

| <p style="text-align: center;"><b>ACTIONS</b><br/> <b>Board of Supervisors Meeting of August 18, 2021</b></p>  |                   |                 |
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|  |                   | August 19, 2021 |
| <b>AGENDA ITEM/ACTION</b>  | <b>ASSIGNMENT</b> | <b>VIDEO</b>    |
| <p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>  |                   | Link to Video   |
| <p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> <li><b>ADDED</b> discussion on revisiting ordinance to update language to specify decibel levels in relation to property lines and events at wineries, breweries and cideries.</li> <li><b>ADDED</b> discussion on calculating density in development proposals.</li> <li><b>ADDED</b> discussion on requesting VDOT provide maps showing roads for acceptance or deletion into the state secondary system of highways for inclusion in the board agenda packet.</li> <li><b>PULLED</b> consent agenda item 8.3.</li> <li>By a vote of 6:0, <b>ADOPTED</b> Final Agenda as amended.</li> </ul>  |                   |                 |
| <p>5. Brief Announcements by Board Members.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> <li>Reported that she saw her first monarch butterfly of the year today, August 18, 2021.</li> </ul> <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> <li>Mentioned the storms that have hit the Town of Scottsville and gave a shout out to Jack Miller for his efforts in assisting the community.</li> <li>Announced that on September 20, she and Mike Culp, Director of Broadband Accessibility and Affordability Office will be making a presentation on the efforts the County has been doing in bringing broadband to the area.</li> <li>Expressed her appreciation for the members of the community who reach out to the Board of Supervisors and County employees and encouraged respectful dialogue. She asked the Clerk to append to the minutes a speech given by Edmund Burke to the electors of Bristol on November 3, 1774.</li> </ul> |                   |                 |
| <p>6. Proclamations and Recognitions.</p> <p>a. Resolution of Appreciation for Lorna Gerome.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution and presented to Lorna Gerome.</li> </ul>  | (Attachment 1)    |                 |
| <p>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.</p> <ul style="list-style-type: none"> <li><b><u>The following individuals spoke and requested funds from the American Rescue Plan Act be allocated toward right-to-counsel for eviction legal assistance:</u></b> <ul style="list-style-type: none"> <li><u>Finn Maloney</u></li> <li><u>Javier Raudales</u></li> <li><u>Gabriel Komisar</u></li> <li><u>Melissa Gilrain</u></li> <li><u>Lydia Brunk</u></li> <li><u>Laura Brunk</u></li> </ul> </li> </ul>   |                   |                 |

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| <ul style="list-style-type: none"> <li>• <b>The following individuals spoke towards agenda item #11, Homestay Program Work Session:</b> <ul style="list-style-type: none"> <li>• <u>Diane Boyle</u></li> <li>• <u>Susan Smith</u></li> </ul> </li> <li>• <u>Jack Maxwell</u>, resident of the Scottsville district, commented that they have been working with the National Weather Service office, the Board of Supervisors, and Mr. Richardson and hoped they had enough information to help support the Town of Scottsville with storm relief.</li> <li>• <u>Marta Keene</u>, JABA CEO and resident of the Rio District, highlight portions of JABA client satisfaction survey.</li> </ul> |   |  |
| 8.2 River View Farm Historical Marker. <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, proposed historical marker for River View Farm.</li> </ul>   | <u>Community Development:</u><br>Proceed as approved.   |  |
| 8.3 Walnut Creek Park Tier III Personal Wireless Service Facility Special Use Permit Application. <ul style="list-style-type: none"> <li>• By a vote of 5:1 (Mallek), <b>ADOPTED</b> Resolution authorizing the County Executive to sign Cellco Partners (Verizon Wireless)'s application for a special use permit for a Tier III Personal Wireless Service Facility at Walnut Creek Park.</li> </ul>   | <u>Clerk:</u> Forward copy of signed resolution to Broadband Accessibility and Affordability Office, Community Development and County Attorney's office. (Attachment 2)   |  |
| 8.4 VDOT Roadway Construction & Maintenance and Utility Easements on Parcel ID 04700-00-00-016A0. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, Resolution authorizing the County Executive to sign the attached Deed of Easement and to sign any related easements relocating utilities currently existing on Parcel ID 04700-00-00-016A0.</li> </ul>   | <u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 3)<br><br><u>County Attorney:</u> Provide Clerk with copy of fully executed Deed of Easement. (Attachment 4) |  |
| 8.5 Resolution to Accept road(s) in the Hillsdale Drive Extension into the State Secondary System of Highways and to Abandon/Delete a Portion of Hillsdale Drive Extension. ( <i>Rio Magisterial District</i> ) <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> resolution.</li> </ul>  | <u>Clerk:</u> Forward copy of signed resolution to Community Development. (Attachment 5)  |  |
| 8.6 Resolution to Accept the Lewis and Clark Drive Extension into the State Secondary System of Highways. ( <i>Rio Magisterial District</i> ) <ul style="list-style-type: none"> <li>• <b>ADOPTED</b> resolution.</li> </ul>  | <u>Clerk:</u> Forward copy of signed resolution to Community Development. (Attachment 6)  |  |
| 8.7 ZTA202100003 Resolution of Intent for Proposed Zoning Text Amendment for Bonus Density Improvements. <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, Resolution of Intent.</li> </ul>  | <u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)   |  |
| 8.8 ZMA201900008 Rio Point (formerly Parkway Place) – Defer at the Request of Applicant. <ul style="list-style-type: none"> <li>• <b>DEFERRED</b> to November 17, 2021 at the request of the applicant.</li> </ul>  | <u>Clerk:</u> Schedule on November 17 agenda and advertise in Daily Progress.<br><br><u>Community Development:</u> Notify applicant.  |  |
| 9. American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Update. <ul style="list-style-type: none"> <li>• <b>RECEIVED</b>.</li> <li>• By general consensus, <b>APPROVED</b> additional ARPA SLFRF funding for broadband.</li> </ul>   | <u>Finance and Budget:</u> Proceed as approved.   |  |
| 10. SE202100019 Homestay Special Exception Tranquil Cottage. <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> Resolution to approve the special exception with conditions.</li> </ul>  | <u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)   |  |

