

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on July 5, 2017, at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Norman G. Dill, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, Mr. Rick Randolph, and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: Interim County Executive, Doug Walker, County Attorney, Greg Kamptner, Clerk, Claudette Borgersen, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:02 p.m., by the Chair, Ms. McKeel.

Ms. McKeel also introduced staff present and the presiding security officer, Lt. Terry Walls.

Agenda Item No. 2. Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Motion was offered by Ms. Mallek to adopt the final agenda. Mr. Randolph **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.

NAYS: None.

Agenda Item No. 5. Brief Announcements by Board Members.

Ms. Mallek recognized Independence Day parades held in Crozet, Free Union and Earlysville. She apologized to Free Union residents for not participating in theirs, as her horse had acted up at the beginning of the parade.

Ms. Mallek noted that while watching the Tour De France on television, she noticed a solar farm in the background and had learned that it provides power for 55,000 homes, produces 36 megawatts of electricity, and is surrounded by forest. She stated that the panels were blue instead of the typical silver, which reduced the reflection.

Mr. Randolph reported that he had attended two parades yesterday, including one in Scottsville that featured Shriners in their cars, beauty queens, and Elvis. He noted that the parade in Glenmore was led by youth on bicycles and commented that the future is bright and on two wheels.

Ms. McKeel stated that she had attended a parade in Belvedere yesterday with her two grandchildren.

Mr. Dill noted the wonderful and moving naturalization ceremony held at Monticello yesterday and stated that it was the first day of work and first official act for presiding Judge Urbansky.

Mr. Dill stated he is excited to announce that the County had just earned the national Sol Smart bronze designation issued by the U.S. Department of Energy. He said this award recognizes communities for adopting programs and practices that make it faster, easier and cheaper for the community to go solar, and that Albemarle is one of the first in Virginia to earn it. He stated that a press release was just issued and they would now want to work on earning a silver designation.

Ms. Palmer stated that she had attended the Independence Day parade in Crozet with Ms. Mallek and it was the largest crowd she had seen, with the parade growing larger each year.

Ms. Palmer announced that Al Quist, who resides in her district, was named a hometown hero for his work in coordinating the mobile food pantry in Scottsville, as well as the Bread for Life distribution for local churches. She stated that a local corporation issues this award to area residents. She said that Mr. Quist organizes food pickups, volunteer training, and registration for the pantry and distribution centers. She noted that he also tutors at-risk elementary school students at Yancey school and recently assisted with the building of a new storage facility at the Southside Health Clinic.

Ms. Palmer announced the award of a Charlottesville Area Community Foundation (CACF) grant, which had been applied for by the Piedmont Environmental Council and the Thomas Jefferson Planning District Commission (TJPDC), to do public outreach to neighborhoods for greenways planning.

Ms. Palmer announced that the Rivanna Solid Waste Authority (RSWA) would be installing a solar farm at the landfill.

Agenda Item No. 6. Proclamations and Recognitions:

Item No. 6a. Government Finance Officers Association (GFOA) *Certificate of Achievement for Excellence in Financial Reporting* for FY16.

Mr. Dill announced that the Certificate of Achievement for Excellence in Financial Reporting (CAFR) for Fiscal Year 2016 would be awarded by Ms. Hoover.

Ms. Renee Hoover, CPA and Virginia Government Finance Officers Association (VGFOA) representative, presented the award to Ms. Betty Burrell of the Albemarle County Finance Department. Ms. Hoover stated that she is the past president of VGFOA and is here to present Albemarle County with the Certificate of Achievement for Excellence in Financial Reporting for the 2016 Comprehensive Financial Report. She stated that the mission of VGFOA is to foster excellence in government by creating opportunities for professional development. She said the program was established in 1945 to encourage state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare the financial report and represent transparency and full disclosure. Ms. Hoover stated the goal of the program is to provide information so that users can assess the financial health of the governmental entity. She said this is the highest form of recognition in the area of governmental accounting and financial reporting and represents a significant accomplishment by government and its management, with this being the 21st consecutive year that Albemarle has won the award. Ms. Hoover commented that this demonstrates the continuing priority the County has placed on its financial management.

Ms. Betty Burrell, Finance Director, thanked Ms. Hoover. Ms. Burrell thanked the Board for taking the time during the meeting to publicly recognize the Finance Department. She recognized the time, effort, and expertise that goes into preparing the Comprehensive Annual Financial Report and noted the last page of the report lists the names of County staff who worked on it, and also recognized the external audit firm of Robertson, Farmer, Cox & Associates, including David Foley and David Hughes, for their work. She read the following list of Finance Department associates who are present at today's meeting and who played an integral role in the preparation of the report: Ms. Lisa Breeden, Chief of Financial Management; Ms. Tammy Critzer, Management Analyst; Ms. Cecelia Baber, Chief Accountant; and Ms. Susan Worrell, Chief Payroll Accountant. Ms. Burrell noted that her staff is cross-trained so they can assist with this important work.

Mr. Walker stated that after 21 consecutive years it is natural to be complacent with the standard the County has set, which they continue to meet. He stated that every year the same level of effort has to be made in order to earn the award, and earning the award in prior years has no bearing on the standard set. He commended Ms. Burrell and her staff.

Mr. Randolph asked Mr. Walker how many counties receive the award annually. Mr. Walker responded they do not have this information, though it would be something good to have.

Mr. Randolph commented that it is not easy to earn the award.

Mr. Sheffield commented that the Finance Department's high standards enable the Board to do its job and to focus on other things rather than keeping track of the Finance Department. He noted that in some localities, boards question their staff's financial management, but that is not the case in Albemarle.

Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Steve Janes of the Rivanna District addressed the Board. He complimented the Board for the Route 29 Solutions and Berkmar Drive projects and stated that he and his wife are elated about these. He noted that there is a large piece of missing sidewalk in his Forest Lakes neighborhood between Ashwood Boulevard and the new multi-use path. He stated this subject came up at this week's meeting of the Forest Lakes Board, of which he is a member. Mr. Janes stated that the members of the Board agreed they should work with the County to complete the sidewalk, stating that Forest Lakes is willing to put up some money, but there could also be funds available in the NIFI bucket.

Mr. Janes mentioned that he had spoken out about the unsightliness of the new power lines at Forest Lakes and it is nice to see that the State Corporation Commission has taken a stand on this.

Mr. Janes noted that the Board would be discussing water connection for the VDOT yard in the Pantops area and expressed his support, adding that people with existing properties along the water and sewer lines should be allowed to connect to them.

Mr. Janes stated that he had attended a Chamber of Commerce luncheon the previous week, at which a speaker from Arlington made an excellent presentation on the Shirlington project and how public-private partnerships can work to change the character of an area needing redevelopment. He noted that three members of the Places 29 North Community Advisory Committee were in attendance at that luncheon, as well as a number of County staff members, and he encouraged the Board to obtain feedback from them.

Ms. Marta Keane, resident of Rio District and CEO of the Jefferson Area Board for Aging, addressed the Board. She thanked the Board for its support of JABA and the Charlottesville Area Alliance, which work to make Charlottesville an age-friendly community. She stated that she will share the good news that Mountainside Senior Living in Crozet will begin the process of renovating one of its floors to create a dementia unit, stating that there is need in the community to provide more care for those with dementia.

Ms. Keane noted that last year, JABA had over 700 volunteers who contributed the work equivalent of 17 paid staff. She stated that JABA would begin volunteer training in August for insurance and Medicare counselors. She announced that the Friends in Schools mentoring program would also have training in August and asked the Board to get the word out to the community that they are seeking more volunteers. Ms. Keane also announced that their resource guide had been translated into Spanish and they would distribute this to various services and neighborhoods.

Agenda Item No. 8. Consent Agenda.

(Discussion: Ms. Palmer asked that her assigned minutes be pulled.

Ms. Mallek asked that her assigned minutes of March 1, 2017 be pulled.

Ms. McKeel stated that there have been inquiries about why the minutes sometimes take so long to be completed. She stated that the minutes can be very long, are pretty much verbatim, time consuming to review, and have to go through a process of many steps, including approval by the County Attorney. She noted that part of the delay is caused by Supervisors, who have so much to read that they cannot always promptly review the minutes. She asked people to understand that this is a lengthy process.

Ms. Palmer commented that Ms. McKeel had made a very good point and added that many communities just take action minutes. She stated that verbatim minutes are helpful in learning what people were thinking during past meetings and why the Board made certain decisions. She expressed support for continuing with verbatim minutes.

Ms. McKeel noted that staff often refers to the minutes to make sure they understood exactly what Supervisors stated or intended. She explained that once the Board approves the minutes, they are put on acid-free paper and placed in special binders. She noted that anyone can come to the Board's office and request the minutes.

Ms. Palmer noted that the minutes will now be placed online.)

Motion was then offered by Ms. Palmer to approve Items 8.1 (as read) through 8.8 on the consent agenda. Mr. Randolph **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield and Mr. Dill.
NAYS: None

Item No. 8.1. Approval of Minutes: October 5 and December 7, 2016; and February 1, February 8, February 27, March 1 and March 2, 2017.

Mr. Randolph had read the minutes of October 5, 2016, and found them to be in order.

Mr. Sheffield had read the minutes of December 7, 2016, and found them to be in order.

Ms. McKeel had read the minutes of February 1, 2017 – pages 1-40 (end Item #9.9), and March 2, 2017, and found them to be in order.

Mr. Dill had read the minutes of February 1, 2017 - pages 40 (begin Item #9.9) – end, and February 27, 2017, and found them to be in order.

Ms. Palmer asked that the minutes of February 8, 2017 be pulled and carried forward to the next meeting.

Ms. Mallek asked that the minutes of March 1, 2017 be pulled and carried forward to the next meeting.

By the above-recorded vote, the Board approved the minutes as read.

Item No. 8.2. Acquisition of Bucks Elbow Mountain Easement.

The Executive Summary forwarded to the Board states that the Emergency Communications Center (ECC) as part of its regional 800 MHz radio infrastructure upgrade project, intends to replace the existing radio tower at 7045 Bucks Elbow Mountain Road in Albemarle County. The new structure, a metal 150 foot self-supporting tower, will replace the aging 120 foot guyed tower at this location. The tower and land are owned by Albemarle County. Like the existing tower, the replacement structure will continue to be used as a critical component of the regional public safety and public service radio systems, which serve Albemarle County, the City of Charlottesville, and the University of Virginia, and will be operated and maintained by the ECC. The tower also includes US Cellular as a commercial colocation tenant of the County. To build the new tower, a temporary construction deed of easement is needed so that equipment can be moved and stored on an adjoining parcel of property while construction is on - going.

The attached proposed deed of easement between NEPENTHE Land Corporation and the County of Albemarle (Attachment A) provides rights-of-way and easements necessary to complete this project.

The budget for this project has been approved and appropriated. Because the agreed compensation of \$5,000 is well within the approved project budget, this action will have no impact on the current budget.

Staff recommends that the Board adopt the attached Resolution to approve the Deed of Easement (Attachment A).

By the above-recorded vote, the Board adopted the proposed resolution to approve the Deed of Easement:

**RESOLUTION APPROVING DEED OF EASEMENT
BETWEEN THE COUNTY OF ALBEMARLE
AND NEPENTHE LAND CORPORATION
ON TAX MAP PARCEL NUMBER 03900-00-00-00800**

WHEREAS, NEPENTHE Land Corporation owns Tax Map Parcel Number 03900-00-00-00800 ("TMP 39-8"); and

WHEREAS, the Board finds that the County's acquisition of rights-of-way and easements on TMP 39-8 is necessary for its construction of a new wireless service facility on Bucks Elbow Mountain for use by the Emergency Communications Center for its 800 MHz radio system infrastructure.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the County's acquisition of rights-of-way and easements on TMP 39-8, and authorizes the County Executive to sign a Deed of Easement on behalf of the County once the County Attorney has approved the Deed as to form and substance.

This document was prepared by:
Albemarle County Attorney
County of Albemarle
401 McIntire Road
Charlottesville, Virginia 22902

Parcel ID Number 03900-00-00-00800

This deed is exempt from taxation under *Virginia Code* §§ 58.1-811(A)(3) and from Court Clerk's fees under *Virginia Code* § 17.1-266.

THIS TEMPORARY CONSTRUCTION DEED OF EASEMENT, dated this 21ST day of JUNE, 2017, is by and between **NEPENTHE LAND CORPORATION**, a Virginia corporation (hereinafter, the "Grantor"), and the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (hereinafter, the "Grantee").

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY unto the County a temporary construction easement (the "Easement") on and across Grantor's property, for the construction of improvements on Grantee's Parcel ID Number 03900-00-00-001B1, subject to the following terms and conditions:

1. The Easement area shall be limited to an area of approximately 50 feet to the southwest of the existing enclosure fence, as shown on the attached Exhibit A, including the area from the main road to the back of the existing fenced enclosure.
2. The conveyance of this temporary construction easement and right-of-way includes the right of ingress and egress to the Easement area along and from Buck's Elbow Mountain Road. There shall be no access from the east of the existing enclosure.
3. Upon the County's acceptance and execution of this Deed, the County shall pay the Owner \$5,000 as consideration for this Easement, including access to and from the construction site during construction and restoration.
4. The Grantor makes the Easement area available to the County as is. The County, its employees, agents and contractors enter the Owner's Property at their own risk for the term of the construction.
5. The County shall add the Grantor as an additional insured on its liability insurance policy. The County's liability shall not exceed the limits of its insurance coverage.

6. No trees or shrubs shall be damaged, cut or trimmed.
7. No rocks or boulders shall be moved.
8. The County shall observe and notify its contractors and agents of a 12 miles per hour speed limit for all traffic in order to minimize wear and tear on the road and dust nuisance for homeowners near the road.
9. The County shall properly supervise all of its contractors, shall resolve any complaints from the Grantor regarding contractors in a timely manner, and shall provide the Grantor with the phone numbers for the on-site supervisor and project manager.
10. The County shall be responsible for keeping the work area clean and tidy. Construction materials and litter blown off the property being used by the County shall be cleaned up weekly. If this is not done, the Grantor reserves the right, on 15 days' written notice, to clean the area and charge the county costs incurred plus 20% administrative fee.
11. The County and its contractors shall use one construction lock on the red gate, shall utilize a "gate tag" identifying the contractor when leaving the gate unlocked, shall keep the gate closed at all times and shall be responsible for any damage to the gate and especially the stonework and hand-forged iron hasp.
12. The County and its contractors shall not wander the Grantor's property or sightsee while on the property.
13. The County will be responsible for any loss or damage to the livestock caused by the action of the County or its contractors.
14. This temporary construction easement shall expire upon completion of construction, but no later than November 30, 2018, unless extended by mutual written agreement of the parties.
15. Upon completion of the aforementioned work, the County agrees to return the Owner's Property, including any road bed, ditches, culverts, shoulders and gates used or accessed during construction, to as near original condition as possible.
16. The improvements constructed shall be the property of the Grantee.

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

[SIGNATURE PAGES TO FOLLOW]

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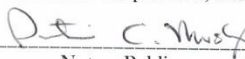
GRANTOR:

NEPENTHE LAND CORPORATION

By: 
Granville G. Valentine, III, President

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF HENRICO:

The foregoing instrument was acknowledged before me this 21 day of 2017 by Granville G. Valentine, III, President, on behalf of Nepenthe Land Corporation, Grantor.


