

| <p style="text-align: center;">ACTIONS Board of Supervisors Meeting of November 3, 2021</p> | | |
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| | | November 4, 2021 |
| AGENDA ITEM/ACTION | ASSIGNMENT | VIDEO |
| <p>1. Call to Order.</p> <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 |
| <p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> ADDED Resolution Recognizing George Ray. PULLED June 3, 2020 minutes from consent agenda. ADDED discussion on a change to the Boards adopted meeting schedule to add a regular meeting to be held on January 12, 2022. By a vote of 6:0, ADOPTED final agenda as amended. | | |
| <p>5. Brief Announcements by Board Members.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Stated that annual Apple Harvest Festival would be held at Albemarle CiderWorks on Saturday, November 6, 2021. Commented that the previous weekend was the Love Albemarle Trash Clean-up in Esmont and that she was very glad for all the participation by citizen, Board and Planning Commission members, and SWAAC committee members. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that the 27th Annual Artisan Studio Tour would be held on November 14 and 15, 2021 in Charlottesville, Albemarle, Green, Madison, and Nelson. Commented on the multitudes of citizens who were out picking up trash along Earlysville Road the previous weekend and expressed her gratitude. <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> Echoed Liz Palmer's comments regarding the Love Albemarle Trash Clean-up, and that she had worked with Scottsville Town Council members and the principal of the Scottsville Elementary School. Mentioned that she had attended the CVEC firefly, ten thousand connections event on October 21, 2021. <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Recognized Fred Gerke and the other citizens who helped beautify Proffitt Road and Polo Grounds Road by picking up trash. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Thanked all the election volunteers that ran the elections in Albemarle County on November 2, 2021 and commented that he got to observe the new Northside polling location. | | |
| <p>6. Proclamations and Recognitions.</p> <p>a. Resolution Celebrating Veterans Day.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution and presented to Trevor Henry and Jamie | (Attachment 1) | |
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| part of the County Executive's report. | | |
| 13. | <p>Closed Meeting.</p> <ul style="list-style-type: none"> At 4:23 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: <ol style="list-style-type: none"> The annual performance of the County Attorney and the County Executive; and Appointments to the Economic Development Authority, the Community Policy and Management Team, and three County advisory committees; and Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice related to joining the settlement of litigation pertaining to opioid production and distribution. | |
| 14. | <p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 6:01 p.m., the Board reconvened into open meeting and certified the closed meeting. | |
| 15a. | <p>Vacancies and Appointments.</p> <ul style="list-style-type: none"> APPOINTED, Mr. John Mottola to the Economic Development Authority as the White Hall District Representative with said term to expire January 19, 2025. APPOINTED, Ms. Anne Oliver to the Pantops Community Advisory Committee with said term to expire June 30, 2023. APPOINTED, Ms. Chanley "Sage" Bradburn to the Solid Waste Alternatives Advisory Committee to fill an unexpired term ending May 31, 2022. APPOINTED, Ms. Victoria Walsh to the Solid Waste Alternatives Advisory Committee with said term to expire May 31, 2025. APPOINTED, Ms. Ginna Kelly to the Village of Rivanna Community Advisory Committee with said term to expire March 31, 2023. APPOINTED, Mr. Ryan Davidson to the Community Policy and Management Team as the Local Government Representative. | <p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p> |
| 16. | <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"> <u>The following individuals spoke concerning the Rio Corridor as it relates to development and traffic.:</u> <ul style="list-style-type: none"> Kent Schlussel Judy Schlussel | |
| 17. | <p><u>Pb. Hrg.: SP202100011 Field School of Charlottesville SP Amendment.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP202100011 with revised conditions. | <p>Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)</p> |
| 18. | <p><u>Pb. Hrg.: SP0202100006 Ivy Landfill Solar Facilities.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP202100006, subject to the conditions contained therein. | <p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 9)</p> |