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|     | <p>Recess. At 2:54 the Board recessed and reconvened at 3:11 p.m.</p>   |  |
| 11. | <p><b>Work Session:</b> Homestay Program.</p> <ul style="list-style-type: none"> <li>• <b>HELD.</b></li> <li>• By general consensus, <b>ENDORSED</b> the continued proactive compliance program and funding for the third-party support service for another year; and</li> <li>• <b>DIRECTED</b>, staff to prepare a resolution of intent to amend Albemarle County Code §§ 18-5.1.48(j)(1)(v) and 18-5.1.48(j)(2)(v).</li> </ul>   | <p><u>Community Development:</u><br/>Proceed as directed.</p>  |
| 12. | <p><b>Presentation:</b> Mapping Albemarle.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>   |  |
| 13. | <p>Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 5:04 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:</li> <li>• Under Subsection (1), to discuss and consider:               <ol style="list-style-type: none"> <li>1. The appointment of a Director of Information Technology; and</li> <li>2. An appointment to the JAUNT Board of Directors; and</li> <li>3. The appointments and assignments of County representatives on the Charlottesville-Albemarle Convention and Visitors Bureau; and</li> <li>4. The annual performance of the Clerk; and</li> <li>5. The annual performance of the County Attorney and the appointment of his successor upon his pending retirement in 2022; and</li> </ol> </li> <li>• Under Subsection (5), to discuss a prospective business that might locate in the northern part of the County where no previous announcements have been made of its interest in locating in the County; and</li> <li>• Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to the Charlottesville-Albemarle Convention and Visitors Bureau; and</li> <li>• Under Subsection (29), to discuss the terms of a public contract with the City of Charlottesville involving the expenditure of County funds where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board.</li> </ul> |  |
| 14. | <p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 6:06 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>   |  |
|     | <p>Non-Agenda. Appointment of Director of Information Technology.</p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> Resolution appointing Roderick Burton as Director of Information Technology.</li> </ul>   | <p><u>Clerk:</u> Forward copy of signed resolution to Human Resources and County Attorney's office. (Attachment 9)</p> |
| 15. | <p>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"> <li>• <b><u>The following individuals spoke concerning agenda item #17, Proposed Firearms Ordinance:</u></b> <ul style="list-style-type: none"> <li>• <u>April Holmes</u></li> <li>• <u>Gary Grant</u></li> </ul> </li> </ul>   |  |

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| <ul style="list-style-type: none"> <li>• <u>Dan Alley</u></li> <li>• <u>Johnathan McMahon</u></li> <li>• <u>Mike Fox</u></li> <li>• <u>Virginia Rovnyak</u></li> <li>• <u>Deonte Johnson</u>, University of Virginia student addressed the Board and requested the establishment of an early voting site on campus grounds.</li> </ul>   |   |  |
| <p>16. From the County Executive: Report on Matters Not Listed on the Agenda.<br/><u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> <li>• Presented County Executive's monthly report.</li> </ul>   |   |  |
| <p>17. <b>Action Item:</b> Proposed Firearms Ordinance.</p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> ordinance as amended.</li> </ul>   | <p><u>Clerk:</u> Forward copy of signed ordinance to Police and County Attorney's office.<br/>(Attachment 10)</p> |  |
| <p>18. From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. Revising Ordinance to Update Language to Specify Maximum Decibel Level in Relation to Property Lines and Further for Events at Wineries, Breweries, Cideries.<br/><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> <li>• Suggested that staff take a look at the language to the change in the ordinance to moves the decibel at the property line and beyond, instead of just at the property line as it is currently written, explaining that people on other levels and elevations nearby can hear much better than the people on the adjacent property.</li> </ul> <p>b. Requesting VDOT Provide Maps Showing Roads for Acceptance or Deletion into the State Secondary System of Highways for Inclusion in the Board Agenda Packet.<br/><u>Donna Price:</u></p> <ul style="list-style-type: none"> <li>• Requested a diagram of roadways when roads for acceptance or deletion into the state secondary system of highways are included in the board agenda packet.</li> </ul> <p>c. Calculating Density in a Development Proposal.<br/><u>Donna Price:</u></p> <ul style="list-style-type: none"> <li>• Requested that County staff explain the difference between gross and net density when calculating density in a development proposal.</li> <li>• Charles Rapp provided the explanation said the net density units aren't typically calculated, which is the post number of units divided by the land area associated with an application. He said the zoning ordinance follows gross density calculations, which is more of a traditional route which takes the entire land area of the entire parcel and divides that. He commented that there are upcoming opportunities to clarify inconsistencies.</li> </ul> <p>d. Other matters.<br/><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> <li>• Commented that he received an email from a resident in the area of Target that said there are now signs prohibiting truck parking, recreational vehicle parking, etc. which</li> </ul> |   |  |

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| allows police to ticket if the signs are not followed.   |  |  |
| <p>Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 8:14 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:</li> <li>Under Subsection (1), to discuss and consider: <ol style="list-style-type: none"> <li>An appointment to the JAUNT Board of Directors; and</li> <li>The appointments and assignments of County representatives on the Charlottesville-Albemarle Convention and Visitors Bureau; and</li> <li>The annual performance of the Clerk; and</li> <li>The annual performance of the County Attorney and the appointment of his successor upon his pending retirement in 2022; and</li> </ol> </li> <li>Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to the Charlottesville-Albemarle Convention and Visitors Bureau; and</li> <li>Under Subsection (29), to discuss the terms of a public contract with the City of Charlottesville involving the expenditure of County funds where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board.</li> </ul> |  |  |
| <p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 9:04 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>  |  |  |
| <p><b>Non-Agenda.</b> Appointment.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>APPOINTED</b> Ms. Lori Allshouse to the JAUNT Board with said term to expire September 30, 2023.</li> </ul>   | <p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p> |  |
| <p>19. Adjourn to September 1, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).</p> <ul style="list-style-type: none"> <li>The meeting was adjourned at 9:05 p.m.</li> </ul>  |  |  |

ckb/tom

Attachment 1 – Resolution of Appreciation for Lorna Gerome

Attachment 2 – Resolution to Authorize the County Executive to Sign Cellco Partnership's (Verizon Wireless's) Application for a Special Use Permit for a Tier III Personal Wireless Service Facility at Walnut Creek Park