Notary Public

My Commission Expires: 03/31/2019
Notary Registration No. 339266



Patricia C Mosby
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #339266
My Commission Expires
March 31, 2019

GRANTEE: COUNTY OF ALBEMARLE, VIRGINIA

By: _____
Douglas C. Walker
Interim County Executive

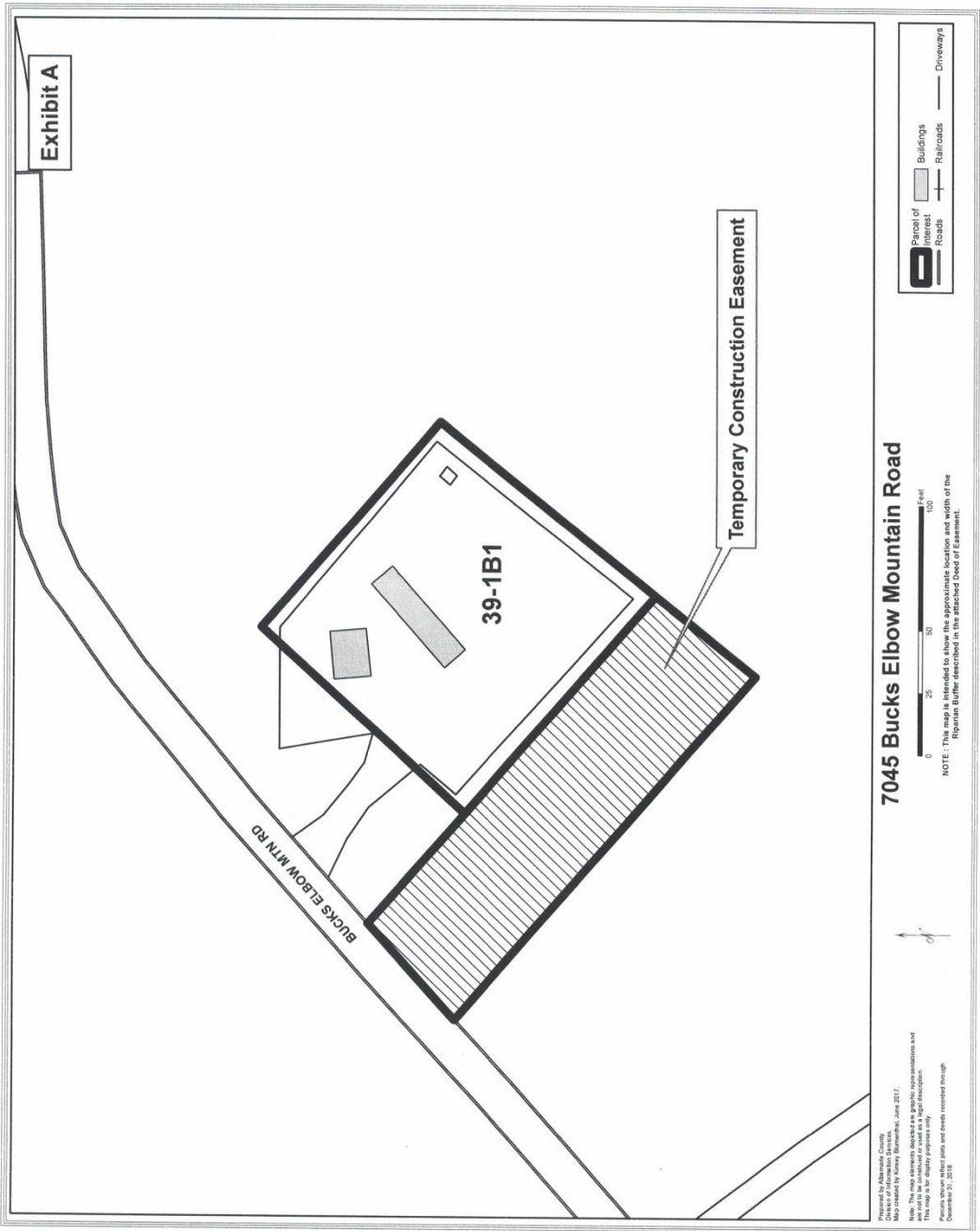
COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE:

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by Douglas C. Walker, on behalf of the County of Albemarle, Virginia, Grantee.

Notary Public
My Commission Expires: _____
Notary Registration No. _____

Approved as to form:

County Attorney



Item No. 8.3. Implementation of Additional \$5.00 Court Fee.

The Executive Summary forwarded to the Board states that the 2014 session of the General Assembly enacted Virginia Code § 17.1-279.1, which authorizes localities to assess an additional sum not to exceed \$5.00 as part of the cost in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is convicted of a violation of any statute or ordinance.

The fee would be collected by the clerk of each court and remitted to the County's Director of Finance to be used solely to fund software, hardware, and associated equipment costs to implement and maintain an electronic summons system upon appropriation of those funds by the Board.

Virginia Code § 17.1-279.1 also authorizes localities to acquire electronic summons systems which have been shown to reduce transaction errors; protect the environment by reducing paper waste; increase the efficiency of data entry; and increase officer and citizen safety while stopped along the shoulder of the roadway. The processes and record keeping requirements for the electronic summons system have been formulated by the Virginia Supreme Court and the Virginia Department of Motor Vehicles.

In FY16, the Albemarle County Police Department (ACPD) began its implementation process of the New World records management system. The then-Chief of Police, Steve Sellers, authorized the purchase of 100 electronic summons systems (hardware) for use by ACPD officers in the field. Officer David Rhodes is working with Saltus Technologies, and its product, digiTicket Electronic Ticketing Solutions, to build out the electronic format of the electronic summons to be used by ACPD officers. The ACPD has started the installation process of hardware required for the electronic summons into its patrol vehicles. Once the formatting has been completed, the ACPD will transition to the use of an electronic summons for any traffic or criminal case in which a summons is issued.

ACPD officers currently issue a hand-written paper summons for citations, each of which takes an average of five to six minutes to hand write. This method increases the chances of an error in the data that is entered on the summons, and subsequently into the ACPD data base. With an electronic summons, the officer will scan the offender's driver's license, and the data will be populated automatically, eliminating the chance of error. The digital scanners will reduce the amount of time needed to complete each summons to approximately three minutes, allowing officers to resume their patrols. In addition, the reduced time that officers and violators spend on the side of the roadway reduces the risk of their being struck by a vehicle traveling along that roadway. In 2016, there were fifty-three traffic related officer fatalities across the country, of which fifteen were a result of the officer being struck while outside of his/her vehicle.

The electronic summons system improves the accuracy of data obtained regarding violations, improves the efficiency of officers, allowing them to be more proactive during their patrols, reduces the risk of injury or death of the officer or motorist stopped on the shoulder of the roadway, and improves the quality of information an officer can retrieve during an investigation.

The equipment to outfit 100 police vehicles, including the installation of the equipment and service for the first year, has already been purchased at a cost of \$105,000.00 as part of the County's contract with New World. The annual cost of \$2,000.00 for the special printing paper and \$12,000.00 for service and maintenance will be requested as part of the annual budget process, but is expected to be offset by the additional fees collected.

The equipment has a five-year service life, and together with installation, service and printing paper, has a five -year cost of \$175,000.00, or \$35,000.00 per year, which is expected to be offset by a savings of \$20,583.00 each year in police officer salary and benefits for time saved in issuing summons, which can be redirected to other duties. If the proposed ordinance is adopted and an additional \$5.00 fee is collected for all cases in which a criminal or traffic summons is issued, approximately \$200,000.00 would be assessed over a five-year period. However, only a portion of those cases will result in a conviction, and the \$200,000.00 amount would be reduced accordingly. The courts do not track conviction rates through the Clerk's Offices, so staff is unable to obtain data on the number or percentage of convictions at this time.

The ACPD staff is still working with Saltus Technologies on the build out of the electronic format. However, adoption of the proposed ordinance (Attachment A) would implement the additional \$5.00 court fee, which would offset any budgetary expenses that might be accrued by the ACPD in the implementation and ongoing maintenance of the electronic summons system.

Staff recommends that the Board schedule a public hearing to consider the adoption of the attached proposed ordinance (Attachment A) on August 2, 2017.

By the above-recorded vote, the Board scheduled a public hearing to consider the adoption of the proposed ordinance on August 2, 2017.

Item No. 8.4. Martha Jefferson Hospital Lease Agreement Extension.

The Executive Summary forwarded to the Board states that during the July 11, 2012 Board meeting, the Board approved a three-year renewable lease with Martha Jefferson Hospital (MJH) for 151 sq. ft. of office space at its hospital facility at 500 Martha Jefferson Drive, Parcel 78-20M0, along with four standard lockers in an employee locker room and one reserved parking stall with electric capabilities. The space was to temporarily locate an ambulance service until a County facility could be funded and constructed in the Pantops development area.

Significant provisions of the lease included:

1. A term of three years beginning September 1, 2012, with the option to renew upon the same terms for two additional one-year terms, with the final term ending on September 1, 2017.
2. Fair market rent as required by federal law, determined to be \$477.50 per month.
3. MJH to provide all utility services, including heat, water, electric (including electrical outlet installation), local telephone, cable television, internet services, and janitorial services, the cost of which is reflected and included in the rent.
4. Terminable by either party upon 120 days advance written notice to the other party following the end of the initial three-year term. The lease was extended for two additional one-year terms, and expires on September 1, 2017.

During the February 1, 2017 Board meeting, the Board approved funding for the 9,880 SF Pantops Public Safety Station. Facilities & Environmental Services (FES) coordinated the design, bid, and contract processes for that station.

Construction of the station began in March of 2017 and is expected to be completed in March/April of 2018. Because the existing MJH lease will expire on September 1, 2017 and the ambulance and staff require housing until the station is completed, County staff reengaged with MJH to amend the existing lease.

The proposed First Amendment to Lease Agreement (Attachment A) includes an additional renewal term for a period of eight (8) months with an expiration date of May 1, 2018.

The direct cost of the lease to the County is approximately \$477.50 monthly or \$3,820 over an eight-month period. Funding is included in Fire Rescue's FY18 budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the proposed First Amendment to Lease Agreement.

By the above-recorded vote, the Board adopted the following Resolution to approve the proposed First Amendment to Lease Agreement:

**RESOLUTION TO APPROVE
THE FIRST AMENDMENT TO LEASE AGREEMENT
BETWEEN MARTHA JEFFERSON HOSPITAL AND
THE COUNTY OF ALBEMARLE, VIRGINIA**

WHEREAS, the Board finds that it is in the best interest of the County to extend the County's Lease Agreement with Martha Jefferson Hospital for the County's continued use of space at Martha Jefferson Hospital for an interim emergency medical services station.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the First Amendment to Lease Agreement between Martha Jefferson Hospital and the County of Albemarle, Virginia for the County's continued lease of space at Martha Jefferson Hospital, and authorizes the County Executive to execute the First Amendment to Lease Agreement on behalf of the County once it has been approved as to substance and form by the County Attorney.

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "Amendment") is dated as of May 31, 2017, by and between **MARTHA JEFFERSON HOSPITAL**, a Virginia non-stock corporation, d/b/a Sentara Martha Jefferson Hospital ("Lessor"), and the **COUNTY OF ALBEMARLE, VIRGINIA** ("Lessee").

Recitals

A. Lessor and Lessee entered into a Lease Agreement dated July 11, 2012 (as amended, the "Lease"), pursuant to which Lessor agreed to lease to Lessee and Lessee agreed to lease from Lessor a portion of the premises designated as 500 Martha Jefferson Drive in Albemarle County, Virginia.

B. Lessor and Lessee desire to amend the terms of the Lease, as hereinafter set forth.

Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, the parties hereto hereby agree as follows:

1. **Term.** The following language is hereby added to Section 3 of the Lease:

The second Renewal Term is scheduled to expire on September 1, 2017. Notwithstanding anything to the contrary contained in the Lease, Lessor and Lessee agree that the second Renewal Term shall be extended for a period of eight (8) months and will expire on May 1, 2018.

2. **Service of Notice.** The second section of Paragraph 11 is deleted in its entirety and the following inserted in its place:

Notices required to be sent to Lessor shall be sent certified mail, return receipt requested as follows:

Martha Jefferson Hospital
500 Martha Jefferson Drive
Charlottesville, VA 22911
Attention: Catherine H. Hughes

with a copy to:

Sentara Healthcare
835 Glenrock Road, Suite 270
Norfolk, VA 23502
Attention: Director, Commercial Real Estate

3. **Authority.** Lessor and Lessee covenant and warrant to each other that (a) the person executing this Amendment on behalf of each party is duly authorized to execute and deliver this Amendment on behalf of such party.

4. **Ratification.** Except as modified herein, all of the terms and provisions of the Lease shall remain in full force and effect and the parties hereto ratify and confirm the same.

5. **Binding Effect.** The terms and provisions of this Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

6. **Governing Law.** This Amendment shall be subject to and construed in accordance with the laws of the Commonwealth of Virginia.

7. **Severability.** If any term, covenant or condition of this Amendment, or the application thereof to any party or circumstance, shall be invalid or unenforceable, this Amendment shall not be affected thereby, and each term shall be valid and enforceable to the fullest extent permitted by law.

8. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall constitute one agreement binding upon the parties hereto, notwithstanding that both parties have not signed the same counterpart.

[signatures appear on following page]

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed
as of the date first above written.

LESSOR:

MARTHA JEFFERSON HOSPITAL,
a Virginia non-stock corporation, d/b/a
Sentara Martha Jefferson Hospital

Catherine Hughes
Witness

By Amelia S. Black
Name: Amelia S. Black
Title: Chief Operating Officer
Date: May 31, 2017

LESSEE:

COUNTY OF ALBEMARLE, VIRGINIA

Witness

By _____
Name: _____
Title: _____
Date: _____, 2017

Approved as to form:

By _____
County Attorney

Item No. 8.5. Donation of Ambulance to Piedmont Virginia Community College.

The Executive Summary forwarded to the Board states that Albemarle County owns a 2006 Ford F-450 Ambulance with an American Emergency Vehicle (AEV) body. The vehicle now has over 150,000 miles on it and is high maintenance. Albemarle County Fire Rescue (ACFR) has recently taken delivery of new ambulances and intends to remove this vehicle from its fleet plan due to its age, high mileage, and maintenance needs.

Piedmont Virginia Community College (PVCC) offers an EMS-Paramedic Career Studies Certificate to its students. The college's program could benefit from using the vehicle to train students in how to function in the close quarters of an ambulance. PVCC has long expressed an interest in having an ambulance to support its curriculum, but has been unable to secure the funding to do so. ACFR sends several volunteer and career personnel through the paramedic program at PVCC every year, and would like to support the program.

Virginia Code section 15.2-953 permits the Board of Supervisors to make a donation to a state college or university that provides services to Albemarle County's residents. The fair market value of the vehicle is estimated to be around \$10,000, and could go up to \$20,000 at an auction. Any equipment that can still be used by ACFR will be removed from the ambulance prior to its donation.

This request will have no impact on the operating budget, however, by making this donation, the County will forgo the opportunity to generate funds from the sale or auction of the vehicle.

Staff recommends that the Board approve the County's donation of the 2006 Ford F-450 Ambulance to PVCC for its use in the EMS-PCSC program.

By the above-recorded vote, the Board approved the County's donation of the 2006 Ford F-450 Ambulance to PVCC for its use in the EMS-PCSC program.

Item No. 8.6. Relocation of Sewer Easements in Old Trail Western Park.

The Executive Summary forwarded to the Board states that the Albemarle County Service Authority (ACSA) has requested that the County grant easements for the installation of sanitary sewer lines across portions of County-owned property designated as Parcel ID 055E0-01-00- 000H0, located in the Old Trail Subdivision.

There are two proposed easements included in the attached Deed of Easement (Attachment A). This property on which the easements are requested was conveyed to the County for use as a public park. The specific location of the proposed easements is set forth in the attached Plat (Attachment B). The sewer lines will be buried within the easements and there will be no above ground facilities. The easements will not interfere with the use of the property as a public park.

Virginia Code § 15.2-1800 requires that the Board hold a public hearing prior to conveyance of this interest in County-owned real property.

There is no budget impact.

Staff recommends advertising a future public hearing to authorize conveyance of the requested ACSA easements in a form approved by the County Attorney.

By the above-recorded vote, the Board set a public hearing to authorize conveyance of the requested ACSA easements in a form approved by the County Attorney.

Item No. 8.7. Meeting Street Name Change.

The Executive Summary forwarded to the Board states that the Berkmar Drive Extension project, part of VDOT's Route 29 Solutions projects, will connect the existing Berkmar Drive to the existing Meeting Street, with completion expected in July 2017. See Attachment A for a map showing the alignment.

The County's Road Naming and Property Numbering Ordinance and Manual is designed to improve delivery of emergency services and assure consistent addressing and road naming. County Code § 7-202 incorporates the procedures and standards set forth in the Manual by reference.

Virginia Code § 15.2-2019 and the County's Road Naming and Property Numbering Ordinance (County Code § 7-200 et seq.) and Manual allow the Board to rename any road at any time (Part I Section 7). One of the Manual's guidelines is to use the same road name when a proposed road is a continuation of or in alignment with an approved road, provided the offset is less than 60 feet (Part I Section 4 (k)). This is to avoid the situation where a road changes names multiple times.

Town Properties LLC is building 11 townhomes along a portion of Meeting Street (north of Timberwood Blvd). Staff recommends that Meeting Street be renamed Berkmar Drive due to the connection of the two roads, and has notified Town Properties LLC that the addresses along Meeting Street may need to change. The Certificates of Occupancy have not been issued as of June 15, 2017.

New road signs will be fabricated to replace the existing Meeting Street signs. This falls under normal maintenance of County roads signs.

Staff recommends that the Board adopt the attached resolution to change the name of Meeting Street to Berkmar Drive.

By the above-recorded vote, the Board adopted the following resolution to change the name of Meeting Street to Berkmar Drive:

**RESOLUTION TO CHANGE THE NAME OF
MEETING STREET TO BERKMAR DRIVE**

WHEREAS, Virginia Code § 15.2-2019 enables the County to rename any road at any time; and

WHEREAS, the County's Road Naming and Property Numbering Ordinance and Manual establish policies and guidelines for naming roads; and

WHEREAS, the Berkmar Drive Extension project, with completion expected in July 2017, will connect the existing Berkmar Drive to the existing Meeting Street, and Meeting Street will become a continuation of Berkmar Drive; and

WHEREAS, Berkmar Drive is long-established and has existing addressed properties; by comparison, Meeting Street is currently in the process of being accepted into the State-maintained system of highways and has its first addressable properties now under construction; and

WHEREAS, in order to avoid having a single road alignment change road names multiple times, the Board finds that it is in the best interest of the County to change the name of Meeting Street to Berkmar Drive.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby changes the name of Meeting Street to Berkmar Drive, and directs the Board Clerk to forward a certified copy of this Resolution to the Albemarle County Circuit Court Clerk pursuant to Virginia Code § 15.2-2019, and directs staff to implement the change.

Item No. 8.8. Cancel July 12, 2017 Regular Night Board Meeting.

By the above-recorded vote, the Board cancelled the July 12, 2017 regular night Board meeting.

Item No. 8.9. County Grant Application/Award Report, ***was received for information.***

The Executive Summary forwarded to the Board states that pursuant to the County's Grant Policy and associated procedures, staff provides periodic reports to the Board on the County's application for and use of grants.

