

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on August 2, 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 and Mr. Rick Randolph.

ABSENT: Mr. Brad L. Sheffield.

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, Officer Lowery.

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 Mr. Dill to adopt the final agenda. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

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

Ms. McKeel announced that Mr. Sheffield is absent today as he is attending his daughter's university orientation.

Ms. Palmer announced she had attended a productive working group meeting at Yancey School the previous evening, at which a variety of issues were discussed. She said they were looking at ways to keep the school open during the summer for the food pantry and gym.

Mr. Randolph announced that he and his wife had traveled to Montgomery County, Pennsylvania, near Philadelphia, to see his brother's new grandchild. He commented that he was struck by the number of signs in front of houses that had messages of tolerance and was encouraged that so many were not buying into an agenda of intolerance towards other human beings.

Mr. Randolph said he had gone cycling during his trip and noted the poor conditions of the local roads, and contrasted this with the better maintenance of the roads when he lived in that area in the 1970s and 80s.

Mr. Randolph said the watershed in eastern Montgomery County is part of the *Wissahickon* Creek watershed, which includes a bridle path leading into Philadelphia which, he noted, is also in terrible shape. He said there had been so much development in the watershed that they now have semaphores to close the roads during storms. He said they are paying the price for this level of residential development, with a lack of awareness to implications for the watershed.

Ms. McKeel noted her past observations that many departments of transportation across the country have been removing asphalt and leaving gravel in its place due to lack of funds for paving. She noted that a 60 Minutes episode focused on this issue. She also referred to a recent National Public Radio broadcast about fish swimming in the streets of Miami during high tide.

Mr. Randolph added that during his recent trip to Pennsylvania, he also passed some quarries he used to drive by and they have been filled in with coal slag, with a housing development constructed on top. He speculated that a sinkhole could eventually develop.

Ms. Mallek announced the Albemarle County Fair begins on August 3rd and will run through August 5th, located at Ashlawn-Highland. She expressed hope that the Fair will find a permanent home soon.

Ms. Mallek announced a successful and well attended National Night Out at Old Trail, with representatives from the fire and police departments. She noted that this event, which focuses on community safety, is held at a different location each year.

Mr. Dill announced that Martha Jefferson Hospital had held its first major concert event at its amphitheater on Wednesday and that attendance was over 600, exceeding expectations. He said it was a great community event and one more aspect of the Pantops community coming together.

Ms. McKeel announced that she had attended a neighborhood meeting on July 31, at which they discussed the graffiti on a large, concrete wall as part of Art-In-Place that had fallen as a result of wind shear. She stated that they have been fundraising and now have enough money to move forward with a replacement piece, thanks to pledges from the University of Virginia, members of the community, and VDOT. She said they entertained suggestions from community members at the meeting, and the Bridge and Charlottesville Mural Project would soon invite artists to submit proposals. She said the wall is owned by VDOT, so they have been working with Joel DeNunzio in the process.

Ms. Palmer announced that a project to rehabilitate 28 houses in Alberene, funded by a community block grant for AHIP, is underway. She said she visited the site the previous week and toured one of the homes, which was an historic house, and noted the original windows and wood. She said that AHIP was able to work with the County and the state to rehabilitate the house with consideration for its historic nature.

Agenda Item No. 6. Proclamations and Recognitions:

Item No. 6a. Proclamation Recognizing Charlottesville-Albemarle Bar Association.

Ms. Palmer announced that the Charlottesville-Albemarle Bar Association (CABA) was recognized as Bar Association of the Year by the Virginia Bar Association. She asked Ms. Palma E. Pustilnik to come forward. Ms. Palmer then read and offered **motion** to adopt the following proclamation recognizing the CABA.

CHARLOTTESVILLE-ALBEMARLE BAR ASSOCIATION

WHEREAS, the Charlottesville-Albemarle Bar Association (CABA) has worked together to serve the interests of the community and its members since 1916; and

WHEREAS, the Charlottesville-Albemarle Bar Association is a voluntary organization with no paid staff presently enjoying a membership of 436 attorneys; and

WHEREAS, the Charlottesville-Albemarle Bar Association provides direct financial support to Aid in the Central Virginia Legal Aid Society (CVLAS), which provides free civil legal assistance to low income people in five cities and fifteen counties in Virginia, including, since 2010, donations totaling \$27,500.00; and

WHEREAS, the Charlottesville-Albemarle Bar Association also contributes annually to the Legal Aid Justice Center (LAJC) in the amount of \$16,000.

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby congratulate the Charlottesville-Albemarle Bar Association for its recognition by the Virginia State Bar, at its Annual Meeting in June 2017, as the Bar Association of the Year; and

BE IT FURTHER RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby express its gratitude to the Charlottesville-Albemarle Bar Association for its pro bono contributions that have tremendously helped the citizens of this community.

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

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

NAYS: None.

ABSENT: Mr. Sheffield.

Ms. Palma E. Pustilnik, Senior Staff Attorney with the Central Virginia Legal Aid Society, accepted the proclamation. She thanked the Board and noted that she was the former Chair of CABA. She said it is a great community to work in, and the Board of Supervisors' endorsement is very gratifying.

Item No. 6b. Recognition of NACo Awards:

NACo 2017 Achievement Award-Turnout Gear Centralization System

Ms. McKeel invited Mr. Dan Eggleston, Fire Chief, to address the Board. She speculated that most citizens do not know about the gear repair program, which the County had started by working with volunteers. She said the issue arose in 2015 when many fire stations were sending out gear to be repaired, without coordinating with other stations. Ms. McKeel stated that the program established a

central location for storage and repair of turnout gear as well as administration of a management system. She stated that average repair time had been reduced from 12 days to one and repair costs have been reduced dramatically, saving the County approximately \$38,000 over two years.

Mr. Eggleston presented a video about the program, which reviewed how they trained local resident volunteers to sew and repair the gear and included interviews with several volunteers. He recognized firefighter Mr. Doug Brady and Captain Nickie Huff for initiating the program. He said that Albemarle is the best Fire Department he has worked for and commented that everyone should be proud of the people in the department who take care of citizens.

Ms. McKeel invited volunteer gear repair technicians Ms. Ann Newmark, Ms. Patricia Mininberg, and Ms. Martha Truxull to come forward to join in acceptance of the award.

NACo 2017 Achievement Award - Regional Firearms Range Training Facility Project

Ms. McKeel invited the recipients to come forward to accept the award. She said the award is in the area of county administration and management. She said the County and City had been sharing use of a local, private club and had to travel to other communities to conduct firearms training which was costly and resulted in a minimum level of training. She said a \$6 million regional state-of-the-art training center for use by nearly 400 area police personnel was opened in June 2016 on property owned by the University of Virginia.

Mr. Trevor Henry, Director of Facilities and Environmental Services, addressed the Board. He said the project would not have happened without partnering by the County, City, and University of Virginia. He recalled that a few years ago, they tried to build an outdoor range, but that had not been a successful effort. He credited Chiefs Gibson, Sauers and Longo for working together to find a solution through a forfeiture award grant. He invited County Police Chief, Ron Lantz, to speak about the benefits of the new training facility.

Mr. Ron Lantz addressed the Board and credited Mr. Henry and his staff as being the driving force behind the project. Mr. Lantz stated that the facility has allowed departments to train together and provides for higher quality training. He said they often receive requests from other police departments across the country to tour the facility.

Center for Digital Government 2017 Digital Counties Survey Award (1st place)

Ms. McKeel noted that for 15 years the County has been ranked in the top ten of the survey, and this year they won first place. She presented the award to Mr. Mike Culp and invited him to address the Board.

Mr. Michael Culp, Director of Information Technology, addressed the Board, stating that the award was a team accomplishment and a great honor and recognition for the County nationally. He recognized the efforts of elected officials, citizen volunteers, and County leadership, and invited County staff to stand in order to be recognized.

Ms. McKeel noted that Albemarle County was recently awarded a Sol Smart bronze designation for making solar faster, cheaper, and easier.

Mr. Walker commented that it is good to take the time to acknowledge and celebrate the work done by staff on behalf of citizens to make our community better. He thanked Ms. McKeel for attending the NACO conference in Columbus, Ohio and for accepting the awards on behalf of the County.

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

Mr. Darryl Marshall, President of the Kingfisher's Fishing Club, addressed the Board. He said the club is part of the Senior Center and their interest involves access to waterways for fishing. He stated that there were three locations they were interested in talking with the Board about. He said the first involves the boat launch ramp at Rivanna Reservoir, which he said is not well maintained and needs maintenance. Mr. Marshall stated that this poses a security problem for the Rivanna Water and Sewer Authority (RWSA) and they would like to close it. He said he understands the County had purchased property just north of this location with a plan to build a public boat access with parking and picnic tables, and he encourages the County to build the boat access as soon as possible. Mr. Marshall said the second location of concern is at the bridge where Woodlands Road crosses the Rivanna Reservoir. He said the road was abandoned and flooded when the reservoir was filled, presenting a safety hazard as there was not sufficient room for cars pulling boats. He stated that a bit of road repair and "No Parking" signs could address this issue relatively easily. He said the third location of concern is a planned boat access under the new bridge at Berkmar and asked if there is anything the fishing club could do to encourage this to move forward.

Mr. Jeff Werner of the Piedmont Environmental Council addressed the Board. He noted the Board is about to review options for a park at the Heyward property, and applauded the goal of providing additional recreational open space to the community. He asked the Board what their plan is to make the

park accessible to bike and pedestrian traffic, adding that it is disappointing that this park project had seemingly moved ahead of other park and trail projects that would directly serve the growth area. Mr. Werner noted the County's growing urban population and the Comprehensive Plan calls for investment within the growth area. He said the community is clamoring for a recreational area that they can walk or bike to, and that planning and funding for growth area amenities is a critical element of modern economic development. He stated that young professionals and entrepreneurs look for these amenities when choosing where to live, work, and start a business. He noted that Deschutes Brewery had requested that the City of Roanoke extend its riverfront trail to their new plant site. Mr. Werner said the Heyward property was a wonderful gift, but it is shortsighted to not plan for or recognize the importance of making new parks accessible to urban residents. He stated that a robust urban trail and park network has a direct correlation to economic development goals. He urged the County to commit to completion of an urban trail system which is more in line with the goals of the Comprehensive Plan than another rural park, pointing out that over half the parks and 80% of park acreage are in the rural area.

Mr. Jim Foley, resident of the Rivanna District, addressed the Board. He said he is an ice hockey official and also drives a school bus for the County. He expressed surprise at receiving a retroactive bill for business taxes and said he does not believe it is fair to go back three years. He expressed support for increasing the gross receipts threshold to \$25,000. He thanked the Board for making Albemarle County a great place to live.

Ms. McKeel said the County and City had applied for a grant through CACF to conduct a study on connectivity. She said this work is ongoing and is being conducted by Thomas Jefferson Planning District Commission, and Chip Boyles of the TJPDC had informed her that he would provide a report and update this fall. Ms. McKeel said she has a copy of the grant proposal, which explains the nature of their work, and offered to send it to Supervisors via email.

Ms. Palmer said there is a request for proposal to hire a part-time person.

Agenda Item No. 8. Consent Agenda.

(Discussion: Mr. Randolph asked that Items 8.3 and 8.4 be pulled for discussion at end of meeting.

Ms. McKeel agreed to Mr. Randolph's request.

Ms. Mallek pulled her minutes of September 7, 2016.

Ms. Palmer pulled the minutes of February 17, 2017.

Motion was then offered by Ms. Mallek to approve Items 8.1 (as read), 8.2, 8.5, and 8.6, and to pull Items 8.3 and 8.4, for further discussion. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

With regard to Item 8.4, Mr. Walker said there are aspects of the appropriation action of additional speed signs, which he believes were of concern to Ms. Palmer. He said he does not believe she had a concern with the merits of the recommendation. He said staff will be available tonight to address questions about the four additional signs.

Ms. McKeel agreed with Mr. Walker's suggestion that they have this discussion while people are present.

Mr. Andy Bowman, Senior Budget Analyst, presented. He said an amendment to Appropriation 2018-011 would provide \$23,000 to the Police Department for the purchase of four traffic safety signs. He said they recently learned that VDOT would contribute to the cost of purchasing two of the signs and so they are providing the Board with a revised request for \$13K with VDOT funding the remainder.

Mr. Walker said they prepared an amended resolution and appropriation ordinance that reflects this change.

Mr. Walker noted that the Board had discussed having a total of 10 traffic safety signs, but the Police Department suggests they add 4 signs to the 2 they already have, for a total of 6 signs.

Ms. Mallek and Ms. McKeel expressed their willingness to accept the recommendation of the Police Department to purchase four signs.

Mr. Dill noted the success of a speed sign installed at Key West, although there was an issue with having the correct type of pole to hang the sign from. He asked if the police would have the proper poles from which to hang the signs.

Mr. Miller Stoddard, County Police Lieutenant, responded to Mr. Dill's question, stating that it may be difficult to find the right area for the signs. He explained that it is not as much of an issue as when they replaced the larger speed trailers, but they would have to find a shoulder that is large enough, put up warning cones, and obtain permission from homeowners to place them in their yards. Mr. Stoddard said the new, smaller signs that are placed on a post are easier to use than the old signs, they have mounting equipment, and they have received assistance from VDOT to make adjustments to poles.

Ms. Mallek asked if they are able to use utility poles. She said people in many neighborhoods are begging for these signs and she is sure some landowners would be willing to have the safety signs installed on their properties. Mr. Stoddard replied that they do not use utility poles and try to place the signs on speed limit or safety signs.

Mr. Randolph commended the Police Department for its report that explained the reason for reducing the number of signs.

Ms. McKeel agreed that the report was well written. She noted that one of the signs was vandalized by shots. Mr. Steinart confirmed this, but pointed out that the sign still works.

Item No. 8.1. Approval of Minutes: July 6, September 7, September 14, October 11, October 12, November 9, and November 29, 2016; January 17, February 6, February 16, February 17, February 23 and March 1, 2017.

Mr. Randolph had read the minutes of July 6, 2016 and February 16, 2017 and found them to be in order.