Attachment 3 – Resolution Approving Deed of Easement to the Virginia Department of Transportation

Attachment 4 – Deed of Easement (unsigned)

Attachment 5 – VDoT Resolution – Hillsdale Drive

Attachment 6 – VDoT Resolution – Lewis and Clark Drive Extension

Attachment 7 – Resolution of Intent

Attachment 8 – Resolution to Approve Special Exception for SE2021-00019 Tranquil Cottage Homestay

Attachment 9 – Resolution Appointing Roderick Burton as Director of Information Technology

Attachment 10 – Ordinance No. 21-10(1)

### Resolution of Appreciation for Lorna Gerome

- WHEREAS,** Lorna Gerome has faithfully served the County of Albemarle, Local Government, and Public Schools for over 21 years with the Department of Human Resources, serving the community in the role of Assistant Director and then Director for the last 10 years; and
- WHEREAS,** Lorna has shown superior leadership in progressively maintaining the common interests of the local government and school division for more than two decades, as well as serving multiple partner agencies; and
- WHEREAS,** Lorna has exhibited strong human resources acumen in her efforts to carefully and purposefully facilitate meaningful compensation and benefits programs, by initiating and coordinating the local government's and school division's joint compensation policy and strategy, recently-approved public safety pay scale, time and attendance program and policy implementation, long-term disability program, VRS hybrid disability program, wellness and safety program implementation, introduction of a high-deductible health plan program; and
- WHEREAS,** Lorna has relied on her professional expertise to thoughtfully understand and manage organizational risks and liabilities, while maintaining all stakeholders' interests; and
- WHEREAS,** Lorna is highly regarded throughout her department, the local government, school division, and by all partner agencies and stakeholders, as a thoughtful, kind, caring and compassionate service-oriented leader who savors every opportunity to champion professional growth, equity, pluralism of thought, business partnering, and all aspects of pursuing an ideal work environment allowing great people to do great work.

**NOW THEREFORE BE IT RESOLVED,** by the Albemarle County Board of Supervisors that Lorna Gerome is hereby honored and commended for her many years of exceptional service to the County of Albemarle, Albemarle County Public Schools, the Department of Human Resources, Albemarle County residents, family and students, the broader community in which we live, and the entire Commonwealth of Virginia with knowledge that Albemarle County is strengthened and distinguished by Lorna's dedication, commitment, professionalism, and compassion in meeting community needs.

**BE IT FURTHER RESOLVED,** that a copy of this Resolution be spread upon the minutes of this meeting of

the Albemarle County Board of Supervisors as a lasting, visible testament to the esteem in which Lorna is held by this Board and previous Boards for her lasting legacy of community service and the tangible results from her work to make Albemarle County better for future generations.

Signed this 18th day of August 2021.

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE  
TO SIGN CELLCO PARTNERSHIP'S (VERIZON WIRELESS'S) APPLICATION  
FOR A SPECIAL USE PERMIT FOR A TIER III PERSONAL WIRELESS  
SERVICE FACILITY AT WALNUT CREEK PARK**

**WHEREAS**, the Board of Supervisors finds that it is in the best interest of the County to authorize the County Executive to sign Cellco Partnership's (Verizon Wireless's) Application for a Special Use Permit for a Tier III Personal Wireless Service Facility at Walnut Creek Park on behalf of the property owner.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Albemarle County, Virginia hereby authorizes the County Executive to sign Cellco Partnership's (Verizon Wireless's) Application for a Special Use Permit for a Tier III Personal Wireless Service Facility at Walnut Creek Park on behalf of the property owner.

**RESOLUTION APPROVING DEED OF EASEMENT TO THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION**

**WHEREAS**, the County of Albemarle jointly holds a perpetual conservation easement in gross with the Albemarle Conservation Easement Authority pursuant to the Virginia Open Space Land Act on The Riggory (Parcel 04700-00-00-016A0); and

**WHEREAS**, the Virginia Department of Transportation needs a construction and maintenance easement over a portion of The Riggory and needs to relocate a CenturyLink utility easement to complete its SMART SCALE project improving the intersection of Stony Point Road (Route 20) and Proffit Road (Route 629); and

**WHEREAS**, the Board of Supervisors finds that the proposed construction and maintenance easement and road improvement project described therein and relocation of the utility easement are necessary to the preservation, maintenance, and management of The Riggory as open-space land.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves the granting of a construction and maintenance easement to the Virginia Department of Transportation and the relocation of a CenturyLink utility easement and authorizes the County Executive to sign, in a form approved by the County Attorney, such Deed of Easements with the Virginia Department of Transportation and/or CenturyLink for easements across Parcel 04700-00-00-016A0 in order to complete the SMART SCALE intersection improvement project.



