before the County's deadline for submitting the public hearing advertisement to the newspaper. Staff will advise applicants of this date by including it in annual schedules for applications and by providing each applicant a minimum of two weeks' advance notice of the deadline.

b. **Effect of Failure to Timely Receive Final Documents.** If the County does not timely receive the required final documents, the public hearing must not be advertised and the matter shall not be placed on the agenda. If the matter is not advertised, a new public hearing date will be scheduled.

c. **Receipt of Final Signed Proffers.** Final signed proffers must be received by the County no later than nine calendar days before the date of the advertised public hearing. This Rule is not intended to prevent changes from being made to proffers resulting from comments received from the public or from Supervisors at the public hearing.

5. **Public Hearings; Zoning Map Amendments; Deferral at Applicant's Request.**

Zoning map amendments advertised for public hearing must be on the agenda for public hearing on the advertised date, provided that an applicant may request a deferral as provided in County Code § 18-33.52 *et seq.*

B. **Order of Business at Regular Meetings.** At Regular Meetings of the Board, the order of business will be generally as follows:

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of the Final Agenda.
5. Brief Announcements by Supervisors.
6. Proclamations and Recognitions.
7. From the Public: Matters Not Listed for Public Hearing on the Agenda, Matters Previously Considered by the Board, or Matters Pending Before the Board.
8. Consent Agenda.
9. General Business.
10. Closed Meeting.

11. Certify Closed Meeting.
12. Actions Resulting from Closed Meeting.
13. From the Public: Matters Not Listed for Public Hearing on the Agenda, Matters Previously Considered by the Board, or Matters Pending Before the Board.
14. General Business, Including Public Hearings.
15. From the Board: Committee Reports and Matters Not Listed on the Agenda.
16. From the County Executive: Report on Matters Not Listed on the Agenda.
17. Adjourn.

C. Closed Meetings. A *Closed Meeting* is a meeting of the Supervisors that is not open to the public when authorized by the Virginia Freedom of Information Act (Virginia Code § 2.2-3700 *et seq.*). A Closed Meeting may be held at any point on the agenda, as necessary. Generally, a Closed Meeting will be scheduled either at the midpoint of the agenda or at the end of the agenda prior to adjournment. The Clerk must promptly post and make available for public inspection the motion to convene a Closed Meeting after it is distributed by the County Attorney; provided that: (i) the contents of the motion may be subject to change without further posting or availability; and (ii) the failure of the Clerk to comply with this subsection does not affect the legality of the Closed Meeting.

6. Rules Applicable to the Items of Business on the Agenda

A. Adoption of the Final Agenda. *Adoption of the Final Agenda* is the first order of business for a Regular Meeting of the Board. The Board may modify the order of business as part of its adoption of the Final Agenda. Any changes to the Consent Agenda, including removing an item from the Consent Agenda for discussion and separate action, should be made when the Final Agenda is adopted. The Final Agenda must be adopted by a majority vote of the Supervisors present and voting. No item for action not included on the Final Agenda may be considered at that meeting.

B. Brief Announcements by Supervisors. *Brief Announcements by Supervisors* are announcements of special events or other items of interest that are not considered committee reports and are not otherwise on the meeting agenda.

C. Proclamations and Recognitions. *Proclamations* are ceremonial documents or recognitions adopted by the Board to draw public awareness to a day, week, or month to recognize events, arts and cultural celebrations, or special occasions. *Recognitions* are ceremonial acknowledgements by the Board of a person for service or achievement.

D. From the Public: Matters Not Listed for Public Hearing on the Agenda, Matters Previously Considered by the Board, or Matters Pending Before the Board. *From the Public: Matters Not Listed for Public Hearing on the Agenda, Matters Previously Considered by the Board, or Matters Pending Before the Board* ("Matters from the Public") allows any member of the public to speak on any topic of public interest that is not on the Final Agenda for a public hearing at that meeting, any matter that was previously considered by the Board, and any matter pending before the Board that is not on that days' Board agenda. The following rules apply:

1. **Number of Speakers.** Up to 10 persons may speak during each Matters from the Public session. The 10 speakers are determined on a first-come, first-served basis, with those persons signing up to speak before the meeting having priority.
2. **Time.** Each speaker may speak for up to three minutes.
3. **Place.** Each speaker may speak using electronic communication means or, if the speaker physically attends the meeting, must speak from the podium or other location provided for the meeting.

4. **Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker may speak at only one Matters from the Public session at each meeting, must address only the Board, and must not engage in speech or other behavior that actually disrupts the meeting. The speaker may include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the Matters from the Public session at which the speaker plans to speak.

E. **Consent Agenda.** The *Consent Agenda* is for items for action that do not require discussion or comment and are anticipated to have the unanimous approval of the Board, and for items provided for the Board's information.

1. **Questions to Staff.** Supervisors should ask the County Executive or the staff member identified in the executive summary any questions regarding a Consent Agenda item before the Board meeting.

2. **Discussion and Comment.** There should be either no discussion or comment or only a brief discussion or comment on Consent Agenda items at the meeting except as provided in Rule 6(E)(3).

3. **Removing an Item from the Consent Agenda.** Any Supervisor may remove an item from the Consent Agenda at the time the Final Agenda is being considered for adoption. Any item removed from the Consent Agenda should be moved to a specific time or to the end of the meeting agenda for further discussion or action. However, an item removed from the Consent Agenda requiring only brief comment or discussion may be considered immediately after the approval of the Consent Agenda.

4. **Effect of Approval of the Consent Agenda.** A successful motion to approve the Consent Agenda approves those Consent Agenda items identified for action and accepts Consent Agenda items identified for information.

F. **General Business.** *General Business* includes public hearings, work sessions, appointments, and other actions, discussions, and presentations.

1. **Public Hearings.** The Board may not decide any item before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the public hearing or consideration of the item. The procedures for receiving a presentation from the applicant and comments from members of the public are at the discretion of the Board provided that they satisfy all minimum legal requirements. However, unless otherwise decided by a majority of the Supervisors present during a particular public hearing, the following rules apply:

a. **Time.** The applicant is permitted up to 10 minutes to present its application. Following the applicant's presentation, any member of the public is permitted to speak once for up to three minutes on the item. Following comments by members of the public, the applicant is permitted up to five minutes for a rebuttal presentation.

b. **Place.** The applicant and each member of the public presenting and speaking may speak using electronic communication means and, if the speaker physically attends the meeting, must speak from the podium or other location provided for the meeting.

c. **Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker must address only the Board, speak to issues that are relevant to the item for which the public hearing is being held, and not engage in speech or other behavior that actually disrupts the meeting. The applicant and its representatives may include a visual or audio

presentation. Any other speaker may also include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the time scheduled for the public hearing.

2. Public Hearings; Zoning Map Amendments; Applicant's Documents Not Available During Advertisement Period. If the public hearing is held without the applicant's final documents being available for review throughout the advertisement period due to the late submittal of documents, or because substantial revisions or amendments are made to the submitted documents after the public hearing has been advertised, it is the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application. In deciding whether to defer action or to deny the application, the Board must consider whether deferral or denial would be in the public interest or would forward the purposes of this policy.

3. Action Items on Deferred Matters Not Listed on the Agenda for Public Hearing When Public Hearing Previously Held. On any matter before the Board for action that is not listed on the agenda for public hearing and was previously deferred after the close of a public hearing, the following rules apply:

a. Time. The applicant is permitted up to seven minutes to present its application and any member of the public is permitted to speak once for up to two minutes on the item. Following comments by members of the public, the applicant is permitted up to five minutes for a rebuttal presentation.

b. Place and Manner. The place and manner rules in Rule 6(F)(1)(b) and (c) apply.