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| 19. | <p><u>Pb. Hrg.: SP202000016 Claudius Crozet Park.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP202000016 with the revised conditions, including the revised concept plan. | <p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 10 - 11)</p> | |
| 20. | <p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. Changing the Boards adopted meeting schedule to add a regular meeting to the schedule, to be held on January 12, 2022.</p> <ul style="list-style-type: none"> By general consensus DIRECTED staff to add a Resolution Changing the Boards Adopted Meeting Schedule to the November 17 agenda. <p><u>Greg Kamptner:</u></p> <ul style="list-style-type: none"> Reported that the applicant for The Square LLC Homestay Special Exceptions that was heard earlier on the agenda was not in attendance for the meeting and asked if the Board would reconsider the motion and defer the decision to a later date to allow the applicant to ask questions. CONSENSUS to let the previous decision stand and not reconsider the motion. | <p><u>County Attorney:</u> Prepare resolution.</p> <p><u>Clerk:</u> Schedule on November 17 agenda.</p> | |
| 21. | <p>Adjourn to November 9, 2021, 6:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).</p> <ul style="list-style-type: none"> The meeting was adjourned at 9:27 p.m. | | |

ckb/tom

Attachment 1 – Resolution of Appreciation – Veterans Day

Attachment 2 – Proclamation Honoring Native American Heritage Month

Attachment 3 – Resolution Recognizing George Ray

Attachment 4 – Resolution Approving Memorandum of Agreement to Govern County Collection of Scottsville Motor Vehicle License Taxes

Attachment 5 – Draft Memorandum of Agreement Between the County of Albemarle and the Town of Scottsville

Attachment 6 – Resolution of Intent for Comprehensive Plan Update

Attachment 7 – Draft 2022 TJPD Legislative Program

Attachment 8 – Resolution to Approve SP 202100011 Field School of Charlottesville

Attachment 9 – Resolution to Approve SP202100006 Ivy Landfill Solar Facilities

Attachment 10 – Resolution to Approve SP 202000016 Claudius Crozet Park

Attachment 11 – Claudius Crozet Park Revised Concept Plan, last revised October 11, 2021

RESOLUTION OF APPRECIATION

WHEREAS, the United States of America, founded on the principles of liberty and justice for all, has called on her men and women in uniform to protect our national security; and

WHEREAS, the preservation of our national interests, our rights and our freedom, has been ensured by the service of these individuals; and

WHEREAS, on Veterans Day we remember and pay tribute to the millions of patriots whose courage and sacrifice have secured our freedom and defended our values both at home and abroad; and

WHEREAS, over one hundred veterans continue to serve their country in public schools and government as teachers and other professionals providing services to the students and residents of Albemarle County; and

WHEREAS, these veterans employed by Albemarle County Public Schools and Local Government deserve recognition for their continued service;

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby recognizes all veterans and the men and women that are currently serving in our armed forces around the world; and

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors hereby appreciates and honors the continued contributions and sacrifices of the Armed Forces veterans employed by local government and public schools; and

FURTHER RESOLVED, that this Resolution celebrating Veterans Day, be adopted this 3rd day of November 2021.

Signed this 3rd day of November 2021.

Proclamation Honoring Native American Heritage Month

WHEREAS, the Monacan Indian Nation are known to be the indigenous stewards of present day Albemarle County; and

WHEREAS, by the 1740s, most Monacan people were pushed westward away from Albemarle by advancing colonial settlers and were instead forced to relocate in Amherst County, but the Monacans maintained connections to their ancestral landscape and visited their burial mounds in Albemarle County, with one such visit recorded by Thomas Jefferson in 1755; and

WHEREAS, the state of Virginia passed a Racial Integrity Law in 1924, prohibiting intermarriage and requiring birth certificates to assign race, with “white” or “colored” as the only option, thus disrupting the continuity of Monacan history in our region and throughout the commonwealth; and

WHEREAS, the Monacan people built community and maintained their traditions on Bear Mountain for centuries, ensuring the continuity of their long history within their citizens; and

WHEREAS, the Monacan Indian Nation was recognized by the state of Virginia in 1989, and finally by the federal government in 2018; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, celebrate Native American Heritage Month by honoring the Monacan Indian Nation, the indigenous stewards of this land, for their perseverance and commitment to their community in the face of centuries of systemic oppression, and for their generosity in educating us about their long and memorable history so we all know a more comprehensive history of our County.