The attached Grants Report provides brief descriptions of one grant application submitted and one grant award received during the time period of May 14, 2017 through June 10, 2017. This report also includes a comprehensive look at potential Five Year Financial Plan implications if projects and/or programs that are supported by grants are continued with local funding after the grants end. As grant funding ends, recommendations will be included in the County Executive's proposed annual budgets for the Board's consideration as to whether local funding should be used to continue those projects and programs. No County funds will be used to fund the continuation of those projects and programs without Board approval.

The budget impact is noted in the summary of each grant.

This report is to provide information only. No action is required.

Comprehensive Look at Potential Five Year Financial Plan Grant Impacts:
The following chart includes grants that are expected to end within the next five years and an estimate of the County's cost over the next five years if the grant-supported position, project or program is continued after the grant ends. The continuation of those positions, projects and programs will be considered as part of the County's annual budget process.

Byrne Justice Grants have 10% match first year, 25% 2nd, 50% 3rd, 75% 4th and 100 percent in 5th year. Updated FY18 to match request

Grant Entity	Grant Name	Summary	# of FTE	Designation of Current Budget Match	Expected End Date	FY18 Grant Amount*	Potential Financial Impact - Includes Five Year Plan salary assumptions				
							FY19	FY20	FY21	FY22	FY23
Virginia Department of Criminal Justice Service	FY16 Byrne/Justice Assistance Grant (JAG) Law Enforcement	This grant provides funding for a current police Sergeant position to form and lead the new Problem Oriented Policing (POP) Team and includes overtime/equipment/ supporting costs. This grant requires the local match to increase each year with the goal at the end of the grant to be for a full time employee to be hired and associated costs to be absorbed in the department.	1	Grants Leveraging Fund	6/30/2020	\$69,950.00	\$ 104,925.00	\$ 139,900.00	\$ 139,509.00	\$ 139,509.00	\$ 139,509.00
* does not include local match funds							\$ 104,925.00	\$ 139,900.00	\$ 139,509.00	\$ 139,509.00	\$ 139,509.00

The following chart includes an estimate of the County's cost over the next five years for the replacement of equipment that was purchased with grant funding. The replacement of such equipment will be considered as part of the County's annual budget process.

Grant Entity	Grant Name	Summary	# of FTE	Designation of Current Budget Match	Actual End Date	Potential Financial Impact				
						FY19	FY20	FY21	FY22	FY23
Federal Emergency Management Agency	2006 Assistance to Firefighters	This grant provided funds for the purchase of turnout gear in 2006. The equipment life is now expiring and the estimated amount of approximately \$140,000, which is typically budgeted in a given year for this expense, is now estimated to be inadequate to replace the equipment over time. The additional funds listed in this chart reflects the additional costs estimated to replace this equipment each year. Costs in the out years is estimated to decrease due to the newly centralized management process and expected efficiencies.	0	Fire Rescue Fund	6/30/2006	\$ 191,800.00	Starting in FY20 the turnout gear purchased with this grant will have been replaced based on the date of manufacture of 2008 and a useful life of 10 years after the date of manufacture.			
Virginia Department of Emergency Management	Equipment Grant	This grant provided funds for the purchase of fitness equipment. The equipment life span is expiring.	0	Fire Rescue Fund	6/30/2009	\$ 53,345.00	\$ 54,934.00	TBD	TBD	TBD
						\$ 245,145.00	\$ 54,934.00	\$ -	\$ -	\$ -

- Item No. 8.10. Albemarle County Service Authority (ACSA) Quarterly Report, **was received for information.**
- Item No. 8.11. Rio/29 Small Area Plan Phase II Update, **was received for information.**

The Executive Summary forwarded to the Board states that in October 2015 the County received a \$65,000 grant from the Virginia Office of Intermodal Planning and Investment in consultant services to be provided by the team of Renaissance Planning Group (RPG) and Michael Baker International to support the Rio/29 Small Area Plan project. As part of the scoping for the project, the work was divided into two phases. Funding for Phase 1 was covered by a state grant. Phase 2 will work from the land use vision developed in Phase 1 to devise an urban design plan, transportation plan and implementation action plan for the Study Area. A template and form-based zoning code pilot trial for vetting is also expected with Phase 3 which is targeted to begin in October with the endorsement of Phase 2.

Please see the attachment A: memo as an update on the progress of Phase II of the project. Attachment B: a table with the possible design parameters for different development scenarios at the Rio/29 Node, with the alternatives selected at the Charrette through the public participation process (Gray columns. Attachment C: A design overview of the results of the charrette for the 3 alternatives selected.

Consultant services for Phase 1 of the *Small Area Plan* were funded through the Urban Development Area Planning Grant. The FY2015-16 budget and department work programs includes Phase 2 of the project. Phase 2 will also be receiving grant funding (an additional \$65,000 for the {urban} design of the template, but the State delay in providing us paperwork has forced the County to infuse 2 installments of \$5000 to keep the project on schedule.

Staff recommends the Board receive this report for information.

Item No. 8.12. ZTA 2017-03 Review process for ZTA addressing swim, golf, tennis and similar athletic facilities in the Rural Areas, ***was received for information.***

The Executive Summary forwarded to the Board states that on April 5, 2017 the Board of Supervisors adopted a resolution of intent to consider removing swim, golf, tennis and similar athletic facilities as a use permitted by special use permit in the Rural Areas zoning district and to establish grandfather provisions for existing swim, golf, tennis and similar athletic facilities.

Unless otherwise directed by the Board staff proposes the following review process for ZTA 2017-03. Identification of stakeholders, which will include owners/operators of existing swim, golf, tennis and similar athletic facilities, and those with interest in Rural Areas development. Announce review process by use of A-mail, Citizen Advisory Council notices, press releases and other available methods. Hold an open house to provide information to interested parties by August 31, 2017. Assemble comments from open house and provide them to the Planning Commission in a September work session. Set a public hearing for Planning Commission consideration of the Zoning Text Amendment based on the outcome of the work session

No budget impact is expected.

Staff will proceed with the outlined process unless directed otherwise by the Board.

Agenda Item No. 9. **Work Session:** Update on Stormwater Utility and Infrastructure Maintenance.

The Executive Summary as presented to the Board states that for the last several years, Albemarle County has been considering how to best support a water resources program that complies with federal and state mandates and that meets growing community expectations. Attachment A includes a brief history of Board actions related to this effort. In 2014, the Board appointed an advisory committee to develop recommendations for a funding mechanism. On September 7, 2016, the Board adopted the committee's recommendations, generally summarized as:

- **scope of program** - implement a water resources program that fully complies with regulatory requirements, such as those associated with the cleanup of Chesapeake Bay, and that meets other long-term needs and responsibilities, such as drainage infrastructure maintenance and watershed improvements
- **funding mechanism** - support this program with a County-wide stormwater utility having a fee structure that relates the fee to a property's contribution to stormwater runoff, based in part on the amount of impervious area

The Board directed staff to begin taking actions to establish a stormwater utility, including authorization to engage a stormwater utility consultant.

Stormwater Utility - County staff have been working with the consulting firm Amec Foster Wheeler (AFW) to proceed with establishing a stormwater utility. During the months of April and May, several meetings were held with key County staff to develop an implementation process and schedule, settle issues related to processes and technologies, and compile various information to inform the development of rate models and mapping/billing systems. The members of the former Water Resources Funding Advisory Committee were invited to participate - in an advisory role to staff - in the development of the utility rate structure, credit policy, and ordinance amendment. This group first met on June 13 and will be active as needed throughout the calendar year. The community engagement plan will be aligned with key milestones and will include a webpage and "what's my fee" look-up tool.

Staff anticipates the utility to be introduced in FY 19, with the first billing occurring in May 2019 to coincide with the issuance of 2019 first-half real property tax bills.

A summary of the anticipated implementation schedule is provided as Attachment A.

Conveyance Infrastructure Management - The stormwater utility rate must be linked to the cost of implementing the envisioned water resources programs. The major programs as summarized in the Committee's 2015 report include 1) meeting increasing state mandates, 2) maintaining drainage conveyance infrastructure, such as pipe and channel systems, and 3) restoring impaired watersheds. Staff are currently working to determine the extent and cost of an asset management program for conveyance infrastructure located throughout the County.

The County currently implements a reactive program - taking action only when infrastructure failures occur within public easements or when the Board determines there is a public interest. The envisioned program would include assessing the condition of infrastructure, attaining easements where necessary, doing maintenance and repairs as needed prior to failure, and various supporting efforts such as mapping, scheduling, and budgeting.

The first phase of developing a program is determining the portions of the storm sewer system for which the County should assume responsibility - generally those portions serving a public purpose but not within the jurisdiction of the Virginia Department of Transportation. Staff are developing a proposed policy - to be brought to the Board for consideration this fall - that would subsequently guide staff in determining County responsibility. A policy would 1) create consistency, 2) avoid duplication of efforts with other entities, and 3) eliminate the need for the Board to be involved in cases in which a failure occurs on private property and is not already within an easement - such as the 2014 sinkhole on Carrsbrook Drive.

As a first step in the process of developing a policy, staff have been creating a map of all stormwater conveyances within the County - focusing on the urban areas. The conveyances include culverts, pipes, channels, and structures such as manholes and inlets. As of June 9, staff has mapped approximately 200 miles of linear conveyances and approximately 6,400 structures. Staff will utilize the infrastructure map to determine the cost implications of policy variations.

Staff anticipates having additional work sessions with the Board beginning in September 2017 to formalize a policy. The policy will then allow staff to refine the cost of the conveyance infrastructure program and to incorporate this cost into the stormwater utility rate.

This update on work progress does not have an effect on the budget.

No action is required. This work session is an opportunity for staff to update the Board on work efforts related to establishing a stormwater utility.

Ms. McKeel stated to the Board there would not be any action coming out of this work session.

Mr. Bill Letteri, Deputy County Executive, addressed the Board and stated that he will provide the Board with an update and further information on efforts made to establish a stormwater utility. He stated that in 2016, the Board authorized staff to take steps necessary to establish a stormwater utility, including the engagement of a consultant, after a series of reports and work sessions. He stated that they have made significant progress and Mr. Harper will provide an update on this, after which they hope to obtain feedback from the Board. He stated that they continue to develop the financial models and analysis of how the utility will be composed, and plan to have future work sessions with the Board as well as public engagement, with Board adoption of an ordinance at the end of the process.

Mr. Greg Harper, Chief of Environmental Services, stated that he will elaborate on the infrastructure maintenance program, which will be funded by the stormwater utility. He reviewed aspects that related to the Board's strategic plan objectives, stating that the first one pertains to Objective 12: Determine desired levels of service for water resource protection programs and then identify and implement permanent funding sources to support those levels of service. He stated that they have defined levels of service for the programs in order to determine their costs so they can establish the correct fee. He stated that he will address the other two strategic priorities later in the presentation.

Mr. Harper reported that the project began in 2014 when the Board directed staff to seek community input on funding programs and approved a community engagement process, and since then there have been several work sessions. He noted that last September, the Board essentially approved the recommendations of the committee created by the Board that the County adopt a stormwater utility. He noted the mandates of a stormwater utility would include the TMDL category, which is a cost forced on the County by the state to help with Chesapeake Bay clean up. He stated that the committee saw the need to make investments in grey infrastructure, which is manmade infrastructures, such as pipes and manholes, and embedded in the utility development process. Mr. Harper stated that green infrastructure investment is the third major cost category, outside of operating costs, that the utility intends to support. He stated that they are not revisiting the program scope as it had been approved by the Board, but refining the costs to implement the programs, and they are looking at a countywide rate structure with no differentiation between rural and urban areas.

Mr. Harper stated that they have determined that a billing area of 5,000 square feet of impervious pavement would be the most reasonable unit to bill, but recognize the differences between compact

urban properties and large, less dense rural properties, meaning that some type of rate adjustment would have to be made. He noted that many rural properties have long, paved driveways which, added to the rest of the property, could be 10 to 20 times what an urban resident would pay if the rate were based on pervious area. He presented a slide that showed an implementation schedule from 2017–2019 with associated policies, stating that the first is to translate general fee principles into a rate formula and credit policies. Mr. Harper stated that the consultant, Amec Foster Wheeler, had set up a financial model to use to determine the fee rate, and David Bulova of the consulting firm is in the audience to address questions. Mr. Harper said they may have to refine their GIS data if they use it for rate setting. He stated that by mid-2018, they expect to develop an ordinance to submit to the Board for approval, and a master account file will be developed towards the end that will be in between the GIS and real estate data and the billing system. Mr. Harper mentioned that the implementation process would also include community engagement and staff training, and staff will come before the Board multiple times to discuss different issues. He stated that the advisory panel held a kickoff meeting and would meet again this month, and they will provide feedback on some of the draft decisions made by staff. He said the community outreach process will include a fee look-up tool on the website that can piggyback on the web GIS system so that a property owner will be able to put in his address and learn what the fee will be based upon the proposed rate structure.

Mr. Sheffield asked if he has an idea as to how they would handle property owner inquiries about other properties. Mr. Harper stated that they expect to obtain feedback during this process.

Ms. Palmer asked if they have sufficient staff to deal with all the complaints that will come in. Mr. Harper stated that they have looked at other communities, such as the City of Charlottesville, which added a half-time staff person to deal with inquiries from the public during the first year. He stated the inquiries tapered off after that. He noted that County staff's models assume the need for additional help during the first couple of years and more limited help as time goes on.

Ms. Palmer stated that it would be helpful to have an idea of what the GIS corrections might entail in terms of rate adjustments for property owners so the Supervisors can respond to likely constituent inquiries.

Ms. Mallek noted the County had based property tax on GIS data for years and she would not expect there to be much to correct. She stated that there are cases in which one property owner's driveway creeps into a neighboring property, and they need to have a good basis to make decisions, pointing out that none of the increased maintenance they are considering for stormwater assets is fancy. Ms. Mallek said this entails identifying the location of unknown green and grey swales of pipes that may be rotting and in danger of causing a cataclysmic and expensive investment mistake, as opposed to doing this on a methodical basis. She stated it has been a challenging couple of years because of the newness of the topic, but information is gradually becoming structured and organized in such a way that people can grasp it better.

Mr. Randolph stated that the approach should be based on more than fees and proposed having a proactive approach to disseminate information to realtors and homeowners, such as a brochure and website content on how homeowners can engage in stormwater best management practices related to driveways and paths. He said that some members of the public do not pay close attention to what is going on and may be surprised when they learn about the new policy. He added that they can also inform residents as to steps they could take today to lessen potential cost liability and taxation resulting from gutter and driveway outflow.

Ms. Mallek commented that a takeaway from earlier community meetings was that people want the facts and become upset when they are told that things have not been determined. She urged staff to do this right so they have complete and correct information before going forward.

Mr. Harper stated that the first billing is planned for June 2019, with the fee taking effect January 1, 2019, and the rate model assumes the 0.7-cent earmark will be continued. He noted there are many cases in the rural areas where a property owner's driveway passes through another property, and he presented an aerial map showing examples. Mr. Harper stated that one way to address this is to add up all the driveway area in the County and average this among all residents to avoid having to measure driveway lengths. He noted that another question to be addressed is if the County would pay the stormwater fee on County-owned properties.

Mr. Randolph asked Mr. Harper to provide a cost-benefit analysis of these approaches so the Board can vet this in a meeting to determine what might be most effective in terms of political support of residents. He emphasized that by the term "political," he means popular support. He stated that on a national scale, there is an effort to strip out stormwater management as a priority. Mr. Harper stated that the next topic of developing a program to proactively maintain drainage infrastructure throughout the County relates to two goals of the strategic plan. He said one goal of the strategic plan is to map stormwater infrastructure, which he stated they have been doing for quite a while. He stated that they have improved the process and now have a hand-held device they use with an iPad and take into the field, which is more efficient than what they used to do. He said another goal is to determine the role and responsibility of local government in maintaining infrastructure not already dedicated to public use, which he stated would be the topic of the next discussion. He provided the recent example of a sinkhole in the Carrsbrook neighborhood, for which the County partnered with VDOT to repair. He emphasized there is a lot of aging infrastructure on private property that is not in public easements, and it is cost-effective to perform maintenance on these before they fail, which is what they are trying to do with this program.

Mr. Harper presented a slide showing a graph of County infrastructure repairs over time and noted that the number of projects has been increasing over the past decade.

Mr. Randolph observed that Forest Lakes South and Lake Renovia are listed on the graph multiple times and have HOAs, stating that they should try to determine the role of the HOA in maintaining and improving stormwater facilities. He stated that perhaps there should not be a public-private partnership between the County and HOAs on this, and those living in rural areas might ask why County money is going into development areas where there had been substandard installation or more dramatic growth than was expected. Mr. Harper responded that they are just talking about the conveyance infrastructure and are not actively maintaining the stormwater facilities on private properties. He said they intend to keep the maintenance responsibility of stormwater facilities, including bio-detention facilities and retention ponds, with the property owners. He stated that it is the pipes, channels, and manholes that convey the runoff being addressed here. Mr. Harper said that from a liability perspective there is a difference between conveyances and facilities, as non-maintained conveyances can cause flooding issues whereas non-maintained facilities have water quality issues.