TAX MAP #47-16A

SF-38  
Revised 9/16  
UPC 111733**PREPARED BY VDOT  
UNDER SUPERVISION OF THE  
OFFICE OF THE ATTORNEY GENERAL**Exempted from recordation taxes and  
fees under Sections 58.1-811(A)(3),  
58.1-811(C)(5), 58.1-3315, 25.1-418,  
42.1-70, 17.1-266, and 17.1-279(E)

THIS DEED, made this 25 day of June, 2021, by and between Martin F. CONNIFF and Adele M. CONNIFF, husband and wife as tenants by the entirety with full rights of survivorship as at common law, and not as tenants in common, Grantor; the COUNTY OF ALBEMARLE, VIRGINIA, (hereinafter ALBEMARLE COUNTY) a political subdivision of the Commonwealth of Virginia, a party of the third part to be indexed as a Grantor; the ALBEMARLE CONSERVATION EASEMENT AUTHORITY (hereinafter the AUTHORITY), a public recreational facilities authority and political subdivision of the Commonwealth of Virginia, a party of the third part to be indexed as a Grantor; and the COMMONWEALTH OF VIRGINIA, acting by and through its Department of Transportation, Grantee,

**WITNESSETH:** For and in consideration of the sum of \$5,697.00 to be paid by the Grantee to the Grantor on or before the Effective Date, as defined below, effective upon the Effective Date, the Grantor doth hereby grant and convey to the Grantee with, General Warranty and English Covenants of Title, subject to (a) the easement referred to below in favor of Albemarle County and the Authority and all other easements, conditions, restrictions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed in easement, which have not expired by a limitation of time contained therein or have not otherwise become ineffective, and (b) the terms, conditions and limitations set forth below, a non-exclusive perpetual right and easement to construct, alter,

operate and maintain the roadside cut and fill slopes and drainage ditches of a public street or highway, including any necessary permitted appurtenances thereto and being subject to and consistent with the attached Construction Design Plan and Cross Sections (hereinafter the Project), over, upon and across the lands and property of the Grantor, the area embracing the easement being situated in the County of Albemarle and described as follows:

Parcel 035

Being as shown on Sheet 4RW of the plans for Route 20, State Highway Project 0020-002-953, R-201, and beginning on the East (right) side of Route 20 N Construction Baseline from the lands now or formerly belonging to Sharon L. Cox-Ponder and Leonard K. Ponder opposite approximate Station 201+70 to a point in the lands of the Grantor opposite Station 204+19.88, and containing 8,553 square feet, more or less.

The source being a portion of the same property acquired by the Landowner by General Warranty Deed from Edgar J Roberts Jr., dated January 10, 2011, and recorded January 11, 2012, in Deed Book 4119, Pages 512-515, in the Clerk's Office of the Circuit Court of Albemarle County.

For a more particular description of the land herein conveyed in easement, reference is made to photocopy of Sheet No. 4RW, showing outlined in GREEN the land conveyed in perpetual easement, which photocopy is hereto attached as a part of this conveyance and recorded simultaneously herewith in the State Highway Plat Book \_\_\_\_\_, Page\_\_\_\_\_, the land herein conveyed in easement hereinafter referred to as the Property.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid Project as they affect their Property have been fully explained to their authorized representative in the presentation made by Bowman Consulting at the April 15, 2021, meeting of the Authority, which Grantee represents was a complete and accurate explanation. The plans for the aforesaid Project as well as all of Grantee's future uses, construction, alteration, operations, and maintenance on the Property subject of this easement are subject and subordinate to ALBEMARLE COUNTY's and the AUTHORITY's perpetual, open-space easement in gross over the lands and Property subject herein by virtue of the Deed of Gift Easement dated February 27,

1992, and recorded with the Clerk of the Albemarle County Circuit Court at Deed Book 1207, page 82 (Instrument Number 199200002217).

In executing the plan and constructing the Project, the Grantee must protect against negative impacts to the wetlands and waters on the Property or on the Grantor's adjoining property by utilizing Best Management Practices to control and prevent erosion. The installation of any impermeable surface on the Property is prohibited. The installation of any type of structure on the Property, including but not limited to guardrails, sidewalks, posts, poles, shelters, and benches, are prohibited with the following exceptions: single-post regulatory, route, or directional signs and the reinstallation of Grantor's fence are permitted. Grantee hereby agrees that upon completion of the Project Grantor may reinstall its fence in a location as close as reasonably practical to its present location, such location to be discussed in good faith by Grantee and Grantor, but in any event Grantee agrees that it will agree to a location that is consistent with the preservation of the architectural significance and historical character of the structures on Grantor's adjoining property and their setting, as required by the foregoing easement in favor of Albemarle County and the Authority. All disturbed, filled, and graded ground on the Property must be repaired only with a vegetative ground cover. Grantee must repair any damage to the Property that occurs as a result of and during the course of the Project work and must restore the site and the Property to its condition prior to the start of the Project work consistent with the Project design and plans, this Deed, and the terms of the Deed of Gift Easement dated February 27, 1992, and recorded with the Clerk of the Albemarle County Circuit Court at Deed Book 1207, page 82 (Instrument Number 199200002217).

Grantee is solely responsible for maintaining and only permitted to maintain the Property at the standard, condition, and appearance of the Property at the close of the Project. Such maintenance must be consistent with this Deed and the terms of the Deed of Gift Easement dated February 27, 1992, and recorded with the Clerk of the Albemarle County Circuit Court at Deed

Book 1207, page 82 (Instrument Number 199200002217). Any future alteration to or improvement of the Property by the Grantee that will deviate or might be expected to deviate in any respect with the plan and Project design must first be reviewed and approved by the Grantor and the parties of the third part, ALBEMARLE COUNTY and the AUTHORITY. Grantee hereby agrees that upon completion of the Project Grantor shall have the right to use and enjoy the Property, including without limitation the right to mow, pick up trash and other activities to preserve the historical and scenic character of the Property, except when such use shall materially interfere with the rights granted to Grantee under this easement.

ALBEMARLE COUNTY and the AUTHORITY hereby consent to this easement.

The Grantor covenants and agrees for themselves, their successors and assigns, that the consideration hereinabove mentioned and paid to it shall be in lieu of any and all claims to compensation for the easement, and for damages to the value of the lands of the Grantor not encumbered by such easement, if any, which may result by reason of the use to which the Grantee will put the same.