G. From the Board: Committee Reports and Matters Not Listed on the Agenda. *From the Board:* *Committee Reports and Matters Not Listed on the Agenda* is limited to matters that are not substantial enough to be considered as agenda items to be added to the Final Agenda. Reports include routine committee reports and information updates by Supervisors. Any matters discussed during this part of the agenda may not be acted upon by the Board at that meeting.

H. Report from the County Executive. The *Report from the County Executive* is a report on matters that the County Executive deems should be brought to the Board's attention and provide updates, if necessary, to the monthly County Executive's Report.

7. Quorum

A. Establishing a Quorum. A quorum for any meeting of the Board is a majority of the members of the Board present, except as provided in Rule 7(B)(2). (Virginia Code § 15.2-1415; Continuity of Government Ordinance)

B. Quorum Required to Act; Exceptions. The Board may take valid actions only if a quorum is present. (Virginia Code § 15.2-1415; Continuity of Government Ordinance) There are two exceptions:

1. Quorum Not Established; Adjournment. If a quorum is not established, the only action the Supervisors present may take is to adjourn the meeting.

2. Quorum Not Established or Lost Because of a Conflict of Interests; Special Rule. If a quorum cannot be established or is lost because one or more Supervisors are disqualified from participating in an item because of a conflict of interests under the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*), the remaining Supervisors are a quorum and they may conduct the business of the Board.

C. Loss of Quorum During Meeting. If a quorum was established but during a meeting the quorum is lost, the only action the Supervisors present may take is to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code § 15.2-1415; Continuity of Government Ordinance)

D. Quorum Required to Adjourn Meeting to Future Day and Time. A majority of the Supervisors present at the time and place established for any regular or special meeting is a quorum for the purpose of adjourning the meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.

8. Remote Electronic Participation

A Supervisor may participate in a meeting through electronic communication means while a continuity of government ordinance adopted by the Board pursuant to Virginia Code § 15.2-1413, and pertaining to the COVID-19 disaster, is in effect and the ordinance, or State law, or a combination thereof, allow Supervisors to participate in a meeting through electronic communication means.

9. Conducting the Business of the Board

A. Enable Efficient and Effective Conduct of Business. Meetings will be conducted in a manner that allows the Board to efficiently and effectively conduct its business, without actual disruptions.

B. Minimizing Disruptions. To minimize actual disruptions at meetings:

1. Speakers. Members of the public who are speaking to the Board must comply with Rules 6(D) and 6(F)(1), as applicable. Members of the public invited to speak to the Board during any agenda item other than Matters from the Public or during a public hearing must comply with Rule 6(D).

2. Persons Physically Attending the Meeting. Any person physically attending a meeting must comply with the following:

a. Sounds. Persons may not clap or make sounds in support of or in opposition to any matter during the meeting, except to applaud during the Proclamations and Recognitions portion of the meeting. Instead of making sounds, persons who are not speaking at the podium or other location provided for the meeting are encouraged to raise their hands to indicate their support or opposition to any item during the meeting. Cell phones and other electronic devices shall be muted.

b. Other Behavior. Persons may not act, make sounds, or both, that actually disrupt the Board meeting.

c. Signs. Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons physically attending the meeting.

C. Guidelines Stated on the Final Agenda. The Guidelines stated on the Final Agenda apply during each Board meeting. The Board may amend the Guidelines from time to time without amending these Rules provided that the Guidelines are consistent with these Rules.

D. Chair May Maintain Order. The Chair is to maintain order of the meeting, including the following:

1. **Controlling Disruptive Behavior of Persons Physically Attending the Meeting.** The Chair may ask any person physically attending a meeting whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease the conduct. If the conduct continues, the Chair may order the removal of that person from the meeting.

2. **Controlling Disruptive Behavior of Persons Participating Through Electronic Communication Means.** The Chair may ask any person participating in a meeting through electronic communication means whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease the conduct. If the conduct continues, the Chair may ask the Clerk to silence the audio and video of that person.

10. **Motion and Voting Procedures**

A. **Action by Motion Followed by a Vote.** Except as provided in Rules 10(B)(2) and 11(D), any action by the Board must be initiated by a motion properly made by a Supervisor and followed by a vote, as provided below:

1. **Motion Must Be Seconded; Exception.** Each action by the Board must be initiated by a motion that is seconded; provided that a second is not required if debate immediately follows the motion. Any motion that is neither seconded nor immediately followed by debate may not be further considered.

2. **Voting and Recording the Vote.** The vote on any motion must be by a voice vote. The Clerk must record the name of each Supervisor voting and how each Supervisor voted on the motion.

3. **Required Vote, Generally Required Vote for Specific Items.** Each action by the Board must be made by the affirmative vote of *a majority of the Supervisors present and voting* on the motion; provided that an affirmative vote of *a majority of all elected Supervisors* of the Board shall be required to approve an ordinance or resolution:

a. **Appropriations.** Appropriating money exceeding the sum of \$500.

b. **Taxes.** Imposing taxes.

c. **Borrowing.** Authorizing money to be borrowed. (Article VII, § 7, Virginia Constitution; Virginia Code §§ 15.2-1420, 15.2-1427, 15.2-1428)

4. **Tie Vote.** A tie vote defeats the motion voted upon. A tie vote on a motion to approve is deemed a denial of the item being proposed for approval. A tie vote on a motion to deny is not deemed an approval of the item being proposed for denial, and another motion may be made.

5. **Abstention.** Any Supervisor who will abstain from voting on any motion must declare the abstention before the vote is taken and state the grounds for abstaining. The abstention must be recorded by the Clerk.

B. **Motion and Vote Required to Act; Exception.** The Board acts on matters as follows:

1. **Motion and Vote Required.** Any action by the Board to adopt an ordinance or a resolution, and any other action when a motion is required by law or by these Rules, must be made by a motion followed by a vote.

2. **Motion and Vote Not Required; Unanimous Consent.** On any item in which the Board is not adopting an ordinance or a resolution, or for which a motion and a recorded vote is not

otherwise required by law, the Board may make a decision by unanimous consent. This procedure is appropriate, for example, to provide direction to County staff on an item.

C. Other Motions.

1. Motion to Amend. A *motion to amend* a motion properly pending before the Board may be made by any Supervisor. Upon a proper second, the motion to amend must be discussed and voted on by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both Supervisors making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.

2. Motion to Call the Question. The discussion of any motion may be terminated by any Supervisor making a *motion to call the question*. Upon a proper second, the Chair must call for a vote on the motion to call the question without debate on the motion itself, and the motion takes precedence over any other item. If the motion is approved, the Chair must immediately call for a vote on the original motion under consideration.

3. Motion to Reconsider. Any decision made by the Board may be reconsidered if a *motion to reconsider* is made at the same meeting or an adjourned meeting held on the same day at which the item was decided. The motion to reconsider may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, is to place the item for discussion in the exact position it occupied before it was voted upon.

4. Motion to Rescind. Any decision made by the Board, except for decisions on zoning map amendments, special use permits, special exceptions, and ordinances, may be rescinded by a majority vote of all elected Supervisors. The *motion to rescind* may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Decisions on zoning map amendments, special use permits, special exceptions, and ordinances may be rescinded or repealed only upon meeting all of the legal requirements necessary for taking action on the items as if it was a new item before the Board for consideration; otherwise, decisions on zoning map amendments, special use permits, special exceptions, and ordinances are eligible for reconsideration as provided in Rule 10(C)(3).