Signed this 3rd day of November, 2021

Resolution Recognizing George Ray

WHEREAS, George Ray created the concept, built the coalition of supporters to carry out the project, and has now welcomed the veteran community to the Oakleigh Veterans Memorial on Nichols Court; and

WHEREAS, Albemarle County residents now have a new memorial park, which is accessible to veterans and their families of all abilities, a memorial wall of honor with ADA access, a peaceful fountain, and a children's playground; and

WHEREAS, The Oakleigh Veterans Park is a Memorial dedicated to the honor of all American military and civilian support personnel who served the United States in the wars in the Middle East and associated regions. It is a place of contemplation and respect for the sacrifice of so many; and

WHEREAS, A prominent part of this Memorial is a special recognition area for Gold Star mothers and fathers and their lost loved ones;

WHEREAS, The Memorial also features a special recognition of the 391st Engineering Battalion of the US Army Reserve headquartered in Greenville, South Carolina and to the four Battalion soldiers killed in combat near Asadabad, Afghanistan on March 12, 2006.

NOW, THEREFORE, BE IT RESOLVED, that we the Albemarle County Board of Supervisors do hereby honor and recognize George Ray for his initiative and final accomplishment of the Oakleigh Veterans Memorial.

Signed this 3rd day of November 2021.

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT TO GOVERN
COUNTY COLLECTION OF SCOTTSVILLE MOTOR VEHICLE LICENSE TAXES**

WHEREAS, Virginia Code § 46.2-752(M) allows the Albemarle County CFO/Director of Finance and the Treasurer of the Town of Scottsville to enter into a reciprocal agreement, with the approval of their respective governing bodies, for the County to collect license taxes on motor vehicles and other property owed to Scottsville on the Town's behalf; and

WHEREAS, the Board of Supervisors finds it is in the County's best interest to enter into an agreement with the Town of Scottsville allowing the County to collect motor vehicle license taxes owed to Scottsville on the Town's behalf.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that, under authority of Virginia Code § 46.2-752(M), the Board hereby approves the above referenced Memorandum of Agreement, and authorizes the CFO/Director of Finance to sign the Memorandum of Agreement once it has been approved as to substance and form by the County Attorney.

Memorandum of Agreement Between the County of Albemarle and the Town of Scottsville

This Memorandum of Agreement ("MOA") is made and entered into this _____ day of _____, 2021 by the County of Albemarle, Virginia (the "County") and the Town of Scottsville, Virginia (the "Town") a municipal corporation located within the County.

WHEREAS, the County now sends bills to and collects current and delinquent Motor Vehicle License Taxes for the Town's taxpayers; and

WHEREAS, Virginia Code § 46.2-752(M) enables the County's Chief Financial Officer/Director of Finance and the Scottsville Treasurer to enter into a reciprocal agreement, with the approval of their local governing bodies, that provides for the County treasurer to collect such license taxes, account for, and pay over such amounts to the Town; and

WHEREAS, the County may obtain reasonable compensation for the County's efforts to collect any current and delinquent Motor Vehicle License Taxes due to the Town.

NOW, THEREFORE, the parties agree as follows:

Collection and Disbursement

1. The County will mail bills and collect current and delinquent Motor Vehicle License Taxes based on the most recently received relevant Town ordinance.
2. Effective on and after January 1, 2022, the County will withhold an administrative fee of 2% of the Motor Vehicle License Taxes collected for the Town as reimbursement of the County's administrative costs.
3. The County will send the collected funds, less the 2% administrative fee, to the Town quarterly.
4. The funds will be remitted on or before the twentieth day of the months of April, July, October, and January representing, respectively, the funds collected during the preceding quarters ending March 31, June 30, September 30, and December 31.
5. The Town will provide signed copies of any future ordinances it adopts regarding its Motor Vehicle License Taxes to the County's Chief of Revenue Administration and the County's Revenue Manager within 10 days of adoption. The Town is responsible for any inaccurate or delayed remittance resulting from failure to timely provide the ordinance.

Termination

6. This MOA may be terminated by the County Board of Supervisors or by the Town Council, upon written notice to the other party.