Notwithstanding the foregoing, Grantee shall require its Contractor to purchase and maintain through the duration of the Contract Contractor's Bodily Injury and Property Damage Liability Insurance in the amount of \$1,000,000 per occurrence with an aggregate of \$2,000,000 to cover all claims and loss arising from or in any respect related to any exercise of or use of the easement by Grantee or any contractor or subcontractor at any tier with respect to the Project. Grantee shall also require any contractor retained by Grantee to maintain the Property thereafter to purchase and maintain such insurance in such amounts for the duration of its contract with Grantee. Grantor and its successors and assigns shall be entitled to specific performance of Grantee's obligations under this easement and to such other injunctive or other equitable relief as may be granted by a court of competent jurisdiction. Albemarle County and the Authority shall

have the benefit of the foregoing obligations of Grantee as third-party beneficiaries of this provision.

"Effective Date" as used herein shall mean the date on which Grantee shall provide notice to Grantor, Albemarle County and the Authority that all conditions to the commencement of work on the Project have been met and that work on the Project has in fact commenced. Following the Effective Date, Grantor shall remove its fence on the Property upon not less than 14 days' notice from Grantee of the date by which Grantor's fence on the Property shall be removed. If the Effective Date shall have not occurred on or before six months after June 1, 2021, this Deed of Easement shall terminate and be of no further force and effect. If the Effective Date shall have occurred, but State Highway Project 0020-002-953, RW-201 shall not have been completed and placed in service on or before twelve months following the currently scheduled completion date of April 30, 2022 for the Project, Grantee shall promptly restore the site and Property to its condition and appearance prior to the start of the Project work and thereupon this easement shall terminate and be of no further force and effect.

SIGNATURES ON FOLLOWING PAGE

WITNESS the following signatures and seals:

M. F. Conniff (SEAL)  
Martin F. Conniff

COMMONWEALTH OF VIRGINIA

COUNTY OF Albemarle

The foregoing instrument was acknowledged before me this 25 day of June, 2021, by  
Martin F. Conniff.

My commission expires: 3/31/2023

Notary Registration No.: 7626542



[Signature]  
Notary Public

Adele M. Conniff (SEAL)  
Adele M. Conniff

COMMONWEALTH OF VIRGINIA

COUNTY OF Albemarle

The foregoing instrument was acknowledged before me this 25 day of June, 2021, by  
Adele M. Conniff.

My commission expires: 3/31/2023

Notary Registration No.: 7626542



[Signature] (SEAL)  
Notary Public

COUNTY OF ALBEMARLE, VIRGINIA

BY:

\_\_\_\_\_  
Jeffrey Richardson  
County Executive

COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by  
Jeffrey Richardson, County Executive.

My commission expires:  
Notary Registration Number:

\_\_\_\_\_  
Notary Public

Approved as to Form:

\_\_\_\_\_  
County Attorney

ALBEMARLE CONSERVATION EASEMENT AUTHORITY

BY:

  
\_\_\_\_\_  
Jay Fennell  
Chair

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF CHARLOTTESVILLE

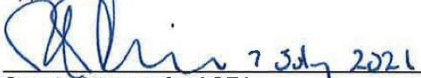
The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of July 2021, by  
Jay Fennell, Chair of the Board of Directors for the Albemarle Conservation Easement Authority.

My commission expires: 1/31/2022  
Notary Registration Number: 260220

Marsha A. Davis  
\_\_\_\_\_  
Notary Public



Approved as to Form:

  
\_\_\_\_\_  
County Attorney for ACEA





|            |            |    |    |                                  |   |
|------------|------------|----|----|----------------------------------|---|
| 02/04/2023 | 06/02/2023 | VA | 20 | 0020-002-953, P101<br>R201, C50H | 4 |
|------------|------------|----|----|----------------------------------|---|

21. Srd Soil Stabilization Mat EC-3 Ty 1 Prod

|              |       |      |
|--------------|-------|------|
| 0020-002-953 | SCALE | 00   |
|              |       | 100  |
|              |       | 200  |
|              |       | 300  |
|              |       | 400  |
|              |       | 500  |
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|              |       | 700  |
|              |       | 800  |
|              |       | 900  |
|              |       | 1000 |

[illegible]

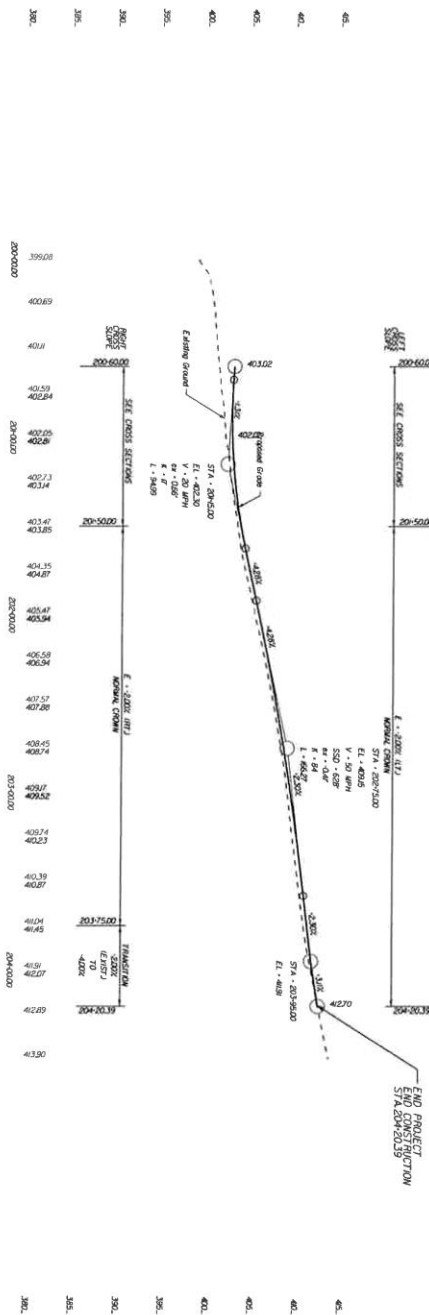
## ROUTE 20 NORTH PROFILE

|   |   |
|---|---|
|  |  |
| Corn Register<br>Virginia Beach, Virginia<br><i>Architect/Engineer</i>                | Corn Register<br>Virginia Beach, Virginia<br><i>Architect/Engineer</i>                |

|        |                    |      |
|--------|--------------------|------|
| DATE   | 0020-002-953, P101 | 4/11 |
| STATE  | VA                 |      |
| REPORT | 20                 |      |

DEADLINE FEATURES RELATING TO COMPLETION ON TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

NOTE:  
END ROUNDOFF THE IN GRADING AT STA 20+50. SEE  
GRADING PLAN ON SHEET 22 FOR DETAILS.