11. Other Rules: Robert's Rules of Order Procedure in Small Boards

Procedural rules that are not addressed by these Rules are governed by *Robert's Rules of Order Procedure in Small Boards*, which provide:

A. Not Required to Obtain the Floor. Supervisors are not required to obtain the floor before making motions or speaking, which they can do while seated.

B. No Limitation on the Number of Times a Supervisor May Speak. There is no limitation on the number of times a Supervisor may speak to a question, and motions to call the question or to limit debate generally should not be entertained.

C. Informal Discussion. Informal discussion of a subject is permitted while no motion is pending.

D. Chair: Putting the Question to a Vote. The Chair need not rise while putting questions to vote.

E. **Chair; Speaking During Discussion.** The Chair may speak in discussion without rising or leaving the chair, and, subject to rule or custom of the Board (which should be uniformly followed regardless of how many Supervisors are present), the Chair usually may make motions and usually votes on all questions.

12. **Amending the Rules of Procedure**

These Rules may be amended only as follows:

A. **Rules Eligible for Amendment.** Any Rule may be amended.

B. **Procedure to Amend.** The Board may amend any Rule by any of the following procedures:

1. **Notice Followed by Action at Next Regular Meeting.** A Supervisor provides notice of an intention to amend the Rules to the other Supervisors present at a Regular Meeting, followed by a majority vote of the Supervisors present and voting to amend the Rules at the next Regular Meeting

2. **Notice Followed by Action at Later Regular Meeting.** A Supervisor provides notice of an intention to amend the Rules to the other Supervisors present at a Regular Meeting and requests that the proposed amendment be considered at a meeting other than the next Regular Meeting; at the same meeting, a majority of the Supervisors present and voting establish the later Regular Meeting date at which the proposed amendment will be considered; followed by a majority vote of the Supervisors present and voting to amend the Rules at the Regular Meeting.

3. **By Supermajority Vote.** A proposed motion to amend is added to the Final Agenda at any Regular Meeting; at the same meeting, five or more Supervisors vote to amend the Rules. This procedure should be used only to make minor technical amendments deemed to be necessary to allow the Board to efficiently and effectively conduct its business.

C. **Motion.** The motion to amend a Rule may be made by any Supervisor. Upon a proper second, the motion must be discussed and voted on. In deciding whether and how to amend a Rule, the Board shall consider that Rules 3, 4, 6(D), 6(F)(1)(a) through (c), 7, 8, 9(B), 10(A)(3), and 10(B)(1) address statutory or constitutional requirements.

D. **Limitation on the Effect of an Amendment.** The Board's approval of a motion to amend one or more Rules does not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

13. **Suspending the Rules of Procedure**

These Rules may be suspended only as follows:

A. **Rules Eligible to be Suspended.** Rules 1, 2, 5, 6, 9(A), 10 (except for Rules 10(A)(3) and 10(B)(1)), 11, and 12 may be suspended.

B. **Procedure to Suspend, Generally.** Any Rule eligible for suspension may be suspended by a majority plus one vote of the Supervisors present and voting. The motion to suspend a Rule may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to suspend a Rule, if approved, is to make that Rule inapplicable to the item before the Board.

C. **Suspending Rules Pertaining to Motions When There is Uncertainty as to Status or Effect.** If one or more motions have been made on an item, and there is uncertainty as to the

status or effect of any pending motions or how the Board is to proceed at that point, the Board may, by a majority vote of the Supervisors present and voting, suspend the Rules in Rule 10 for the sole purpose of canceling any pending motions and to permit a new motion to be made. The motion to suspend a Rule pertaining to any pending motions may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on.

D. Limitation on Effect of Suspended Rules. The Board's approval of a motion to suspend one or more Rules shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

* * * * *

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 1-6-2010; 1-5-2011; 1-4-2012; 1-09-2013; 1-8-2014; 7-9-2014; 1-7-2015; 1-6-2016; 1-4-2017; 2-8-2017; 1-3-2018; 3-20-2019; 01-08-2020; 9-2-2020; 12-2-2020).

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR SE2020-00012 AWEN RETREAT HOMESTAY**

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 comments received, and all of the factors relevant to special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves a special exception to modify the minimum 125 foot front and southern side yard required for a homestay in the Rural Areas zoning district, subject to the conditions attached hereto.

* * *

SE 2020-12 Awen Retreat Homestay Special Exception Conditions

1. Parking for homestay guests is limited to the existing parking areas, as depicted on the Parking and House Location Exhibit dated November 5, 2020.
2. The existing vegetative buffer/berm located along the southern property line, as depicted on the Parking and House Location Exhibit dated November 5, 2020, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR SE2020-00013 PLACE OF GRACE HOMESTAY**

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 comments received, and all of the factors relevant to special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves a special exception to modify the minimum 125 foot front and southern side yard required for a homestay in the Rural Areas zoning district, subject to the conditions attached hereto.

* * *

SE 2020-13 Place of Grace Homestay Special Exception Conditions

1. Parking for homestay guests is limited to the existing parking areas, as depicted on the Parking and House Location Exhibit dated November 5, 2020.
2. The existing screening, as depicted on the Parking and House Location Exhibit dated November 5, 2020, must be maintained, or equivalent screening that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e) must be established and maintained.

**RESOLUTION APPROVING AN AGREEMENT FOR
ACCESS TO CONSTRUCT DRAINAGE IMPROVEMENTS
ON COUNTY PROPERTY ALONG EASTERN AVENUE**

WHEREAS, with the recent construction of Eastern Avenue, minor flooding has been occurring on adjacent County-owned property (TMP 056H0-00-00-000A0) and three privately-owned properties (TMPs 056H0-01-00-11200, 056H0-01-00-11300, and 056H0-01-00-11400); and

WHEREAS, Stanley Martin Companies, LLC, the developer of the adjacent Westlake Hills development, has agreed to correct the flooding issue, but needs County approval to enter County property to complete the needed improvements; and

WHEREAS, the Board finds it is in the County's best interest to enter an agreement to allow the developer access to construct drainage improvements on Tax Parcel 056H0-00-00-000A0.

IT IS HEREBY RESOLVED that the Albemarle County Board of Supervisors approves entering an agreement to allow Stanley Martin Companies, LLC access to construct drainage improvements on County-owned property (TMP 056H0-00-00-000A0), and authorizes the County Executive to sign such agreement and any related documents once they have been approved as to substance and form by the County Attorney.

**RESOLUTION TO APPROVE
A CENTRAL SEWERAGE SYSTEM
ON TAX PARCELS 07500-00-00-06600, 07600-00-00-01700
AND 07600-00-00-017C0**

WHEREAS, on September 18, 2019, the Board of Supervisors approved The Regents School request for a special use permit on Tax Parcels 07500-00-00-06600 and 07600-00-00-01700 (collectively, the "Property"), and the application is identified as Special Use Permit SP201800011 The Regents School ("SP 2018-11"); and

WHEREAS, in conjunction with SP 2018-11, The Regents School requires approval of a central sewerage system to serve the buildings on the Property as approved in SP 2018-11; and

WHEREAS, the central sewerage system will also be located on the Trinity Presbyterian Church property (Tax Parcel 07600-00-00-017C0).