Ms. Palmer noted that the neighborhoods were developed when the County did not have rules requiring them to do these things. She asked if there are areas known to have poor stormwater conveyances, and noted they could work with the HOA to do some rehabilitation. Mr. Harper replied that a community would have to hire a contractor on its own, and the cases mentioned are already dedicated to public use with the County having legal responsibility. He stated that they would be talking about taking over infrastructure that is not located in easements.

Ms. Palmer asked if the incident in Carrsbrook is one in which the County has legal responsibility. Mr. Harper replied that the County did not have legal responsibility, but the Board had taken action.

Mr. Sheffield stated the majority of older neighborhoods that do not have HOAs are having more problems, and he pointed out that HOAs vary in what they assume responsibility for.

Ms. McKeel pointed out that an HOA can only be created in a new neighborhood, and creating one in an existing neighborhood requires the approval of every property owner.

Mr. Harper continued the presentation. He stated that the current program is reactive in that the County responds to calls, and if there is an easement dedicated to public use they would make repairs, but otherwise they would not make repairs because they are not permitted to improve private property without the easements.

Mr. Sheffield interjected that the paradox of this is that a property owner cannot inhibit the stormwater conveyance without being legally obligated or liable, without the easement. He stated that it is almost a criminal standard if the property owner does not do something, but then the County will not do anything.

Ms. Mallek emphasized that this was why mapping is so important.

Ms. McKeel recalled a situation in one of the older neighborhoods in which a developer wanted to do a lot of improvements and one neighbor refused to allow upgrades that would have been good for everybody. She stated that her understanding was that this property owner would take on responsibility, and she wonders if this would stand up in court, and if this is the case then the property owner should be made aware of it.

Mr. Harper explained that the goals of having a deliberate program are to clarify the parts of the system the County is responsible for maintaining, as VDOT maintains infrastructure within the VDOT right-of-way. He stated that some would remain in private hands as there is no public purpose in taking over certain portions of the infrastructure. He said they are trying to incorporate the costs of the program into the stormwater utility development process and would need to establish a draft policy, with Board approval, so they could use the GIS system to determine the amount of infrastructure to be assumed and estimate program costs that can be incorporated into the utility fee.

Mr. Harper next reviewed steps to create the program, the first being to create a policy, which they will discuss in December. He stated that they would then work on mapping and information management and incorporate this into an asset management system that could aid in inspections and repairs. He said they would need to ensure the new infrastructure is built to County standards, which might require additional inspectors during construction, and they would conduct a video assessment of the system to prioritize where repairs are needed. Mr. Harper said they would have to obtain easements, which would entail a lot of work, and then make the repairs, and this process would be a continuous loop. He next showed a map indicating areas that had already been mapped, which consisted of 200 miles of pipes and channels and 8,400 structures. He stated that they map channels, as they are a built-in conveyance system, and their failure could have as great an impact or greater as a pipe failure. He noted that they may become part of the system and said that approximately 70% of the urban areas have been mapped. He said they have some good data on the attributes of much of the infrastructure, such as size, condition and composition of pipes. He stated this would help establish a GIS analysis system to model this as a network.

Mr. Harper said he would next focus on policy considerations, stating that a major goal is health and public safety. He stated that another goal is to manage only portions that serve a public purpose, emphasizing that they must consider VDOT's policies since the County's responsibility could begin where

VDOT's ends. He stated that they would need to consider whether to treat residential properties differently from commercial properties as well as determine whether they would treat open channels differently from pipes or manholes in terms of maintenance.

Mr. Harper next displayed a map that showed the areas of the Rio/29 North area that have been mapped. It was color coded to show sections that VDOT would likely maintain, which are mainly rights-of-way, as well as sections that the County and private property owners would maintain. He stated that the map would have to be refined based on the policies they adopt.

Ms. Mallek noted how easy it is to spot the older neighborhoods built in the 1950's on the map as they were constructed without sidewalks or drop inlets and so the water runs down the road to somebody's swale.

Ms. Palmer noted that the maps are showing areas within the development lines, while there are some older suburban neighborhoods just outside the urban area that they have not yet considered. Mr. Harper confirmed this but stated that they intend to map the other areas. He said they do not differentiate between rural and urban area infrastructure as long as they fit within the determined criteria, as there can be a public purpose to maintaining infrastructure in rural areas, particularly if it lays downstream of a County road or school. He next displayed a map that indicated the percentage of infrastructure likely to be maintained by the County, VDOT and private land owners: 57% private, 15% VDOT, and 28% public.

Mr. Harper concluded his presentation with a list of next steps: continue mapping; draft a policy in coordination with the County Attorney's office, Community Development and VDOT; refine program cost estimate; return before the Board this fall with validations of assumptions; and consideration of the policy in December. He invited questions and comments.

Mr. Randolph asked how stormwater management protocol would apply to the Town of Scottsville in terms of powers and privileges the town may possess, as well as rights of the County to make determinations. Mr. Letteri replied that they have not given this question a lot of thought, but would confer with the County Attorney's office on it. He thanked the Board for their questions and comments, which he noted would shape the work as they move forward. Mr. Letteri reviewed the takeaways he had heard, such as being mindful of staffing, the importance of community engagement, and the need for a cost-benefit analysis. He stated that they would be back in September for more discussions.

Ms. Mallek stated that the choices would be for a town to either take on all responsibility or to fall under the County plan with no in between option, to her knowledge. She told Mr. Kamptner she would pass along two articles about stormwater regulations to assist in his work.

Agenda Item No. 10. **Work Session:** ACSA 200170001, VDOT Residency Office, Request for Public Water (ACSA).

The Executive Summary as presented to the Board states that the Virginia Department of Transportation is requesting the provision of public water service to the VDOT Residency Office site located on Richmond Road (Rt. 250), east of the I-64/Rt. 250 Interchange (Attachment A). The 26.7 acre site consists of four (4) structures and storage areas for materials and equipment. Two (2) of the structures are office buildings housing VDOT Residency staff. The buildings are served by a well on-site. The property is zoned RA, Rural Areas, and is designated Rural Area in the County's Comprehensive Plan/Land Use Plan.

The applicant is requesting public water service to address the existence of copper in the water in the buildings. This is based on evidence of copper in the water when tested from the taps within the building. According to the Health Department (Attachment C), the copper found in the water is caused by naturally acidic well water leaching copper from the existing copper plumbing within the building.

The applicant has also noted that if public water is provided to the site to address the water quality condition, a residual benefit of that service is that "brining" operations could occur on-site. Brining is the mixing of the liquid applied on roads during snow and ice conditions. Brining occurs at other VDOT sites in the County but not at this site.

The Comprehensive Plan strategy regarding the provision of public water and sewer service within the County as it relates to properties located in the Rural Area states that "[t]he boundaries of the Development Areas are to be followed in delineating jurisdictional areas. Change to these boundaries outside of the Development Areas should only be allowed when: (1) the area to be included is adjacent to existing lines; and (2) public health and/or safety is in danger."

This strategy reflects the fact that public water and sewer systems are a potential catalyst for growth and capacities need to be efficiently and effectively reserved and used to serve the Development Areas. Continued connections of properties in the Rural Area should be the exception, as the further extension of lines into the Rural Area will strain limited water resources and capacity.

Regarding this request's consistency with the above noted policy, the site is adjacent to an existing water line intended to serve only the Rivanna Village Development Area. Regarding the health and safety condition, according to the Health Department (Attachment C), the source of the copper found in the water is not from the on-site water source-the existing well. The naturally acidic well water is corrosive to the existing copper plumbing within the buildings. This corrosive activity generates copper in

the water. There are currently alternatives to address this condition that do not require the use of public water, including treatment of the acidic water and/or replacement of the copper pipes with ones made of readily available alternate materials.

The applicant has also inquired whether conducting brining operations on-site that could be possible with the provision of public water would be considered meeting a broader public health or safety issue (more efficient delivery of services during snow/ice conditions). Staff cannot recall an ACSA request/concept of this nature ever being considered by this, or previous Boards. Staff does not believe that the opportunity to allow brining operations on-site rises to the level of a health or safety issue at this time and in this situation. VDOT currently has other locations where brining operation can, and are, occurring. It is also not clear at this time whether other potential sites or options/arrangements to accomplish brining in this general area have been pursued or exhausted.

There is no cost to the County. The property owners would bear any costs for water and/or sewer connection.

Staff opinion is that the current conditions on-site do not constitute a danger to public health or safety, as there are measures available to address the existing conditions in lieu of the provision of public water to the site. Staff does not recommend that the Board set a public hearing to consider adding this parcel to the ACSA Service Jurisdictional Area for Water Service.

Should the Board want to set a public hearing on this request, staff recommends that the public hearing be set for August 9, 2017.

Ms. McKeel expressed her appreciation to VDOT for being a partner of the County, with cost sharing of water issues at Carrsbrook being an example.

Mr. David Benish, Chief of Planning, presented. He stated that the request is to provide water to the VDOT office on Route 250, as an issue with corroded pipes is leaving copper and some bacteria in the water, which has been determined to be a health hazard. He stated that the property was designated and zoned Rural Area. He said the action requires of the Board for the jurisdictional area providing water to the site is to determine whether "water only" or "water only to existing structures" is appropriate. He presented a map of the area, which is located between the Shadwell/I-64 interchange and the 250 East railroad pass. He stated that the site has four buildings and presented a map of the jurisdictional area. Mr. Benish reviewed the Comprehensive Plan for service to the rural areas, which provides for water and sewer service only to areas within the ACSA jurisdictional area and requires that they follow the boundaries of the designated development areas. He said that allowing for service outside of the development areas is only warranted in case of adjacency to an existing water line and existence of a health and safety issue.

Mr. Benish stated that the policy is an important growth management tool for implementing the Land Use Plan and reserve capacities for water and sewer service for the development areas. He stated that the provision to the rural areas could be a catalyst for future growth, and this is why it is used as a growth management tool. He said the Health Department had determined the source of the copper in the water is not from the onsite well and had determined that acidic water from the well is causing corrosion in the copper pipes. Mr. Benish said that staff does not believe this meets the warrants of a health or safety issue, as there are private alternatives to address the issue, such as well water treatment and replacement of the copper pipes with alternative piping.

Mr. Benish stated that providing public water to the site would allow VDOT to provide an onsite brining operation, noting that brining is the material used to de-ice roads. He said they reviewed the record to see if a similar issue had come up in the past regarding brining and they were not able to find anything. He stated they did find that in 1997, VDOT had made the same request due to bad tasting, corrosive water, and the Board denied the request. He stated in 1993 there was a request to provide service to an auto racing team facility in the Hunter's Hall subdivision, which was located just west of the site. He stated this request was also denied by the Board. Mr. Benish said that staff does not believe the request is consistent with County policy established in the Comprehensive Plan, as there are alternative ways of addressing the issue. He stated that the brining issue is new and unique and something the Board may wish to discuss. He stated that if the Board does decide to consider this request, there would be a public hearing on August 9 and direction would be requested from the Board.

Ms. McKeel emphasized that today's discussion is to consider whether the request would be brought to a public hearing. She invited Joel DeNunzio of VDOT to come before the Board to make remarks and answer questions.

Mr. Joel DeNunzio, Administrator of the VDOT Charlottesville Residency, addressed the Board. He stated it was determined that they are considered to be a public works facility due to the number of onsite employees, and thus fall under Health Department regulations requiring water testing. He stated that high levels of copper were found in the water, but the issue was acidity of the water. Regarding the cost of repairing the copper pipes, Mr. DeNunzio said he does not have a figure but stated that if treatment is made to address the acidity of the water, then the piping would not have to be addressed. He said that Steve Kvetch of the Department of Health indicated there are two adjacent properties, Faith Christian Center and a day care facility, that were also asked to address water acidity.

Mr. DeNunzio reported that the installation cost of the treatment facility would be \$17,000 plus an

additional \$8,000 for maintenance and testing. He said he has capital outlay funds available to tie into the waterline, provided the Board approves the request, and funding for the facility and maintenance would likely have to come from his operating budget. He stated that he would prefer to buy stone or repair pavement and potholes with this money. Mr. DeNunzio commented that brining has been used a lot more for snow within the past few years and can be very effective. He stated that they have brining operations facilities in Madison, Stanardsville, Yancey Mills and the Route/29 interchange. He said that brining operations require sufficient water, and decisions must be made quickly based on changing localized weather conditions and pavement temperature. He noted that it would be helpful to have a brining facility in this area of the County to be able to get to area primary roads in time.

Ms. Mallek commented that the facility at the Route 29/I-64 interchange is five minutes from this facility. Mr. DeNunzio responded that the Route 29/I-64 interchange facility has a 5,000 gallon tank and is used by VDOT's contractor, and usually covers just I-64 and a portion of Route 29 south. Ms. Mallek replied that the water does not have to be potable, and an alternative would be to put a large tank and have trucks fill it up.

Ms. Palmer commented that she was going to ask the same question as Ms. Mallek and asked Mr. DeNunzio to explain in more detail how they fill the tanks. Mr. DeNunzio stated it is his understanding that they do not have the capacity from the well to fill a tank.

Ms. Palmer noted that almost all of her constituents in the rural area have to treat their water.

Ms. Mallek stated that west of Richmond, water comes out of the ground at Ph-4. She stated that treatment equipment is \$1,000 for a house, and she could not imagine why it will cost 20 times this amount for the VDOT facility. Mr. DeNunzio responded that this is not his area of expertise, but the Department of Health has classified the facility as a "water works facility" due to the number of employees.

Ms. Mallek stated that she would like to make a special choice if Mr. Kamptner were to deem the facility to be a public agency and if the decision would not sabotage the longstanding jurisdictional increase policy, but she would accept staff's recommendations as she does not believe it meets the requirements.

Ms. McKeel asked Mr. Kamptner to comment and asked if it would set a precedent they would be locked into. Mr. Kamptner pointed out that VDOT made a request for the same site in 1997, which was denied, and stated that the fact it serves a public use could be a distinguishing factor. He stated that there is a lot of rural area designated land between the interchange, and this site would presumably come into that as well. He stated that a strong health or safety case would have to be made to justify a change in the jurisdictional area boundary, emphasizing this closely ties to the County's land use and growth management policy so a very compelling case would have to be made to justify it.

Ms. Mallek noted that area residents have asked repeatedly to bring water access, and if they were to approve this they would open a Pandora's Box with many residents requesting water.

Mr. Randolph stated that properties clustered around Route 250 and I-64 at the Shadwell exit would certainly request this.

Mr. Kamptner suggested an approach whereby they look at the area more broadly rather than considering just this particular request, not just for the jurisdictional area but for the Comprehensive Plan designation. He stated that with this approach, they could consider all the impacts, consequences and policies at the same time.

Mr. Dill stated that he is looking at a way they could support VDOT but feels they should protect the rural areas, and the cost to VDOT does not seem like a huge expense. He added that he would accept staff's recommendation.

Mr. Sheffield stated that he would defer to Mr. Randolph since the property lies within his district.

Ms. McKeel stated that there are not enough votes to bring the issue to a public hearing.

Agenda Item No. 11. **Transportation Matter:** Virginia Department of Transportation (VDOT) Quarterly Report.

Mr. Joel DeNunzio stated that as of July 1, VDOT has five new road projects in the County that were approved for Smart Scale. He stated that staff has done a great job with the applications and he will review the projects. Mr. DeNunzio reported that the intersection of Route 20 and 649 was approved for \$4 million for a left turn, and they have considered whether making this a roundabout would be better but have not yet made a determination. He stated that the Route 151/Route 250 roundabout project was approved and as a temporary measure, they have installed a traffic signal. Mr. DeNunzio stated that for the I-64/Exit 118 interchange, VDOT has received approval for \$2.9 million to address weaving congestion exiting I-64 west to Route 29 North at the Fontaine exit. He noted that they will create two exit lanes. He stated that they have obtained approval for \$3.8 million for a Rio Mills Road/Berkmar Road Extension project. He stated that they obtained approval for the I-64/250 diverging diamond interchange at Pantops, noting that they have a diamond interchange in Louisa at Route 15 over I-64 and stating that this is a good application due to the number of left turns there. Mr. DeNunzio stated that a total of \$34.9M

has been approved for County road projects, of which \$29.9 million was funded through Smart Scale. He stated that they will work to get these completed as soon as possible.

Ms. Mallek asked if the Rio Mills bucket is being put into the connector. Mr. DeNunzio confirmed that it is.

Ms. McKeel commented that after a 20-year drought, they are finally receiving transportation funding. She cited Virginia's ranking 49th out of the 50 states in transportation funding.

Mr. Randolph stated that the amounts are still not adequate, commenting that the gasoline tax needs to increase.

Ms. Mallek commented that the next Smart Scale awards would be in 2020.

Mr. DeNunzio stated that they would like to see what they can do with staff coming off the Route 29 Solutions project and beginning engineering work on other projects. He stated that they could potentially have the opportunity to advance a few projects.

Mr. DeNunzio announced that Bunker Hill Road, Berkmar Extended, and Route 29 widening were completed last week. He stated that there was an incentive to open the Rio Road intersection to traffic, and the other two projects also had incentives, although they were much less than Rio's. He stated that total incentives could have been \$1.3 million if they had closed out by July 1, with a decrease of \$10,500 for each day after that date and no incentive available after October 30.

Mr. Randolph asked what happens to incentive funds that are not utilized. Mr. DeNunzio stated that he does not have the answer, as these are federally funded projects.