Ms. Mallek pulled her assigned minutes of September 7, 2016, and asked that they be carried forward to the next meeting. She had read the minutes of February 23 and March 1, 2017, and found them to be in order.

Ms. Palmer had read the minutes of October 11, 2016 and found them to be in order. She pulled her assigned minutes of February 17, 2017 and asked that they be carried forward to the next meeting.

Mr. Dill had read the minutes of September 14, 2016 and February 6, 2017 and found them to be in order.

Ms. McKeel had read the minutes of November 9 and November 29, 2016 and found them to be in order.

Mr. Sheffield assigned minutes of October 12, 2016 and January 17, 2017 were carried forward to the next meeting.

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

Item No. 8.2. FY 2017 Appropriations.

The Executive Summary forwarded 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 total increase to the FY 17 budget due to the appropriations itemized below is \$30,625.81. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

This request involves the approval of one (1) appropriation as follows:

- One (1) Appropriation (#2017105) to appropriate \$30,625.81 for the Fire Rescue Apparatus Replacement program.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriation as described in Attachment A.

Appropriation #2017105 **\$ 30,625.81**

Source: Local: North Garden Volunteer Fire Company \$ 30,625.81

This request is to appropriate \$30,625.81 in revenue from the North Garden Volunteer Fire Company to support the costs associated with replacing and equipping Engine 32. The funding is primarily for upgrading to a larger engine than is required by the County's specifications, which is funded in the capital Fire Rescue Apparatus Replacement Program. The engine has been received and is operational.

By the above-recorded vote, the Board adopted the following Resolution to approve the appropriation as described:

**RESOLUTION TO APPROVE
ADDITIONAL FY 17 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2017105 is approved; and
- 2) That the appropriations referenced in Paragraph #1, above, is subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2017.

**COUNTY OF ALBEMARLE
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2017105	4-9010-32020-432020-810306-3140	30,625.81	SA2017105 FR Apparatus Repl Program N Garden
2017105	3-9010-19000-319000-199904-3140	30,625.81	SA2017105 FR Apparatus Repl Program N Garden
TOTAL		61,251.62	

Item No. 8.3. FY 2018 Appropriations.

The Executive Summary forwarded 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 total increase to the FY 17 budget due to the appropriations itemized below is \$308,289.29. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

This request involves the approval of nine (9) appropriations as follows:

- One (1) Appropriation (#2018010) to appropriate \$10,000 for the Community Development Block Grant (CDBG) supporting the Southwood Planning project;
- One (1) Appropriation (#2018011) to re-appropriate \$23,110.00 to the Police Department for the purchase and maintenance of four speed indicator signs;
- One (1) Appropriation (#2018012) to re-appropriate \$55,469.86 to the Department of Information Technology for various projects;
- One (1) Appropriation (#2018013) to appropriate \$4,500.00 in State Grant revenues to supplement the local contribution to the Piedmont Council for the Arts;
- One (1) Appropriation (#2018014) to re-appropriate \$16,276.93 to the Computer Maintenance and Replacement Fund;
- One (1) Appropriation (#2018015) to appropriate \$119,432.50 from the ECC fund balance to the Emergency Communications Center (ECC) for various projects;
- One (1) Appropriation (#2018016) to appropriate \$10,000.00 for the Project Management Division of Facilities and Environmental Services Department;
- One (1) Appropriation (#2018017) to appropriate \$45,000.00 to various capital projects; and
- One (1) Appropriation (#2018018) to appropriate \$24,500.00 for project management services in various capital projects.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations as described in Attachment A.

Appropriation #2018010 \$10,000.00

Source: Federal Revenue \$ 10,000.00

This request is to appropriate \$10,000.00 in 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 Habitat for Humanity to create a development plan for the Southwood community.

Appropriation #2018011 (amended) \$23,110.00

Source: General Fund fund balance \$ 13,555.00

State Revenue \$ 9,555.00

This request is to re-appropriate \$13,555.00 FY 17 General Fund fund balance and \$9,555.00 in state revenue to the Police Department for the purchase and maintenance of four speed indicator signs. This funding is available due to departmental expenditure savings in FY 17. These signs support the Department's Traffic Safety Program strategy by promoting traffic safety through their presence and providing comprehensive reports on traffic flow, vehicle volume, and speed data. If approved, an ongoing maintenance cost of \$4,000.00 will be included as part of the Police Department's FY 19 Recommended Budget.

A separate August 2 executive summary includes additional information regarding staff's proposed purchase of additional Speed Indicator Signs.

The proposed use of the General Fund fund balance for this item will not reduce the County's 10% unassigned fund balance reserve; however, it does reduce the amount of General Fund fund balance that would be available for other uses in the future.

Appropriation #2018012 \$55,469.86

Source: General Fund fund balance \$ 55,469.86

This request is to re-appropriate FY 17 General Fund fund balance to complete Information Technology (IT) projects that were started but not completed in FY 17 and to provide funding for purchase orders initiated in FY 17 but delivered in FY 18. This funding is available due to departmental expenditure savings in FY 17.

- Requests the re-appropriation of \$40,876.00 to complete the website redesign project.
- Requests the re-appropriation of \$11,610.00 to continue implementation of the Digital Workspace plan. This provides tracking and reporting systems for key initiatives and projects, including the Strategic Plan.
- Requests the re-appropriation of \$2,983.86 to complete an Innovation Fund project that will allow IT to build a remote wireless camera system for the Police Department to use at major public events.

The proposed use of the General Fund fund balance for this item will not reduce the County's 10% unassigned fund balance reserve; however, it does reduce the amount of General Fund fund balance that would be available for other uses in the future.

Appropriation #2018013 \$4,500.00

Source: State Grant Revenues \$ 4,500.00

This request is to appropriate \$4,500 in Virginia Commission for the Arts' Local Challenge Grant revenues to supplement the County's local contribution to the Piedmont Council for the Arts.

Appropriation #2018014 \$16,276.93

Source: Computer Maintenance/Repl. Fund fund balance \$ 16,276.93

This request is to re-appropriate the FY 17 balance of \$16,276.93 in the Computer Maintenance and Replacement Fund to FY 18. This fund is used for replacement and maintenance of desktop personal computers, laptops, mobility devices, and printers.

Appropriation #2018015 \$ 119,432.50

Source: ECC Fund Balance \$ 119,432.50

The Emergency Communications Center (ECC) requests that the County, acting as fiscal agent for the ECC, appropriate funding for the following purposes, which would be funded by ECC fund balance:

- \$82,865.00 for the reclassification of ECC staff based on the evaluation completed by Albemarle County's Department of Human Resources;
- \$19,567.50 to increase the number of licenses for the ECC's emergency management software; and
- \$17,000.00 for replacement computers at each console within the ECC.

Appropriation #2018016 \$10,000.00

Source: General Fund fund balance \$ 10,000.00

This request is to appropriate \$10,000 to provide temporary part-time staffing to the Project Management Division of the Facilities and Environmental Services Department. This funding is available due to departmental expenditure savings in FY 17. This will provide part-time assistance for the Internal Service Fund management and development, Transportation Revenue Sharing Program (TRSP) management,

and administrative duties of this division due to the planned absence of a current staff member. This assistance will also assist the Department to finalize the Internal Service Fund budget for FY 19, support Capital project management hour projections for FY 19, Transportation Revenue Sharing reimbursements, and other administrative duties. Some overlap for training the temporary employee will be required in advance of the current staff member's departure.

Appropriation #2018017 **\$45,000.00**

Sources:	School Capital Fund fund balance	\$	45,000.00
	WAHS Environmental Studies Phase I project*	\$	45,000.00
	Old Lynchburg Road Sidewalk*	\$	150,000.00

*These portions of the appropriation will not increase the total County budget.

This request is to appropriate funding for the following purposes:

- This request is to appropriate \$45,000.00 in School Capital Fund fund balance to support the Learning Space Modernization Project. The funding will support the Learning Space Modernization Project's original scope, which was recently impacted by re-allocating \$1.5M in funding from the Learning Space Modernization Project to the Woodbrook Elementary School Addition-Modernization project on May 10, 2017. This funding is available from the Henley Middle School Auxiliary Gym Addition project, which is substantially complete and no longer requires these funds.
- This request is to appropriate \$45,000.00 to the Western Albemarle High School Environmental Studies Academy (WAHS) Phase II project from the WAHS Environmental Studies Phase I project (revenue for this project is School Capital Fund fund balance.). The funding supports projected construction bids coming in over current appropriation for the Environmental Studies Phase II project. The WAHS Environmental Studies Phase I project is substantially complete and no longer needs these funds. This will not increase the total County budget.
- This request is to appropriate \$150,000.00 in Virginia Department of Transportation Revenue Sharing Program funds to the Hydraulic-Barracks Road Sidewalks project from the Old Lynchburg Road Sidewalk and Pedestrian Safety Improvements project to address the shortfall in funding based on the latest re-bid. The Old Lynchburg Road Sidewalk and Pedestrian Safety Improvements project construction began on July 11, 2017 and will be completed by September 12, 2017. Staff substantially reduced project cost by preparing it as a "No Plans/Sketch Plan" project within the existing right-of-way and by using an On-Call Paving contract.

Appropriation #2018018 **\$24,500.00**

Source:	Capital Funds fund balance	\$	42,280.00
	Water Resources Fund fund balance	\$	(17,780.00)

This request is to amend the Capital project management fees budgeted for various capital projects to reflect FES's most current project management cost estimates. The net amendment is \$24,500.00 which is collectively due to an appropriation of \$130,223.00 in School Capital Fund fund balance monies, a reduction in appropriated General Government Capital Fund fund balance monies of \$87,943.00, and a reduction of appropriated Water Resources Fund fund balance monies of \$17,780.00. Changes are summarized below by Fund and by project:

Projects by Fund	Change +/-
School Capital Fund	
School Security Improvements Program	\$16,590.00
Western Albemarle High School Environmental Studies Academy Phase 2	\$48,650.00
Woodbrook Elementary School Addition-Modernization	\$15,400.00
School CIP Maintenance Program	\$52,733.00
Scottsville Elementary School Sitework Improvements	-\$3,150.00
Total School Fund	\$130,223.00
General Government Capital Fund	
County Owned Parks Maintenance	-\$7,770.00
Courts Facilities Addition/Renovation	-\$14,055.00
Crozet Park Maintenance	-\$7,000.00
Ivy Materials Utilization Center New Facility	\$3,500.00
Pantops Public Safety Station	-\$14,000.00
Public Works Facility Maintenance-County Owned	-\$4,340.00
Rescue 8 Renovation	-\$10,500.00

Sidewalk, Hydraulic and Barracks Road	-\$14,000.00
Sidewalk, Ivy Road (Rt. 250 West)	-\$26,078.00
Sidewalk, Rio Rd. Avon St. Rt 250	-\$18,200.00
Transportation Improvement - Local	\$7,000.00
Transportation Revenue Sharing Program	\$17,500.00
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Total General Government Capital Fund	-\$87,943.00
Water Resources Capital Fund	
Hollymead Dam Spillway Improvement	-\$4,620.00
Water Resources TMDL Maintenance	-\$13,160.00
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Total Water Resources Capital Fund	-\$17,780.00
Total	\$24,500.00

By the above-recorded vote, the Board deferred action on this item to later in the meeting.

Item No. 8.4. Additional Speed Indicator Signs.

The Executive Summary forwarded to the Board states that the Albemarle County Police Department's (ACPD) Traffic Safety Program is currently making use of two Shield 15 Speed Signs procured in the early spring of 2016. These two signs were obtained as replacements to the police department's aging speed trailers. The current Shield 15 Speed Signs have proven to be a useful traffic safety tool, and have yielded specific contributions to the overall Traffic Safety Program strategy for the ACPD. At the request of the Albemarle County Board of Supervisors, the ACPD has evaluated the purchase of additional speed signs to further support the County's traffic safety objectives.

ACPD staff has evaluated the costs and benefits of obtaining additional speed signs, which were outlined in ACPD Chief Lantz's July 17, 2017 memorandum to the Interim County Executive, Doug Walker (Attachment A). The substance of this memorandum was shared with the Board of Supervisors on June 20, 2017.

After evaluation of alternatives, the capacity of the ACPD staff, and the benefits to the citizens of the County through the Traffic Safety Program, staff recommends that the Board approve the appropriation of funds in the amount of \$23,110 to purchase four additional Shield 15 Speed Signs. The appropriation request (Appropriation #2018011) is included as part of the August 2 Appropriations agenda item.

The purchase of four additional Shield 15 Speed Signs would require the Board to reappropriate \$23,110 from the FY 17 General Fund fund balance as set forth in the appropriation request (Appropriation #2018011) (Attachment B). If approved, an ongoing maintenance cost of \$4,000.00 will be planned for as staff develops the FY 19 Recommended Budget.

Staff recommends that the Board approve Appropriation #2018011 included in the August 2 Appropriations agenda item.

By the above-recorded vote, the Board deferred action on this item to later in the meeting.

Item No. 8.5. Resolution of Intent to Amend the Zoning Ordinance Regulations Pertaining to Personal Wireless Service Facilities.

The Executive Summary forwarded to the Board states that the Code of Virginia was amended effective July 1, 2017 to include limitations on a locality's ability to regulate a "small cell facility". The County's current Zoning Ordinance provisions are inconsistent with the provisions of the Code of Virginia. (Virginia Code §§ 15.2-2316.3 et seq. and 56-484.26 et seq.)

In order to fully implement the new legislation, the County must amend the Zoning Ordinance. The County is not required to review a "small cell facility". The options to amend the Ordinance are: 1. Allow small cell facilities by-right, without review, subject to compliance with the Code of Virginia; or, 2. Amend the Zoning Ordinance to comply with the limitations of the Code of Virginia and continue to review "small cell facility" applications. During the Planning Commission's and Board's review of the zoning text amendment staff will offer comment on both options.

If the County continues to review applications for "small cell facilities" the fees enabled by the Code of Virginia likely will not cover the cost to review the applications.

Staff recommends that the Board adopt the attached Resolution of Intent (Attachment A).