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, the information presented to the Board of Supervisors, and the factors relevant to central water supply systems in County Code Chapter 16 and the Albemarle County Comprehensive Plan, the Albemarle County Board of Supervisors hereby approves the Regents School request to construct a new central sewerage system on Tax Parcels 07500-00-00-06600, 07600-00-00-01700, and 07600-00-00-017C0, with Tax Parcels 07500-00-00-06600 and 07600-00-00-01700 having up to 11 connections in total, and Tax Parcel 07600-00-00-017C0 having up to two connections, subject to the conditions contained herein.

* * *

The Regents School Central Sewerage System Conditions

1. The central sewerage system must be constructed in accord with the Preliminary Central Sewage System Plan and DEQ Reliability Classification Worksheet;
2. Final plans and specifications must be submitted and approved with the final site plan by the County Engineer prior to commencing construction of the sewerage system;
3. Prior to issuance of any certificate of occupancy for any building to be served by the sewerage system, the owner must provide documentation to the satisfaction of the County Engineer that the system was constructed in accord with public utility standards;
4. The owner(s) of Parcel ID numbers 07600-00-00-01700 and 076000-00-017C0 must assume full responsibility for the operation and maintenance of the sewerage system; and
5. If requested by the County Engineer, the owner must annually document compliance with all State operation and maintenance requirements.

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCEL 046B4-00-00-00300**

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 2020-00009 and their attachments, including the application plan dated October 23, 2020, the information presented at the public hearing, any comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code §§ 18-25.1 and 18-33.27, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2020-00009 with the application plan dated October 23, 2020.

* * *



Image provided by Google Maps

ZONING MAP AMENDMENT

APPLICATION PLAN

ZMA2020-09

AN AMENDMENT TO ZMA1988-16

FOREST LAKES PD-SC AMENDMENT

TMP 46B4-3

project ID: 20.23

REVISED 23 OCTOBER 2020

Revised 23 September 2020

Revised 11 September 2020

Revised 17 August 2020

Submitted 15 June 2020

Context Map

Sheet 1 of 8

INDEX OF SHEETS

- 1 - Cover & Context Map
- 2 - Site & ZMA Details
- 3 - Site & ZMA Details
- 4 - Existing Conditions
- 5 - Land Use
- 6 - Conceptual Grading & Utilities
- 7 - Circulation Plan
- 8 - Worth Crossing Street Section

SHIMP ENGINEERING, P.C.

ZONING MAP AMENDMENT

APPLICATION PLAN

ZMA2020-09

AN AMENDMENT TO ZMA1988-16

FOREST LAKES PD-SC AMENDMENT SITE & ZMA DETAILS

Sheet 2 of 8

OWNER/DEVELOPER

Ja-Zan LLC
PO Box 9035
Charlottesville, VA 22911

TMP

46B4-3

ACREAGE

3.43

MAGISTERIAL DISTRICT

Rivanna

STEEP SLOPES & STREAM BUFFER

There are no stream buffers within the project area. Managed steep slopes exist within the project area.

SOURCE OF BOUNDARY & TOPOGRAPHY

Boundary provided by boundary line adjustment, DB 4872 PG 153, Roadbush, Cole & Associates, Inc., December 8, 2016, revised on January 6, 2017. Four (4) foot contour interval topography from Albemarle County GIS.

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective date February 1, 2015 (Community Panel 53009C0145D), this property does not lie within a Zone A 100-year flood plain.

WATER SUPPLY WATERSHED

Powell Creek Watershed

WATER AND SANITARY SERVICES

Provided by Albemarle County Service Authority (ACSA)

PARKING

Parking, stacking, and loading to comply with Section 4.12 of the Albemarle County Zoning Ordinance

ZONING

EXISTING: Planned Development Shopping Center
OVERLAY: Airport Impact Area, Entrance Corridor, Steep Slopes - Managed
PROPOSED: Planned Development Shopping Center

COMPREHENSIVE PLAN

COMPREHENSIVE PLAN DESIGNATION: Urban Mixed Use (in Centers)

PERMITTED USES

Per Section 25.2.1 of the Albemarle County Zoning Ordinance, the following uses shall be permitted by right in the PD-SC district: (1) Uses permitted by right in the C-1, CO and HC districts, except for storage yards. Outdoor storage, sales or display shall be permitted only when enclosed by appropriate visual screenings; (2) Energy and communications transmission facilities; (3) Public uses; (4) Temporary construction headquarters and temporary construction storage yards; (5) Drive-through windows.

Per Section 25.2.2 of the Albemarle County Zoning Ordinance, the following uses shall be permitted by special use permit in the PD-SC district: (1) Commercial recreational establishment included but not limited to amusement centers, bowling alleys, pool halls and dance halls; (2) Energy and communications transmission facilities; (3) Parking structures located wholly or partly above grade; (4) (Repealed); (5) Veterinary office and hospital; (6) Tier III personal wireless service facilities; (7) Storage yards.

PROHIBITED USES

Notwithstanding anything contained herein to the contrary, the following uses shall be prohibited: (1) Machinery and equipment sales service, and rental; (2) Manufactured home and trailer sales and service; (3) Modular building sales; (4) Sale of major recreational equipment and vehicles; (5) Wholesale distribution; (6) Manufacturing/processing/assembly/fabrication and recycling; (7) Storage/warehousing/distribution/transportation

TRIP GENERATION: ITE TRIP GENERATION, 10TH EDITION

TMP	Use	ITE Code	ITE Use Description	Sq. Ft. (FV)	Gross Trips	Trip Reduction		Net Trips
						12% Internal	24% Pass-By	
46B4-1B	McDonald's	934	Fast Food Restaurant w/ Drive-Through	2,709	1,272	153	305	814
46B4-1A	Stifel Nicolaus	712	Small Office Building	4,164	66	8	16	42
46-B41A1	Forest Lakes Dental	720	Medical-Dental Office Building	4,065	66	8	16	42
46-B41A2	Booz Allen Hamilton	710	General Office Building	8,052	92	11	22	59
46B4-1D	Atlantic Union Bank	912	Drive-In Bank	2,970	290	35	70	186
46B4-1D2	Timberwood Grill	931	Quality Restaurant	6,222	520	62	125	333
46B4-1D1	First Citizens Bank	912	Drive-In Bank	3,204	320	38	77	205
46B4-1D3	Tiger Wash	947	Self-Service Car Wash	1,419	216	26	52	138
46B4-A2	Open Space							
46B4-A1	Open Space							
46B4-8	Shops @ Forest Lakes	820	Shopping Center	13,564	1,540	185	370	986
46B4-2	Forest Lakes PDSC	820	Shopping Center	57,022	4,102	492	984	2,625
46B4-3	Undeveloped PDSC							
46B4-9	Arby's	934	Fast Food Restaurant w/ Drive-Through	3,208	1,507	181	362	964
46B4-10	FL Terrace Shopping Center	820	Shopping Center	8,640	1,134	136	272	726
TOTAL								
						7,120		843
						10,250		020
						3,230		020

Submitted 15 June 2020

project: 20.23

SHIMP ENGINEERING, P.C.