WITNESS, the following authorized signatures:

COUNTY OF ALBEMARLE, VIRGINIA

TOWN OF SCOTTSVILLE

Nelsie L. Birch, CFO/Director of Finance Date

Matthew Lawless, Treasurer

Date

Approved as to form:

Approved as to form:

County Attorney

Town Attorney

**RESOLUTION OF INTENT
FOR COMPREHENSIVE PLAN UPDATE**

WHEREAS, Virginia Code § 15.2-2230 requires that each locality's Comprehensive Plan be reviewed at least once every five years; and

WHEREAS, Albemarle County's Comprehensive Plan establishes policies, recommendations, goals, and strategies for land use, transportation, growth management, natural resources, housing, parks and recreation, historic and scenic resources, economic development, and public facilities and utilities; and

WHEREAS, Albemarle County's current Comprehensive Plan was adopted on June 10, 2015; and

WHEREAS, Albemarle County has seen continued growth and development since the adoption of the current Comprehensive Plan, with significant growth expected in the next 20 years; and

WHEREAS, Albemarle County has established new priorities, policies, and plans since the adoption of the current Comprehensive Plan, including the Climate Action Plan, Project ENABLE, and multi-modal transportation planning; and

WHEREAS, Albemarle County has established the value of 'Community', which includes diversity, equity, and inclusion, since the adoption of the current Comprehensive Plan; and

WHEREAS, engagement for the Comprehensive Plan update will apply the new Community value, through an equitable engagement process designed to represent a diversity of voices and to reach community members whose perspectives have not historically been well-represented in County processes; and

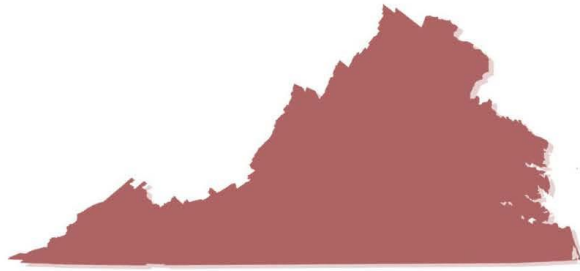
WHEREAS, since the adoption of the current Comprehensive Plan, there have been additional criteria for Comprehensive Plans added to the Virginia Code, including consideration of transit-oriented development for the purpose of reducing greenhouse gas emissions through coordinated transportation, housing, and land use planning (§ 15.2-2233.4); and

WHEREAS, it is desirable to have recommendations, goals, strategies, and policies that reflect Albemarle County's current priorities, policies, plans, and values, and that reflect current conditions and projected future growth; and

WHEREAS, the Department of Community Development's FY2022 Work Program identified updating the Albemarle County Comprehensive Plan as a recommended project.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good planning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending the Albemarle County Comprehensive Plan as deemed necessary in order to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Albemarle County Planning Commission shall hold a public hearing on the Comprehensive Plan update proposed by this resolution of intent and forward its recommendation to the Board of Supervisors at the earliest possible date.



Thomas Jefferson Planning District
2022 LEGISLATIVE PROGRAM

DRAFT

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

October 2021

Jesse Rutherford, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Support for Recovering Communities

PRIORITY: The Planning District's member localities support continued action at the federal, state and local levels to protect local communities and to ensure their viability during ongoing recovery from the global pandemic.

The COVID-19 pandemic has Virginia communities facing ongoing challenges to their post-COVID local economies and the restoration and strengthening of them. While impacts on state and local revenue streams were minimal in many cases, some sectors and the revenue they produce were hit especially hard, as we saw service-sector purchases greatly curtailed, while federal stimulus dollars helped stimulate purchases of goods.

We believe retention of current businesses remains vital. Small businesses, which have accounted for two-thirds of net new jobs since the Great Recession, continue to need support systems that link them to critical resources. We need local flexibility to work with local businesses and to promote economic development as our localities come out of this pandemic.

We support the use of federal relief funds provided to the State through the American Rescue Plan Act (ARPA), and federal infrastructure funding that may be provided in the future, to invest in the likes of broadband, wastewater and stormwater improvements, school capital needs, reimbursement for workers' compensation claims filed under the new presumption for COVID-19, and replenishment of the Unemployment Trust Fund. We encourage the State to coordinate with local governments in deployment of relief funds so that each federal dollar can be maximized for the benefit of Virginia residents.

Budgets and Funding

PRIORITY: The Planning District's member localities urge the governor and legislature to enhance state aid to localities and public schools, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State develops revenue and spending priorities for the next biennium, we encourage support for K-12 education, health and public safety, economic development and other public goals. Localities continue to be the state's "go-to" service provider and we believe state investment in local service delivery must be enhanced. Especially in these critical times, the State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

The State should fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities. We believe localities need an adequately-defined SOQ so that state dollars better align with what school divisions are actually providing in schools. This could include recognizing additional

instructional and non-instructional positions, to include school bus drivers; increasing state-funded staffing ratios; and providing funding for mental health positions/services in schools.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We believe a changed business landscape will necessitate a review of revenue sources to localities, along with new ideas and actions to broaden and diversify local revenue streams. Any tax reform efforts also should examine the financing and delivering of state services at the local level. Accordingly, we support the legislature 1) making additional revenue options available to localities in order to diversify the local revenue stream; and 2) further strengthening for counties, those revenue authorities that were enhanced during the 2020 legislative session. The State also should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sates and Use Tax Trust Fund dollars and the local share of recordation taxes.