By the above-recorded vote, the Board adopted the following Resolution of Intent:

RESOLUTION OF INTENT

WHEREAS, the Albemarle County Zoning Ordinance contains regulations for Personal Wireless Service Facilities; and

WHEREAS, Senate Bill 1282 added Virginia Code §§ 15.2-2316.3 et seq. and 56-484.26 et seq. effective July 1, 2017 to provide a new regulatory framework for small cell wireless facilities including local zoning requirements and optional approvals; and

WHEREAS, it is desired to amend the Albemarle County Zoning Ordinance to incorporate changes consistent with these new Virginia Code sections.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-3.1, Albemarle County Code § 18-5.1.40, and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein; and

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

Item No. 8.6. Dam Safety Grant Resolution.

The Executive Summary forwarded to the Board states that the Hollymead Dam is one of six state-regulated dams operated by Albemarle County through its Department of Facilities and Environmental Services and Department of Parks and Recreation. The dam is regulated by the Virginia Department of Conservation and Recreation (DCR) Dam Safety Division. In 2013, to meet new DCR regulations, an engineering consulting firm completed a dam breach analysis for Hollymead Dam. This study indicated that the dam has inadequate discharge capacity to safely pass the spillway design flood. Therefore, improvements to the spillway are required.

The County has procured an engineering consultant to provide design services for the spillway improvements at a cost of approximately \$214,000. Following the procurement of services, staff applied for funding assistance through the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund, administered by DCR in cooperation with the Virginia Resources Authority. On June 1, 2017, DCR announced that \$85,200 had been approved for the County project.

The grant is a reimbursement grant and cannot exceed 50% of the project costs. The grant requires that funding recipients adopt a resolution requesting assistance from the fund. A proposed resolution is attached.

Funding to cover the estimated cost of the design and construction of the project was appropriated by the Board in fiscal years 2016 and 2017. This grant funding will be used to reduce the total design cost borne the County by the amount of the grant (\$85,200).

Staff recommends the Board adopt the attached Resolution (Attachment A).

By the above-recorded vote, the Board adopted the following resolution:

**RESOLUTION REQUESTING GRANT ASSISTANCE
FROM THE VIRGINIA DAM SAFETY, FLOOD PREVENTION
AND PROTECTION ASSISTANCE FUND**

WHEREAS, the County of Albemarle, Virginia, through its Department of Facilities and Environmental Services, owns and operates Hollymead Lake Dam in the County of Albemarle for the purposes of recreation and stormwater management; and

WHEREAS, dam safety regulations have changed that require certain improvements be made to this dam to help prevent possible damage or dam failure; and

WHEREAS, the Virginia Department of Conservation and Recreation and the Virginia Resources Authority administer the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund, which provides grants to defray engineering and design costs for analyses and improvements needed to meet current dam safety regulations; and

WHEREAS, the County is seeking a grant from this Fund in the total amount of \$85,200 to defray the estimated engineering and design costs of \$214,000 for the Hollymead Lake Dam; and

WHEREAS, the Grant Manual for the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund ("Grant Manual") requires that the Board of Supervisors adopt a resolution requesting assistance before any grant monies can be awarded and released; and

WHEREAS, the balance of the costs have been appropriated in fiscal years 2016 and 2017.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle,

Virginia that it hereby requests funding assistance as required in the Grant Manual and authorizes the County Executive to execute grant agreement(s) with the Virginia Resources Authority and/or the Virginia Department of Conservation and Recreation and to take such additional actions as may be required to secure said funds.

Item No. 8.7. 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 five (5) grant awards received during the time period of June 11, 2017 through July 11, 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.

GRANT REPORT ACTIVITY – June 11, 2017 through July 11, 2017

No applications were made during this time.

Awards received during this time.

Granting Entity	Grant Project	Type	Amount Awarded	Match Required	Match Source	Department	Purpose
Virginia Department of Criminal Justice Services	FY 18 OAR Criminal Justice Grant	Federal	\$974,360	\$75,000	Central Virginia Regional Jail	Offender Aid & Restoration	These grants include services under the Pretrial Services Act and Comprehensive Community Corrections Act.
Virginia Department of Criminal Justice Services	FY 18 Justice Assistant Grant – Problem Oriented Policing (POP)	State	\$69,950	\$69,950	Police Department	Police	These grant funds will be used to provide continued funding for a police Sergeant position to lead the ACPD Problem Oriented Policing (POP) Team.
Virginia Commission for the Arts	Local Government Challenge Grant	State	\$4,500	\$4,500	Contribution to Piedmont Council for the Arts	Office of Management and Budget	These grant funds will support local arts activities in Albemarle County. Specifically, the funding will be provided to Piedmont Council for the Arts for support and to further their Art in Place program.
Virginia Department of Environmental Quality - Stormwater Local Assistance Fund (SLAF)	River Run Restoration	State	\$128,621	\$128,621	CIP	Facilities and Environmental Services	This grant will be used to provide procurement of design and construction services for a stream restoration project that will cross over the City / County boundary.
Virginia Department of Conservation and Recreation	2017 Virginia Dam Safety, Flood Prevention and Protection Assistance Fund	State	\$85,200	\$85,200	Stormwater Control Fund	Facilities and Environmental Services	These grant funds will be used for engineering design services to correct the Hollymead Dam spillway deficiencies.

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	Police Department Budget	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. 8.8. Environmental Quarterly Report – 4th Quarter FY17, ***was received for information.***

Item No. 8.9. Board-to-Board, July 2017, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, ***was received for information.***

Item No. 8.10. Copy of letter dated May 17, 2017, from Mr. Francis H. MacCall, Principal Planner, to Roger W Ray & Associates, Inc., ***re: LOD2017-000010 – OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 139A0-00-00-01900 (Property of JAMES E CREWS) – Samuel Miller Magisterial District, was received for information.***

Item No. 8.11. Albemarle County Service Authority (ACSA) Fiscal Year (FY) 2018 Annual Operating and Capital Improvement Budget, ***was received for information.***

Agenda Item No. 9. Hedgerow Park Development Process Feasibility Study.

The Executive Summary presented to the Board states that at its March 18, 2017, meeting the Board of Supervisors expressed interest in having staff move forward with the Hedgerow Park project

through the Capital Improvement Program. In late February of 2017, the Parks and Recreation department requested that the Project Management Division of Facilities and Environmental Services (FES) assist in the inspection and evaluation of the proposed Hedgerow Park property based on this direction.

Parks and Recreation and FES staff worked collaboratively to provide updated cost estimates and an anticipated schedule for design and construction associated with development of this property. The assessment process included meetings with County engineering staff, an engineering firm and a representative from the Virginia Department of Transportation (VDOT).

A preliminary estimate and schedule were completed and shared with the Board at its April 12 meeting, at which time the Board authorized a conceptual engineering study to address potential issues that have design and cost implications. W.W. Associates of Charlottesville developed the conceptual engineering study and presented the completed study to staff on June 23, 2017. (Attachment A)

Today's presentation is to inform the Board of the findings and recommendations of the engineering study including:

- identified challenges,
- agencies needing coordination for approval of the design,
- estimated costs, and
- preliminary time frame for design and construction work.

Blake Abplanalp, Chief of the Project Management Division of FES, will discuss these items in more detail and Dan Mahon, Outdoor Recreation Supervisor, of the Parks and Recreation Department, will discuss trail preparation and creation by their personnel and volunteers. Staff will be seeking the consensus of the Board to proceed with this project and bring back for consideration an appropriation to fund the design of the park, as well as the completion of an associated environmental study previously begun by Parks & Recreation staff and volunteers.

The current cost estimate for the next phase of work to complete the design and an environmental study is \$197,000. Available proffer funding in an amount adequate to support this work has been identified as indicated below. Given that this project has been identified by the Board of Supervisors as a priority for evaluation and implementation, staff is prepared to proceed quickly with this next project phase with concurrence of the Board of Supervisors.

For purposes of this discussion, the budget impact for FY 18 is estimated to be a net increase of \$197,000 in proffer revenues as follows: \$177,000 for design of the park and \$20,000 for an environmental study. OMB has identified proffers (Out of Bounds # 8522) that can be used for this project.

Project funding may be provided from other General Fund or Capital Fund sources if preferred by the Board of Supervisors. The source of funding for the construction phase of the project as currently contemplated has not yet been determined. Once constructed, it is estimated currently that there will be one-time start-up costs of approximately \$70,000 and initial, on-going annual operating costs of approximately \$82,000.

Staff recommends the Board direct staff to advance this project to the next phase of development. If such direction is provided, staff will move forward with contracting for design and environmental assessment services and will submit a request for the appropriation of funds to support this work at the upcoming September 6, 2017 Board of Supervisors meeting.

Mr. Bob Crickenberger, Director of Parks and Recreation, addressed the Board. He said this is a follow up to the April 12 meeting when staff shared preliminary costs and scheduling for Hedgerow, at which time the Board authorized a conceptual study to address potential issues that may have design and cost implications. He stated that they have utilized the services of a local engineering firm, which had submitted findings and recommendations, and they would share these as well as Parks and Recreation's work plan for the project. He invited Mr. Blake Abplanalp to share the results of the engineering study.

Ms. Mallek asked if Mr. Crickenberger would share information at a future date on how other trail projects would fit into the work program and the needs assessment.

Ms. McKeel expressed agreement with Ms. Mallek and said it would be interesting to hear Mr. Crickenberger's thoughts as to how this would fit in with the work being done by TJPDC, as well as other connections from Hedgerow that could be made to other parks.

Mr. Blake Abplanalp, Chief of Project Management, presented an agenda for his presentation: I. History/Previous Discussions, II. Study by W.W. Associates – Findings and Challenges, III. Updated Cost/Budget Estimate, IV. Timelines – Design and Construction, V. Trail Design and Development, VI. Recommendations/Funding Opportunities. He said that Mr. Dan Mahon of Parks and Recreation would discuss trail design and development and Trevor Henry would also present.

Mr. Abplanalp reminded the Board that on March 8, they authorized staff to move forward with a conceptual plan to develop Hedgerow Park, and the Facilities and Environmental Services Project Management Division staff began site evaluation in mid-March. He stated that staff had met with VDOT

and design professionals to assess the site and had provided a report to the Board on April 12 with a preliminary estimate and schedule, after which the Board authorized a conceptual engineering study. He said that W.W. Associates was hired and a final report was submitted on June 23, which staff had reviewed. Mr. Abplanalp pointed to the site on a map, stating that the site was located south of I-64 on the southbound side of Route 29. He next presented a slide of the original conceptual plan with parking and vehicle entrance. He stated the study determined that the median was not wide enough for a truck with a trailer to exit safely to Route 29, and there was a significant grade change in the highway. He added that the engineering firm recommends the entrance location be changed.

Ms. Mallek asked if the median is wide enough for a school bus to sit and turn north. Mr. Abplanalp responded that he does not know the answer, but offered to find out.

Ms. Mallek commented that it is not a big issue for drivers to travel an extra hundred yards down the road to make a U-turn, and it may not be reasonable to spend an extra \$1 million to relocate an entrance. Mr. Abplanalp agreed and said they have considered their proposal to be an alternative plan that would not have a cost impact.

Mr. Abplanalp presented a photo of the originally conceived nine-foot-wide entrance and the roadway, which also contains a bridge. He stated that the road often floods during heavy rains, as much of the site is located in a floodplain. He said the Forestry Division of the U.S. Department of Agriculture recommends a 24-foot entrance for roads that would carry equestrian trucks and trailers, and if this entrance were to be used, the County would have to build a separated access road for the family that resides on the property. Mr. Abplanalp stated that W.W. Associates had proposed an alternate entrance, which he pointed to on a conceptual drawing of the site. He said it would require construction of a stone bridge with a bottomless culvert over Moore's Creek that could withstand a 10-year flood event, and he presented a photo of a similar bridge. He said the design and costs of the bridge are significant, and he would review them later in the presentation. He stated that VDOT would require a 400-foot deceleration lane, consisting of a 200-foot taper and 200-foot turn lane, and the lanes would be 12 feet wide, would require a 10-foot shoulder and, due to its close proximity to a stream bank, would require a 350-foot-long, 4.5-foot-tall retaining wall. Mr. Abplanalp stated that the purpose of the retaining wall is to prevent the road from going into the stream. He said the engineers considered several options and spoke with VDOT officials about the potential for changing the traffic pattern of Route 29, noting that the sharp grade change would require additional measures that would make the project unfeasible.

Mr. Abplanalp next presented an aerial photo of the site with the proposed new entrance along Route 29, which had a vehicle turnaround spot near the entrance. He showed the location of the turnaround spot for a truck with a trailer heading northbound, noting that it was about a half mile from the entrance. His next slide showed a close up of what the turning area would look like, then a slide showing where the turn lane would be for a vehicle heading south, and an additional slide depicting a close up of the turnaround.

Mr. Abplanalp listed a summary of the study findings: existing shared entrance not recommended for access to the park; both potential entrances would require significant VDOT upgrades and stream mitigation measures; a new entrance that would provide direct access from Route 29 was the recommended path forward for park entry; and agency coordination required with FEMA, DEQ, Army Corps of Engineers, VDOT, Architectural Review Board and Community Development Department.

Mr. Abplanalp emphasized that a significant number of approvals were required and do not run concurrently. He next listed a summary of identified challenges: VDOT requires 400 foot deceleration lane and associated work; the proposed site is in FEMA floodplain; impacts to jurisdictional wetlands that were regulated by the Army Corps of Engineers; parking in stream buffer and must meet definition of acceptable use per County stream buffer ordinance 17-603(c); retaining walls between road and stream and possible stream relocation work.

His next slide listed cost/budget estimates as follows: construction estimate w/contingency: \$1.96 million; design fees: \$177,000 + environmental study: \$20,000; PM fees & other soft costs: \$200,000; estimated design and construction: \$2.4 million; major cost factors: VDOT related costs: \$625,000, arch head bridge and wall: \$235,000, stream & wetland impact credits: \$200,000, parking lot construction: \$100,000, stream relocation: \$120,000. He said the total estimated design and construction cost was approximately \$2.4 million and commented that the cost of the bridge could be less if they go with a less fancy option. Mr. Abplanalp noted that the cost estimates were very conceptual and could come down, but he prefers to err on the conservative side.