09:57 AM on April 29, 2020

02/20/2020 10:00 AM

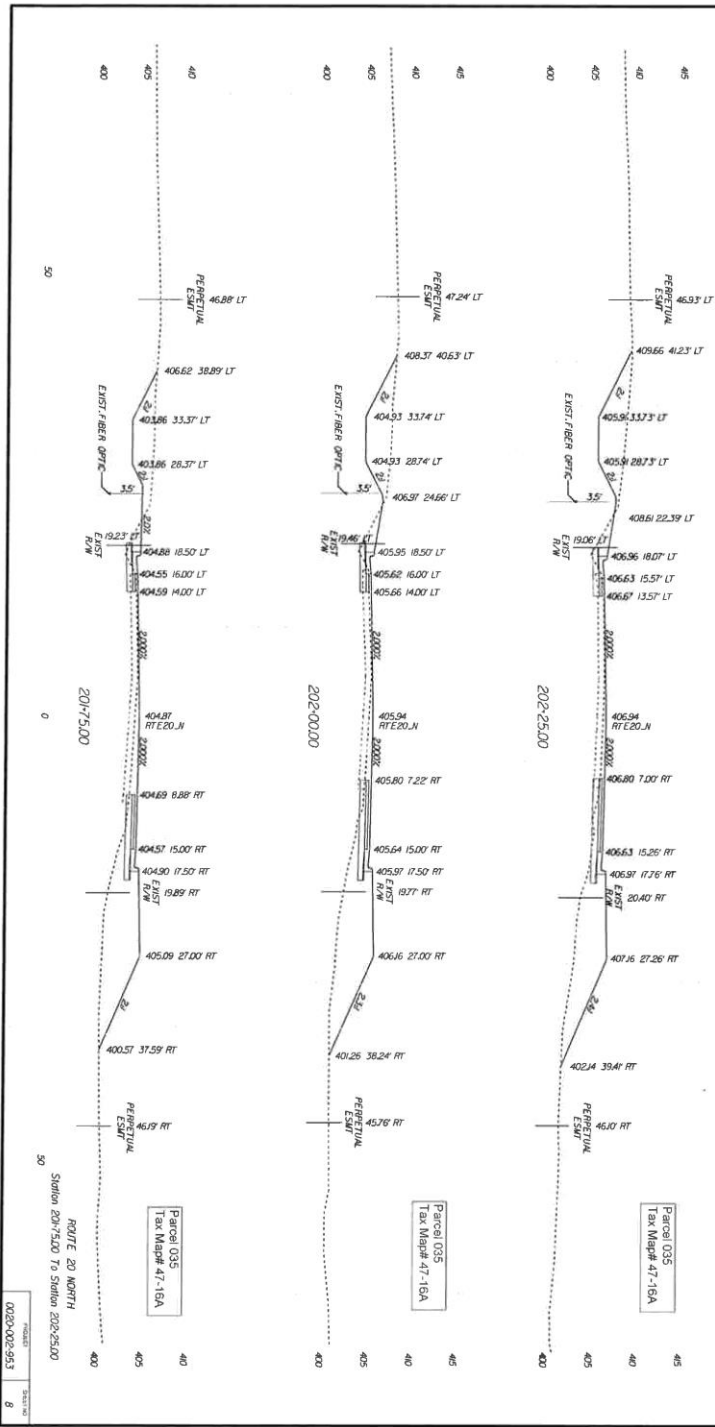
Project: 0202-002-551, C-501  
Sheet: 8 of 8  
Scale: 1" = 5' FT  
Date: 02/20/2020

# CROSS SECTIONS

SECTION 1: 20+75.00 TO 20+75.00  
SECTION 2: 20+75.00 TO 20+75.00  
SECTION 3: 20+75.00 TO 20+75.00

| NO. | DATE       | BY | CHKD | APPD                |
|-----|------------|----|------|---------------------|
| 1   | 02/20/2020 | VA | 20   | 0202-002-551, C-501 |
| 2   |            |    |      |                     |