Mr. DeNunzio stated that VDOT has been doing surfacing and substructure work at the Route 250 bridge over the bypass where Ivy Road passes over Route 250. He stated they have found that the entire bridge deck must be replaced, and the contractor is developing a cost estimate. He said that he may come before the Board to request traffic management assistance to patch things up and might have to replace the bridge deck in four or five years. He stated that resurfacing of County roadways is well underway, and the monthly report includes links to view the roads scheduled for resurfacing. He stated that work at Batesville has been slated to begin July 5, but will be delayed until next week as the weather must be dry.

Ms. Palmer asked why they would paint a center line, but not paint lines at the road edge. She also noted that another tractor trailer had been stuck at Miller School and Batesville Road, and expressed frustration that they could not do anything to restrict trucks. Mr. DeNunzio responded that the road is not wide enough for edge lines, adding that a through truck restriction would be required on Miller School Road.

Ms. Mallek asked what an alternative might be. Mr. DeNunzio responded that most complaints pertain to dump trucks and there has not been a history of this being a safety issue to residents. He stated the fact that two 18-wheeler trucks had been stuck on the curve this year was a case for restricting truck traffic on Miller School Road. He said he does not know if it would qualify, but is something to consider.

Ms. Mallek stated that the same category could work for Free Union Road and Woodlands, where trucks become stuck going to Earlysville. Mr. DeNunzio pointed out that GPS is directing vehicles to Owensville Road and that a restriction would keep trucks on Route 250 or I-64.

Ms. Palmer stated that trucks cannot go underneath the 250 train trestle, which is why they go on Owensville Road. She said she has seen trucks stopped at the height limit sign trying to figure out what to do and then turn around.

Ms. Mallek asked how they would go about getting height restriction signs in place. Mr. DeNunzio stated that they most recently installed signs at Polo Grounds Road. He stated that the signs do not work very well and are not enforceable. He said the issues at Reas Ford Road and Miller School Road are more likely to gain support and become enforceable according to traffic engineers he has spoken with. He stated there is no data that supports a truck restriction on Plank Road other than the residents not wanting them, though there is a history of trucks not being able to make the turn on Miller School Road.

Mr. DeNunzio continued with the presentation and announced that concrete repair of curbs and gutters at Dominion Drive was recently finished, and the Albemarle Service Authority will work on paving and the gas line. He stated that he is now looking for funds to repair curbs, gutters, and sidewalks at the patio homes at Four Seasons. He invited Supervisors to attend tomorrow's Governor's event at 9:30 a.m.

Ms. McKeel noted that on July 4, people were walking across the Berkmar Bridge.

Ms. Palmer stated that she saw kids on bikes crossing the bridge. She noted the extensive litter and overgrown grass on the sidewalk at Berkmar Drive just beyond the SPCA.

Ms. McKeel asked for confirmation that they will be repaving that area. Mr. DeNunzio confirmed that they will repave all of Berkmar and stated that they have four-man work crews addressing litter.

Recess. The Board recessed at 2:57 p.m., and reconvened at 3:05 p.m.

Agenda Item No. 12. **Transportation Matter:** County Transportation Planner Quarterly Report.

Mr. Kevin McDermott, Principal Planner-Transportation, stated that he will review projects approved in the six-year plan that were approved by the Commonwealth Transportation Board at its June meeting, several of which Mr. DeNunzio had already mentioned during today's meeting. Mr. McDermott stated that about half were approved through Smart Scale, with the remainder coming under the Highway Safety Improvement Program (HSIP) and State of Good Repair. He stated that the I-64 Exit 118 eastbound on ramp was approved under the HSIP program. Mr. McDermott presented a slide with a conceptual design showing a left turn at a traffic signal, which would remove the weave on I-64 that has been a safety issue. He stated that Route 29 traffic south of I-64 is much less than the amount of traffic north of I-64, so there is a change in that they may not have a signal. He noted this would be determined during the engineering phase.

Ms. Palmer commented that one of the worst problems is trying to enter I-64 West from 29 North with tractor trailers backed up, and asked if the addition of a traffic light would increase the back up. Mr. McDermott responded that he does not think this will change and that truck backups are resulting from heavy southbound traffic on Route 29.

Ms. Palmer expressed concern that a traffic light would exacerbate this problem. Mr. McDermott stated that he does not think there are as many trucks making the left turn movement, but this would be evaluated by VDOT. He stated that they would not support the project if it does not seem like it would do the job.

Ms. Mallek commented that she had recently counted 15 trucks in the left lane all the way past the barbeque business. She asked if the 250/240 trestle is HSIP and if it will be a four-year engineering and construction process. Mr. McDermott confirmed that it was approved for HSIP funding and is not yet on the six-year plan. He stated that HSIP projects are completed more quickly than Smart Scale projects and should not take more than a couple of years.

Mr. McDermott continued his presentation, reviewing items from the Secondary Six-Year Program as the Board had approved in June. He stated that Bunker Hill was completed and three paving projects were approved from the priority list: Keswick Drive, Preddy Creek Drive, and Patterson Mill Lane. He stated that Dick Woods Road was moved up on the list and the Berkmar/Rio Mills connector has funding in the Secondary Six-Year Plan to match Smart Scale funding. He stated that the final project is the Berkmar/Lewis and Clark connection which, though not funded through Smart Scale, was able to obtain some VDOT surplus funds. Mr. McDermott noted that they are in design discussions with their on-call consultant and plan to hold a meeting with the UVA Foundation and County staff, in an effort to make a better application at the next Smart Scale round.

Mr. McDermott stated that he is working with Charlottesville Area Transit (CAT) staff on bus stop improvements, as they have obtained a grant to make improvements, such as shelters and benches. He stated that they will come up with final recommendations and then apply for VDOT permitting, noting that some shelters are on private property and will require working with the property owners.

Ms. Randolph requested that Mr. McDermott provide the Board with a list of these projects so they can address questions at CAC meetings as some CACs have applied for bus shelter funding from NIFI. Mr. McDermott responded that he would and that they are mindful of the bus stop improvement requests made by CACs. He stated that CAT decided to spread the improvements out across the County, although the Hydraulic area has the most planned improvements.

Ms. McKeel observed that CAT had recently installed plastic seats on the posts at Georgetown Road, which nobody has been using. She expressed appreciation for the intent, but stressed the importance of spending money on things people would use.

Mr. McDermott stated that pole seats are recommended for some of the bus stop improvements and tend to be at the lesser used stops. He stated that they can look at installing benches at some of these locations instead of pole seats.

Ms. Mallek asked what the process for determining the particular improvements is, and if there is a two-way dialogue. Mr. McDermott replied that CAT had provided him with a list of 21 stops where they thought it was appropriate to make improvements in the form of shelters, benches, and pole seats.

Ms. McKeel stated that she frequently passes by the bus stops and has never seen anyone sitting on a pole seat. She stated that they are plastic and very hot, and that having something is not necessarily better than having nothing. She emphasized that they have been trying to encourage people to ride transit.

Mr. McDermott pointed out that CAT had offered to pay the entire cost of the bus stop improvements as well as maintain them. He offered to ask them to rethink the pole seats and stated that perhaps they could put full benches in some stops and then find funding so the County could pay for a second round of improvements at additional stops.

Ms. McKeel stated that she would like to have a discussion regarding what is a shelter and what they can do to encourage people to ride transit.

Mr. Randolph stated that it would be helpful to learn what the shelters cost.

Mr. McDermott stated that a full shelter costs around \$15K for purchase and installation. He stated that of the 21 bus stops in the County scheduled for improvements, about half are slated to have pole seats.

Mr. Sheffield asked if they have done procurement for the shelters. Mr. McDermott replied that they have not done procurement, but have a contractor they have used who may be available on call.

Mr. Sheffield stated that he had raised the issue of procurement because he had emphasized in the past that it would be beneficial to partner with Charlottesville in joint procurements so there would be consistency in the equipment utilized. He asked Mr. McDermott if he would discuss this with CAT or with Interim County Executive, Doug Walker.

Mr. McDermott offered to have this discussion with them.

Mr. McDermott continued with the presentation, stating that in August he will present the transit project prioritization assessments to the Board and offer funding ideas. He concluded the presentation by providing feedback from the community over traffic concerns, particularly from the Rio/29 Small Area Plan meetings with the public and stakeholders, as well as from CAC meetings. He stated that they have heard a lot about accessibility, congestion, and safety along Rio Road East from Route 29 to the city line and they are looking into projects to address this. He stated that residents of Key West had expressed a concern about speeding, so they are working with the County police to try to address this. He said another concern is from residents of rural areas regarding truck traffic along winding roads.

Ms. Palmer noted that the Wintergreen development in the packet is now called Oak Hill and asked Mr. McDermott to research this.

Mr. McDermott stated that he would.

Agenda Item No. 13. **Transportation Matter:** Hydraulic Area Project Advisory Panel Update.

Mr. Mark Graham, Director of Community Development, reported that the Hydraulic Area Project Advisory Panel had held two meetings and are still reviewing a number of layout concepts. Mr. Graham noted they are still struggling with some of the compromises each of them require, stating that they are trying to determine a way to get a better transit orientation and pedestrian connection. He stated that he hopes they will get through these issues during next month's charrette. Mr. Graham said they are still on schedule with development of a concept plan by July, a core area plan in August, and a presentation before the Planning Commission in September and the Board in October. He stated that once the concept plan is finalized, they can formulate a transportation plan and prepare applications for VDOT funding.

Ms. McKeel stated her understanding was that they are still at the conceptual level. Mr. Graham confirmed this. He stated that the concept would allow them to get to the transportation plan and provide more clarity and specificity before they incorporate this into a Comprehensive Plan amendment.

Ms. Mallek asked where prioritization is coming from, stating that there had been more discussion about a park on top of the intersection than about getting bridges and moving people. She said if they do not have a highway going underneath, they will never get pedestrians. Mr. Graham stated that they have focused on trying to create public space and a pedestrian bicycle connection between the east and west, and offered to provide the Supervisors with information on all the concepts under consideration. He stated that they are struggling to balance public space and pedestrian connections while maintaining transportation objectives.

Ms. Mallek commented that she had attended meetings and some of the ideas are impossible, so the charrette group should focus on those that are possible.

Ms. Palmer said that in reading through the Board information packet on Rio/29, this area was projected to receive 44% to 75% of future County growth, and she asked how they came up with these figures and how they relate to Hydraulic.

Mr. Graham stated that the working group came up with this and one of the concepts was for Rio/29 to be the center for the County. He stated that the idea was to put a high percentage of the County's growth in this area and there were a lot of assumptions here that had not been tested, which is a part of the process they will go through in the coming months.

Ms. Palmer asked if they would do something similar with Hydraulic/29. Mr. Graham replied affirmatively. He stated that Director of Planning, Andrew Gast-Bray, made a presentation to the Hydraulic/29 group on June 8 about the Rio/29 Small Area Plan. He noted that the two groups were maintaining communication in order to achieve a balance within this area so the concepts do not conflict or compete with one another. He stated that transit is also an important issue in this area and if they decide to put in a major transit station at Rio/29, they should be careful that it does not conflict with transit

at Hydraulic.

Ms. McKeel emphasized they are talking about build-out over a period of many years.

Ms. Mallek encouraged Mr. Graham to provide the Board with regular updates. Mr. Graham stated that he would.

Mr. Dill asked if the transportation part would affect any private land. Mr. Graham replied that some of the concepts call for land along the edges, but not major relocations of roadways across private property, and there could be some marginal right-of-way improvements.

Mr. Dill pointed out that the Hillsdale project had eliminated three businesses in the north wing of the Seminole Square shopping center. Mr. Graham confirmed that VDOT had put a roadway through private property.

Agenda Item No. 14. **Presentation:** Board-to-Board, June 2017, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.

Ms. Kate Acuff, Chair, School Board, reported she would provide an update on activities at Yancey since the last Board meeting. She stated that the school division and local government staff had recently held a town hall at the school that was attended by Liz Palmer, Graham Paige, Pam Moran, and several other school representatives. She described the turnout as good, with about 70 attendees, and said they discussed potential future uses of the facility, which is approximately 27,000 square feet on seven acres of property. She stated that a number of potential community partners are also represented, including the Police Department, JABA, PVCC, and the Thomas Jefferson Planning District Commission. She stated that they had recently held separate discussions with the Scottsville Chamber of Commerce to explore potential uses.

Ms. Acuff listed the services that had received the most support, including adult education, job training, senior citizen programs, use of the gym, and a food pantry, noting that a working group was exploring these items. She stated that the County had posted an online survey to allow community members to weigh in, although so far there had only been one respondent. She stated that it is often better to provide a list of choices rather than have people come up with their own ideas, in order to increase participation in a survey. She noted that Mr. Walker would provide a more detailed report within the next week. She stated that they are looking at short-term use options, as they have minimal staff at the school.

Regarding transition of students to new schools, Ms. Acuff stated that both principals have been arranging meetings with parents, with 45 students assigned to Red Hill School and 60 students assigned to Scottsville. She stated that about seven of the former Yancey children are attending summer school at Red Hill School and 20 are attending summer school at Scottsville. She noted that the Yancey after-school program is unique in being free with costs subsidized by a federal/state 21st Century grant matched by private grants. She stated it is important to note that the County is supporting pre-kindergarten for economically disadvantaged kids, but after-school programs, such as the Extended Day Enrichment Program, are skewed towards those who can pay, even with a sliding scale. She said they have a very high participation rate at Yancey but much lower participation rates at other schools due to the tuition costs. She stated that Scottsville students will be able to attend the Boys and Girls Club after-school program, but this will not be available to students at Red Hill. She said she would like to have a discussion about this issue. Ms. Acuff stated that they are easing the transition with a pilot subsidy program available to the former Yancey students, although she does not see this as a long-term, equitable solution for the other kids in the County. She stated that adequate provision of after-school programs has been a concern of parents at all income levels.

Ms. Acuff stated that the additional 45 students that will attend Red Hill School will put pressure on the school, as the gym is not full size and they still have two double-wide trailers onsite. She noted that she is on the Capital Improvement Plan (CIP) committee and they have not yet determined when Phase 2 improvements will begin. She said the addition of 60 students is a big challenge, and they are installing a half-size four-room learning cottage, noting that an addition to the school is way down on the CIP list. She stated that they did not receive a bid for the Scottsville security entrance and would rebid this in a couple of weeks. She said it would likely not be completed until the spring in a best case scenario, adding that the addition of classrooms would involve an additional capital project.

Mr. Randolph interjected that his understanding of the Scottsville modernization project was that it was to yield one, single space that would be available for a classroom. Ms. Acuff replied that she had the same understanding, and building a new security office on the outside wall of the building would free up the existing office space that could then be used as a classroom, with another space in the building that could be repurposed into a classroom.

Ms. Acuff reported on the construction status of Phase I projects at Woodbrook Elementary, stating that the entire project would include modernization as well as an addition of 16 classrooms, a new gymnasium and a few other, smaller phases. She stated that Phase I would include the addition of two multi-age classrooms, which will be completed by the start of the new term. She said the other projects are to begin at the close of school next year, with the expectation that everything would be complete by the beginning of the 2018-19 school term, commenting that the schools have a great contractor. She

stated the Baker-Butler Elementary School security upgrade is in progress, along with modernizations, including science labs at Jack Jouett and Walton Schools and classrooms at Western Albemarle High School. She said they are all scheduled to be completed by the end of next year.

Ms. Acuff reviewed personnel changes, stating that Jesse Turner, Principal of Monticello High School is now Principal at Albemarle High School; Mr. Jay Thomas is moving from the central office to become Assistant Superintendent of Secondary Education; Mr. Rick Hrovac is the new Principal of Monticello High School; and Mr. Chad Radcliffe is moving from the central office to become Principal of Murray and the Charter School. She mentioned that Vince Schievert is leaving to take a position as Assistant Superintendent for Digital Innovation at Loudon County, stating that he had been a good manager of people and that broadband and all initiatives are on track. She said they may wait to recruit for his position until the beginning of the year.

Ms. Acuff stated that there are other things in her written report, including a teacher compensation study, and the School Board had not yet spoken with the Supervisors and human resources about whether to implement the recommendations and how to do so. She said the school board had received 200–300 letters from teachers about compensation, with one popular theme concerning the current benchmarking, which does not take into account the expense of living in Albemarle County nor benchmark against other high performing districts. She noted that in comparing Albemarle's salaries with those of other high performing districts, the County compares favorably, particularly with starting salaries and with teachers of up to 15 years of experience. She stated that things level out with teachers having more than 15 years of experience and with stipends for additional duties. Ms. Acuff emphasized that teachers across all comparable jurisdictions say they cannot afford a house, and it is a systemic issue that teachers may not be earning what they should, but they are getting paid comparably across different communities. She stated the issue is more of a lack of affordable housing, and one of the focus group participants, who is also an advocate of the teacher letter-writing campaign, had expressed to her that although she does not like the outcome of the study, she could not quibble with the methodology. Ms. Acuff expressed support for the methodology and stressed that they should utilize the information learned to act on issues.

Ms. Mallek asked if compression that is now included in the budget would address the salaries of those with over 15 years of experience and with master's degrees. Ms. Acuff, along with Ms. McKeel, replied that compression is only for classified staff and does not include teachers.

Ms. Mallek stated she would like to learn from Human Resources what the cost would be if the schools were to correct salary deficiencies.

Ms. McKeel suggested they address this issue at the next joint board work session.