Mr. Abplanalp next presented a slide containing the proposed schedule as follows: engineering study completed June 23; study results presented to Board of Supervisors August 2; Authorization to proceed with design – September; design begins in September with initial site plan ready by mid-November; reviews by County and other agencies completed by June 2018; bidding conducted between July–August 2018 with contract in place by September 2018; and construction completed by May 2019. He concluded his part of the presentation and invited Mr. Dan Mahon to continue with a presentation on trail design and development.

Ms. Mallek noted that at the April 12 discussion, she had proposed that they explore the option of not having riding at the site, and she would not be able to make a decision until she could see how this element was broken out. She said there are several other parks that allow riding, and not every park has to be for every use. Ms. Mallek stated that biking and hiking are the most appropriate uses for this park, and some construction categories could be eliminated if they excluded riding. She expressed concern

that the entire project could be in jeopardy because they have a pie-in-the-sky way of doing things, and they should look at ways of doing things that are within scope.

Mr. Abplanalp explained that the VDOT retaining wall requirements would be required at both the original and alternate entrances. He stated that the new entrance would not have to be as wide if they do not have to accommodate trucks and trailers, and offered to obtain an estimate of what this impact would be. He added that elimination of the parking lot for horse trailers would save about \$30,000 to \$35,000.

Ms. Mallek added that it would reduce the amount of required area, which means they could get out of the buffer.

Mr. Abplanalp responded that they would still have to widen the existing road and there are easement concerns that could prohibit them from doing this. He said the cost to widen the road is very significant, even if it is only widened to 12 feet, as it would involve clearing, taking the road out of the flood waters, and construction of an alternate road for the people who live there.

Ms. Palmer noted that just north of the site, Moore's Creek winds to the other side of Route 29. She asked if they have exhausted options and if they have considered Shepherd's Hill and other potential entrances, especially if they forgo trailers.

Ms. Mallek said trailers could come in on the same elevation and skirt in on the side. Mr. Abplanalp replied that the consultant did not explore this option, as the County did not instruct them to.

Mr. Dill asked if there was a condition within the agreement to donate the property that they must have equestrian use. Mr. Mahon responded that it was a desire, but not a requirement.

Mr. Abplanalp recalled that at the last meeting, they referred to the potential problems with critical slopes as well as with Dominion Power's poles, which appear to be in the way. He said the design presented by W.W. Associates enabled them to avoid those costs, which could have been hundreds of thousands of dollars. He said the location of the parking lot was not into the critical slopes, so there would not be any cost to construct a retaining wall there.

Mr. Randolph noted that Mr. Abplanalp had previously discussed how there was a shortage of trained labor and stated that current cost estimates for the project likely were based on current labor costs. He said that barring a recession, labor costs were likely to go up by 2019. He asked if his assumption is correct or if staff had already taken this into account in their estimates.

Mr. Abplanalp replied that Mr. Randolph's inference was reasonable and that the estimates were based on present costs. He said they are at the preliminary stages and far away from a final estimate. He said they are having difficulty getting construction companies to bid on some projects because of their existing volume of work, despite the County's outreach efforts to contractors.

Mr. Randolph noted that he is making this point about costs potentially being higher than estimated, as there can be better ways to spend money on parks that would have more impact, such as improvements to Ragged Mountain.

Mr. Dill said one alternative is to consider a minimal approach for Hedgerow that is smaller in scale.

Mr. Abplanalp pointed out that the engineering firm did assume a 3% annual inflation rate in its cost estimates, although in a volatile market this might not be sufficient.

Mr. Dan Mahon stated that it may be worth revisiting the value this park would add to the overall park infrastructure. He said the offer of the gift predated the recreational needs survey conducted years ago, as well as the Comprehensive Plan re-adoption. He said the County has been in the predesign phase for this property for 10 years and would like to conduct a formal study similar to the one conducted for Ragged Mountain. He said volunteers have been going all over the site to collect information to help them make final decisions regarding the design. Mr. Mahon stated that between August and November, they would put a baseline map together and set timelines that include opportunities for citizen engagement. He said they have had two community meetings and wish to continue with them.

Mr. Mahon stated that the natural and cultural heritage of the site is remarkable and the County wants to engage people who have those interests. He noted that a steep climb makes it challenging to go from the parking lot to the site, so staff has mapped out a couple of route options. He said there were a lot of interesting historical logging and hunting roads, as well as ATV tracks on the property, and staff would determine what is sustainable, retainable, and valuable. He said that at Preddy Creek, they removed more trails than they added. He said they would then sketch out usable recreation routes as part of a design concept, which they would then take to the community for feedback. Mr. Mahon emphasized that the plat of the property was named Hedgerow, but this did not necessarily have to be the name of the park, so the County would solicit ideas for a name. He said Ms. Heyward, who donated the park, was very modest and did not want the park to be named after her, but added that she should be honored in some way. He said that between April and November of 2018, they would mobilize volunteers, particularly from members of various groups such as CAMBIC, to assist with analysis and mapping of views and destination points as well as installation of signs. He said they would also look at amenities that could be included in the park, such as kiosks, boardwalks and overlooks.

Ms. Palmer recalled that several years earlier, Mr. Mahon had suggested they involve the community in the naming of trails. She said a member of the Charlottesville Albemarle Mountain Biking Club (CAMBIC) had recently left her a voice message emphasizing a willingness to help with trails and fundraising.

Mr. Mahon recalled that CAMBIC donated many hours of sweat equity to Preddy Creek and praised them as a great resource. He also commended UVA service fraternities and other organizations who have helped.

Mr. Randolph, noting the extensive involvement of volunteers in mapping and other efforts, asked if there would be any costs to the County. Mr. Mahon responded that there was staff time in organizing the volunteers and materials costs to the County. He said the costs of maps and signs would be borne by the County.

Ms. Palmer recalled that years ago she was on the committee that got the kiosk for Ivy Creek Natural Area, and they were able to raise \$10,000.

Mr. Randolph requested that Mr. Mahon provide the Board with a breakdown of these estimated costs.

Mr. Trevor Henry addressed the Board, stating that the infrastructure design component would work in parallel with the amenities, and by the time the facility is open for access the trails would be ready for use. He said the Board should now have an understanding of the constraints they are facing. He announced that there is an identified proffer for the Out of Bounds development, which could be used as a source of funding. Mr. Henry stated that they have learned from discussions with agencies that there are potential grant funding sources that can be pursued. He emphasized that if the project were approved, they would have to provide construction cost estimate models to the CIP process. He said that based on today's discussion, it is clear that they should request the engineer come up with a cost estimate that assumes taking out the trailer access. He asked if there would be an expectation of bus access, as this could affect the dimensions of the road.

Ms. Mallek noted that the entrance road to Ragged Mountain is small, but buses use it all the time.

Ms. Palmer stated she had a hard time accepting a cost of \$2.4 million for the project and suggested they exhaust options for an entrance further north where Moore's Creek is on the other side. She said she would like to get the cost down to a manageable level so they can look at fundraising.

Mr. Henry asked the Board to give him some time to review these options as some easements or land acquisition could be necessary. He asked Ms. Palmer what she believes would be a manageable cost. Ms. Palmer replied that she liked it when it was below \$500,000.

Mr. Henry said the cost to come off Route 29 would be this amount.

Ms. Palmer emphasized that further north, Moore's Creek is on the other side of Route 29.

Mr. Dill asked if they would have to have a turn lane. Mr. Henry said the deceleration lane is based off the speed on Route 29.

Ms. Palmer said her understanding is that much of the cost of the deceleration lane is related to the work they would have to do with Moore's Creek, such as the retaining wall.

Mr. Walker said they have not exhausted all options and can do some evaluations to try to reduce the cost.

Mr. Randolph said the handicap of the current cost-intensive proposal was that it was auto-centric. He urged the Board to look at making the park pedestrian and bicycle accessible and take horses and cars out of the equation. He added that stream diversion could affect water quality, noting that the 10-year flood threshold of the proposed bridge may not be sufficient. He mentioned that they would be adding asphalt, which has a negative effect on water runoff.

Ms. McKeel said she would like to know the connection the park will have to the greater work they are conducting with TJPDC related to connectivity. She asked if staff has enough to go forward. Mr. Henry responded that they do.

Ms. Palmer recalled that many years ago they looked at ways to get under I-64 to this property, and Ridge Schuyler came up with the wonderful idea of having a crossover on I-64 with a "Welcome to Charlottesville" sign. She noted that the access to the Hedgerow property is connected to Ragged Mountain.

Agenda Item No. 10. **Presentation:** 2018 Land Use Revalidation Process Improvement Update.

The Executive Summary presented to the Board states that in 1971, the General Assembly enacted a new Article of the Virginia Code to enable localities to provide a special assessment for land preservation. Among the stated purposes of the original legislation (Virginia Code § 58-769.4) were:

- (1) To encourage the preservation and proper use of real estate to assure a readily available source of agricultural, horticultural and forest products and of open space within the reach of concentrations of population;
- (2) To conserve natural resources in forms which will prevent erosion and to protect adequate and safe water supplies;
- (3) To preserve scenic natural beauty and open spaces;
- (4) To promote proper land use planning and the orderly development of real estate for an expanding population; and
- (5) To promote a balanced economy and lessen pressures which force conversion of real estate to more intense uses.

The Virginia Code sets out basic qualifying prerequisites, and assigns responsibility for ensuring uniform standards to the State Land Evaluation Advisory Council (SLEAC). Each year, SLEAC publishes ranges of suggested values. Local assessing officers may use these ranges of value, along with their personal knowledge, to arrive at final use value assessments of qualifying properties. Virginia Code § 58.1-3230 defines four qualifying categories for use value assessment:

- (1) Agriculture - the bona fide production for sale of plants, plant products, animals, animal products useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services; or devoted to and meeting the requirements for payment or other compensation pursuant to a soil conservation program with an agency of the federal government. While a minimum of five (5) acres in use is currently required to qualify, new state legislation effective July 1 will allow local governing bodies by ordinance to prescribe a minimum acreage of less than five acres for agricultural, aquacultural, and specialty crop uses;
- (2) (2) Horticulture- the bona fide production for sale of fruits and nuts of all kinds; vegetables; nursery and floral products useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services; or devoted to and meeting the requirements for payment or other compensation pursuant to a soil conservation program with an agency of the federal government. A minimum of five (5) acres in use is required to qualify;
- (3) Forestry - land including the standing timber and trees thereon devoted to tree growth in such quantity, spacing and maintained as to constitute a forest area under standards prescribed the State Forester. A minimum of 20 acres in use is required to qualify; and
- (4) Open Space - real estate used, provided or preserved for park or recreational purposes, conservation of land or other natural resources, floodways, historic or scenic purposes, or assisting in the shaping of the character, direction and timing of community development or for public interest consistent with the local land use plan under standards prescribed by the Director of the Department of Conservation and Recreation. A minimum of five (5) acres in use (or greater if established by local ordinance), except under certain circumstances, is required to qualify. Albemarle has established by ordinance a 20-acre minimum.

Albemarle County offers Land Use (LU) assessments resulting in tax deferrals for qualifying property in all four of these uses. The application process for inclusion in the LU program is outlined in County Code §§15-800 - 15-810 and Virginia Code § 58.1-3234.

In 2008, the Board adopted an ordinance requiring owners to revalidate their original applications by documenting a continued qualifying use on a biennial basis. On the 2017 land book there were 4,630 parcels in the land use program with a deferred assessed value of \$1,472,897,410 and deferred taxes of \$12,357,612.

Virginia Code § 58.1-3234 authorizes the governing body of any county, city, or town to require owners receiving use value assessments to revalidate any previously approved application. Revalidation requires participating property owners to confirm and provide documentation that the property continues to meet qualifying production standards.

2018 Revalidation Process On July 12, 2017, 4,571 revalidation forms were mailed to property owners whose property currently qualified under the LU program. (59 parcels had been removed from the program since the Land Book was completed due to delinquent 2016 taxes.) This mailing for the first time identified under which program(s) each property qualified and included only the applicable form(s). During the two-year revalidation cycle, the Assessor's Office confirms the information on the revalidation forms through field inspections, typically during the months of likely agricultural activity, and through consulting aerial photographs.

If revalidation applications are returned to us incomplete or lacking sufficient information, we will contact the owner through an additional mailing, and a phone call (if a phone number is available). We also will send a reminder to anyone from whom we have not received a response. Revalidation applications meeting all requirements are accepted, and properties with applications not meeting all requirements are removed from use value assessment and are issued roll-back taxes for current and previous five years. Roll-back taxes are assessed when a property ceases a qualifying use or is rezoned to a more intense use at the request of the owner(s). Failing to revalidate on time or at all will cause a property to be removed from the LU program but will not cause it to be immediately rolled back. If the qualifying use has continued then the property is taken out of land use taxation and goes into a pending state, but if the use is confirmed to have been discontinued, then it will be rolled back.

During the revalidation process the Assessor's Office administrative staff will be available during normal business hours to answer questions regarding revalidations. The Assessor and his staff have worked with representatives of the Farm Bureau Board as well as the State Forester to receive feedback on the forms as they were being developed and met with the full Farm Bureau Board to explain the end result. The Assessor further plans to attend the annual Farm Bureau member meeting on August 8, 2017 to speak to members about the process and answer any questions they may have. The Assessor's website includes all of the necessary forms (which are fillable online) so that the forms can be completed, printed and returned. An overview of the revalidation process can also be found on the Assessor's website along with a link to the State Land Evaluation Advisory Council (SLEAC) manual which is referenced on the revalidation applications.

Expenses required for printing and mailing applications was included in the Adopted FY 18 Budget. It is difficult to estimate the amount of roll-back taxes that may be generated by the 2018 revalidation process due to lack of data regarding how many parcels may fail to qualify for the LU program.

This executive summary is intended for information purposes and to address the Board's questions. No action by the Board is required.