FOREST LAKES PD-SC AMENDMENT SITE & ZMA DETAILS

Sheet 3 of 8

FORM REGULATIONS

Maximum Non-Residential Square Footage	110,000 SF
Maximum Non-Residential Building Footprint	Neighborhood Retail, Community & Regional Retail, General Commercial Service Auto Commercial Sales & Service Office R&D/Flex
Building Stories and/or Heights	Neighborhood Retail, Community & Regional Retail, General Commercial Service Auto Commercial Sales & Service Office R&D/Flex

SETBACKS & STEPBACKS

Setbacks	
Front - Minimum	10' from the right-of-way or the exterior edge of the sidewalk if the sidewalk is outside of the right-of-way; for off-street parking or loading spaces, 10' from any public street right-of-way
Front - Maximum	30' from the right-of-way or the exterior edge of the sidewalk if the sidewalk is outside of the right-of-way; none, on any lot, including a corner lot, abutting a principal arterial highway or interstate
Side & Rear - Minimum	If the abutting lot is zoned residential, rural areas, or the Monticello Historic District (i) no portion of any structure, excluding signs, shall be located closer than 50 feet from the district boundary; and (ii) no off-street parking or loading space shall be located closer than 20 feet to the district boundary. If the abutting lot is zoned commercial or industrial, any primary structure shall be constructed and separated in accordance with the current edition of the Building Code.
Side & Rear - Maximum	None
Stepbacks	
Front	For each story that begins above 40' in height or for each story above the third story, whichever is less, the minimum stepback shall be 15'
Side & Rear	None

SUPPLEMENTAL ARCHITECTURAL + LANDSCAPE DETAILS

Any building facade adjacent to Worth Crossing must adhere to the following architectural design details unless a landscape buffer is provided in accordance with landscape screening requirements outlined in Sec. 32.7.9.7 of the Albemarle County Zoning Ordinance on the property along the boundary adjacent to Worth Crossing:

- Building facades adjacent to Worth Crossing must have a minimum of two material treatments; material treatments exclude windows and doors
- First floor ceiling height: 12' minimum
- Transparency minimum: 6%

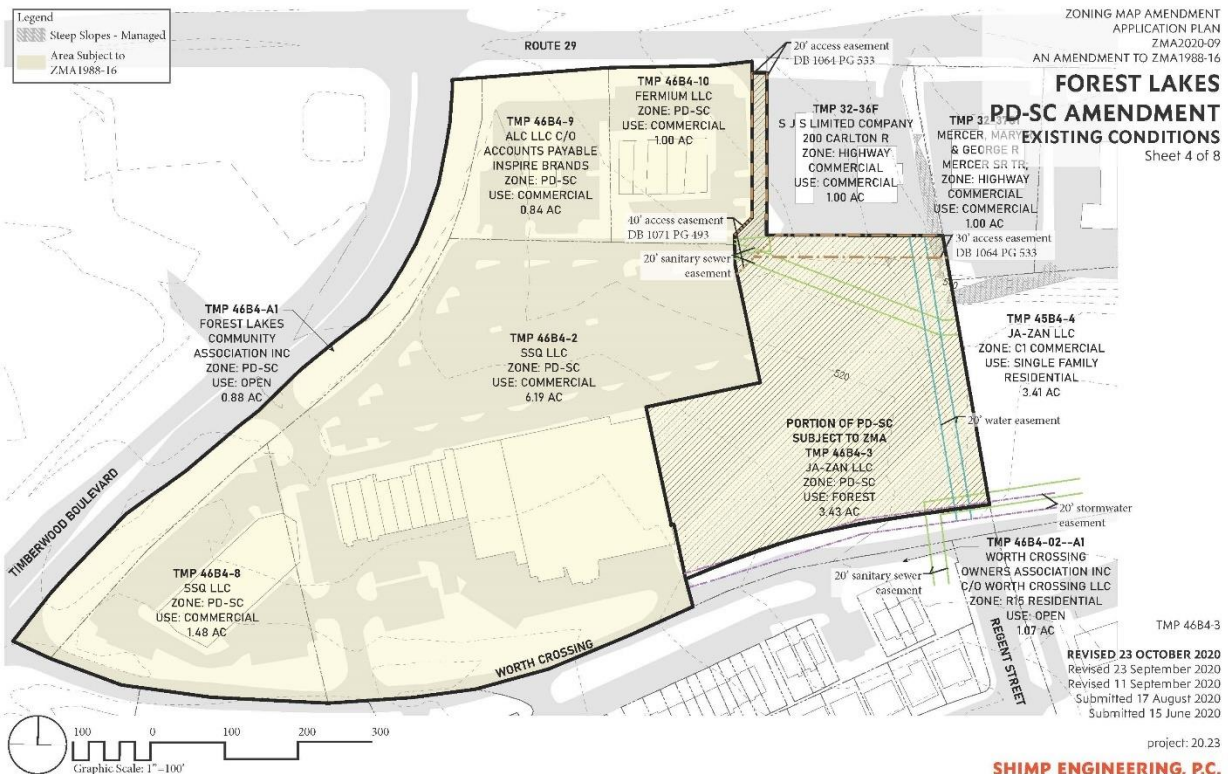
STORMWATER MANAGEMENT NARRATIVE

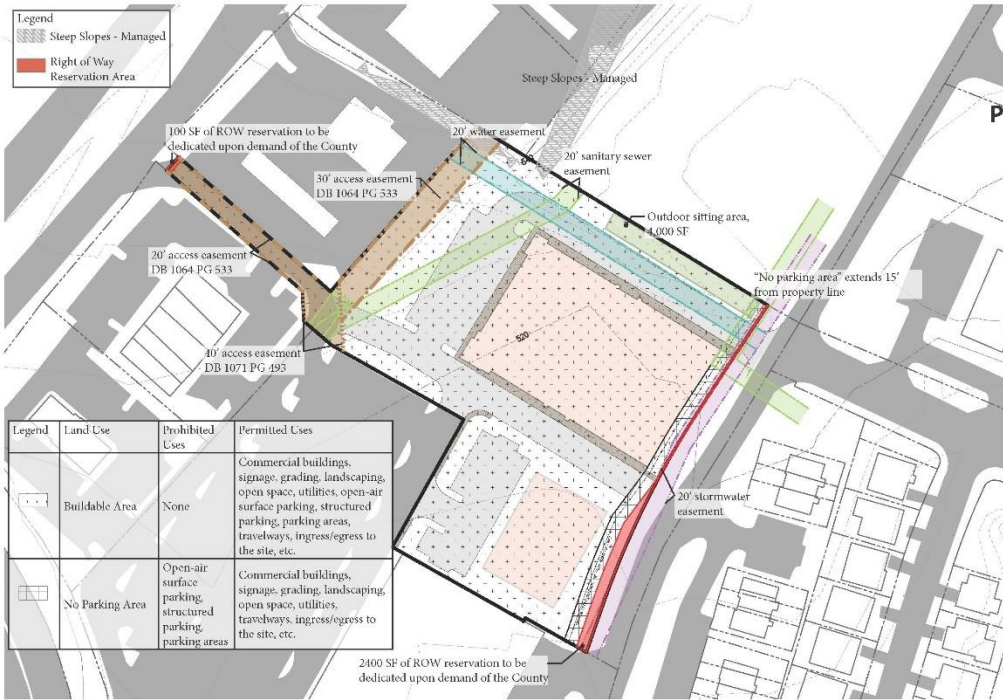
The project will connect to regional stormwater facilities constructed just southeast of the property. Any additional stormwater management design required to manage runoff will be consistent with similar urban development projects and will utilize a combination of features, such as on-site surface facilities, on-site underground stormwater management facilities, and/or off-site nutrient credits.