Broadband

PRIORITY: The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas.

Access to high-speed internet, is essential in the 21st century for economic growth, equity in access to public education and health services, community growth and remote work. Localities understand the importance of robust broadband for economic viability; the COVID-19 pandemic further stressed the need for broadband for homes and businesses, and to address K-12 education and telemedicine access without delay. Cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives, to ensure access to service at an affordable cost are key. Approaches that utilize both fiber and wireless technologies, public/private partnerships and regulated markets that provide a choice of service providers and competitive prices should be utilized. Accordingly, we support the ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.

We believe state and federal support for broadband expansion should include the following:

- While we appreciate state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we support state and federal efforts to offset further funding requirements and to address concerns such as easement usage associated with deployment.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.

LEGISLATIVE POSITIONS

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools; additionally, we support rate setting by the state for private day placements.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources is crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.
- Concerning school facilities, we urge state financial assistance with school construction and renovation needs, and that the State discontinue seizing dollars from the Literary Fund to help pay for teacher retirement. We also support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
- We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges, and training should be available for local governments to meet ongoing costs associated with local stormwater programs.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include investing in regional projects.
- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.
- We support maintaining local authority to address impacts and choices associated with utility-scale installation of solar, wind and energy storage facilities. As the move to non-carbon sources of energy continues, we support the creation of stronger markets for distributed solar and authority for local governments to install small solar facilities on government-owned property and use the electricity for schools or other government-owned buildings located nearby.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to carry out their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation, whether they are traditional, electronic, internet-based, virtual or otherwise, while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; procedures for adopting ordinances; and procedures for conducting public meetings.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as elections administration has become more complex and federal and state financial support for elections has been decreasing. Specifically, we request that the State adequately fund costs associated with early voting requirements and any extra required elections due to Census delays and redistricting.
- We support expanding the allowable use of electronic meetings outside of emergency declarations, with flexibility for public bodies to determine how to accommodate public comment and participation. Any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support expanding local authority to regulate smoking in public places.
- We support enhanced state funding for local and regional libraries.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping the disabled, the poor, the young and the elderly achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for the local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care that helps divert people from needing

a state hospital level of care, as well as having services such as outpatient and permanent supportive housing available. We also support measures to address census pressures at state hospitals that will enable them to receive admissions of individuals subject to temporary detention orders without delays; such delays have been burdensome for law enforcement agencies making these transports.

- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support the following: 1) local authority and flexibility in the operation of affordable housing programs and establishment of affordable dwelling unit ordinances; 2) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 3) the provision of other funding to encourage affordable housing initiatives; and 4) measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Land Use and Growth Management

The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, and to support local authority to plan and regulate land use. Accordingly, we take the following positions:

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support broader impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.
- We support changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure, and 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations.

- We request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space and support greater flexibility for all localities in the preservation and management of trees.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of programs that supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment, and state funding for alternative transportation options for such individuals.
- Jail per diem funding should be increased to levels that better represent the costs of housing inmates, and be regularly adjusted for inflation. The State should not shift costs to localities by altering the definition of state-responsible prisoner.
- We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities. The State should provide financial support for localities using such camera systems.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges and for keeping pace with growing public needs and expectations. In the face of revenues falling short of projections, we encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to implement the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to carry out local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

- We support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

**RESOLUTION TO APPROVE
SP 202100011 FIELD SCHOOL OF CHARLOTTESVILLE**

WHEREAS, upon consideration of the staff report prepared for SP 202100011 Field School of Charlottesville and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(58) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202100011 Field School of Charlottesville, subject to the conditions attached hereto.

