

ACTIONS		
Board of Supervisors Meeting of June 15, 2022		
		June 16, 2022
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m., by the Chair, Ms. Price. All BOS members were present with the exception of Ms. LaPisto-Kirtley who participated remotely. Also present were Doug Walker, Cynthia Hudson, Claudette Borgersen and Travis Morris. 		Link to Video
<ul style="list-style-type: none"> By a vote of 5:0, APPROVED request to allow Supervisor LaPisto-Kirtley to participate remotely in accordance with applicable Board Rules of Procedure enacted pursuant to the Freedom of Information Act, given that she is unable to attend the meeting in person due to a medical condition. 		
4. Adoption of Final Agenda. <ul style="list-style-type: none"> ADDED resolution of appreciation for Richard J. "Jake" Washburne to consent agenda. ADDED discussion for possible action to agenda item #20 regarding HB444 – Virginia Freedom of Information Act; meetings conducted through electronic means. By a vote of 6:0, ADOPTED final agenda as amended. 		
5. Brief Announcements by Board Members. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Mentioned that Route 231 was opening in Keswick and comprised of vineyards, breweries, restaurants, and hotels. She noted that Governor Youngkin attended the ribbon cutting at Keswick winery. <u>Ned Gallaway:</u> <ul style="list-style-type: none"> Called attention to the various concrete medians and sidewalks that had vegetation growth and asked for clarification if the property owner was responsible for the maintenance. <u>Jim Andrews:</u> <ul style="list-style-type: none"> Announced that the Spotted Lanternfly quarantine was to be extended in the County and the City in July. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Announced that the ACSA water project for the repair and replacement of the water lines that had been affecting Georgetown Road and Barracks Road was complete and the contractors had started repairing concrete and the road paving would be completed in two phases. Mentioned that she had attended the graduation at Greer Elementary and commented that there were approximately 1,000 graduates from High Schools. She wished them all the best. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Noted that Independence Day weekend was approaching and announced three events in 		

<p>the Whitehall District that the public was invited to:</p> <ul style="list-style-type: none"> • July 2 at 5 p.m. - Fireman's Parade beginning at the Crozet Elementary School • July 3 at 4 p.m. - the Free Union Homemakers Parade beginning at the Church of the Brethren. • July 4 at 10 a.m. - Earlysville Area Residences League 26th Annual Parade beginning at the intersection of Earlysville Road and Earlysville Forest Drive. • Remarked that Solarized Piedmont was open until the end of June for requests for home assessments and information about possible home projects. She noted the deadline to sign up for a free solar assessment was June 30 and information could be found at solarizeva.org. • Mentioned she was at the Earlysville Oak with the Charlottesville Tree Stewards to recognize it as one of the notable trees, noting that it is the second largest white oak in the Commonwealth on the Big Tree Registry. • Announced that June 12 through June 18 was Virginia Agriculture Week. • Mentioned she would share the VA Career Works Piedmont matrix that that showed the different careers for which the clients had been working in all 10 counties of the region. She also mentioned that at the state board meeting the following week, the local elected officials would bring a request to the VA Career Works Piedmont Board to include counselors from mental health agencies. She added that Region 10 signing day was held for the CTE graduates and the agency would work with the local school divisions to better connect young people with careers. <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> • Commented that she attended 5 graduations and remarked that if one wanted to be uplifted, go to a graduation ceremony. • Mentioned that she, Ms. Mallek, and Ms. LaPisto-Kirtley were present at the Route 231 launch at Keswick Winery and remarked on how this showed the diversity of the economic driving forces in the County. • Announced that the Batteau Festival in Scottsville would be on June 22 and remarked on the route the batteaus would take, stopping overnight only in Scottsville. • Announced that the Scottsville's July 4th Parade would be held Saturday, July 2 at 9 a.m. • Commented that she had been part of the Sorensen Institute Political Leaders Program and that the previous weekends program was in Danville and Martinsville. 		
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	<p>She noted that STEM curricula were incorporated into some of the school systems. She also noted outside of Danville, there was a 3,500-acre mega-industrial site and advised that the County needed to examine what it could do as part of its economic development and Comprehensive Plan to ensure there was adequate industrial and commercial base, and that the County was preparing the sites so they could favorably compete</p> <ul style="list-style-type: none"> • Remarked that there was language confusion when it comes to <i>Matters From the Public</i> and announced that at the next meeting the Board will consider a change to the language for matters from the public. 		
6.	<p>Proclamations and Recognitions.</p> <p>a. Proclamation Honoring John Henry James Day.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Emily Kilroy. <p>b. Proclamation Celebrating LGBTQ Pride Month.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Nicole Jones. <p>c. Proclamation Recognizing the 20th Anniversary of the Osher Lifelong Learning Institute (OLLI) at UVA.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Tay Strauss and Genevieve Baer, OLLI at UVA's Co-Directors. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p> <p>(Attachment 3)</p>	
	<p>Non-Agenda: Amendment to Boards Rules of Procedure.</p> <ul style="list-style-type: none"> • Motion to amend the language listed in the Board's Rules of Procedures for "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" to From the Public: Matters on the Agenda, but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board" passed by a vote of 6:0. 		
7.	<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 towards consent agenda item # 8.7 Climate Vulnerability Assessment Report as it relates to policy and the Comprehensive Plan Update:</u> <ul style="list-style-type: none"> • <u>Annette Osso</u> • <u>Tom Olivier</u> • <u>John Hall</u>, John E. Hall Technologies LLC and Charlottesville community member, addressed the Board regarding car transportation, transit, and electric car, bus, and rail into the County and the City. 		
8.1	Fiscal Year 2022 Appropriations.	<u>Clerk:</u> Forward copy of signed resolution to Finance and	