Ms. Palmer returned to the topic of Yancey School, stating that she had attended the recent meeting at the school and had spoken with some parents. She stated that for many years, the funding for the after-school program was provided by a wealthy benefactor who had now moved from the area, and the last several years they were able to subsidize the program with grants. She stated that Dr. Moran indicated that the President's proposed budget had zeroed out a variety of grants, though budgets typically change as they move through Congress. She noted that if the school were to close, it would not be eligible for a grant, and if it were to remain open it is not known if they would receive a grant. She stated that some parents notified her that the Scottsville summer program was full, so they would not be able to send their kids. Ms. Palmer noted parental concerns that bus transportation is not provided for summer programs, and the woman who runs the food pantry at Yancey had expressed concern about the closure. She stated that others asked if they would at least keep the gym open during the summer, and asked Ms. Acuff if these concerns would be discussed by the School Board.

Ms. Acuff responded that the next meeting would be next week and she is sure some of these topics will come up, adding that the challenge is to determine staffing if it is only open part time.

Ms. Palmer stated that Mr. Dean Tistadt had informed them that a secretary would continue working onsite, but the school would not be open for other activities. Ms. Acuff stated that Mr. Tistadt is away this week and she does not have an answer about keeping the school open during the summer for some activities.

Ms. McKeel pointed out that for the upcoming joint meeting, they have set aside 15 minutes for Supervisors to offer suggestions about what to do with Yancey School for the summer months.

Mr. Randolph emphasized the importance of having total transparency and demonstrating to parents what the County will do with the estimated \$900,000 savings from the closure of the school. He stated that he assumes some of the money will go to Scottsville Elementary School for the new facility.

Ms. Acuff stated that this is the savings figure once they have completely transitioned. She said the County absorbed seven teachers and a few staff from Yancey to other schools, which is more than they need, but they did not feel like they could cut them loose. She stated that some of the funding is for the transition pilot and some for staff, and she had been told the savings would occur after they got past the transition.

Mr. Dill asked what after-school programs cost per child. Ms. Acuff replied that she could furnish him with these numbers. She stated that the after-school enrichment program is designed to be self-sustaining, and they had done a program evaluation in March. She said that issues of concern include a

cost bias for higher income people and the high turnover of teachers as a result of the inconvenient hours of 3:00 p.m. to 6:00 p.m., with relatively low compensation. She stated that they have an upcoming job fair to attract more teachers, as they have about 275 kids on a waiting list for the Extended Day Enrichment Program. She said if the cost were lower, they would likely have even more kids on the list.

Mr. Dill asked her opinion regarding the purpose of the program as an educational one versus a day care and how parents view it. Ms. Acuff explained that the conceptual framework is enrichment. She commented that lower income kids participate in the pre-k program, but are weeded out of the extended-day program due to its cost. She said another reason some kids do not participate in the after-school program is because the parents are not able to pick them up from school since they are at work.

Ms. McKeel commented that it is a self-sustaining program with challenges, but the main issue is budgetary.

Ms. Mallek stated that this is a priority issue.

Mr. Randolph stated that the budget is a priority.

Ms. McKeel agreed and said that since this is a self-sustaining program, they would have to make a policy change.

Ms. Acuff commented that if they were to raise the salary of participating teachers, the tuition would have to increase, which would result in less participation by lower income families.

Ms. Mallek encouraged the School Board to create a list of top priorities and be willing to fight for them before the CIP committee.

Agenda Item No. 15. **Presentation:** Rivanna Water and Sewer Authority (RWSA) Quarterly Report.

Mr. Bill Mawyer, Executive Director of the Rivanna Authorities addressed the Board and stated that Ms. Palmer had asked him to speak about the Rivanna Reservoir boat access.

Ms. Palmer stated that the Board received a letter from Kingfisher's Fishing Club expressing concern that they would lose access at both the boat launch and Woodlands Roads.

Mr. Mawyer presented a slide showing photos of the boat access, which he stated is adjacent to the water treatment plant and accessible once crossing through an outer and inner fence. He stated that Rivanna did not have plans to restrict boat access, but they have completed a vulnerability assessment that determined this area to be the site most vulnerable to damage since it is the site of a raw water pump station that pumps water from the reservoir to the treatment plant. He stated that they also have a chemical storage building at the location, and for these reasons would rather not have the public in this area. Mr. Mawyer stated that he had spoken with Bob Crickenberger and Tom Foley about having a new boat launch area established so they could close the existing one, and they would not limit access until the new site is ready.

Mr. Mawyer provided an outline of the three topics to be addressed: Capital Improvement Projects, the new Ivy Transfer Station, and the water supply and drought management strategy. He stated that Rivanna is almost finished with odor control efforts at the Moore's Creek project and presented a slide with a photograph of the facility. Mr. Mawyer said that aluminum covers on top of the clarifiers helps minimize odors and that gas is pulled out from underneath covers and passed through a scrubber, then they exhaust the air. He noted that the new Rivanna wastewater pump station is in operation and almost complete. He stated that they tunneled through the adjacent hillside to build the plant, which would help minimize overflows upstream of Moore's Creek and will pump 53 million gallons per day to the plant. Mr. Mawyer mentioned that they are installing granular activated carbon at all five plants and presented a photograph of the carbon containers, stating that they will remove organics that do not prevent the creation of disinfection by-products, which are acids. He noted that the installation would be completed this year.

Mr. Mawyer stated that they plan to make \$20 million in upgrades of out-of-date equipment at the South Rivanna, Observatory, and Crozet plants in two years.

Mr. Randolph asked if the use of granular activated carbon would allow for use of lower levels of chlorine. Mr. Mawyer replied that they do not use a lot of chlorine, maintaining it at a level of 1 part per million or lower. He stated they could probably use a bit less, but there is a minimum level required to distribute chlorine throughout the system and they conduct 150 tests per month to ensure there is enough chlorine throughout the system. He said the Crozet finished water pump station is under renovation to increase pumping capacity from 1 to 1.5 million gallons per day, at a cost of \$26 million and completion expected by September 2018.

Mr. Mawyer reported that the next project for which they are conducting a site study is the Crozet wastewater flow equalization tank. He stated that they are looking at the Licking Hole area, and he presented a photograph of a similar tank to show what it would look like. He said the tank would hold water when rainwater is coming into sewer pipes so that it does not overflow and water can be released once the threat of overflow has subsided. He stated that they recently held a meeting with the Crozet

Advisory Committee to review the drinking water infrastructure plan for the Crozet area and to review potential water requirements for the next 50 years. He noted that work on Beaver Creek Dam was required to meet new state standards, requiring a larger spillway at a cost of about \$10 million. He stated that they will review whether the dam needs to be raised to increase the capacity to provide more water, and if it should be done in the near term to incorporate the work of other water projects in Crozet. He said they will come before the community with a recommendation after conferring with the Department of Environmental Quality.

Ms. Mallek asked which state agency oversees dam quality. Mr. Mawyer responded that it is the Department of Conservation and Recreation. He stated that Rivanna has a conditional permit for the dam, with the provision that they submit a preliminary design to address the new probable maximum precipitation requirement adopted by the state. He said they would be required to accommodate more water and channel it through the spillway without eroding and destroying the dam. He noted that they will also upgrade the water treatment plant and complete the finished water pump station.

Ms. Mallek recalled that she had read a recent article about residential water consumption in Crozet being twice what it was in other areas of the County, and stated that it will be interesting to know why their use would be almost double.

Mr. Mawyer stated that Mr. Gary O'Connell will present to the Board on behalf of the Albemarle County Service Authority, and they can inquire about this with him. He stated that Mr. O'Connell had extensively studied water usage in Crozet, which was 95% residential. He said they had suspected the breweries were causing some spikes in usage. He noted that the system currently has capacity for 1 million gallons per day, with current average usage being around 500,000 per day and peaks of up to 800,000 per day. Mr. Mawyer stated that peak usage amounts are of concern, and they had not been able to identify what was causing these spikes in usage.

Mr. Mawyer next reviewed the proposed nine-mile south Fork Rivanna to Ragged Mountain Reservoir pipeline. He stated that they are currently determining the alignment and acquiring rights-of-way.

Ms. Palmer asked when public engagement would begin. Mr. Mawyer replied that it would probably be next summer. He pointed out that this is a pipeline, but also a water pump station at each end, and they will be able to pump water both ways between the two reservoirs. He stated that a 2009 engineering study projected a cost of \$63 million, which would now be higher.

Ms. Palmer stated that they were told it was predominantly gravity fed as it went back.

Mr. Mawyer next reviewed the proposed Route 29 water pump station. He stated that the RWSA Board had recently condemned the property located near Hollymead Town Center for the project, which would bring water from the Rivanna water pump station zone north to the North Rivanna pump station zone. He stated that they would no longer require use of a temporary pump and would be able to accommodate expected growth in the area. He said they may be able to change the pressure zone with the airport and make some improvements.

Mr. Sheffield noted that the same parcel was being considered to bring Meeting Street to Airport Road and then across Innovation Drive. He asked for more detail on the pump station project. Mr. Mawyer stated that the pump station property lies east of Meeting Street and would not interfere.

Mr. Sheffield stated that he was looking to learn about the property that was condemned by VDOT as there were three parcels in the area. Mr. Mawyer clarified that RWSA had condemned the property and that it consisted of 1.6 acres at the southeast corner beyond where Meeting Street would cross through. He stated there would be a cell tower to the west of the property.

Ms. Palmer pointed out that it was put in the Comprehensive Plan a few years ago.

Mr. Mawyer stated that the location was a high altitude point for the area, making it ideal for a pump station. He said they have another pipeline project that would go from the Pantops water storage tank to the Avon Street water storage tank. He stated that in about a year, they would have the alignment ready and the project would improve water pressure for the area. He said he expected construction to commence in three years and to be complete in six years, looping the waterlines and eliminating two dead ends. He next reviewed the Ivy Transfer Station and stated that construction bids were due by August 3 after being advertised on June 30, stating that they plan to award a contract by August 22, with a budget of \$2.5 million.

Mr. Mawyer stated that he would review water supply and drought management strategies and referenced photos and a list of the five reservoirs, followed by a map drawing of the entire system. He said one of the reasons they have to pipe water to Ragged Mountain is that it stores 1.5 billion gallons, the largest amount in the system, but has the smallest watershed at only 2 square miles. He stated that the Rivanna Reservoir watershed is the largest at 259 square miles, pointing it and the remaining reservoir watersheds out on a map. Mr. Mawyer provided a list of the volume and watershed area of each reservoir, showing current reservoir water levels and stating that they are in good shape at 98% full, collectively. He noted that they considered minimum instream flow and utilized a local drought management plan, established in 2004, which created the Rivanna Regional Drought Response Committee. He stated that they monitor drought conditions and have drought stage categories including Watch, Warning, and Emergency, with the requirements of voluntary conservation, mandatory

conservation, and water restrictions, respectively. He said they monitor reservoir and stream models and utilize a hydrologic model that estimates the probability of entering a drought in the near future. Mr. Mawyer stated that they also monitor the Virginia Drought Monitoring Task Force website and presented a slide of the website, which had a color-coded drought condition map of Virginia that was divided into regions. He next reviewed the steps taken for drought notification: the RWSA Executive Director recommends a declaration of drought stage to the RWSA Board and then notifies the City, County, and Albemarle County Service Authority; the City and ACSA implement conservation measures; if the Governor of Virginia declares a drought stage, the City and ACSA must follow.

Ms. Mallek stated that she is glad they are monitoring ground water and asked if they monitor streams beyond what is shown on the DEQ website.

Mr. Mawyer stated that they can check with the Health Department and well drillers, adding that they have gauges in the rivers that can be monitored online.

Ms. Mallek asked that he provide her with information on plans for Sugar Hollow, away from Mechums gauge, to do something regionally appropriate.

Mr. Mawyer stated that Sugar Hollow and South Rivanna are the primary water sources and they are not really using Ragged Mountain extensively, as they take about 1 MGD, but they take 8–10 MGD from Rivanna. He said they are maximizing Sugar Hollow and Rivanna reservoirs through the Rivanna water treatment plant, and if they were to get low they would switch somewhat to Observatory and Ragged Mountain Reservoirs. He stated the purpose of the pipeline is that, in the event the Rivanna Reservoir were to become low enough, they could pump water back to treat in the Rivanna water treatment plant.

Ms. Mallek stated she is very glad the pipeline is on their agenda, as it has been a long time coming.

Ms. McKeel and Ms. Palmer also expressed their support.

Agenda Item No. 16. **Presentation:** Brooks Family YMCA Construction Quarterly Update.

Ms. Jessica Maslaney, Chief Executive Officer, of the Brooks Family YMCA, presented. She stated that construction is complete, staff moved in June 5, and a certificate of occupancy will be issued on July 13. She stated that the contractor is still onsite doing punch-out work, reports, and project closeout. Ms. Maslaney noted that they paid to commission the building and get HVAC systems in balance, stating that they have installed all the furniture and equipment. She stated that the project is on schedule and within budget, and they still have \$349,000 available in contingency funds and expect to be able to release about \$250,000 of it. She stated that they will continue monthly meetings with the project team through October.

Ms. Maslaney reviewed the opening timeline of events: June 12: summer camp opened; June 17: Crozet YMCA member open house and CYAC First Splash; June 19: CYAC program moved in; June 20: ribbon cutting for teen center; June 22: donor reception; June 23: founders reception; June 24: community open house; June 26: soft opening for founders members; June 29: ribbon cutting; and June 30: opening.

Ms. Maslaney explained that the YMCA had tried to create a lot of entry points to get people excited, which have paid off, as opening membership numbers are higher than projected. She presented a chart listing membership numbers by various categories, stating that membership is approximately 60% County and 40% City. She noted that a packet of programs was distributed to Supervisors, containing information such as swim, CYAC, group exercise lessons, wellness, child care for parents while they exercise, basketball, pickle ball, family runs, summer camp, and flag football. She stated that in September, they will launch additional programs including CYAC short course, 2nd grade learn-to-swim, diabetes prevention, C'ville Walks with Heart, LIVESTRONG, nutrition programming, adventure guides, recreational basketball, and youth and government.

Ms. Mallek asked if they are working with Gordon Hair on child swimming. Ms. Maslaney replied that they have been.

Ms. McKeel suggested they discontinue quarterly YMCA updates and invite them to provide an update at the end of the year.

Ms. Maslaney noted they have been trying to offer County employees a corporate membership, but have learned the County only offers payroll deductions for ACAC. She asked for assistance.

Mr. Walker offered to look into this.

Ms. McKeel commented that they would not replace ACAC, but could offer the YMCA as an additional choice.

As other members concurred, Ms. McKeel announced there would be no further quarterly updates until year's end.

Agenda Item No. 17. Closed Meeting.

At 5:03 p.m., Mr. Randolph **moved** that the Board go into a Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under Subsection (1): 1) to discuss and consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; 2) to discuss the performance goals of the County Attorney in the next year; and 3) to discuss and consider prospective candidates for appointment as County Executive; and under Subsection (7) to consult with and be briefed by legal counsel and staff pertaining to the lawsuit between the County and the City regarding activities at the Ragged Mountain Reservoir because a public discussion would adversely affect the negotiating or litigating posture of the County. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.
NAYS: None.

Agenda Item No. 18. Certify Closed Meeting.

At 6:05 p.m., the Board reconvened into open meeting, Mr. Randolph **moved** that the Board certify by a recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing in the closed meeting were heard, discussed, or considered in the closed meeting. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.
NAYS: None.

Agenda Item No. 19a. Boards and Commissions: Vacancies and Appointments.

Mr. Dill **moved** that the Board make the following appointments/reappointments:

- **appoint** Mr. Michael Dunn to the Citizens Transportation Advisory Committee (CTAC), with said term to expire April 3, 2019.
- **reappoint** Ms. Liz Russell, Mr. Jeff Werner and Mr. Jared Loewenstein to the Historic Preservation Committee with said terms to expire June 4, 2020.
- **reappoint** Ms. Laurel Olson to the Pantops Community Advisory Committee with said term to expire June 30, 2019.
- **appoint** Ms. Nicole Sullivan to the Pantops Community Advisory Committee with said term to expire June 30, 2019.
- **appoint** Ms. Nora Demleitner to the Region Ten Community Services Board to fill an unexpired term ending June 30, 2018.
- **appoint** Ms. Barbara Barrett to the Region Ten Community Services Board with said term to expire June 30, 2020.
- **reappoint** Mr. Albert LaFave to the Region Ten Community Services Board with said term to expire June 30, 2020.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.
NAYS: None.

NonAgenda. Mr. Kamptner provided an update on Ragged Mountain Natural Area litigation, stating that a responsive pleading would be filed in Charlottesville Circuit Court by July 14, with a trial scheduled for December 6, 2017 at 9:00 a.m.

Agenda Item No. 20. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Ms. Susan Pierce of the Samuel Miller District addressed the Board and stated that she is an architect and is very interested in how homes, buildings and communities enhance quality of life. She stated that she will address the issue of transient lodging, noting that she owns a home in the rural area that she rents out, and has had experience as both a renter and landlord. She noted that her uncle, Jerry Fisher, was a former Supervisor for the County. She stated that whole-house rentals are beneficial to the community and should be encouraged and facilitated. She said she took out a loan in 2007 to renovate an old chestnut log home on a property purchased by her grandfather many years ago. She stated that she added a kitchen, bathrooms and geothermal heating. She showed before and after photos of the home and emphasized that she spent several hundred thousand dollars on the renovation, employed local tradesmen, and pays \$18,000 in property taxes. Ms. Pierce stated her point is that short-term renters are looking for a family experience they cannot get from a hotel or bed and breakfast stay and typically stay longer than if they were in a hotel, thus spending more money in the community. She noted that revenue from short stays covers about 75% of her costs.