* * *

SP 202100011 Field School of Charlottesville Special Use Permit Conditions

1. Development of the use shall be in general accord with the concept plan entitled "Special Use Permit Concept Plan and Exhibits, Field School of Charlottesville, SP2021-00011 – Amendment to SP2019-12, Tax Map 60, Parcel 68, Albemarle County, Virginia," prepared by Shimp Engineering, P.C., dated May 17, 2021, last revised July 7, 2021, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the concept plan, the development and use shall reflect the following major elements as shown on the concept plan:
 - a. Locations of buildings and sports fields within the indicated envelopes
 - b. Maximum total building footprint of thirty thousand (30,000) square feet
 - c. Maximum footprint of twelve thousand (12,000) square feet for any single building
 - d. Preservation and installation of tree buffers as indicated
 - e. Preservation of wooded areas and slopes outside of building and sports field envelopes as indicated

Minor modifications to the plan which are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance. Modifications are to be considered in terms of minimizing or improving impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.
2. The maximum enrollment shall be one hundred fifty (150) students.
3. Classroom instruction shall not begin before eight o'clock a.m. (8:00 a.m.) and shall not continue later than five o'clock p.m. (5:00 p.m.). These hours shall not apply to sports events. Classes shall not be held on Saturday or Sunday.
4. Occasional non-sporting school-related events may occur on and after five o'clock p.m. (5:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday. Occasional community events may occur on and after six o'clock p.m. (6:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday.
5. No construction for the use shall begin without written approval of the proposed septic facilities from the Virginia Department of Health.
6. No outdoor lighting of sports fields shall be installed for this use.
7. There shall be no outdoor amplified sound associated with this use.
8. Any new outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at the property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or his designee for approval.
9. If the construction of the private school for which this Special Use Permit is issued is not commenced by August 28, 2025, the permit shall be deemed abandoned and the authority granted thereunder shall thereupon terminate.

**RESOLUTION TO APPROVE
SP202100006 IVY LANDFILL SOLAR FACILITIES**

WHEREAS, upon consideration of the staff report prepared for SP 202100006 Ivy Landfill Solar Facilities and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(58) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202100006 Ivy Landfill Solar Facilities, subject to the conditions attached hereto.

* * *

SP202100006 Ivy Landfill Solar Facilities Special Use Permit Conditions

1. Development and use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the plans prepared by Community Power Group titled "Conceptual Plan – Special Use Permit," dated May 13, 2021 (hereinafter "Concept Plan") and included as Attachment C. To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Concept Plan:
 - a. Location of solar development envelopes,
 - b. Location of equipment yard, and
 - c. Retention of wooded vegetation in stream buffers.

Upon the approval of the Zoning Administrator and the Director of Planning, minor modifications may be made to the Concept Plan that (i) do not otherwise conflict with the elements listed above and (ii) ensure compliance with the Zoning Ordinance, and State or Federal laws.

2. The applicant must submit a decommissioning and site rehabilitation plan (hereinafter "Decommissioning Plan") with the building permit application. The Decommissioning Plan must include the following items:
 - a. A description of any agreement (e.g. lease) with the landowners regarding decommissioning;
 - b. The identification of the party currently responsible for decommissioning;
 - c. The types of panels and material specifications being utilized at the site;
 - d. Standard procedures for removal of facilities and site rehabilitation;
 - e. An estimate of all costs for the removal and disposal of solar panels, structures, cabling, electrical components, roads, fencing, and any other associated facilities;
 - f. An estimate of all costs associated with rehabilitation of the site; and
 - g. Provisions to recycle materials to the maximum extent possible.

The Decommissioning Plan must be prepared by a third-party engineer and approved by both the party responsible for decommissioning and all landowners subject to the project. The Decommissioning Plan is subject to review and approval by the County Attorney and County Engineer, and must be in a form and style suitable for recordation in the office of the Circuit Court of the County of Albemarle.

3. Before a grading permit may be issued:
 - a. The Decommissioning Plan shall be recorded by the applicant in the office of the Circuit Court of the County of Albemarle; and
 - b. To guarantee performance of Condition 6, the permittee shall furnish to the County's Zoning Administrator a certified or official check, a bond with surety satisfactory to the County, or a letter of credit satisfactory to the County (collectively, the "guarantee"), in an amount sufficient for, and conditioned upon compliance with Condition 6. The amount of the guarantee shall be the costs identified in Conditions 2(e) and 2(f), and the amount of the guarantee must be updated as costs are updated as provided in Condition 4. The type of guarantee shall be to the satisfaction of the Zoning Administrator and the County Attorney.