TMP 46B4-3

REVISED 23 OCTOBER 2020
Revised 23 September 2020
Revised 11 September 2020
Revised 17 August 2020
Submitted 15 June 2020

project: 20.23
SHIMP ENGINEERING, P.C.





ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA2020-09
AN AMENDMENT TO 1988-16
**FOREST LAKES
PD-SC AMENDMENT
CONCEPT PLAN**
Sheet 5 of 8

Additional Notes:

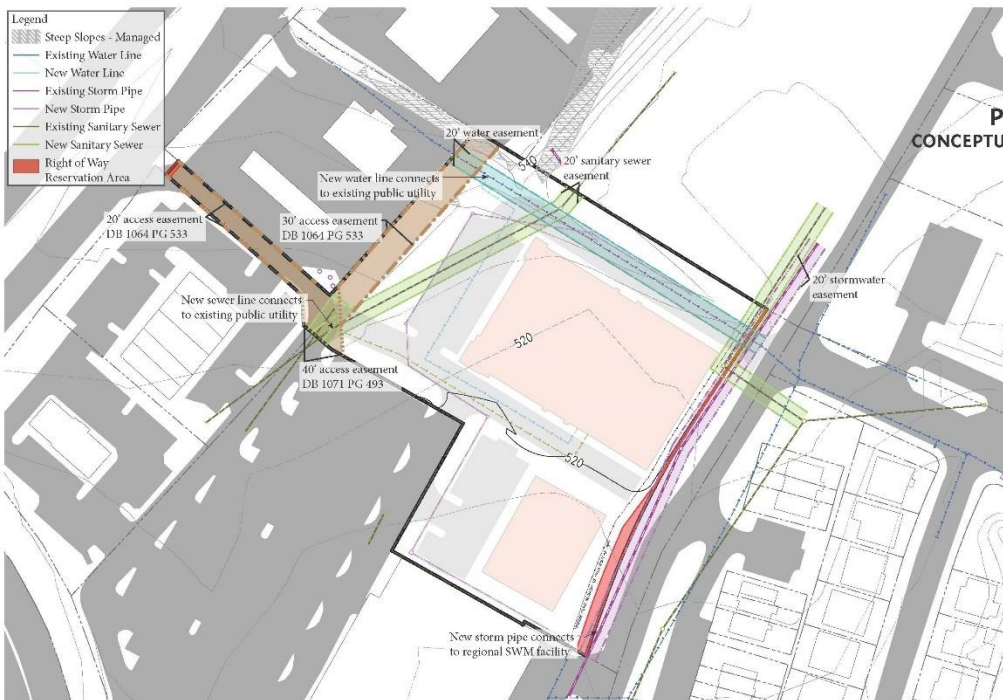
1. Building footprint and parking lot depicted are conceptual in nature and are shown for feasibility purposes. The site may develop with multiple buildings; any building constructed on the property shall be designed in accordance with the building footprint and height regulations identified in the "Form Regulations" table on Sheet 3 of this Application Plan.
2. Outdoor sitting area will feature one shade tree per 500 SF and will feature benches. Alternate improvements may be pursued at site plan if approved by the Director of Planning or its designee.
3. Traffic signage internal to the site shall be added to indicate site access from Route 29 is one way; this signage may be a 'DO NOT ENTER' sign and shall be installed prior to issuance of certificate of occupancy of a permanent building on this property.

TMP 46B4-3

REVISED 23 OCTOBER 2020
Revised 23 September 2020
Revised 11 September 2020
Submitted 17 August 2020
Submitted 15 June 2020

project: 20.23

SHIMP ENGINEERING, P.C.



ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA2020-09
AN AMENDMENT TO ZMA1988-16
**FOREST LAKES
PD-SC AMENDMENT
CONCEPTUAL GRADING & UTILITIES**
Sheet 6 of 8

Additional Notes:

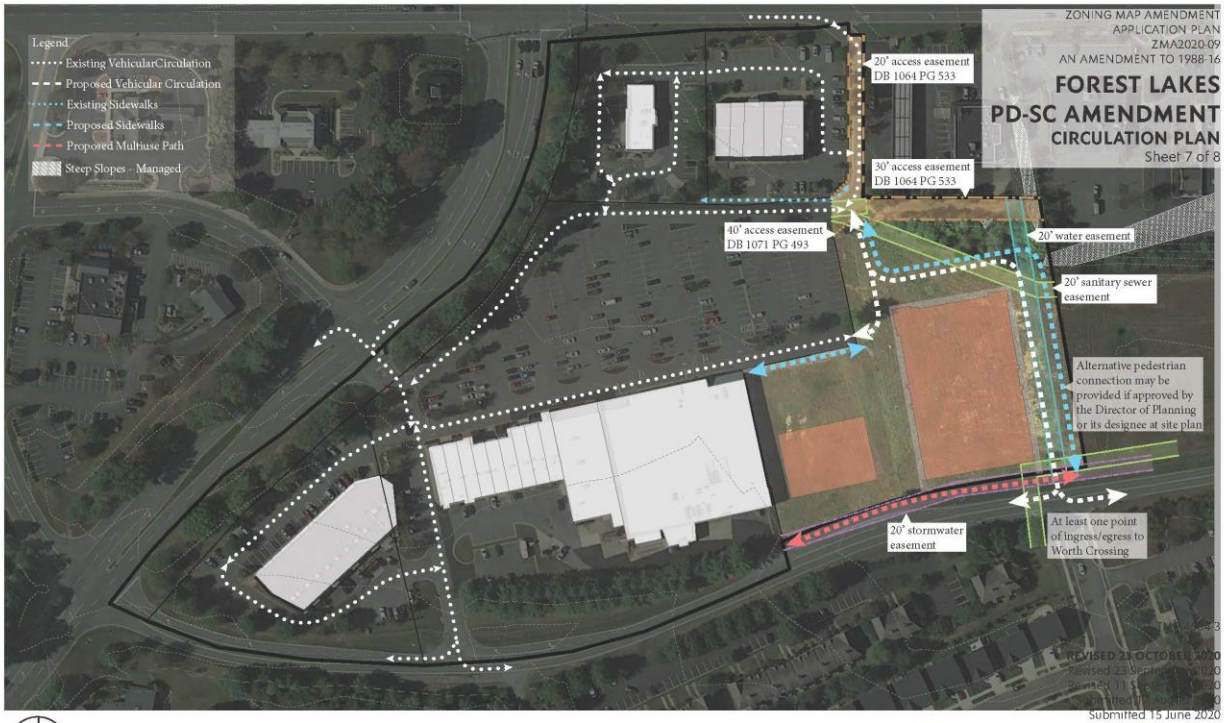
1. Building footprint and parking lot depicted are conceptual in nature and are shown for feasibility purposes. The site may develop with multiple buildings so long as the building footprints and heights as identified in the form regulations on Sheet 3 of this application plan are adhered to.

TMP 46B4-3

REVISED 23 OCTOBER 2020
Revised 23 September 2020
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project: 20.23

SHIMP ENGINEERING, P.C.



project: 20.23

SHIMP ENGINEERING, P.C.