	<ul style="list-style-type: none"> • ADOPTED resolution to approve appropriations #2022049; and #2022050, for local government projects and programs. 	Budget, and County Attorney's Office. (Attachment 4)	
8.2	<p>ZTA202200001 Resolution of Intent to Amend the Zoning Ordinance for an Affordable Dwelling Unit Program.</p> <ul style="list-style-type: none"> • ADOPTED Resolution of Intent to amend the Zoning Ordinance for an Affordable Dwelling Unit Program. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development, Social Services, and County Attorney's office. (Attachment 5)	
8.3	<p>SE202200021 Galaxie Farm Special Exception.</p> <ul style="list-style-type: none"> • ADOPTED resolution to approve the requested variations. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)	
8.4	<p>SE202200032 Cedar Bluff Wireless Facility Special Exception (297 Panorama Lane).</p> <ul style="list-style-type: none"> • ADOPTED Resolution approving the special exception. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)	
8.4.1	<p>Resolution of Appreciation for Richard Washburne.</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	(Attachment 8)	
9.	<p>Work Session: Review of 2022 Legislative Priorities and Initial Discussion of 2023 Legislative Priorities.</p> <ul style="list-style-type: none"> • Held. 		
10.	<p>Work Session: Homelessness, Panhandling, and the Services System of Care.</p> <ul style="list-style-type: none"> • Held. 		
	<p>Recess. At 3:39 p.m., the Board recessed and reconvened at 3:57 p.m.</p>		
11.	<p>Presentation: Acquisition of Conservation Easements (ACE) Program Review Update.</p> <ul style="list-style-type: none"> • RECEIVED. • CONSENSUS to forward the Campbell and Henley easement to the ACE Appraisal Review Committee. 	<u>Community Development:</u> Proceed as discussed.	
12.	<p>Presentation: Thomas Jefferson Planning District Commission (TJPCD) Hazard Identification and Risk Assessment (HIRA).</p> <ul style="list-style-type: none"> • RECEIVED. 		
13.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> • At 5:33 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to discuss and consider the compensation of members of various boards and commissions; and • Under Virginia Code Section 2.2-3711(A)(3) to discuss and consider the acquisition of an interest in real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County; and • Under Section 2.2-3711(A)(7) to consult with legal counsel regarding actual litigation where such consultation in open meeting would adversely affect the litigating posture of the County. 		
14.	<p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:07 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
15.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p>		