4. The Decommissioning Plan and estimated costs must be updated upon (a) change of ownership of either the property or the project's owner or (b) written request from the Zoning Administrator, but in any event at least once every five years. The applicant must record any changes or updates to the Decommissioning Plan in the office of the Circuit Court of the County of Albemarle.
5. The owner must notify the Zoning Administrator in writing within 30 days of any abandonment or discontinuance of the use.
6. All physical improvements, materials, and equipment (including fencing) related to solar energy generation, both above ground and underground, must be removed entirely, and the site rehabilitated as described in the Decommissioning Plan, within 180 days of any abandonment or discontinuance of the use.
7. If the use, structure, or activity for which this special use permit is issued is not commenced by November 3, 2024, the permit will be deemed abandoned and will thereupon terminate.
8. The facility must comply with all provisions of the *Albemarle County Code*, including § 18-4.14.
9. Panels may be cleaned only with water and biodegradable cleaning products.
10. No above ground wires are permitted except for those associated with (a) the panels and attached to the panel support structure; (b) the "above-ground conduit" shown on the Concept Plan; and (c) tying into the existing overhead transmission wires.
11. Before activating the site, the applicant must provide training to the Department of Fire Rescue. This training must include documentation of onsite materials and equipment, proper firefighting and lifesaving procedures, and material handling procedures.
12. The property owner must grant the Zoning Administrator (or any designees) access to the facility for inspection purposes within 30 days of any such request.
13. Outdoor lighting for the facility is permitted only during maintenance periods. Regardless of the lumens emitted, each outdoor luminaire must be fully shielded as required by *County Code* § 18-4.17, except for any outdoor lighting required by state or federal law.

**RESOLUTION TO APPROVE
SP 202000016 CLAUDIUS CROZET PARK**

WHEREAS, upon consideration of the staff report prepared for SP 202000016 Claudius Crozet Park and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2.1, 18-10.2.2.4, 18-16.2.2.1, 18-16.2.2.4 and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas district, with the applicable provisions of Albemarle County Code § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202000016 Claudius Crozet Park, subject to the conditions attached hereto.

* * *

SP 202000016 Claudius Crozet Park Special Use Permit Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the concept plan entitled, "Claudius Crozet Park, Special Use Permit (SP2020-00016), Development Concept Plan, White Hall District, Albemarle County, Virginia," prepared by Collins Engineering, dated August 17, 2020, last revised October 11, 2021. To be in general accord with the exhibit, development must reflect the following essential major elements:
 - Location of the existing buildings and proposed building additions
 - Location of the outdoor recreational fields and facilities
 - Location of the pools
 - Location of the parking areas
 - Location of the pedestrian paths
 Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Fencing adjacent to the outdoor pool must provide screening from adjacent residential areas.
3. The sound from any radio, recording device, public address system, or other speaker shall be limited to sixty (60) decibels at the nearest residential property line (excluding TMP 056A2-04-00-000A4), except for the period of 10:00 p.m. to 7:00 a.m., during which the aforementioned sound shall be limited to fifty-five (55) decibels.
4. Outdoor lighting affixed to the building is not permitted on the west side of the proposed recreation center and pool expansion.
5. Sales of concessions must be limited to the two locations identified on the concept plan.
6. Interior window treatments must be used on any window located on the second floor, or that part of any window that extends above the first floor, of the west and north sides of the new community center and pool building to shield indoor lighting from adjacent properties. These window treatments must be in use from sunset to sunrise, as calculated by the National Oceanic and Atmospheric Administration (NOAA).
7. Screening landscaping must be provided along the east and north sides of the existing pool and the north side of the proposed pool expansion, as shown on the concept plan.
8. A landscaping buffer area must be planted on the west side of the proposed pool expansion, as shown on the concept plan, to screen it from nearby residential areas.
9. A landscaping buffer area must be planted to the north and northeast of the proposed basketball courts, the existing tennis courts, and around the new northern park entrance, as shown on the concept plan, to screen the new facilities from nearby residential areas.

10. Enhanced on-site bicycle and pedestrian infrastructure must be added and will include:
- appropriate levels of bicycle storage (such as covered bike racks and/or bike lockers) conveniently located on the site, and
 - bicycle travel facilities (such as protected bike lanes and/or other on-road or adjacent bicycle features) providing access throughout the site.