Mr. Peter Lynch, County Assessor, presented, stating that County Code requires a land use revalidation process in order to ensure that property owners are in compliance with land use regulations. He stated that the revalidation process poses two challenges, with the first being the forms that must be created and completed by property owners. He stated the forms are due by September 1 to avoid a \$125 late filing fee per parcel, and by December 1 with imposition of a late fee. He reminded the Board that properties under conservation easement, totaling 1,130 properties with 94,706 acres, are not in the land use deferral program. He expressed thanks to David Powell of the Virginia Department of Forestry and Paul Haney and David Norford of the Farm Bureau for working with the County and providing valuable insight and feedback for the revalidation forms. Mr. Lynch stated that an evaluation of the program determines that a majority of programs fall within the two categories of Agriculture and Forestry, so the forms are tailored with this in mind. He said they mailed 4,571 applications to property owners on July 12, of which 1,744 are for forestry. He presented a slide with an example of the application, stating that for those within the category of Forestry, the most important question is whether the owner has harvested timber since the last revalidation. Mr. Lynch said it also inquires as to whether it is clear cut and, if so, if they would regenerate the trees or do something else with the land. He said another question asks if the owner has his own management plan or a professional management plan.

Ms. Mallek asked if any property owners have asked what option 1 means, as new owners may not know what a commitment letter means. Mr. Lynch replied that a few have asked and staff guides owners to the SLIAC manual available on the website, which provides information on state requirements for the Forestry category.

Ms. Mallek stated that there are minimum thresholds that must be included in the commitment letter for it to be useful to the County.

Mr. Randolph suggested they ask property owners who have harvested their land to list the date of deforestation on the form. He asked how the County would determine if the owner is doing what they are supposed to do, in the case a property owner has harvested the land and indicated on the form that it is being naturally regenerated. Mr. Lynch replied that they would consult with the state forester who has this responsibility, adding that they look at certain ways the land is being treated to make this determination.

Ms. Palmer asked if they send one letter to each property owner or one letter for each property. Mr. Lynch replied that it is one letter per property.

Ms. Mallek noted that the Department of Forestry must be notified within three days of the beginning of a timber harvest, and asked if forestry notifies the County. Mr. Lynch replied that they do not.

Ms. Mallek said this is something they might be able to establish, as it would assist the County in knowing what properties to watch. Mr. Lynch acknowledged that it could be as long as 23 months before they learn of a harvest, and agreed that this could be the perfect answer to this.

Mr. Lynch presented the agriculture form, which is more complicated than the forestry form. He said the main question that determines which version of the form to use is whether the property owner conducts his own farming or has someone else farm. He said the County asks for proof of revenue from a bona fide agricultural use, as well as the type and acreage of crops or animals. He stated that in cases where the owner does not do his own farming, they do not ask for proof of revenues, but they require the owner and not the tenant farmer to complete the form. He said the form also asks for contact information in case follow up is needed.

Mr. Lynch next reviewed the procedure for properties that are used for both forestry and agriculture, stating that the cover letter is different but the forms are the same. He said that something new this year is the inclusion of deeded acreage on both the application and the letter.

Ms. Mallek thanked him for this change and said people have been asking for this for years.

Mr. Lynch reviewed the final version of the letter, which was for the 174 open space parcels. He said Community Development monitors open space parcels and that an open space agreement or location within an agricultural forestal district is necessary to fall under the open space category.

Ms. Mallek asked him to elaborate on the separate qualifications for land use, as she has had concerns with people using the agricultural/forestal district as a way to slide in to land use without qualifications. Mr. Lynch replied that the qualification is simply applying for land use and having a minimum of 20 acres.

Ms. Mallek asked if there are stewardship requirements or a performance bar. Mr. Lynch responded that there are requirements in the open space use agreement and the agricultural/forestal district, but not through the County.

Mr. Lynch said the letters he had reviewed represent 97% of properties, with the remaining representing horticulture. He encouraged property owners with questions about the forms or land use to contact the assessor's office at 434-296-5856 or at countyassessor@albemarle.org.

Ms. Mallek noted that she calls residents each year to remind them to complete and return the forms. She asked Mr. Lynch to provide her with a list of non-respondents as of the previous week of August so she can reach out to them. Mr. Lynch replied that they plan to send a second mailing to non-respondents on August 21.

Mr. Lynch said they follow up when the County's records do not match what a property owner has indicated on the form. He stated that sometimes an agricultural property would have a pond and tree buffers, which could be the reason why the record of acreage does not match. He said that staff conducts field checks and utilizes pictometry to confirm qualifying use acreage.

Ms. Palmer asked if the measuring is done regularly or only once. Mr. Lynch responded that it would be an ongoing step, adding that he wants to look at all properties that contain a residence, as these areas are non-qualifying.

Ms. Palmer noted that the state passed legislation that allows for agricultural use on specialty farms of less than five acres. She said her district has a farm at Red Hill that is 4.9 acres and contains greenhouses, and asked if he has received calls about this change. Mr. Lynch replied that he had limited conversations in the past about allowing smaller farms to qualify for land use. He noted that while the state law allows this, it is up to the local jurisdiction, and the County code would have to be changed to allow less than five acres.

Ms. Mallek noted that in the staff report under "Agriculture," it said in addition to production "or devoted to and meeting the requirements for payment or other compensation to a soil conservation program with an agency of the federal government." She said she was thrilled about this, as in the past landowners were told they would lose land use if they used open space land for federal stewardship programs, and improving standards for landowners to do necessary stewardship would help the County's stormwater project.

Mr. Kamptner pointed out that this is state law if it is in the County code for both horticulture and agriculture use.

Ms. Mallek stated this is different than horticulture and has a greater impact.

Mr. Kamptner said it is part of the definition of a qualifying agricultural use.

Mr. Lynch said his understanding is there are farmers who are paid not to plant a certain crop, and he does not know if it includes everything Ms. Mallek is referring to.

Recess. The Board recessed its meeting at 3:30 p.m. and reconvened at 3:36 p.m.

Agenda Item No. 11. **Presentation:** FY17- FY19 Strategic Plan Implementation and Board Work Session Preview.

The Executive Summary presented to the Board states that Beginning May 2016, the Board worked through a comprehensive process to identify and rank strategic priorities, review the County's program and service inventory, and provide direction to shape the FY17 - 19 Strategic Plan and the balanced Two-Year Fiscal Plan adopted in November 2016. In May 2017, staff reviewed the progress and projects underway for each priority. In June 2017, the County Executive provided a preview of a new restructured County Executive Monthly report. This included a preview of the Strategic Plan report and these reporting tools provide a way to capture, track and ultimately report all of our projects to the Board and the community.

At your August 2nd meeting, staff will provide an overview of the on-going implementation activities related to the FY17- FY19 Strategic Plan. Implementation activity includes using the referenced project management technique to plan each project with an orientation to time, scope and, ultimately, to resources needed in the context of our long range financial planning. To capture, track and report on the

twenty-two initiatives that make up the Strategic Plan, staff has developed a project management system. The new restructured reporting tool will pull data from the project management system to enable the Board of Supervisors to view project status and upcoming milestones.

The new Strategic Plan report will be provided to the Board in early September in preparation for the Strategic Plan work session scheduled for September 8th. This work session will provide time for staff to report current project efforts and future milestones. The work session is also a time for the Board to provide feedback to staff regarding current project assumptions as we align County resources with strategic priorities. Staff will then work to reflect these resource needs to the greatest extent possible in the long-range financial planning processes this fall.

There is no immediate budget impact associated with this information item.

This presentation is provided for information only. Staff recommends that the Board provide feedback/reaction.

Ms. Kristy Shifflett, Senior Project Manager for Strategic Planning, presented. She provided a history of how the Strategic Plan was developed. She said in 2016 the Board had worked through a comprehensive process to identify and rank strategic priorities, reviewed the program and service inventory, and provided direction to shape the FY17-FY19 Strategic Plan and Balanced Two-Year Fiscal Plan, which were adopted at the end of 2016. Ms. Shifflett said they have now moved into an implementation phase.

Ms. Shifflett said that in June 2017, Mr. Walker provided a preview of a new, restructured county executive monthly report, which includes a preview of the Strategic Plan report. She said she will review steps taken to capture, track, and report projects to the Board and the community. She said this process will support the strategic plan work session in September. She said in 2016 the Board and staff transitioned to a two-year fiscal plan as part of the priority-driven budgeting approach. Ms. Shifflett stated that in November, they adopted the FY17-19 Strategic Plan, which was action oriented and outcome focused. She said it includes eight priorities that contain 22 action objectives. She said that 14 areas were identified for further development and direction. She said that with all of these action items and several requiring many projects to implement the desired outcome, staff believes that success should include a focus on project management techniques. She stated the majority of projects supporting the Strategic Plan are cross-functional and collaborative and require several departments and the Board to work together.

Ms. Shifflett emphasized that the Board's endorsement of plans, direction, clarity about desired outcomes, and adoption of final results all impact implementation efforts. She said that outside agencies and contract services also play a large role, as they leverage expertise and resources to implement, and they must all be at the table for communication, planning, and implementation. She said they have adopted the project management technique to manage coordination, collaboration and lines of communication. She said that internally they are creating focused momentum that drives them forward and externally they hope to provide a means to define, review, and coordinate how the organization pursues its objectives in an integrated manner. Ms. Shifflett stated that project management is typically associated with construction or technology projects, but can be used for any effort that has scope, time, and cost associated with it. She said they have built plans with an orientation to time, scope, and to discover resources needed in the context of long-range financial planning.

Ms. Shifflett stated that staff is using the Microsoft project tool to capture, track, and report on the 22 action objectives of the Strategic Plan. She said this will assist in communication with all stakeholders so they can quickly understand how delays in decision making and resources will impact completion date, and the ability to lay out schedules and projects allows them to capture future needs and show impacts of changes and the effects it makes on work. She presented a slide of the action objectives and said the new reporting tool will pull data from the project management system to enable the Board to view project status and upcoming milestones, and they have created a portal for Supervisors to access, which she demonstrated. She said objectives have been separated in priority order, demonstrating how Supervisors can select and view priorities. She said she will provide them with individual training and offered to answer questions

Mr. Randolph asked how they can access the reports on the website. Ms. Shifflett replied that they will integrate them with other information available on the website.

Ms. Shifflett next previewed the upcoming September Strategic Plan work session. She said this will be the time for the Board to provide feedback regarding current project assumptions as they align County resources with strategic priorities which staff will then work to reflect as best they can in the long-range financial planning process. She next reviewed some recently completed priorities: salary compression, the Woodbrook Elementary School bond referendum and school expansion, and adoption of the Two-Year Fiscal Plan. She provided an overview of the upcoming work session, which would review progress made to date, discussion on service level, and alignment of assumptions for long-range planning. She concluded and invited Meghan Yaniglos and Emily Kilroy to present.

Ms. Meghan Yaniglos, Principal Planner with Community Development, presented the action plan for redevelopment of Southwood. She read the language of the priority as follows: "By January 2018, adopt an action plan and partnership with private, nonprofit interests to partner in redevelopment of Southwood for both affordable residential and business uses." She reviewed a timeline of activity to date

as follows: resolution adopted in October 2016, project kickoff with Habitat and staff in May 2017, ongoing workgroup meetings with partners including HRW Architects beginning June 2017, kickoff meeting and submission of project management plan for Department of Housing and Community Development grant in July 2017, Southwood community and committee meetings.

Ms. Yaniglos said there are three committees, with the first being Community Guides, which focuses on sharing information about the redevelopment and the story of Southwood with outside decision makers. She said the second is the Master Planning and Design committee, which meets monthly with architects and planners. She said the third is the Community Outreach committee, which focuses on peer-to-peer outreach to encourage neighbors to get involved. She stated that staff attended several meetings in July, with the first occurring July 6, when they met with the master planning group to listen and learn where they are in the process and learned they are working on development of the conceptual master plan. She said that July 20, they attended a combined meeting of all three committees, which focused mostly on the master planning process and getting more feedback on what the architect and Habitat are developing for the conceptual master plan. She next reviewed upcoming milestones, with architects and Habitat for Humanity expecting to have a conceptual bubble plan by September, after which staff and Habitat will work on development of an action plan to be reported to the Board of Supervisors in January.

Ms. Mallek commented that after eight years of seeing this grow, she cannot be happier. She emphasized that it is a new way of doing things, with the people doing the work being those who will benefit from it.

Ms. McKeel stated they have all been supportive of the project and are anxious to see it moving forward. She said that affordable housing is a challenge that requires a multi-pronged approach.

Ms. Mallek said they are lucky to have partners able to do this.

Mr. Randolph said there is a real interest in the building community of local churches, and they are very eager to get started and to be working just on the outskirts of the City.

Ms. Emily Kilroy, Community Engagement Coordinator, presented on crowdfunding for a park. She recalled that two years ago, the Citizen Resources Advisory Committee recommended crowdfunding as an alternative funding source for an enhanced capital improvement project that might benefit quality of life and have strong community support but not be competitive in the CIP, when compared to other public safety and education needs. She said crowdfunding is a community-supported effort involving many small donations rather than large donations from a few donors. She said the Berkmar boat launch was identified for the initial crowdfunding pilot, as it connects with Board's Strategic Plan priorities to revitalize urban areas in the Route 29 North corridor. Additionally, she said the Rio Small Area Plan obtained community feedback of interest in trail and park improvements. She said the crowdfunding team had been meeting and conducting research, making preparations, and articulating the project in a compelling way. She said they have brought in a design consultant to conduct conceptual work so they can share information with the community and build support. She said they are also working on ways to build awareness.

Ms. Kilroy presented an aerial photograph of the waterway and demonstrated where the boat launch would be. She said the design consultant is looking to create trails to the launch and connect the Berkmar bridge to the Route 29 bridge, extending up to the dam. She presented slides showing where the park and parking lot would be under the bridge; photos of a similar, recently constructed boat launch in Waynesboro with stairs and a slide leading to the launch area; and a project timeline consisting of five milestones. She said they are currently at milestone three and hope to launch the crowdfunding campaign at the Rivanna Renaissance Conference on September 29, at which time Dan Mahon will make the announcement. She said the design consultant's recommendation is expected to be completed by early September and emphasized that projects near waterways require many permits, so staff is working with various agencies to obtain these. She said if they become stalled in the permitting process, they will put the crowdfunding initiative on hold.