	<ul style="list-style-type: none"> • There were none. 	
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"> • There were none. 	
17.	<p><u>Pb. Hrg.: ZMA202100014 Albemarle Business Campus.</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance to approve ZMA202100014 Albemarle Business Campus. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 9)</p>
20.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. HB444 – Virginia Freedom of Information Act.</p> <ul style="list-style-type: none"> • DISCUSSED. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> • Announced Ned Gallaway was elected Chair of the Thomas Jefferson Planning District Commission (TJPDC) at its last meeting. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> • Commented on the tour Ms. Price took with the Sorensen Institute Political Leaders Program in Danville and Martinsville. • Remarked on item #8.7 on the consent agenda and the Board would have the opportunity to talk about this, perhaps combining it with their Climate Action Plan. She asked if there was a way they could be creative about getting this information out to their community. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Reported on the VACo Board Meeting and asked Supervisors to think about joining one of VACo's subcommittees and offered to send the list of vacancies to the Board. <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> • Congratulated Supervisor Gallaway on being elected as the new Chair of the Thomas Jefferson Planning District Commission (TJPDC). • Asked Supervisors to consider including a budget line item each year for supervisor training beyond VACo. 	
21.	<p>Adjourn to June 16, 2022, 11:00 a.m., Room 235.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 6:46 p.m. 	

ckb/tom

Attachment 1 – Proclamation Honoring John Henry James Day

Attachment 2 – Proclamation Celebrating LGBTQ+ Pride Month

Attachment 3 – Proclamation Recognizing the 20th Anniversary of the OLLI at UVA

Attachment 4 – Resolution to Approve Additional FY 2022 Appropriations

Attachment 5 – Resolution of Intent Affordable Dwelling Unit Program

Attachment 6 – Resolution to Approve SE 2022-00021 Galaxie Farm Variations to Code of Development (ZMA201800012)

Attachment 7 – Resolution to Approve SE 2022-00032 Cedar Bluff Wireless Facility

Attachment 8 – Resolution of Appreciation for Richard J. "Jake" Washburne

Attachment 9 – Ordinance No. 22-A(8) ZMA 2021-00014 Albemarle Business Campus

Proclamation Honoring John Henry James Day

- WHEREAS,** Albemarle County Board of Supervisors, as part of their Community Remembrance Project, have committed to sharing an inclusive history of our County—including the stories that have been traditionally left out of the dominant narrative; and
- WHEREAS,** following Reconstruction, the crime of lynching succeeded slavery in the United States as an expression of racism and an upholder of white supremacy until the middle of the 20th century; and
- WHEREAS,** the lynching of Mr. John Henry James on July 12, 1898 was determined to have taken place in the County of Albemarle; his body shot dozens of times and his corpse hanging for hours; and
- WHEREAS,** 99 percent of all perpetrators, including those who murdered Mr. James, escaped punishment by State or local officials; and
- WHEREAS,** the Board of Supervisors recognizes that a history of racial injustice must be acknowledged, recognized, and most especially, remembered before a community may heal, and that July 12, 2022 marks the 124th anniversary of the lynching of Mr. John Henry James.
- NOW, THEREFORE, BE IT PROCLAIMED,** that we, the Albemarle County Board of Supervisors, do hereby recognize this tragic anniversary and declare July 12, 2022, as John Henry James Day in remembrance of our shared community history and as a demonstration of our commitment that this tragedy will be neither forgotten nor repeated.