Ms. Susan Smith addressed the Board, stating that she and her sister had grown up in the County and inherited their parents' property and house. She said that revenue from guest rentals is a relief and allows them to maintain it well and not leave the house empty, as they live out of town and use the house in between rentals. She stated that she consulted the code and learned there was a right by law to rent a single-family house. She described the positive reviews she had received from many guests and emphasized that they provide jobs for lawn and pool service, and a housekeeper. She commented that guests spend money at restaurants and wineries. Ms. Smith pointed out that the County would benefit financially from the recently passed transient occupancy tax. She stated that the online platform collects taxes and that she and her sister keep close tabs on visitors. She said they did not reap a fortune from rental income, but it allows them to hold on to the property. She stated that if the code is not modified to make her rental legal, they will probably sell the 120-acre property, and a forced sale could lower property values. She noted that a purchaser might subdivide the property since it has four development rights, and this would run counter to the Comprehensive Plan. She asked that the code be modified to permit short-term, whole-house rentals.

Agenda Item No. 21. **Public Hearing: FY 2018 Budget Amendment and Appropriations.**
(Advertised in the Daily Progress on June 25, 2017.)

The Executive Summary as presented to the Board states that Virginia Code § 15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The cumulative total of the FY 2018 appropriations itemized below is \$14,500,701.25. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 2018 Budget Amendment totals \$14,500,701.25. The estimated expenses and revenues included in the proposed amendment are shown below:

ESTIMATED EXPENDITURES	
General Fund	\$ 25,000.00
Special Revenue Funds	\$ 915,289.09
ECC Funds	\$ 11,532,515.16
Capital Improvement Funds	\$ 2,027,897.00
TOTAL ESTIMATED EXPENDITURES - All Funds	\$ 14,500,701.25
ESTIMATED REVENUES	
Local Revenue	\$ 10,698,786.49
State Revenue	\$ 2,035,897.00
Federal Revenue	\$ 925,289.09
Bond Proceeds	\$ (-306,000.00)
General Fund Balance	\$ 25,000.00
Other Fund Balances	\$ 1,121,728.67
TOTAL ESTIMATED REVENUES - All Funds	\$ 14,500,701.25

The budget amendment is comprised of six (6) separate appropriations as follows:

- One (1) Appropriation (#2018003) to re-appropriate \$2,033,897.00 in State revenue for sidewalk projects;
- One (1) Appropriation (#2018004) to appropriate and re-appropriate \$22,457,561.88 in projects and related funding for the Emergency Communications Center for various projects. A portion of this re-appropriation, totaling \$10,925,046.72, does not increase the total County budget for a net increase to the total County budget of \$11,532,515.16;
- One (1) Re-appropriation (#2018005) to re-appropriate \$33,420.00 in federal grant funds for the Police Department to complete the awarded grants;
- One (1) Re-appropriation (#2018006) to re-appropriate \$881,869.09 for the Community Development Block Grant (CDBG);
- One (1) Appropriation (#2018007) to re-appropriate \$25,000.00 to the County Attorney's Office for Strategic Plan Priority support; and
- One (1) Appropriation (#2018008) to appropriate -\$6,000.00 in cost of issuance and appropriate \$300,000.00 to the capital Water Resources Infrastructure Program from current capital projects.

After the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations and amend the budget.

Source: State Revenue \$ 2,033,897.00

This request is to re-appropriate \$2,033,897.00 in State revenue from the Virginia Department of Transportation (VDOT) Revenue Sharing (RS) Program from FY 17 to FY 18. The Board approved the FY 17 appropriation of these funds on June 7, 2017. This funding was unexpended for various projects including the Meadow Creek/JohnWarner Parkway construction project, Jarmans Gap Road construction project, and the US29-Signal/Traffic Services project to support various sidewalk improvement capital projects outlined below. Pursuant to the Board's approval on April 5, 2017, this revenue supports:

- \$1,278,000.00 for the Ivy Road Sidewalk (US Route 250 West) to build the full project (Old Ivy Road to Stillfried Lane). This additional appropriation will address the project's funding shortfall that resulted from higher underground utility relocations and construction costs for the segment between Colonades Drive and Stillfried Lane. This sidewalk improvement capital project is currently in design. The construction is estimated to begin in the fall of 2018 and the project is anticipated to be substantially completed in the spring of 2019.
- \$755,897.00 for the State Farm Boulevard portion of the Crozet Avenue North & South Pantops Drive/State Farm Boulevard sidewalk capital project. This portion of the project, Hickman Road to S. Pantops Drive, was removed from the original scope when the original bids exceeded the project budget. This sidewalk improvement capital project's design was previously completed, and the construction is estimated to begin in the summer of 2017 and to be substantially completed in the winter of 2017.

Appropriation #2018004 \$11,532,515.16

Source: Local \$21,623,833.21*
State Revenue \$ 2,000.00
Federal Revenue \$ 10,000.00
ECC Fund Balances \$ 821,728.67

*\$10,925,046.72 of this amount does not increase the total County budget.

The Emergency Communication Center (ECC) requests that the County, acting as fiscal agent for the ECC, appropriate and re-appropriate funding for the following projects and activities:

First, the ECC requests the re-appropriation of funding for three ECC capital projects totaling \$21,623,833.21. On June 7, 2017, the Board approved the re-appropriation of \$10,925,046.72 for the County's share of these ECC capital projects as part of the County's CIP Carry-Forward Resolution. Because the County's share of the ECC projects was already re-appropriated in June, this amount of ECC's re-appropriation does not increase the total County budget. The remainder of the funding for these ECC capital projects, provided by partner jurisdictions and agencies, totals \$10,698,786.49.

- Re-appropriate \$18,616,281.97 in various local and State revenue recovered from the project partners for the ECC 800 MHz Regional Communications System Replacement Project. This supports the replacement and upgrade of the infrastructure for the regional 800 MHz Public Safety Radio System. The project partner shares are: City of Charlottesville – 25.2%, County of Albemarle* – 51.1%, University of Virginia – 15.9%, Charlottesville/Albemarle Airport – 2.4%, RWSA – 2.4%, ACSA – 2.0%, and ACRJ – 1.0%;
- Re-appropriate \$2,907,551.24 in various local and State revenue recovered from the project partners for the Regional Computer Aided Dispatch (CAD)/Technology Project. This supports the replacement of multiple outdated computer systems for all public safety agencies within the City, County and University. The project partner shares are: City of Charlottesville – 39.77%, County of Albemarle* – 47.10%, and University of Virginia – 13.13%;
- Re-appropriate \$100,000.00 in various local and State revenue recovered from the project partners for the 911 Emergency Telephone System. This supports the replacement of the telephone system at the ECC and the backup facility at ACOB 5th Street, which is near completion, with the system being in use since February 2016. This FY 18 Appropriations Attachment A Descriptions funding is for the purchase and installation of software for completing the Text to 911 part of the Emergency Telephone System. The project partner shares are: City of Charlottesville – 40.58%, County of Albemarle* – 42.67%, and University of Virginia – 16.75%

The remainder of the ECC's requests for appropriations and re-appropriations, which include funding from ECC fund balance, State funding and a grant, are as follows:

- Re-appropriate \$481,105.63 in ECC fund balance to complete the 800 MHz radio system augmentation project, which improves system coverage and upkeep of equipment such as generators, uninterrupted power supplies, and recorders for 800 MHz radio system users;
- Re-appropriate \$250,000.00 to replace the current dispatch consoles within the Emergency Communications Center;
- Re-appropriate \$22,923.04 to repair and replace bi-directional antenna (BDA) equipment when needed. These units provide in-building radio coverage for the public safety providers when they are within these buildings;

- Re-appropriate \$20,000.00 to complete a facility needs study for relocation planning for the regional ECC and development of a standalone and fully operational Emergency Operations Center;
- Re-appropriate \$20,000.00 to complete scheduled HVAC equipment replacement;
- Re-appropriate \$14,700.00 for a consultant for hiring a new Emergency Communications Center Director;
- Appropriate \$15,000.00 for employee training, of which \$2,000.00 will be reimbursed by State revenue;
- Appropriate \$10,000.00 in State Homeland Security Program Grant (Federal) revenue for an Office of Emergency Management outreach project to provide training and basic home preparedness kits to vulnerable individuals and families.

Appropriation #2018005 **\$33,420.00**

Source: Federal \$ 33,420.00

This request is to re-appropriate the following Police Department grant funds:

- \$14,659.00 in Federal funds from a U.S. Department of Justice grant to assist in funding overtime hours by current officers in support of reducing crime and improving public safety through more "community policing".
- \$5,000.00 in Federal funds from a State Department of Motor Vehicles Highway Safety grant to reduce DUI accidents through increased DUI enforcement, along with other traffic safety enforcement, including speeding and safety restraint usage.
- \$2,250.00 in Federal funds from a State Department of Motor Vehicles Highway Safety grant to reduce motor vehicle accidents through increased speed enforcement, along with other traffic safety enforcement, including DUI and safety restraint usage.
- \$11,511.00 in Federal funds for a Virginia Department of Criminal Justice Services 21st Century Policing grant to promote citizen engagement in minority and non-English speaking communities, with a goal of increasing minority police officer recruitment/hiring by the end of the grant period.

Appropriation #2018006 **\$881,869.09**

Source: Federal \$ 881,869.09

This request is to re-appropriate \$881,869.09 of Federal revenue provided to the County through the Commonwealth of Virginia Department of Housing and Community Development's Community Development Block Grant (CDBG) program. This grant will be used in partnership with the Albemarle Housing Improvement Program to rehabilitate approximately 29 homes with critical repair needs over a two-year period.

Appropriation #2018007 **\$25,000.00**

Source: General Fund Fund Balance \$ 25,000.00

This request is to re-appropriate \$25,000.00 of the County Attorney's Office's FY17 year-end balance of the funding that was appropriated to this department to support the Board's high priority initiative to work on the Zoning Ordinance recodification and the Small Area Plan development. The appropriated funds have been used to pay outside counsel to assist with the department's workload so that the current staff's efforts could be re-directed to support the initiative. This re-appropriation will continue this assistance in FY18 as long as funds are available or through the hiring and orientation of the new office staff, whichever occurs first.

Appropriation #2018008 **(\$6,000.00)**

Source:	Planned Borrowed Proceeds	\$ (306,000.00)
	Water Resources Dedicated Revenue Fund	\$ 300,000.00
	Fund balance	
	Water Resources CIP Fund fund Balance*	\$ 1,755.60

*This portion of the appropriation does not increase the total County budget.

This request is to appropriate \$300,000.00 in fund balance (equity) from the water resources dedicated revenue fund and \$1,755.60 in fund balance from the Water Resources CIP fund for a total of \$301,755.60 to support an expanded Water Resources Infrastructure CIP Program as described below. This appropriation request will also correspondingly reduce the Water Resources TMDL Program, and its associated planned borrowed proceeds by \$300,000.00, and the Stormwater Management Program and its associated revenue by \$1,755.60. Since this reduces the amount of planned borrowed proceeds that is required for this program, this will also reduce the cost of issuance and its associated revenue currently budgeted in the General Government CIP by \$6,000.00. The total change to the County budget would be a net reduction of \$6,000.00.

The new Water Resources Infrastructure Program will support the construction, repair, and maintenance of water resource-related capital infrastructure, including stormwater facilities and conveyance systems. This program will be used for assessment, analysis, design, construction, maintenance, repair, and

associated efforts for projects not having a primary objective of meeting TMDL mandates or other water quality objectives. Examples include the repair of sinkholes and other infrastructure failures, and improving channels to reduce property flooding. The total capacity of the TMDL Program is not negatively impacted, in part, due to the County's receipt of numerous grants. The Stormwater Management CIP Program had a similar scope and is being closed out as it currently exists, and the efforts undertaken in that program will be incorporated into this new program.

Ms. Lori Allshouse, Director of the Office of Management and Budget, reported that the Virginia Code requires a public hearing before the County can amend its budget, when the total funds appropriated exceed 1% of current adopted budget expenditures. She stated that the proposed fiscal year 2018 budget amendment included in the resolution includes six appropriations and totals approximately \$14.5 million. She stated that \$11.5 million of this was ECC appropriations. She said that her office recommends adoption of Attachment B after the public hearing.

Ms. McKeel opened the public hearing. As nobody came forward to speak, the public hearing was closed.

Mr. Randolph **moved** that the Board adopt the proposed Resolution to approve appropriations #2018003, #2018004, #2018005, #2018006, #2018007, and #2018008 for local government projects and programs and amend the budget. Mr. Sheffield **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.
NAYS: None.

**RESOLUTION TO APPROVE
ADDITIONAL FY 18 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 18 Budget is amended to increase it by \$14,500,701.25
- 2) That Appropriations #2018003, #2018004, #2018005, #2018006, #2018007, and #2018008 are approved; and
- 3) That the appropriations referenced in Paragraph #2, 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, 2018.

**COUNTY OF ALBEMARLE
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2018003	3-9010-24000-324000-240231-1004	2,033,897.000	SA2018003 VDOT Surpluses
2018003	4-9010-41350-441200-950517-9999	1,278,000.000	SA2018003 Sidewalk, Ivy Road (US Route 250 West)
2018003	4-9010-41350-441200-950038-9999	755,897.000	SA2018003 Sidewalk, Crozet Ave N & South Pantops Dr/State Farm Blvd
2018004	3-4100-51000-351000-510100-9999	340,623.040	SA2018004 ECC: App FB for July Apps and Re-apps
2018004	3-4100-24000-324000-240552-9999	2,000.000	SA2018004 ECC: Virginia 911 Board Training Funds for PSAP
2018004	3-4100-24000-324000-240427-9999	10,000.000	SA2018004 - state Homeland grant
2018004	4-4100-31040-435600-550100-1003	15,000.000	SA2018004 ECC App: LEAD, Peer Support,PSAP Training
2018004	4-4100-31040-435600-800201-1003	250,000.000	SA2018004 ECC Re-app: Console Replacement
2018004	4-4100-31040-435600-800700-1003	22,923.040	SA2018004 ECC Re-app: BDA repair/replace
2018004	4-4100-31040-435600-312500-1003	20,000.000	SA2018004 ECC Re-app: Location Study
2018004	4-4100-31040-435600-312210-1003	14,700.000	SA2018004 ECC Re-app: Hiring consultant
2018004	4-4100-31040-435600-331800-1003	20,000.000	SA2018004 ECC Re-app: HVAC replacement
2018004	4-4100-31045-435600-600000-1003	9,000.000	SA2018004 ECC App: Homeland Security Program Grant
2018004	4-4100-31045-435600-601700-1003	1,000.000	SA2018004 ECC App: Homeland Security Program Grant
2018004	4-4117-31061-435600-310000-1003	687,829.000	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-312710-1003	225,102.580	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-332100-1003	1,366,922.520	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-800150-1003	100,000.000	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-800700-1003	311,121.510	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-999996-1003	848.000	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4117-31061-435600-999999-1003	215,727.630	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	3-4117-19000-319000-160502-9999	1,156,333.130	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	3-4117-19000-319000-160503-9999	1,369,456.630	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	3-4117-19000-319000-160512-9999	381,761.480	SA2018004 ECC Reapp Regional CAD Technology Project
2018004	4-4110-31060-435600-300204-1003	800.000	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project