Mr. Dill asked what the reward would be for crowdfunding donors. Ms. Kilroy replied that they will have different levels based on the size of the donation, and are considering stickers, watertight bags, hats, and a launch party. She said they will seek sponsors for the benches and kiosks.

Mr. Randolph suggested she contact local beer brewers to invite them to create a commemorative beer that could be offered at the launch party.

Ms. Mallek liked the idea and suggested they also contact wineries.

Ms. Palmer commented that alcohol consumption is not permitted on County property.

Ms. McKeel expressed enthusiasm for the project and commented that they might be able to use crowdfunding for a portion of the costs for the Barracks Road mural.

Agenda Item No. 12. **Presentation:** Sierra Club Presentation.

Mr. Andy Lowe of Facilities and Environmental Services addressed the Board and reminded them they had invited the Sierra Club to present its renewal energy project along with a proposed renewal

energy resolution, which he said they will have ready by next month along with a work plan for implementation of LCAT.

Mr. Kirk Bowers, the Sierra Club's Conservation Program Coordinator, addressed the Board and said it is the organization's goal to pass a climate protection resolution next month. He said that a second goal is to encourage the Board to establish an energy transformation committee to develop a plan to achieve 100% renewable energy use by the year 2050. He said the third item is to invite the County to join "Mayors For 100% Clean Energy" and other climate protection groups. He said the Sierra Club is the oldest and largest environmental organization in the U.S. and the world, and has seen a huge increase in membership since the elections, and recent studies indicate it is possible to eliminate the use of fossil fuels around the globe by 2050. Mr. Bowers stated they cannot count on the federal government and that local and regional governments can show leadership by setting goals towards implementation of 100% clean energy.

Mr. Bowers reported that since 2009, there has been a dramatic reduction in renewable energy costs, and new studies highlight the numerous benefits from clean energy, including job creation and greenhouse gas reduction. He said that numerous cities, counties and states have implemented aggressive clean energy strategies. He presented graphs demonstrating the declining costs of wind and solar energy over the past eight years and pointed out that wind energy costs have declined by 66% and solar by 86%. Mr. Bowers said the overarching reason to commit to 100% renewable energy is climate change, with additional benefits to the County of meeting community energy and economic development goals, creation of jobs and development of a clean, sustainable community. He referenced a recently published book by former New York City Mayor Michael Bloomberg and Carl Pope entitled *Climate of Hope*, which he said emphasizes that fighting climate change is good for job growth.

Mr. Bowers stated that local governments needs to be the driving force and could mobilize diverse stakeholders, influence state and national progress, send signals to utilities and their investors, and open doors for more equitable energy systems. He said that 140 communities have committed to achieving 100% renewable energy by 2050, including Alexandria and Portsmouth in Virginia, and that 6 of the 140 had already attained this goal, including Columbia, Maryland.

Mr. Bowers next presented the desired outcomes as follows: adopt a sustainability/climate protection resolution and establish an active communitywide energy and emissions reduction planning group that includes key community stakeholders, with at least one County government representative; develop a 100% renewable energy blueprint that includes mapping the energy landscape, identifying available strategies, fixing binding targets, organizing the public for transformation, and encouraging innovative public and private financing. Mr. Bowers presented slides with the Mayors for 100% Clean Energy logo and the resolution of endorsement they require a community sign in order to join.

Mr. Bowers reviewed some efforts of the Sierra Club in Virginia, stating that utility companies hold broad political power in Richmond and legislative actions have had a significant negative impact on ratepayers, and they are trying to counter this influence. He encouraged the County to form and participate in a renewable energy buyers group and secure political support of members. He encouraged the County staff negotiation team to include renewable energy in the next Virginia Energy Procurement Government Association (VEPGA) contract coming up in 2018. He reviewed some core questions in the assessment and planning for a County renewable energy plan, such as estimating future electricity demand and where energy would come from. He encouraged the County to follow suggestions of Go Green Virginia, published by the Municipal League and Virginia Association of Counties.

Ms. McKeel thanked Mr. Bowers for the presentation and said the Board would discuss this at their September meeting. She noted that at the last Mayors and Chairs meeting of the Thomas Jefferson Planning District Commission, she suggested they put something together at a regional level.

Ms. Palmer suggested they work with the University of Virginia, which she said has a robust plan to reduce its carbon footprint.

Ms. Mallek said the group that conducted the study process for development of the LCAT report should be reconstituted to assist with implementation strategies.

Mr. Dill asked Mr. Bowers how nuclear energy fits in with renewable energy. Mr. Bowers replied that the Sierra Club does not support the expansion of nuclear energy, but instead supports the expansion of solar farms.

Ms. Mallek noted that Charlottesville has had success with the LEAP program, and the County is using it as a vehicle to promote energy savings to commercial and residential landowners. She noted that Virginia residents with photovoltaic panels are not able to sell their carbon credits, and markets for credits in nearby states, such as Pennsylvania and New Jersey, are closed to outsiders because as they are saturated with their own residents. She said if they could find a way to allow residents to use their credits, it would encourage more participation.

Mr. Bowers agreed and said this is a policy issue that needs to be addressed in Richmond.

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

Mr. Mark Graham, Director of Community Development, presented and said there was only one

meeting last month, a design charrette on July 13, from which he would share output. He said there would be a public meeting in August and a joint meeting of City and County planning commissions in September to review the concept and then seek Board endorsement of a concept in October. He reviewed key concepts from the conceptual framework plan, with the first being a West Zan Road land bridge, which would tie everything together from the east side to the west side of the road. He presented a photo of a similar land bridge in another community. He said a second concept was to address grade separation at Hydraulic, with one option under consideration being an inverted single point urban interchange; and a third concept was a grade-separated intersection at Angus Road, which he said would eliminate the need for a traffic signal. Mr. Graham noted that a fourth concept was for a public amenity water feature to create a place within the core.

(Note: Mr. Dill left the meeting at 4:45 p.m.)

Ms. Palmer asked if they propose a water feature for this area because it had experienced stormwater problems. Mr. Graham confirmed this and said a water feature can help address the stormwater issues.

He reviewed the fifth concept which was to create public spaces and neighborhood parks, and demonstrated some proposed green spaces on the Hydraulic Small Area Plan design map. He said they have used the term, "emerald necklace", which would tie in green spaces. He said the final concept is to connect neighborhoods to commercial areas and shopping. He said they are trying to figure out how to create a transit oriented center. He said they are also contemplating whether to have a pedestrian connection across Hydraulic Road or have people cross over the land bridge. He concluded his presentation and invited Supervisors to access the Route29 Solutions website to review additional concepts, including an illustrative long term development design.

Ms. Mallek said the proposed land bridge is similar to one in Jamaica Plains, Massachusetts which has multistory buildings and city blocks over the highway and asked if this is what they are talking about. She said that to help cover the cost it would have to have things other than a bus stop. She said other communities have done this in incredibly successful ways. She asked if VDOT is in with this and willing to share air rights.

Mr. Graham said this is a great question. He said VDOT is at the table. He stated that there is a park in Arlington, Virginia on Key Bridge over I-66 with a similar concept.

Ms. McKeel announced that Mr. Dill had left the meeting to take a phone call from a family member, but expects to return to the meeting.

Agenda Item No. 14. Closed Meeting.

At 4:47 p.m., Mr. Randolph **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia Under Subsection (1), to: (1) Discuss and consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; (2) Discuss and consider the performance of specific County police officers' in their verbal and written interaction with a member of the public; under Subsection (7), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice about litigation related to a real estate assessment appeal because a public discussion would adversely affect the negotiating or litigating posture of the County; and under Subsection (29), to discuss the terms and scope of a possible public contract involving the expenditure of public funds pertaining to a Constitutional office where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors.

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

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

NAYS: None.

ABSENT: Mr. Sheffield and Mr. Dill.

(Note: Mr. Dill returned to the meeting during the Closed Meeting.)

Agenda Item No. 15. Certify Closed Meeting.

At 6:08 p.m., 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 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: Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Dill.

NAYS: None.

ABSENT: Mr. Sheffield.

Agenda Item No. 16. Boards and Commissions: Vacancies and Appointments.

Mr. Dill **moved** the following appointments:

- **appoint**, Mr. Frank Hancock to the Architectural Review Board to fill an unexpired term ending November 14, 2020.
- **appoint**, Mr. David Mellen to the Economic Development Authority as the White Hall District representative to fill an unexpired term ending January 19, 2021.
- **appoint**, Mr. Michael Powers to the Jefferson-Madison Regional Library Board to fill an unexpired term ending June 30, 2019.
- **appoint**, Mr. Peter Taylor to the Public Recreational Facilities Authority with said term to expire December 13, 2018.
- **appoint**, Supervisors Norman Dill and Rick Randolph to the Rivanna River Corridor Steering Committee with said terms to expire December 31, 2017.

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

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

NAYS: None.

ABSENT: Mr. Sheffield.

Agenda Item No. 17. From the Public: Matters Not Listed for Public Hearing on the Agenda.

There were no matters from the public presented.

Agenda Item No. 18. **Public Hearing: Business License Ordinance Amendments (Chapter 8).** To receive comments on its intention to adopt an ordinance to amend Chapter 8 (Licenses) of the Albemarle County Code, by amending Article I (In General), Section 8-101 (Applicability); Article V (Correction of Tax Assessments), Section 8-505 (Refund of license tax if business terminated), and Article VI (Schedule of Taxes), Division 4, (Personal, Professional, Business or Repair Service Business, Occupations and Professions), Section 8-617 (Retailers or retail merchants). The proposed ordinance would increase from \$5,000 to \$25,000 the minimum gross receipts threshold over which businesses must obtain a County business license (§ 8-101). The proposed ordinance also would allow a person, firm, or corporation that ceases business in one year, but intends to settle outstanding, existing accounts in the following year, to pay a license tax based on an estimate of the current year's gross receipts instead of the previous year's gross receipts (§ 8-505). The proposed ordinance would also delete the duplicate "travel bureau or tour agent" from the retailer license listing in Section 8-617 while retaining it as a "repair, personal, business, and amusement" service under Section 8-616.
(Advertised in the Daily Progress on July 17 and July 24, 2017.)

The Executive Summary presented to the Board states that upon review of the County's business license ordinance, the Finance Department is recommending updates and improvements to three sections of Chapter 8 (Licenses) of the Albemarle County Code. These proposed revisions are intended both to improve the County's collection practices and to conform the County Code with recent changes in State law.

If adopted, the proposed ordinance would revise three sections of Chapter 8 (Licenses) of the Albemarle County Code.

*** Sec. 8-101** - Business License gross receipts threshold - This proposal would increase from \$5,000 to \$25,000 the minimum gross receipts threshold over which businesses must obtain a County business license. This proposed amendment would exempt businesses with gross receipts of up to \$25,000 from the license requirement. This same threshold already applies to the Albemarle-based gross receipts of out-of-County contractors. Staff is recommending that the amendment of this section be effective for taxable years beginning on and after January 1, 2018. This recommendation is to maintain equity with existing 2017 business licensees.

Purpose of this proposed change: To encourage small business development by exempting business owners who generate less than \$25,000 in gross receipts per year from paying business license fees. Consequence of this change: Business License tax revenue reduction of approximately \$62,000.

*** Sec. 8-505** - License tax; businesses ceasing operations - This proposal would allow a person, firm, or corporation that ceases business in one year but attempts to settle existing, outstanding account balances in the next year, to pay a license tax based on the estimate of the current year's gross receipts instead of the previous year's gross receipts. At the time all accounts are closed, the amount paid would be adjusted for actual gross receipts. Penalties would apply if the person, firm, or corporation provided an unreasonable estimate, or if the person, firm, or corporation continued to operate the business during such a year.

Purpose of this proposed change: To conform with recent changes to *Virginia Code* § 58.1-3710. Consequence of this change: County staff does not expect any negative fiscal impact from this change, nor would it create an undue burden on business owners.

*** Sec. 8-617** - Business License - This proposal would delete the duplicate “travel bureau or tour agent” reference from the retailer license listing in County Code § 8-617 because it is already listed as a “repair, personal, business, and amusement” service under § 8-616.

Purpose of this change: This is an administrative correction to the County Code.

Consequence of this change: County staff does not expect any negative fiscal impact from this change, nor would it create an undue burden on business owners.

Though the budgetary impact of these proposed amendments is difficult to predict with any certainty, the following are staff’s best estimates of the fiscal impact of each proposal:

* Business License threshold - Persons subject to licensure - \$62,000 (1,241 businesses with gross receipts of up to \$25,000, based on 2017 filings).

The following changes are expected to be revenue neutral:

- Refund of license tax if business terminated (§ 8-505).
- Deleting (duplicate) “travel bureau or tour agent” from retailer license class. (§ 8-617).

Following the public hearing, staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

Ms. Betty Burrell, Director of Finance, addressed the Board and stated she will provide an overview of what was in the staff report executive summary. She said that staff proposed to amend Chapter 8 and 15 with the purpose of comporting with Virginia code, to encourage small business development; create operational efficiencies without undue burden on property; and business owners and create fair, equitable, and simplistic taxation for property and business owners.

Ms. Burrell said the proposal would amend Chapter 8, Article I, Sec. 8-101 Business License Applicability to increase from \$5,000 to \$25,000 the minimum gross receipts threshold over which businesses must obtain a County business license. She noted that the amendment would be effective January 1, 2018, and said businesses with receipts under \$25,000 would not be subject to the \$50 annual fee.

Ms. Mallek asked if these businesses would still have to obtain a business license. Ms. Burrell confirmed they would and added that they like businesses to register with the County for the purpose of educating them about personal property responsibilities and registration, and so that if their receipts exceed the threshold they would already be registered.

Mr. Kamptner interjected that a business owner has the option of registering if gross receipts are below \$25,000, but is not required to.

Ms. Burrell said her office’s policy is to provide business owners with the forms to register, though businesses are not obligated by law to do so. She said it is to a business owner’s advantage to register so they are in the County’s records and would receive communications and be aware of the requirement to report business personal property.