Signed and this 15th day of June, 2022

Proclamation Celebrating LGBTQ+ Pride Month

- WHEREAS** Albemarle County's stated mission is to enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds and the Board of Supervisors is committed to supporting through its actions and its partnerships the promotion of an equitable and inclusive Albemarle County that allows all members of our community to grow and thrive; and
- WHEREAS,** Lesbian, Gay, Bisexual, and Transgender Pride Month (LGBTQ Pride Month) is celebrated annually in June to honor the 1969 Stonewall riots, and works to achieve equal justice and equal opportunity for lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) Americans; and
- WHEREAS,** on April 11, 2020, the Virginia Values Act was signed into law, making Virginia the first state in the South to protect LGBTQ+ people from discrimination in their daily lives, including discrimination in housing, public and private employment, public accommodations, and access to credit; and
- WHEREAS,** LGBTQ+ individuals continue to face national challenges to hard-won rights, with LGBTQ+ youth especially targeted by newly built barriers to their full inclusion in the spheres of healthcare and education; and
- WHEREAS,** LGBTQ+ individuals have shaped, advanced, and enriched the fabric of Albemarle County and our nation by making immense contributions to all areas of life including government, business, arts and sciences, medicine, law enforcement, technology, and the military; and
- NOW, THEREFORE, BE IT PROCLAIMED,** that we, the Albemarle County Board of Supervisors, continue to affirm our commitment to our stated mission to enhance the well-being and quality of life of all the members of our community and recognize with pride the rich cultural diversity and contributions of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) residents to the vibrancy of Albemarle County.

Signed this 15th day of June 2022

**Proclamation Recognizing the 20th Anniversary of the
Osher Lifelong Learning Institute at UVA**

- WHEREAS,** the Osher Lifelong Learning Institute at the University of Virginia (OLLI at UVA) Mission Statement reads: Aware that an active mind is as necessary to a full life as are social relationships and physical exercise, the Osher Lifelong Learning Institute at the University of Virginia offers educational opportunities and intellectual enrichment to active adults in the community. The Institute is member-directed and draws upon its members' resources, as well as other academic and community resources, to organize courses and other educational activities. In this stimulating environment, members may acquire new knowledge, explore ideas, exercise creativity, and share interests and expertise with others; and
- WHEREAS,** OLLI at UVA was started by people who came together because of their desire to continue to learn and explore in interaction with other active adults. Olli's founders became aware of other lifelong learning programs from which they could borrow ideas, and the Jefferson Institute for Lifelong Learning (JILL) was organized and began offering courses in February of 2001 and, in 2005, the organization became a University-affiliated foundation; and
- WHEREAS,** OLLI at UVA started with 17 instructors and 98 student participants in 2001 and by the spring of 2011, there were 63 instructors and 684 student participants. In the last several academic years, OLLI at UVA offered 193 courses that were attended by over 2,100 student participants. OLLI at UVA will continue to be a community benefit, offering robust course offerings, exciting trips, and a community of friendly faces; and
- WHEREAS,** in 2020, 2021, and 2022, OLLI at UVA upheld its commitment to providing academic programming through the pandemic, moving all programming online to ensure classes continued, offering social opportunities to enrich community connectedness, and creating special presentations available to the public.
- NOW, THEREFORE, BE IT PROCLAIMED,** that we, the Albemarle County Board of Supervisors, recognize Osher Lifelong Learning Institute at UVA as a valuable resource for our community as it celebrates its 20th Anniversary.

Signed this 15th day of June 2022.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2022 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2022049 and #2022050 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2022.

**RESOLUTION OF INTENT
AFFORDABLE DWELLING UNIT PROGRAM**

WHEREAS, on July 7, 2021, the Board of Supervisors adopted *Housing Albemarle* as the new housing policy for Albemarle County; and

WHEREAS, the Board delayed full implementation of *Housing Albemarle* until a package of incentives supporting developer efforts to construct affordable housing units was adopted; and

WHEREAS, Albemarle County desires to provide housing that is safe, decent, and sanitary; and available to all income and age levels; and

WHEREAS, pursuant to Virginia Code §15.2-2304, Albemarle County may, by amendment of its zoning ordinance, implement an affordable dwelling unit program to promote a full range of housing choices, and encourage the construction and continued existence of affordable housing; and

WHEREAS, it is desired to review and amend Albemarle County Code Chapter 18 to include an affordable dwelling unit program with developer incentives.