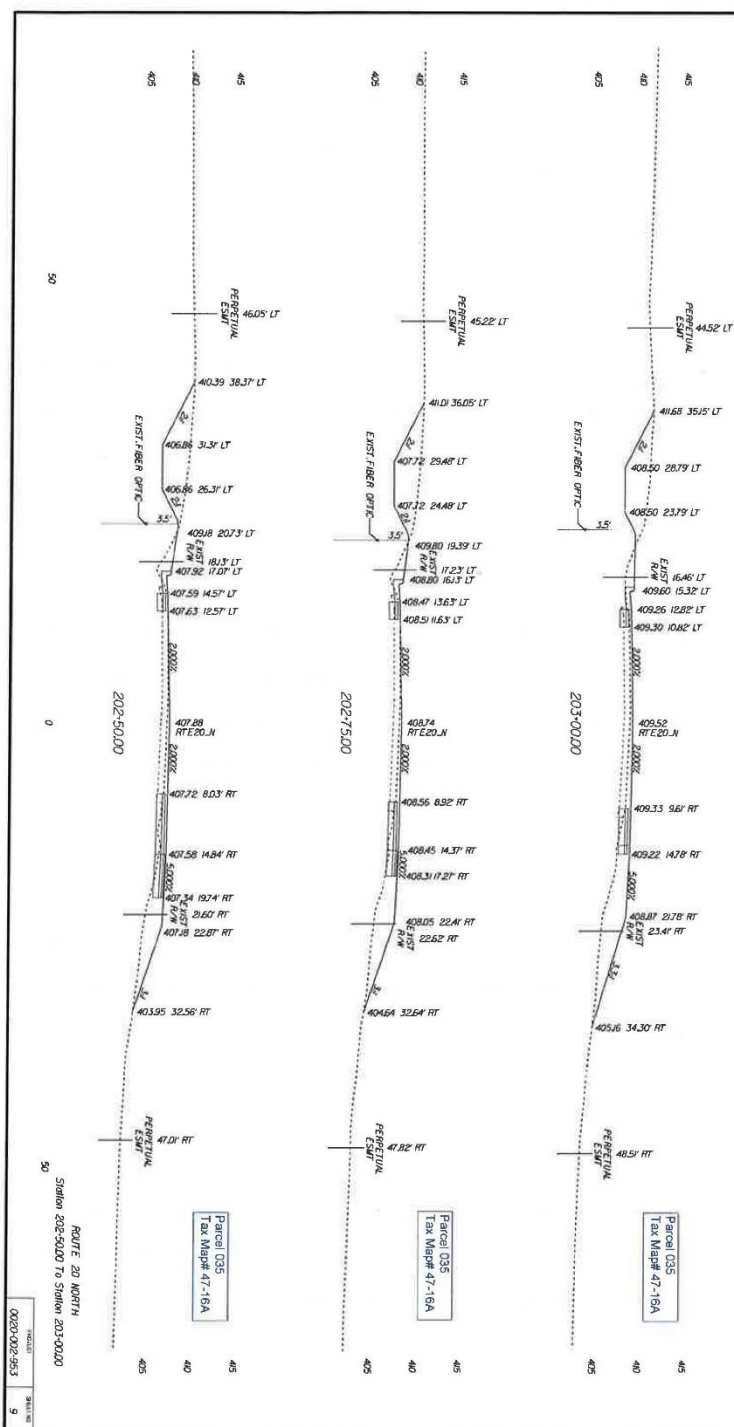
NOTE: CROSS SECTIONS ARE SHOWN FROM STA 20+75.00 TO STA 20+75.00



DESIGN FEATURES RELATING TO CONSTRUCTION OF TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE CONTRACTORS

|       |                     |   |
|-------|---------------------|---|
| STATE | 0020-002-953, C-501 | 9 |
| VA    | 20                  |   |

NOTE: CONTRACTOR MAY USE EXCESS FILL MATERIAL AS NEEDED TO FILL SLOPES TO LIMITS SHOWN FROM STA. 292+00 TO 20+00.







**RESOLUTION**

WHEREAS, a portion of Route 1340 has been realigned and a new segment constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

NOW, THEREFORE, BE IT RESOLVED by the Albemarle County Board of Supervisors, this the 18<sup>th</sup> day of August, 2021, that the old segment of Route 1340, identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways as the new road serves the same citizens as the old road and is hereby requested to be deleted and/or abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended.

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the new segments identified on the attached Form AM 4.3 as part of the Secondary System of State Highways, pursuant to §33.2-705, *Code of Virginia*, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED, the County Board of Supervisors does hereby guarantee unencumbered rights-of-way plus the necessary easements for cuts, fills, and drainage for this added segments;

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded to the Virginia Department of Transportation.

\* \* \* \* \*

### **Report of Changes in the Secondary System of State Highways**

#### **Project/Subdivision: Hillsdale Drive Extension**

Addition - VDOT Project §33.2-705

| Rte Number | Street Name     | From Termini                               | To Termini                            | Length | Number of Lanes | Recordation Reference | Row Width |
|------------|-----------------|--|---------------------------------------|--------|-----------------|-----------------------|-----------|
| 1340       | Hillsdale Drive | 0.091 Miles South of Greenbrier Dr         | 0.125 Miles South of Greenbrier Drive | 0.03   | 2               |                       | 80        |
| 1340       | Hillsdale Drive | 0.097 Miles North of Rt 866, Greenbrier Dr | Rt 866, Greenbrier Drive              | 0.1    | 2               |                       | 80        |

Deletion - Project by VDOT §33.2-912

| Rte Number | Street Name     | From Termini                                  | To Termini               | Length | Number of Lanes | Recordation Reference | Row Width |
|------------|-----------------|---|--------------------------|--------|-----------------|-----------------------|-----------|
| 1340       | Hillsdale Drive | 0.060 Miles North of Rt 866, Greenbrier Drive | Rt 866, Greenbrier Drive | 0.06   |                 |                       |           |

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 18<sup>th</sup> day of August 2021, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Lewis and Clark Drive Extension**, as described on the attached Additions Form AM-4.3 dated **August 18, 2021**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Lewis and Clark Drive Extension**, as described on the attached Additions Form AM-4.3 dated **August 18, 2021**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\* \* \* \* \*

**Report of Changes in the Secondary System of State Highways**

**Project/Subdivision: Lewis and Clark Drive Extension**

Addition - New subdivision street §33.2-705

| Rte Number | Street Name           | From Termini                     | To Termini                                   | Length | Number of Lanes | Recordation Reference | Row Width |
|------------|-----------------------|----------------------------------|--|--------|-----------------|-----------------------|-----------|
| 1571       | Lewis and Clark Drive | 0.11 South of Rt 1666, Quail Run | 0.5 Miles South to Rt 1654, Innovation Drive | 0.5    | 2               | DB 5478: PG 21-34     | 99        |
| 1571       | Lewis and Clark Drive | Rt 1666, Quail Run               | 0.11 Miles South                             | 0.11   | 4               | DB 5478: Pg 21-34     | 105.46    |



**RESOLUTION OF INTENT**

**WHEREAS**, the Albemarle County Zoning Ordinance includes regulations pertaining to bonus densities in Albemarle County Code §§ 18-2 and 18-12 through 18-18; and

**WHEREAS**, it is desired to consolidate the bonus density regulations to eliminate repetitive text, to eliminate bonus densities for incentives that are now requirements, and to amend related regulations, as appropriate.