Mr. Dill asked if they are still required to pay the BPOL tax if receipts are under \$25,000. Ms. Burrell replied that they are responsible for reporting business personal property, but if the property is valued below a certain amount they would not be responsible to pay the tax.

Mr. Dill expressed his view that the purpose of increasing the receipt threshold is to simplify and reduce paperwork for businesses, and if they still have to pay a business personal property tax they are not helping the small business owner, despite the intent.

Ms. Burrell replied that in the second public hearing, they will present information required by a change to the Virginia Code that increases the threshold for aggregating reporting of business personal property from \$250 to \$500. In response to Mr. Dill’s comments about business owners having to come in to the County office to complete these forms, she emphasized that they have the option of completing forms online or having them sent by mail. She said that next year they would have a business portal on the revenue administration system that will allow businesses to file excise, transient occupancy, and meals taxes online.

Ms. Burrell next addressed the second proposed amendment, to Chapter 8, Article V, Sec. 8-505 Businesses Ceasing Operations. She stated they are required to make this change to comport with a Virginia law change. She said the proposal will allow a person, firm, or corporation that ceases business in one year but attempts to settle existing, outstanding account balances in the next year, to pay a license tax based on the estimate of the current year’s gross receipts instead of the previous year’s gross receipts. Ms. Burrell noted that this would be effective immediately.

Ms. Burrell next addressed the third amendment, to Chapter 8, Article VI, Sec. 8-617 Retail or Retail Merchants. She said the proposal will delete the duplicate “travel bureau or tour agent” reference from the retailer license listing in County Code 8-617 because it is also listed as a “repair, personal, business, and amusement” service under 8-616. This will be effective immediately.

Ms. Burrell reviewed the communication plan for the amendments. She said they will update

brochures, the website, create a "What's New" brochure, send an email to subscribers, and include a brochure that explains the changes with the business license renewal and BPOL application letters sent to business owners.

Mr. Randolph said the changes to Section 8-101 are outstanding and overdue. He mentioned that a number of people have spoken to the Board about this, and there are those who try to supplement their income on eBay. He thanked Ms. Burrell and staff for initiating the change.

Ms. McKeel opened the public hearing.

Mr. Tim Hulbert of the Charlottesville Regional Chamber of Commerce addressed the Board and praised them, the Governor, and the legislature for making these changes.

Mr. John Canoles addressed the Board, stating that he is very encouraged to see the Board make improvements to the part of the County Code that governs the business license. He said he feels that several errors were made when the ordinances were adopted, and expressed support for the changes to Section 8-101. He said he runs a one-person consulting business and works across the country and abroad, but not in Albemarle or Virginia. Mr. Canoles stated that implementation of the business license was poorly done, and making it retroactive for six years was a slap in the face to those who try to abide by the rules and regulations. He said he paid \$1,000 in back fees, which included \$350 in penalties and interest. He stated that he contacted the Finance Department to ask for relief, but was told the rules are the rules and that there is nothing they could do. Mr. Canoles also said the Finance Department seems to make up rules as it goes along, with an example being that for tax year 2012 he was charged a rate for those who earned over \$100,000, which was his income as interpreted by the County, though the state and IRS determined his income to be \$80K. He said the difference was that the County counts business travel reimbursements as income. He expressed hope that if the amendment passes, it will be retroactive and will take away three years of penalties he has had to pay.

Mr. Bobby Lutz addressed the Board, stating that he coaches and referees soccer and became ensnared in the business license requirement and had to pay late penalties. He said he does not view his activities as being a business.

Ms. McKeel closed the public hearing.

Ms. McKeel asked Ms. Burrell to address the issue of the tax being retroactive.

Ms. Burrell said that to her knowledge there is no legal basis to make tax law retroactive, but deferred to County Attorney, Greg Kamptner.

Mr. Kamptner responded that the proposed changes would be effective January 1, and would not be retroactive.

Ms. Mallek said the speakers are referring to the previous retroactive payment.

Ms. McKeel recalled that Ms. Burrell had informed them that there was no option not to charge the tax retroactively, based on state law, and asked Ms. Burrell to explain this. Ms. Burrell responded that the existing business laws required that the tax be implemented for the current year plus the three previous years, and they did not have the option of ignoring the law.

Ms. McKeel recalled that this was based on state and County Code. Ms. Burrell confirmed this.

Ms. Palmer reminded them that it was an existing law, which they are now changing.

Ms. Burrell added that they would be changing the threshold, but retroactivity would still be applicable.

Mr. Dill asked Mr. Kamptner to address concerns of people who earn extra income but do not feel they are a business, and asked for a definition of a business.

Mr. Kamptner replied that the County Code, following state law, lists hundreds of activities that generate income. He read lists of examples of businesses and categories of businesses in the County Code.

Ms. Palmer **moved** that the Board adopt the proposed ordinance. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

ORDINANCE NO. 17-8(2)

AN ORDINANCE TO AMEND CHAPTER 8, LICENSES, ARTICLE I, IN GENERAL, ARTICLE V, CORRECTION OF TAX ASSESSMENTS, AND ARTICLE VI, SCHEDULE OF TAXES, DIVISION 4, PERSONAL, PROFESSIONAL, BUSINESS OR REPAIR SERVICE BUSINESS, OCCUPATIONS AND PROFESSIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 8, Article I, In General, Article V, Correction of Tax Assessments, and Article VI, Schedule of Taxes, Division 4, Personal, Professional, Business or Repair Service Business, Occupations and Professions, are hereby amended as follows:

By Amending:

Sec. 8-101 Applicability
Sec. 8-505 Refund of license tax if business terminated
Sec. 8-617 Retailers or retail merchants

CHAPTER 8. LICENSES

ARTICLE I. IN GENERAL

Sec. 8-101 Applicability.

This chapter shall apply to each business identified herein as follows:

A. *Persons subject to licensure.* Each person engaging in a business in this county whose gross receipts are greater than twenty-five thousand dollars (\$25,000) shall apply for and obtain a license for each such business if:

1. In the case of professional services, the person either (i) maintains a definite place of business in this county; or (ii) maintains an abode in this county but does not maintain a definite place of business in the Commonwealth of Virginia; for purposes of this chapter the abode shall be deemed a definite place of business; or

2. In the case of any other business, the person has a definite place of business or maintains an office in this county; or

3. The person is engaged as a peddler or itinerant merchant, carnival or circus, contractor, or a public service corporation as provided in this chapter.

B. *Persons subject to license tax.* Each person engaging in a business in this county who is required to obtain a license for such business whose gross receipts in a license year from a business subject to licensure are equal to or greater than one hundred thousand dollars (\$100,000.00) in the county shall be subject to a license tax as provided in this chapter.

(3-15-73, § 2; 4-21-76; Ord. 96-11(1), 11-13-96, §§ 11-4, 11-4.1; Code 1988, §§ 11-4, 11-4.1; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code §§ 58.1-3703, 58.1-3706.

The amendment to § 8-101 by this ordinance shall be effective for taxable years beginning on and after January 1, 2018.

ARTICLE V. CORRECTION OF TAX ASSESSMENTS

Sec. 8-505 Refund of license tax if business terminated.

A license tax imposed on a person which is based on gross receipts or gross expenditures shall be entitled to a refund if the person goes out of business before the end of the current license year, subject to all of the following:

A. The license tax for the current license year shall be based on gross receipts or gross expenditures obtained throughout the preceding calendar or fiscal year.

B. The reason for going out of business shall not be connected in any manner with the violation of any state law or local ordinance or of the violation of any rules and regulations made pursuant thereto.

C. The amount of the refund for a license tax based on gross receipts shall be prorated on a monthly basis, so as to ensure that the licensed privilege is taxed only for that fraction of the year during which it is exercised within the county.

1. The county may elect to remit any refunds for the overpayment of a license tax based on gross receipts in the ensuing license year subject to section 8-506.

2. A person shall not be entitled to interest on the refund of a license tax pursuant to this paragraph, provided that the refund is made not more than thirty (30) days from: (i) the date of the payment that created the refund; or (ii) the date of the person's application for a refund, whichever is later. Interest on the refund shall be paid at the rate of ten percent (10%) per year.

3. If a person seeking a refund is indebted to the county or any department or office

thereof, or is indebted to any state constitutional office of the county for a local levy, the refund, or so much thereof as is necessary, shall first be applied to such indebtedness.

D. In the event that a person, firm, or corporation ceases to engage in a business, trade, profession, or calling in one year for which a license is based on gross receipts, but the person, firm, or corporation indicates to the county that it intends to settle outstanding, existing business accounts in the year following the year in which it ceased to do business, such person, firm, or corporation shall be authorized to pay a license tax based on an estimate of gross receipts for such year, instead of a license tax based on the previous year's gross receipts.

1. Such tax shall be subject to adjustment to the correct tax at such time as all accounts are closed. If the estimate is found to be unreasonable under the circumstances, a penalty of ten percent (10%) of the additional license tax assessed shall be assessed.

2. If a person, firm, or corporation that is subject to an estimated license tax under this subsection is found to continue to operate the business, for which it gave notice of the cessation of operations, during the year for which it is subject to the estimated license tax, the person, firm, or corporation shall be required to pay the full amount of the license tax due based on the previous year's gross receipts plus a penalty of ten percent (10%) of this amount, provided that the ten percent (10 %) penalty for an unreasonable estimate of gross receipts shall not be assessed.

E. In no event shall the county be required to refund any part of a license fee or flat tax.

(3-15-73, § 17; 4-21-76; 4-13-88; Ord. 96-11(1), 11-13-96, § 11-16; Code 1988, § 11-16; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code §§ 58.1-3703.1, 58.1-3710.

The amendment to § 8-505 by this ordinance shall be effective immediately.

ARTICLE VI. SCHEDULE OF TAXES

DIVISION 4. PERSONAL, PROFESSIONAL, BUSINESS OR REPAIR SERVICE BUSINESS, OCCUPATIONS AND PROFESSIONS

Sec. 8-617 Retailers or retail merchants.

Each person engaged as retailer or retail merchant shall be subject to the license tax, and other provisions, set forth herein:

A. Each person engaged as a retailer or retail merchant shall be subject to a license tax of twenty cents (\$0.20) for each one hundred dollars (\$100.00) of gross receipts, other than as provided in subsection (B) herein.

B. Each person engaged as a retailer or retail merchant shall be subject to a license tax of ten cents (\$0.10) for each one hundred dollars (\$100.00) of gross receipts for direct retail sales. For purposes of this section, a "direct retail sale" is defined as a retail sale made to a remote buyer ordering by telephone, internet, or mail, in which the item(s) sold is/are shipped by common carrier or by the U.S. Postal Service.

C. Retailers or retail merchants include, but are not limited to, the following:

.....

Restaurants, eating places, nightclubs.
Secondhand stores, other than junk.
Scientific, medical supplies.
Shoes.
Soda fountain.
Sporting goods.
Used cars.
Variety stores.
Workmen's clothing.

All other retail stores and retail merchants' occupations, businesses or trades not included herein and not otherwise taxed by this chapter.

(3-15-73, § 55; 4-21-76; 3-10-82; Ord. 96-11(1), 11-13-96, § 11-68; Code 1988; § 11-68; Ord. 98-A(1), 8-5-98; Ord. 06-8(1), adopted 5-3-06, effective 1-1-07; Ord. 07-8(1), adopted 10-3-07, effective 1-1-08)

State law reference--Va. Code §§ 58.1-3703, 58.1-3706.

The amendment to § 8-617 by this ordinance shall be effective immediately.

Agenda Item No. 19. **Public Hearing: Tax Ordinance Amendments (Chapter 15).** To receive comments on its intention to adopt an ordinance to amend Chapter 15 (Taxation) of the

Albemarle County Code, by amending Article XI (Personal Property-In General), Sections 15-1101 (Exemption of certain personal property from taxation) and 15-1101.2 (Separate classification of certain tangible personal property employed in a trade or business). The proposed ordinance would exempt all-terrain vehicles and off-road motorcycles from personal property taxes (§ 15-1101). The proposed ordinance also would raise from \$250 to \$500 the original cost threshold under which a taxpayer may provide an aggregate estimate of the total cost of all such property (§ 15-1101.2).

(Advertised in the Daily Progress on July 17 and July 24, 2017.)

The Executive Summary presented to the Board states that upon review of the County's tax regulations, the Finance Department is recommending updates and improvements to two sections of Chapter 15 (Taxation) of the Albemarle County Code. These proposed revisions are intended both to improve the County's collection processes and to conform the County Code with recent changes in State law.

If adopted, the proposed ordinance would revise two sections of Chapter 15 (Taxation) of the County Code.

*** Sec. 15-1101** - To exempt "All-terrain vehicles, and off-road motorcycles" as defined in § 46.2-100 from personal property taxation.

Purpose of this proposed change: To ensure fair and equitable treatment of all-terrain vehicles and off-road motorcycles for tax purposes. Revenue Administration relies heavily on the Department of Motor Vehicles (DMV) for information about taxable tangible personal property. Currently, the DMV does not require registration of all-terrain vehicles and off-road motorcycles, making taxation of these vehicles inconsistent and inequitable based on voluntary registration with DMV by some owners. In addition, these exemptions would create operational efficiencies for Revenue Administration. Staff is recommending that the amendment of this section be effective for taxable years beginning on and after January 1, 2018. This recommendation is to maintain equity with those who have already filed or paid 2017 taxes on these items.

Consequence of this change: This proposal would decrease County revenues by approximately \$25,000.

*** Sec. 15-1101.2** - Business Tangible Personal Property separate classification - To raise from \$250 to \$500 the original cost threshold under which a taxpayer may provide an aggregate estimate of the total cost of all such business tangible personal property. This ordinance amendment is required by a 2017 amendment to *Virginia Code* § 58.1-3506(A)(46).

Purpose of this proposed change: To ensure County Code conforms with new Virginia Code requirements.

Consequence of this change: County staff expects this change to be revenue neutral.

Though the budgetary impact of these proposed amendments is difficult to predict with any certainty, the following are staff's best estimates of the impact of each proposal:

* To expand Personal Property tax exemptions to "All-terrain vehicles, and off-road motorcycles" (§ 15-1101) -- \$25,000 revenue loss.