NOW, THEREFORE, BE IT RESOLVED THAT for the 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 Chapter 18, Zoning, and any sections of the Albemarle County Code deemed to be appropriate to achieve the purposes described herein.

**RESOLUTION TO APPROVE
SE 2022-00021 GALAXIE FARM
VARIATIONS TO CODE OF DEVELOPMENT (ZMA201800012)**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2022-00021 Galaxie Farm – Three Variations to Code of Development application and the attachments thereto, including staff’s supporting analysis, any comments received, and all of the factors relevant to the variations in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed variations:

- (1) would be consistent with the goals and objectives of the Comprehensive Plan,
- (2) would not increase the approved development density or intensity of development,
- (3) would not adversely affect the timing and phasing of development of any other development in the zoning district,
- (4) would not require a special use permit, and
- (5) would be in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves Variations #1-#3 to the Galaxie Farm Code of Development, on the condition that development be in general accord with the “Galaxie Farm Road Plan,” prepared by Collins Engineering, dated March 8, 2022.

**RESOLUTION TO APPROVE
SE 2022-00032 CEDAR BLUFF WIRELESS
FACILITY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2022-00032 Cedar Bluff Wireless Facility application and the attachments thereto, including staff's supporting analysis, any comments received, all of the factors relevant to the special exceptions in County Code §§ 18-5.1.40 and 18-33.9, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby finds that the proposed special exception would not increase the facility's visibility from nearby properties or roads.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the special exception requests to modify the requirements of County Code § 18-5.1.40(b)(2)(c), subject to the condition attached hereto.

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SE202200032 – Cedar Bluff Wireless Facility Special Exception Condition

1. No antenna authorized by this special exception may project more than 18 inches from the face of the monopole to the farthest point of the back of the antenna.

Resolution of Appreciation for Richard J. “Jake” Washburne

- WHEREAS** Richard J. “Jake” Washburne has served with distinction as General Registrar and Director of Elections for the County of Albemarle, Virginia since 2006; and
- WHEREAS,** Jake has presided over 42 elections and primaries in the County over the last 16 years, involving more than 821,000 individual votes cast; and
- WHEREAS,** during his time in office, Jake’s job has become far more complex, due to the one-third increase in the number of County voters, the implementation of significant election law changes including no-excuse absentee voting and in-person early voting, ensuring both voters’ and election workers’ safety through the COVID pandemic; and increased security and technology requirements, all of which he has successfully implemented; and
- WHEREAS,** Jake has consistently served with grace and integrity under intense time pressure and public scrutiny and maintained his cool demeanor even while under fire from the occasional angry voter who was under the misimpression that they had registered to vote; and
- WHEREAS,** Jake’s fidelity to the law and deep personal integrity have won the trust and admiration of both political parties in Albemarle County and maintained the public trust in the integrity and security of Albemarle County elections.
- NOW, THEREFORE, BE IT RESOLVED,** that we, the Albemarle County Board of Supervisors, do hereby honor and commend Jake Washburne for his many years of exceptional service to the County of Albemarle, County residents, the Elections Office, and the Commonwealth of Virginia. Jake’s dedicated service to the most fundamental right of citizenship – the right to vote – has advanced the very cause of democracy.
- BE IT FURTHER RESOLVED,** that this Resolution be spread upon the minutes of this meeting of the Albemarle County Board of Supervisors as a lasting and visible testament to the esteem in which Jake is held by this Board and previous Boards for his lasting legacy of government service and the tangible result of his work to ensure fair and free elections in Albemarle county.

Signed this 15th day of June 2022

**ORDINANCE NO. 22-A(8)
ZMA 2021-00014 ALBEMARLE BUSINESS CAMPUS**

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR PARCEL ID 07600-00-00-05400**

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2021-00014 and their attachments, including the application plan last revised on May 17, 2022 and the Code of Development last revised on May 17, 2022, the information presented at the public hearing, any comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code §§ 18-20A and 18-33.6, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2021-00014 with the application plan last revised on May 17, 2022 and the Code of Development last revised on May 17, 2022.