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code §§ 18-2 and 18-12 through 18-18 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

**BE IT FURTHER RESOLVED THAT** the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendations to the Board of Supervisors, at the earliest possible date.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR SE2021-00019 TRANQUIL COTTAGE HOMESTAY**

**BE IT RESOLVED** that, upon consideration of the Memorandum prepared in conjunction with the SE2021-00019 Tranquil Cottage Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.5, the Albemarle County Board of Supervisors hereby finds that the requested special exception would cause (i) no detriment to any abutting lot and (ii) no harm to the public health, safety, or welfare.

**NOW, THEREFORE, BE IT RESOLVED**, that in association with the Tranquil Cottage Homestay, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125-foot southwestern yard required for a homestay in the Rural Areas zoning district, subject to the conditions attached hereto.

\* \* \* \* \*

**SE 2021-00019 Tranquil Cottage Homestay Special Exception Conditions**

1. Parking for homestay guests is limited to the existing parking areas, as depicted on the House and Parking Location Exhibit dated July 29, 2021.
2. Homestay use is limited to the existing structures, as currently configured and depicted on the House and Parking Location Exhibit dated July 29, 2021.
3. Screening must be established and maintained southwest of the homestay and homestay parking area, as shown on the House and Parking Location Exhibit dated July 29, 2021, in a way that meets the minimum requirements of County Code § 18-32.7.9.7(b)-(e).

**RESOLUTION  
APPOINTING RODERICK BURTON AS THE DIRECTOR  
OF INFORMATION TECHNOLOGY**

**BE IT RESOLVED** by the Board of Supervisors of the County of Albemarle, Virginia (the "Board") that, upon the recommendation of the County Executive, Roderick Burton ("Burton") is hereby appointed the Director of Information Technology for the County of Albemarle, Virginia pursuant to Virginia Code § 15.2-512; and

**BE IT FURTHER RESOLVED** that this appointment shall be effective on and after August 19, 2021; and

**BE IT FURTHER RESOLVED** that Burton will serve as Director of Information Technology at the pleasure of the Board and for an indefinite tenure pursuant to Virginia Code § 15.2-513; and

**BE IT FURTHER RESOLVED** that Burton will serve as the head of the County's Department of Information Technology; and

**BE IT FURTHER RESOLVED** that Burton will act under the supervision of the County Executive.

**ORDINANCE NO. 21-10(1)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 10, Offenses - Miscellaneous, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

**By Adding:**

Sec. 10-118 Firearms prohibited on County property.

**Chapter 10. Offenses - Miscellaneous****Sec. 10-118 Firearms prohibited on County property.**

- A. *Firearm Definition.* For the purposes of this section, a firearm is any instrument designed, made, and intended to expel a projectile by means of explosion of a combustible material. The firearm need not be operable or capable of firing to sustain a conviction under this Section.
- B. *Acts prohibited.* It shall be unlawful to possess, carry, or transport any firearm or a component thereof, ammunition, or a combination thereof in or on:
  - 1. Any building or part of a building owned or used for governmental purposes by the County, any authority or local government entity created or controlled by the County;
  - 2. Any public park owned or operated by the County or any authority or local government entity created or controlled by the County; and
  - 3. Any recreation or community center operated by the County or any authority or local government entity created or controlled by the County.
- C. *Exceptions.* The prohibition made unlawful in subsection (B) shall not apply to:
  - 1. Federal, state, and local law enforcement officers; unsworn animal protection officers; and the Fire Marshal, deputies, and assistants;
  - 2. The Commonwealth's Attorney, deputy, and assistants;
  - 3. Authorized employees of the Albemarle-Charlottesville Regional Jail and officers or guards of state correctional facilities, acting within the scope of their duties;
  - 4. Civilian employees of the Albemarle County Police Department who are assigned to the Forensics Unit, acting within the scope of their duties;
  - 5. Individuals who surrender or submit for safekeeping firearms to the Albemarle County Police Department. Possession and transport for this purpose is permissible only at the County Office Building at 1600 5<sup>th</sup> Street, Charlottesville, Virginia;
  - 6. Active members of the United States Armed Forces and Virginia National Guard, acting within the scope of their duties;
  - 7. Retired law enforcement officers, if authorized by Virginia Code § 18.2-308.016 or other applicable law;
  - 8. Security officers licensed and certified by the Department of Criminal Justice Services and authorized to carry a firearm, acting within the scope of their duties;
  - 9. Individuals authorized by Virginia Code § 18.2-283.1 while in a courthouse that is subject to this section;
  - 10. Judges or justices of the Commonwealth;

11. Mail carriers of the United States Postal Service, acting within the scope of their duties;
  12. Conservators of the peace, except as limited by Virginia Code § 18.2-308(D)(3), acting within the scope of their duties; and
  13. Individuals participating in ceremonial events allowed pursuant to the County's Rules for the Public's Use of the County Office Buildings and Their Grounds and other County rules and policies, provided that prior notice of the planned use of firearms in the ceremony is provided either on any required application or to the County Executive.
  14. Any person who may lawfully possess a firearm and is carrying a firearm while in a personal, private motor vehicle on properties described in subsection (B) above, and the firearm is secured in a container or compartment in the vehicle is not in violation of this section.
- D. *Security measures.* The County Executive may approve and order implemented lawful security measures reasonably designed to prevent unauthorized access of the buildings and areas in subsection (B) above.
- E. *Notice.* The acts prohibited by subsection (B) above apply only to those buildings or parts thereof, parks, and recreation or community centers at which notice of this section is posted as required by Virginia Code § 15.2-915(F).
- F. *Penalty.* A violation of any provision of this section shall be punished as a class 1 misdemeanor.

**State law reference** -- Va. Code § 15.2-915.