2018004	4-4110-31060-435600-312105-1003	3,096.430	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-312351-1003	6,500.000	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-331601-1003	9,791.000	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-540000-1003	21,141.000	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-800150-1003	234,760.820	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-800305-1003	195,145.810	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31060-435600-999999-1003	9,870.570	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	3-4110-51000-351000-510100-9999	481,105.630	SA2018004 ECC Reapp 800 MHZ Radio Augmentation Project
2018004	4-4110-31058-435600-950185-1003	18,616,281.970	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160502-9999	4,691,303.060	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160503-9999	9,512,920.090	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160512-9999	2,959,988.830	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160534-9999	446,790.770	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160627-9999	446,790.770	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-160633-9999	372,325.640	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	3-4110-19000-319000-181314-9999	186,162.810	SA2018004 ECC Reapp 800 MHz Regional Communications System Replacement Project
2018004	4-4105-31059-435600-800715-1003	100,000.000	SA2018004 ECC Reapp 911 Telephone System
2018004	3-4105-19000-319000-160502-9999	40,580.000	SA2018004 ECC Reapp 911 Telephone System
2018004	3-4105-19000-319000-160503-9999	42,670.000	SA2018004 ECC Reapp 911 Telephone System
2018004	3-4105-19000-319000-160512-9999	16,750.000	SA2018004 ECC Reapp 911 Telephone System
2018005	4-1245-31013-431010-120000-1003	4,644.680	SA2018005 OVERTIME WAGES
2018005	4-1245-31013-431010-210000-1003	355.320	SA2018005 FICA
2018005	3-1245-33000-333000-330011-1003	5,000.000	SA2018005 FEDERAL DMV GRANTS
2018005	4-1246-31013-431010-120000-1003	2,090.100	SA2018005 OVERTIME WAGES
2018005	4-1246-31013-431010-210000-1003	159.900	SA2018005 FICA
2018005	3-1246-33000-333000-330011-1003	2,250.000	SA2018005 FEDERAL DMV GRANTS
2018005	4-1247-31013-431010-120000-1003	13,617.280	SA2018005 OVERTIME WAGES
2018005	4-1247-31013-431010-210000-1003	1,041.720	SA2018005 FICA
2018005	3-1247-33000-333000-300001-1003	14,659.000	SA2018005 CATEGORICAL AID - FEDERAL
2018005	4-1248-31013-431010-312210-1003	3,449.000	SA2018005 CONTRACT SERVICES
2018005	4-1248-31013-431010-580000-1003	1,362.000	SA2018005 MISCELLANEOUS EXPENSES
2018005	4-1248-31013-431010-600100-1003	6,700.000	SA2018005 OFFICE SUPPLIES
2018005	3-1248-33000-333000-330412-1003	11,511.000	SA2018005 30412-DCJS - BYRNE/JAG
2018006	3-1224-33000-333000-330009-1008	881,869.090	SA2018006 Categorical Aid - Federal
2018006	4-1224-81032-481030-300205-1008	86,869.090	SA2018006 Administrative Services
2018006	4-1224-81032-481030-563100-1008	795,000.000	SA2018006 AHIP
2018007	4-1000-12040-412040-312100-1001	25,000.000	SA2018007 Strategic Plan Support
2018007	3-1000-51000-351000-510100-9999	25,000.000	SA2018007 Co. Atty. - Strategic Plan Support
2018008	4-9100-82046-482040-800605-9999	-300,000.000	SA2018008 TMDL To Water Res Infrastructure
2018008	4-9100-82040-482040-800975-9999	-1,755.600	SA2018008 Stormwater MP to Water Res Infrastructure
2018008	4-9100-82040-482050-800975-1309	301,755.600	SA2018008 Water Res Infrastructure Fr TMDL
2018008	3-9100-51000-351000-512090-9999	-300,000.000	SA2018008 WR TMDL Borrowed Proceeds
2018008	3-9100-51000-351000-512050-9999	300,000.000	SA2018008 WR Rev to Water Res Infrastructure
2018008	4-9010-95000-495000-312807-9999	-6,000.000	SA2018008 Cost of Issuance
2018008	4-9010-93010-493010-930202-9999	-300,000.000	SA2018008 Transfer to WR CIP Borrowed Proceeds
2018008	3-9010-41400-341000-410530-9999	-306,000.000	SA2018008 WR TMDL Borrowed Proceeds
2018008	4-1650-93010-493010-930202-9999	300,000.000	SA2018008 WR Rev Fund Bal to Water Res Infrastructure
2018008	3-1650-51000-351000-510100-9999	300,000.000	SA2018008 WR Rev to Water Res Infrastructure
TOTAL		50,851,495.940	

Agenda Item No. 22. **Work Session:** ZTA Transient Lodging.

The Executive Summary as presented to the Board states that the Board held a work session on May 3, 2017 to discuss transient lodging issues related to taxation, zoning regulations, compliance issues, and a new state code provision that allows localities to establish a registry for short-term rentals. (Attachment A) A public hearing and Board action took place on June 14, 2017 to update the transient occupancy tax and BPOL sections of the County Code as they relate to short-term rentals. The purpose of this work session is to continue discussion on zoning issues. The Board is asked to provide direction on the scope of the zoning text amendment process by affirming the two recommended areas of focus.

The May 3, 2017 report (Attachment A) includes information on current Zoning Ordinance allowances for residential transient lodging, referred to in the ordinance as Accessory Tourist Lodging (ATL) in the Development Areas and Bed and Breakfast (BNB) in the Rural Areas. With this report, staff is providing a current list of ATL and BNB applications that have been reviewed and approved in the County, including number of guest rooms.

Staff has researched a number of communities that have recently updated their regulations to allow home-based transient lodging to see if any common trends exist in the regulations (Attachment B). Staff found the following:

- Those that allow whole house rental require that the home be used as a residence and some require it be owner-occupied.
- Some communities regulate the number of guests while others, like Albemarle, regulate the number of rooms.
- Some communities limit ATLS to single family detached units. Communities that allow this use require an application, including verification of safety requirements and in some localities, proof of insurance.

Staff believes zoning changes to expand allowances for transient lodging should be balanced with the County's goals of protecting existing neighborhoods, ensuring affordable housing is available, and not commercializing the Rural Areas. Staff believes that the current Albemarle County goals for tourism are different than resort cities, such as beach communities. For this reason staff does not recommend the County consider whole house rentals ("vacation rentals"). The original purpose of ATLS was to supplement lodging for visitors to the City and County for events such as graduation and football games. It also allowed for homeowners to gain income from periodic rentals without changing the character of the area.

Staff believes that a limited expansion of opportunities for home-based transient lodging should be considered, and believes the scope of the zoning text amendment should be focused on two areas. The recommended areas of focus for the zoning text amendments are:

1. Expanding zoning regulations to include allowance of transient lodging in attached dwellings such as townhomes and condominiums.
2. Amendments to deal with periodic whole house/apartment rentals, since this activity appears to be very common in the County and across the country.

All other County zoning, building code, and fire marshal requirements would remain in place and these establishments would also be required to collect the Transit Occupancy Tax (TOT).

PUBLIC INPUT PROCESS Staff believes the public input process for considering these zoning changes should allow for broad stakeholder engagement and follow the public engagement model used for other recent text amendments. The recommended process is outlined in Attachment D.

There is no anticipated need for additional staff or funding to complete this work. As staff time is fully allocated in the current year, this work potentially creates a very small delay in starting other new initiatives.

Staff recommends the Board endorse the two focused topic areas for the transient lodging zoning text amendment process.

Once these parameters are set by the Board, staff will move forward with the public process as outlined in Attachment D.

Ms. Rebecca Ragsdale, Senior Permit Planner, reported that prior to the public hearing, she will provide a refresher of the current zoning regulations. She reminded the Board that they took up this topic in March when discussing the community development work program and the Comprehensive Plan strategy, and decided that the County should study this issue and consider whether regulatory changes should be made, as well as how to address non-compliant operators. She emphasized the question of allowing for economic activity while protecting the quality of life in residential neighborhoods and meeting rural area policy goals. She indicated there are two considerations for the Board to review for a potential zoning text amendment process: 1) Shall they allow periodic whole house rentals (with limitations); and 2) Should they allow rentals in townhomes, apartments, and condos. She stated that they currently allow rentals as an accessory use in a house that is used as a dwelling, with a requirement in the rural areas that someone live on the property. She said there already are distinctions between the development and rural area zoning regulations, which were last updated in 2012 to allow some flexibility in the rural areas.

Ms. Ragsdale explained that an owner can rent out up to five rooms in a single family, detached structure, and in the development area, the structure must be the residence of someone, either owner or tenant. She stated that in the development area, the rental may either be in an accessory structure or the manager/owner must reside on the parcel, though not necessarily in the same structure. She said the County has processed applications for larger, rural area properties that have more than one house, with the owner residing in one house and up to five rooms rented in another house. Ms. Ragsdale stated that one may not rent out the whole house without an owner or manager present. She stated that they do not allow rooms to be rented in a townhouse or apartment unit and do not permit renting of a detached structure in the development areas. She said they do allow weddings or other special events in the rural areas without a special use permit.

Ms. Ragsdale reviewed the process of obtaining a zoning clearance, which requires an application and a \$108 fee, building inspection, a \$50 fee for a Fire Marshal inspection, Health Department fee of \$40 plus application (if required), and two parking spaces per house plus one per guest room. She stated that once this is completed, the applicant establishes their business with the

Finance Department to pay the transient occupancy tax and BPOL tax, if necessary. She said the County has seen more applications this year, with more in the rural areas than in the development areas and a fair amount for just one guest room, which do not require Health Department approval. She stated that the approval process for applications varies according to number of rooms and whether a Health Department inspection is required. She said they reviewed what some other localities have done, such as Blacksburg and Arlington, and noticed some common themes, such as a requirement that the primary structure must be someone's home and that tourist lodging is periodic and not the primary use. She stated that some communities regulate the number of guests while others, such as Albemarle, regulate the number of rooms. She said that Blacksburg does not charge an application fee nor require an inspection and allows for self-certification.

Ms. Ragsdale stated that they have had four instances of property owners who own property right beside each other and want to rent out a house, but the ordinance is written such that they must be on the same tax parcel. She next explained staff's recommended public input process, with separate meetings for the rural and development areas that would involve Community Advisory Councils as hosts. She stated that the meetings would involve public input as well as input from current hosts and hosting groups, and after the public meetings the Planning Commission will review the findings and start a public hearing process. She noted that during this timeframe, they will also need to discuss incorporation of the short-term registry into the County code.

Ms. Palmer noted that staff recommends periodic whole house rentals, with limitations. She asked what limitations they thought might be appropriate. Ms. Ragsdale responded that some other localities limit the number of days per year that a property may be rented out, as well as requiring a minimum number of days when it must serve as a residence. She stated that in Colorado, there are communities that cap the number of homes that may have rentals.

Mr. Sheffield commented that a concern of his about holding a public discussion is that they will hear more about the bad cases than the successes, as is often the case with public meetings.

Ms. Palmer noted they have received more compliments than complaints so far.

Ms. Mallek stated that people may feel threatened and are concerned with what might happen out of their control next door or down the hall or upstairs in a townhouse. She said they should consider how to change regulations without undermining the character of a neighborhood and prevent absentee property owners from gobbling up properties to advertise as short-term rentals. She stated that they should not sacrifice neighborhoods to make a few people rich. She said it could be a burden on staff to keep track of whether a resident is really living onsite for a prescribed number of days. She commented that she is very concerned.

Ms. Palmer responded that there are many people doing this that the County does not know about, and they should have a mechanism to ensure safety.

Mr. Dill stated that he has stayed in Air BnB homes and it is a tremendous opportunity to stay in a home instead of a boring, high-rise hotel, and it also provides an opportunity for the property owner to earn some extra money. He said they are creating a lot of barriers for people who just want to make some extra money, such as zoning clearance, Health Department clearance, fees, and BPOL tax. Ms. Ragsdale replied that they are trying to make it easier for people to understand the steps necessary to obtain a permit. She stated that it could be helpful to have one-stop shopping on the County's website. She noted that smoke detectors and fire extinguishers are the main ticket items except for someone who does not have a septic field with capacity for the additional usage volume of gas as this would have an associated cost.

Mr. Randolph stated that it is important to be aware of the number of commercial hotel rooms available versus the demand, stating that if there were a shortage of hotels and bed and breakfasts in the County then it would be totally appropriate to support expansion of transient housing. He stated they should be mindful that, just as the internet is a threat to the retail sector, transient housing is a threat to the lodging sector. He said that transient housing does not cover its costs. He stated that the costs to get into the transient lodging business are extremely low barriers. He noted that he recently traveled in France and stayed at lodging equivalent to Air BnB and he described the various taxes and fees the owner is required to pay. He stated they should consider the long-term effects transient lodging could have towards the attractiveness of the community to full-time business operators. Mr. Randolph stated that he does not think people are out to get rich in this business, but the County should look at the possibility that someone might start out part-time and eventually open a bed and breakfast, which is the kind of model he would like to see them support, rather than having no entry costs and minimal regulations.

Ms. Mallek asked Supervisors if there is support for townhouses or anything other than single family, as she only supports single family.

Mr. Sheffield stated that there is not a clearly demonstrated threat to the safety and health of the community and he does not support a public engagement process, as they will hear more about the bad cases than the good.

Ms. McKeel asked Mr. Sheffield if his position is to not make changes and leave things the way they are. Mr. Sheffield replied affirmatively.

Ms. Palmer stated that some regulations are ambiguous, and they need to give people some clarity.

Ms. McKeel expressed support for a community discussion, as they could at least educate those who are not in compliance. She stated that they could end up not making any changes, and she does not know where they will come down on this. She noted that associations, such as the Virginia Municipal League, are suggesting they address this issue.

Mr. Dill commented that he is not against taking a look at this, but believes they should obtain more information before holding public meetings where people will come to complain.

Ms. Ragsdale stated that staff could prepare more information so that people would be able to consider both sides of the issue.

Mr. Randolph stated that it would be important to hear from homeowner's associations that have decided not to allow transient lodging in their communities and learn what their experiences have been. He said they would all like to think that people will act appropriately and be good actors, but this has not always worked out as conceived.

Mr. Dill stated there will be occasional bad actors, but people have been doing this for years in this community and they have not had a lot of incidents. He stated that they want people to visit the County and go to wineries and weddings and should not put up barriers. He said they should have this discussion, but it should not be fear based. Mr. Dill said that as far as establishing businesses, this is what they try to encourage with all the startups at Darden Business School and hotels should have some competition from home businesses.

Ms. Palmer emphasized that a lot of people are doing this, while the County's regulations say they are not supposed to, and this is why they need to bring the regulations closer to what is actually happening in the community.

Ms. Mallek stated that Charlottesville does not want anyone to be out of compliance and so it is wide open, which she feels is a big mistake.

Ms. Palmer said she is looking for something in between.

Ms. Mallek replied that enforcement is difficult.

Ms. Sheffield stated that they are encouraging people to dictate what neighbors can do with their property.

Ms. Mallek said this is what community standards are all about, and they have had them for over 100 years.

Ms. Ragsdale stated that the County has already adopted a resolution of intent with these topic areas and had incorporated a short-term rental registry.

Mr. Walker clarified that the specific recommendation in the executive summary asks the Board to endorse the two focused topic areas as presented. He asked Mr. Kamptner if Board consensus is sufficient or if a vote is required to move forward.

Mr. Kamptner replied that a consensus is sufficient if it does not reflect an endorsement of any particular policy.

Ms. McKeel emphasized that consensus to move forward does not mean consensus to support any particular action.

Ms. Mallek offered suggestions for a list of items to consider, stating that they should consider rules that prohibit certain activities and research what other communities have done.

Ms. McKeel suggested that the public meetings be held in late August, after school has started and people have returned from vacation.

Agenda Item No. 23. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek encouraged Supervisors to read an article in the Virginia Association of Counties magazine about public-private partnerships that she had begun reading but not yet finished.

Ms. Mallek referred to Consent Agenda Item 8.11 concerning the Rio Area Small Area Plan. She suggested they obtain more updates from the advisory panel, as she is particularly interested in one of the basic assumptions in the plan that the County is not competing with downtown Charlottesville. She asked why they are saying that they are second-rate citizens in Albemarle and not doing anything to be competitive with downtown Charlottesville. She wonders if this came out of one of the charrettes and wants feedback. Ms. Mallek stated that they have a chance to have a real downtown of their own with real things going on, and while City Councilors think everything is supposed to happen downtown, she differs

in opinion.

Mr. Randolph expressed agreement.

Mr. Dill recognized a ribbon-cutting ceremony he attended last week to celebrate the opening of Riverside Village, which is the first commercial development that recognizes the County's vision of utilizing the Rivanna River and having it be a more visible part of the community. He stated that the development is mixed use and overlooks the river.

Ms. Mallek expressed hope that they will improve the pull-out spot so that people paddling could easily pull out and walk up to the restaurant.

Ms. McKeel addressed Ms. Mallek's comments about not competing with downtown Charlottesville. She stated that these are comments made by citizens at public charrettes and are not from staff.

Mr. Mark Graham came to the podium to remark on Ms. McKeel's observation. He stated that this idea was generated from citizen comments made at a pop-up charrette. He said the facilitating consultant, Renaissance Planning Group, offered three levels of intensity for participants to choose from. He noted that Renaissance is serving in a support role, with County staff taking the lead role.

Mr. Dill asked if he could share any insights from the charrettes. Mr. Graham stated that he was impressed with the turnout of 60–70 people on a rainy night.

Ms. Mallek expressed relief in learning about where the idea came from.

Mr. Sheffield commented that there are reasons why some people live in the City and others in the County, and while they are asking County residents for feedback on a County concept, some feedback would reflect their frustrations with the City. He stated that there are County residents who do not want to be in an urban environment and will not want to replicate this setting.

Agenda Item No. 24. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Walker asked if the Board would clarify that they do not expect him to prepare a report for the work session to be held Wednesday, July 12, at Yancey Elementary School. He stated that his expectation was that it would be a 15-minute brain storming session and would allow Supervisors to share their thoughts. Ms. McKeel agreed.

Mr. Walker noted that the packet for the July 12 meeting will be distributed tomorrow and includes the executive summary for the draft economic development and strategic plan. He stated that the actual draft plan will be distributed no later than close of business on July 7.

Mr. Walker asked who will be attending the VDOT discussion about Berkmar the following morning. He counted five Supervisors who will attend plus one maybe, as well as Mr. Kamptner and himself.

Agenda Item No. 25. Closed Session. *(if needed)*

There was no need for an additional Closed Session.

Agenda Item No. 26. Adjourn to July 12, 2017, 12:30 p.m., Hilton Garden Inn.

At 7:25 p.m., Ms. McKeel **moved** to adjourn to July 12, 2017 at 12:30 p.m. at the Hilton Garden Inn in Charlottesville. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Sheffield.
NAYS: None.

Chairman

Approved by Board
Date 10/11/2017
Initials CKB