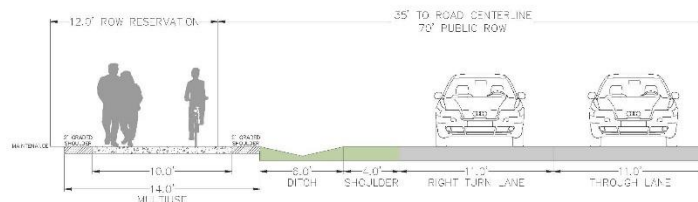
ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA2020-09
AN AMENDMENT TO ZMA1988-16

**FOREST LAKES
PD-SC AMENDMENT
WORTH CROSSING
STREET SECTION**
Sheet 8 of 8

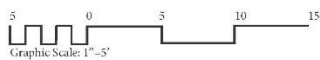
EXISTING SECTION: WEST SIDE OF WORTH CROSSING



PROPOSED SECTION: WEST SIDE OF WORTH CROSSING



Right turn lane shown is existing turn lane approaching the entrance to adjacent property TMP 46B4-2



TMP 46B4-3

REVISED 23 OCTOBER 2020
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project: 20.23

SHIMP ENGINEERING, P.C.



COUNTY OF ALBEMARLE
Dept. of Planning & Community Development
461 Main Street
Charlottesville, Virginia 22901-4596
(804) 296-5822

January 23, 1989

Forest Lakes Associates
c/o Frank Kessler
P O Box 5207
Charlottesville, VA 22905

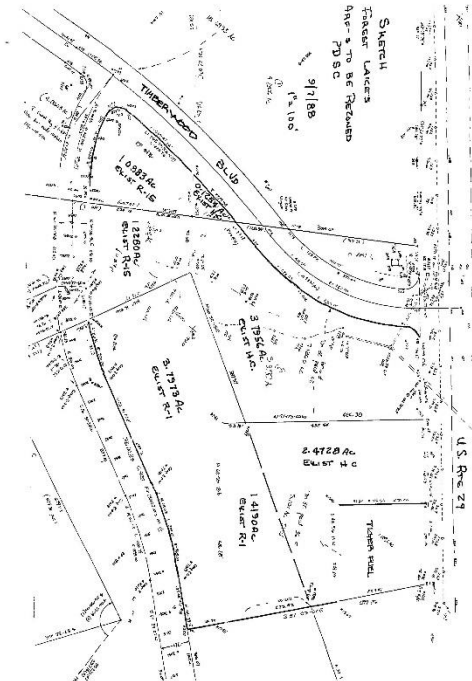
RE ZMA-88-16 Forest Lakes Associates
Tax Map 12, Parcels 36, 36P and 42 and
Tax Map 16, Parcel 29D; Route 29N

Dear Mr. Kessler:

The Albemarle County Board of Supervisors, at its meeting on January 18, 1989, unanimously approved the above-noted request to rezone 13.9264 acres from MC (Highway Commercial) R-1 (Residential) and R-15 (Residential) to PD-SC (Planned Development-Shopping Center) for a community shopping center of 71,800 square feet with an additional 3.96 acres in unspecified outlots. Property, located on the east side of Rt. 29 North and the north side of Timberwood Boulevard, Rivanna Magisterial District. Please note that this approval is subject to the following modifications and agreements between the applicant and the County:

MODIFICATIONS TO APPLICATION PLAN.

1. Note on plan that outlots are not approved for uses involving drive-in window. To include revised access plans of entrance only and exit only as shown on sketch of Tiger Fuel site, initiated by Mr. John T. P. Horne and dated January 18, 1989.
2. Relocate access near Timberwood for Outlet 1 to align with main access aisle parallel to Phase 1 of the shopping center.
3. Provide joint or cross easement between Outlots 2 and 3.



Forest Lakes Associates
Page 2
January 23, 1989

AGREEMENTS MADE BY THE COUNTY AND THE APPLICANT.

1. Agreement to develop property in general compliance with the Application Plan. Variations may be permitted as provided in Section 8.5.6.3 of the Zoning Ordinance.
2. Staff approval of shopping center subdivision plat and Tiger Fuel subdivision plat. All plats shall reflect appropriate access easements and carry notes regarding restriction of access to U.S. Rt. 29 North to the satisfaction of the Planning staff.
3. Staff approval of site plan for Forest Lakes shopping center and revised site plan for Tiger Fuel service station. Staff may request administrative approval of site plans for individual outlots. Staff may approve an additional exit only to Timberwood Boulevard near outparcel 3. To include revised access plan of entrance only and exit only as shown on sketch of the Tiger Fuel site, initiated by Mr. John T. P. Horne and dated January 18, 1989.
4. Agreement by applicant that traffic generation from the 124.2 acres of commercial zoning shall not exceed 10,350 vehicle trips per day.

If you should have any questions or comments regarding the above noted action, please do not hesitate to contact me.

Sincerely,

John T. P. Horne
John T. P. Horne
Director of Planning & Community Development

JTPH/jcw

cc Kathy Dodson

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA2020-09
AN AMENDMENT TO ZMA1988-16

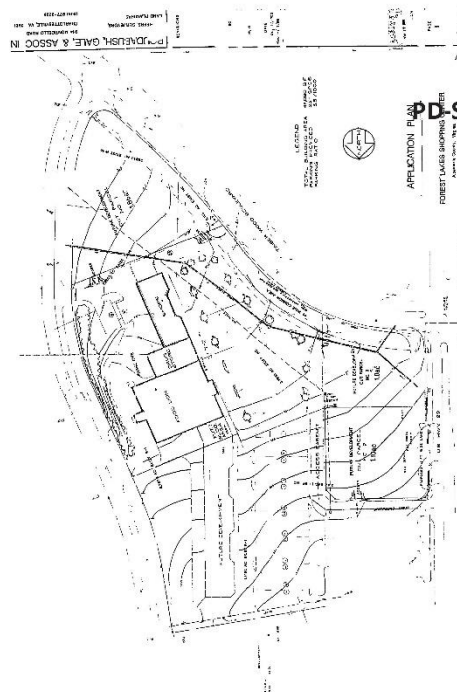
**FOREST LAKES
PD-SC AMENDMENT
EXHIBIT: APPROVED
ZMA1988-16
Sheet 1 of 2**

TMP 46B4-3

REVISED 23 OCTOBER 2020
Revised 23 September 2020
Revised 11 September 2020
Submitted 17 August 2020
Submitted 15 June 2020

project: 20.23

SHIMP ENGINEERING, P.C.



ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA2020-09
AN AMENDMENT TO ZMA1988-16

**FOREST LAKES
PD-SC AMENDMENT
EXHIBIT: APPROVED
ZMA1988-16
Sheet 2 of 2**

TMP 46B4-3

REVISED 23 OCTOBER 2020
Revised 23 September 2020
Revised 11 September 2020
Submitted 17 August 2020
Submitted 15 June 2020

project: 20.23

SHIMP ENGINEERING, P.C.

**RESOLUTION TO APPROVE THE
REALIGNMENT OF GALAXIE FARM LANE**

WHEREAS, the County owns two parcels along or near Galaxie Farm Lane, Parcels 09100-00-00-08B00 (91-8B) and 09100-00-00-01000 (91-10), which includes the sole access along Galaxie Farm Lane to Parcel 91-10; and

WHEREAS, the developer of two neighboring privately-owned parcels, Parcels 09100-00-00-00900 (91-9) and 09100-00-00-01500 (91-15), is seeking to relocate Galaxie Farm Lane from its current alignment along the southern boundary of Parcel 91-9 to a location squarely within that parcel, and has agreed to guarantee access across the proposed new alignment, which will ultimately be dedicated as a public right-of-way, in exchange for the County vacating its existing right-of-way access; and

WHEREAS, the Board of Supervisors finds that it is in the County's best interest to vacate its existing right-of-way access along Galaxie Farm Lane (Parcel 91-10) to facilitate the realignment of Galaxie Farm Lane.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the County's vacation of its right-of-way access along Galaxie Farm Lane, and authorizes the County Executive to execute all documents necessary for the realignment of Galaxie Farm Lane on behalf of the County once they have been approved as to substance and form by the County Attorney.

Prepared by:
 Nicole M. Sero, Esq. (VSB #90239)
 912 East High Street
 Charlottesville, VA 22902

Albemarle County Parcel ID Nos.: 09100-00-00-01000, 09100-00-00-01500 and 09100-00-00-00900

This instrument is exempt from taxation under Virginia Code §§ 58.1-811(A)(3) and/or 58.1-811(C)(4) and from Clerk's fees under Virginia Code § 17.1-266.

RIGHT-OF-WAY MODIFICATION AGREEMENT

THIS RIGHT-OF-WAY MODIFICATION AGREEMENT (this "Agreement"), dated this 3rd day of December, 2020, is by and among the **COUNTY OF ALBEMARLE, VIRGINIA** (the "County"), to be indexed as the Grantor, and **DAVID S. WITMER** and **ANNA MARIE WITMER**, husband and wife (the "Witmers"), and **JASPER L. HAYNES** and **MALLIE P. HAYNES**, husband and wife (the "Hayneses" and together with the Witmers, the "Grantees").

WITNESS:

WHEREAS, the County is the owner of that certain real property (the "County Property") located in Albemarle County, Virginia shown as "T.M. 91-10, County of Albemarle, Virginia" on that certain exhibit prepared by Shimp Engineering, P.C., dated May 13, 2020, last revised September 9, 2020, entitled "Galaxie Farm Lane ROW Vacation Plat," which such exhibit is attached hereto and incorporated herein as Exhibit A (the "Exhibit"); and

WHEREAS, David S. Witmer and Anna Marie Witmer are the owners of that certain real property located in Albemarle County, Virginia shown as "T.M. 91-9, 5.09 Acres, David S. Witmer & Anna Marie Witmer" (the "Witmer Property") on the Exhibit; and

WHEREAS, Jasper L. Haynes and Mallie P. Haynes are the owners of that certain real property located in Albemarle County, Virginia shown as "T.M. 91-15, 8.27 Acres, Jasper L. Haynes & Mallie P. Haynes" (the "Haynes Property") on the Exhibit; and

WHEREAS, that certain variable width right-of-way named Galaxie Farm Lane, shown and designated as “Ex. Galaxie Farm Lane ROW Unchanged” and “ROW to be Vacated” on the Exhibit (together, the “Existing ROW”), currently provides access to the County Property, the Witmer Property, and the Haynes Property to/from State Route 20 (Scottsville Road); and

WHEREAS, the Grantees desire to redevelop the Witmer Property and Haynes Property, which necessitates the minor relocation of the Existing ROW.

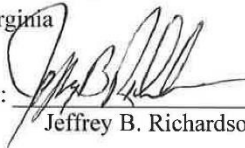
NOW, THEREFORE, the parties do hereby AGREE and CONSENT as follows:

1. The Existing ROW is hereby relocated to that certain area shown and designated as “Relocation of Galaxie Farm Lane ROW Per SUB202000098” and “Ex. Galaxie Farm Lane ROW Unchanged” on the Exhibit (together, the “Revised ROW”).
2. That certain area shown and designated as “ROW To Be Vacated” is hereby vacated.
3. The Grantees, their successors and/or assigns, shall provide continuous access from the properties of the County to State Route 20 (Scottsville Road) during the construction of the Revised ROW.
4. The Grantees, their successors and/or assigns, shall maintain the improved portions of the Revised ROW at their expense until such improved portions of the Revised ROW are accepted by the Virginia Department of Transportation (VDOT) and/or Albemarle County, Virginia for public access and maintenance.

The County, acting by and through its County Executive, duly authorized by resolution adopted by the Board of Supervisors of the County of Albemarle, Virginia, accepts this conveyance pursuant to Virginia Code § 15.2-1803, as evidenced by the County Executive’s signature hereto and the recordation of this instrument.

WITNESS the following duly authorized signatures and seals:

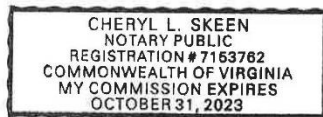
COUNTY OF ALBEMARLE, VIRGINIA, a
political subdivision of the Commonwealth of
Virginia

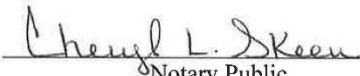
By: 
Jeffrey B. Richardson, County Executive

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of December,
2020 by Jeffrey B. Richardson, County Executive of the County of Albemarle, Virginia, a
political subdivision of the Commonwealth, on its behalf.


My commission expires: Oct. 31, 2023.




Notary Public

Notary Registration No.: 7153762

Approved as to form:


Albemarle County Attorney

GRANTEE

David S. Witmer
David S. Witmer

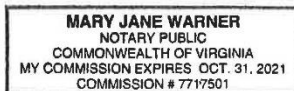
COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Charlottesville, to-wit:

Albemarle

The foregoing instrument was acknowledged before me this 24 day of September
2020 by David S. Witmer.

My commission expires: 10/31/2021



Mary Jane Warner
Notary Public

Notary Registration No.: 7717501

GRANTEE

Anna Marie Witmer
Anna Marie Witmer

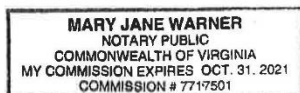
COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Charlottesville, to-wit:

Albemarle

The foregoing instrument was acknowledged before me this 24 day of September
2020 by Anna Marie Witmer.

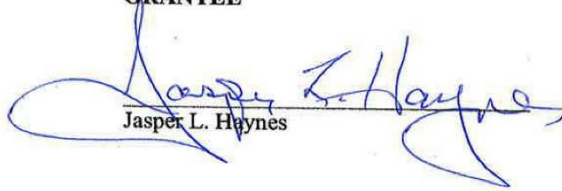
My commission expires: 10/31/2021



Mary Jane Warner
Notary Public

Notary Registration No.: 7717501

GRANTEE

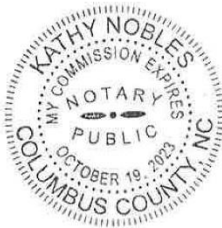

Jasper L. Haynes

STATE OF NORTH CAROLINA

CITY/COUNTY OF Columbus, to-wit:

The foregoing instrument was acknowledged before me this 23rd day of November, 2020 by Jasper L. Haynes.

My commission expires: 10-19-2023.




Kathy Nobles

Notary Public

Notary Registration No.: _____

GRANTEE

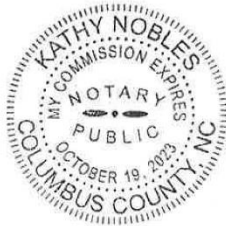

Mallie P. Haynes

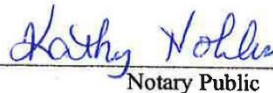
STATE OF NORTH CAROLINA

CITY/COUNTY OF Columbus, to-wit:

The foregoing instrument was acknowledged before me this 23rd day of November, 2020 by Mallie P. Haynes.

My commission expires: 10-19-2023.




Kathy Nobles

Notary Public

Notary Registration No.: _____

Exhibit A

the Exhibit

Road Plan for Galaxie Farm Subdivision