The following change is expected to be revenue neutral:

- Business tangible personal property minimum reporting threshold (§ 15-1101.2).

Following the public hearing, staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

Ms. Burrell reported that this amendment is to Chapter 15, Article XI, Sec. 15-1101 and would exempt all-terrain and off-road motorcycles, as defined in 46.2-100, from personal property taxation, effective January 1, 2018. She said it is designed to provide fair treatment for these vehicles. She explained that though these vehicles are not required to be registered, some owners register them to provide proof of ownership for liens, which then makes them liable to pay the tax. She said those who do not register are not charged the tax, and this change would treat them equitably as they would both be exempt from taxation.

Ms. Burrell reviewed another amendment to Chapter 15, Article XI, Sec. 15-1102.2 Separate Classification of Tangible Personal Property Employed in a Trade or Business. She stated that to comport with changes to the Virginia Code, they are required to make this change. She read the amendment as follows: "To raise from \$250 to \$500 the original threshold under which a taxpayer may provide an aggregate estimate of the total cost of all such business tangible personal property." She said this would be effective immediately for the 2018 tax year. She noted that they would have the same communication plan to the public as she described earlier for the other amendment.

Mr. Randolph noted that the Board had received a communication about this change from Mr. Monte Duncan, a constituent of his. He said Mr. Duncan owns a boat he uses for recreational fishing. He said Mr. Duncan made the point that he pays tax on his boat and believes it should be taxed the same as recreational vehicles. He thanked Ms. Burrell for informing him that Virginia Code 58.1-3503 identifies a boat as taxable property regardless of how it is used. Mr. Randolph identified the recent popularity of electric bicycles as something that may have to be eventually be addressed, as one could say that they are like mopeds.

Ms. Mallek asked for confirmation that all-terrain vehicles are strictly for off road and not permitted on roads as they are not licensed and designed for the highway. She asked for the same confirmation for off-road motorcycles that do not have a license plate. Ms. Burrell and Mr. Kamptner confirmed this.

Ms. Palmer asked if golf carts are taxable. Ms. Burrell replied that neither golf carts nor riding lawn mowers are taxable.

Ms. McKeel opened the public hearing.

Mr. Neil Williamson of the Free Enterprise Forum addressed the Board. He said golf carts are taxable as business personal property, if owned by a golf course. He said that he applauds the change as a good first step but questions the level of detail, and urges them to keep moving forward in this business positive direction.

Ms. McKeel closed the public hearing.

Mr. Dill asked when the \$250 threshold was picked. Mr. Kamptner replied that it was probably in 2015.

Mr. Randolph **moved** that the Board adopt the proposed ordinance amendments as presented. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

ORDINANCE NO. 17-15(2)

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE XI, PERSONAL PROPERTY-IN GENERAL, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article XI, Personal Property - In General, is hereby amended as follows:

By Amending:

Sec. 15-1101 Exemption of certain personal property from taxation

Sec. 15-1101.2 Proration of tangible personal property

CHAPTER 15. TAXATION

ARTICLE XI. PERSONAL PROPERTY – IN GENERAL

Sec. 15-1101 Exemption of certain personal property from taxation.

The following household and personal effects are hereby exempted from taxation:

- A. Bicycles.
- B. Household and kitchen furniture, including gold and silver plates, plated ware, watches and clocks, sewing machines, refrigerators, automatic refrigerating machinery of any type, vacuum cleaners and all other household machinery, books, firearms and weapons of all kinds.
- C. Pianos, organs, phonographs and record players and records to be used therewith and all other musical instruments of whatever kind and all radio and television instruments and equipment.
- D. Oil paintings, pictures, statuary, curios, articles of virtue and works of art.
- E. Diamonds, cameos or other precious stones and all precious metals used as ornaments or jewelry.
- F. Sporting and photographic equipment.
- G. Clothing and objects of apparel.
- H. Antique motor vehicles as defined in Va. Code § 46.2-100 that are not used for general transportation purposes.
- I. All-terrain vehicles and off-road motorcycles as defined in Va. Code § 46.2-100.
- J. All other tangible personal property used by an individual or a family or household incident to maintaining an abode.

The classification set forth above shall apply only to such property owned and used by an individual or by a family or household incident to maintaining an abode.

(Code 1967, § 9-1; Code 1988, § 8-1; Ord. of 2-5-92; Code 1988, § 8-67; Ord. 98-A(1), 8-5-98; Ord. 99-15(1), 11-3-99)

State law reference--Provisions authorizing county to exempt certain personal property from taxation, Va. Code § 58.1-3504.

The amendment to § 15-1101 by this ordinance shall be effective for taxable years beginning on and after January 1, 2018.

* * *

Sec. 15-1101.2 Separate classification of certain tangible personal property employed in a trade or business.

Miscellaneous and incidental tangible personal property employed in a trade or business that is not classified as machinery and tools pursuant to Virginia Code § 58.1-3507 et seq., merchants' capital pursuant to Virginia Code § 58.1-3509 et seq., or short-term rental property pursuant to Virginia Code § 58.1-3510.4 et seq., and that has an original cost of less than \$500, is declared to be a separate class of property and shall constitute a classification for taxation separate from other classifications of tangible personal property provided in this chapter. A taxpayer may provide an aggregate estimate of the total cost of all such property owned by the taxpayer that qualifies under this subsection, in lieu of a specific, itemized list.

(Ord. 15-15(2), 8-5-15)

State law reference – Va. Code § 58.1-3506

The amendment to § 15-1101.2 by this ordinance shall be effective immediately.

Agenda Item No. 20. **Public Hearing: Implementation of Additional \$5.00 Court Fee.** To receive comments on its intent to adopt an ordinance to add a \$5.00 fee to be assessed against defendants convicted of an offense in criminal or traffic cases in the Albemarle County General District or Circuit Courts. The fee will be used to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The ordinance would amend Albemarle County Code Chapter 1 ("General Provisions"), Section 1-119 ("Additional court costs") and is authorized by Virginia Code Section 17.1-279.1. *(Advertised in the Daily Progress on July 17 and July 24, 2017.)*

The Executive Summary presented 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. This annual cost 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, so the \$200,000.00 estimate 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 adopt the attached proposed ordinance (Attachment A).

Mr. Gregory Jenkins, Deputy Chief of Police for Support Services, reported that he had compiled a proposal to increase the court fee, assessed upon conviction of any traffic or criminal-related incident in the General District, Juvenile or Circuit Courts, by \$5. He said they would use the revenue to implement an electronic summoning system that will enable police officers to scan a driver's license, which then fills in the summons electronically and can be printed from the device. He said the average amount of time to issue a summons will be reduced from six to three minutes, which would be more efficient and provide a safety benefit, as officers can be injured while writing a summons on the side of a highway. He said he did a cost savings analysis with Andy Bowman and calculated an annual savings of \$20,000 by converting to an electronic system. Chief Jenkins noted that the equipment lasts about five years and is about \$175,000 over five years, including purchasing and maintenance costs.

Ms. Palmer noted that some individuals cannot afford to pay court costs and have their driver's license revoked as a punishment. She is concerned that this additional fee will be an additional burden for those who cannot afford to pay. Mr. Jenkins noted that the Governor recently signed into law a requirement that a payment plan be established, upon request, of the individual owing the court costs, and the deadline to pay fines was extended from 30 to 90 days.

Mr. Dill expressed some concern with rights of privacy, as the police will be collecting digital files that can be vulnerable to hacking, and he asked if there is consideration of these issues. Mr. David Rhodes of the Albemarle Police came forward to respond to Mr. Dill's inquiry. He said the company they work with stores the information in a cloud environment that requires multiple security clearances. He said the IT department had looked into the security aspect as well.

Mr. Dill asked if the files are deleted after a certain date. Mr. Rhodes replied that they are maintained in the records management system and he does not believe they are deleted. He said there is a process by which to request expungement from the record. He said Albemarle would be the first community in Virginia to use the system, though it is being used by the Kansas State Police as well as jurisdictions in Illinois and other Midwest states. He emphasized that the \$5 fee would be used solely for this equipment and would be listed as a separate line item in the budget.

Ms. Mallek asked if the system is able to provide information on criminal history to the officer in time for him to use it. Mr. Rhodes replied that once the license is scanned, the system runs a background check and communicates this information to the officer immediately as a "red marker alert," which the officer can then click on to read.

Mr. Randolph asked what they would do in the event they do not have wireless connectivity. Mr. Rhodes replied that the digit ticket system would still work and populate the information and be able to generate the ticket. He said it will not be able to conduct a background check, but the officer can still run a background by calling headquarters on the radio.

Ms. Mallek asked if this system will assist in filling out accident reports. Mr. Rhodes confirmed it can be used for accident reports.

Ms. McKeel opened the public hearing.

There being no public speakers, Ms. McKeel closed the public hearing.

Mr. Randolph **moved** that the Board adopt the proposed ordinance. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

ORDINANCE NO. 17-1(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 1, General Provisions, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 1-119 Additional Court Costs

CHAPTER 1

GENERAL PROVISIONS

Sec. 1-119 Additional court costs.

A. A fee of two dollars (\$2.00) shall be taxed as additional costs in each criminal, traffic or civil case in the respective district or circuit courts of the county for the purpose of providing for the maintenance, construction or renovation of the courthouse, jail or court-related facilities located in and serving the county and to defray the costs of cooling, heating and electricity in these facilities. The director of finance shall segregate the fees collected pursuant to this section for the purposes designated above.

B. A fee of ten dollars (\$10.00) shall be taxed as additional costs in each criminal or traffic case in the respective district or circuit courts of the county in which the defendant is convicted of a violation of any statute or ordinance. The fee shall be collected by the clerk of the court in which the case is heard, remitted to the director of finance, and held by the director of finance subject to appropriation by the board of supervisors to the sheriff's office for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security.

C. A fee of twenty five dollars (\$25.00) shall be taxed as additional costs in each criminal case in the respective district or circuit courts of the county in which the defendant is convicted of a violation of any statute or ordinance and is processed for admission into the regional jail as a result of such conviction. The fee shall be collected by the clerk of the court in which the case is heard, remitted to the director of finance, and held by the director of finance subject to appropriation by the board of supervisors to the sheriff's office for the funding of costs of processing arrested persons into the regional jail.

D. A fee of five dollars (\$5.00) shall be taxed as additional costs in each criminal or traffic case in the respective district or circuit courts of the county in which the defendant is convicted of a violation of any statute or ordinance. The fee shall be collected by the clerk of the court in which the case is heard, remitted to the director of finance, and held by the director of finance subject to appropriation by the board of supervisors to the appropriate law enforcement agency or agencies for the funding of software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

(Ord. of 8-8-90; Ord. of 8-5-92, Code 1975, § 1-8, 6-17-89; Code 1988, § 1-8 Ord. 98-A(1), 8-5-98; Ord. 02-1(1), 6-5-02; Ord. 07-1(1), adopted 6-6-07, effective 7-1-07)

State law reference--Authority for above provisions, Va. Code § 17.1-281; Va. Code § 53.1-120; Va. Code § 15.2-1613.1; Va. Code § 17.1-279.1.

Agenda Item No. 21. **Public Hearing: Creation of a Wireless Service Authority.** To receive comments on its intent to adopt a resolution to create a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (Virginia Code § 15.2-5431.1 *et seq.*). If created, the authority will be named the "Albemarle Broadband Authority." The resolution establishes a 6-member board of directors composed of 2 members of the board of supervisors, 2 county officers, and 2 citizens; establishes the directors' respective terms; authorizes the board of supervisors to fix compensation, if any, for directors; and requires an annual audit. The resolution also incorporates by reference proposed articles of incorporation which, among other things, establish the purposes (provide qualifying communications services) and powers (as provided in the Virginia Wireless Service Authorities Act) of the authority.
(Advertised in the Daily Progress on July 3, 2017.)

The Executive Summary presented to the Board states that staff, as a result of Board direction and priorities, has continued since the Nov. 2, 2016 decision of the Board for the County to pursue a regional wireless service authority, to evaluate strategies to expand access to high speed internet service (Broadband) in Albemarle County. From November 2016 through February 2017, staff continued efforts to identify the formation, risks, benefits, and characteristics of wireless service authorities, and provided that information to the Board.

At the March 1, 2017 Board meeting, the Board directed staff to provide draft versions of the Resolution and Articles of Incorporation to create the Wireless Service Authority. At the June 7, 2017 Board meeting, the Board approved the draft Resolution and Articles of Incorporation and directed staff to schedule an August 2, 2017 public hearing and make the Articles of Incorporation for public review.

On July 3, 2017 the revised draft Resolution and Articles of Incorporation were made available for public review. This public hearing is intended to provide citizens an opportunity to provide their input on the draft Resolution and Articles of Incorporation, which are attached. (Attachments A and B)

Wireless Service Authority Formation

A wireless service authority is created by the Board through adopting a resolution after it has held a public hearing. The resolution includes articles of incorporation that: (1) state the name of the authority and the address of its principal office; (2) the name of the County and the names, addresses, and terms of office of the first members of the authority board; and (3) a statement that the authority is being created for the purpose of providing qualifying communications services.

Notice of the public hearing was published on Monday, July 10, 30 days prior to this public hearing, as required by Virginia Code §§ 15.2-5431.5. If the Board adopts the Resolution, the Articles of Incorporation will be filed with the State Corporation Commission and, if the Commission determines that the Articles conform to law, it will issue a certificate of incorporation or a charter to the Authority. An alternative procedure exists by which the question of whether to create an authority is put to the voters in a referendum. (Virginia Code §§15.2-5431.3 - 15.2-5431.8)

Composition of a Wireless Service Authority Board

Under the Virginia Wireless Service Authorities Act, a wireless service authority board may have either a five member board or the number equal to the number of members of the governing body (in Albemarle County, that would be a six-member board). Members of the Board of Supervisors are authorized to also serve on an authority board.

At its June 7, 2017 meeting, the Board decided that the authority board be composed of six members, and conditionally appointed six authority board members. The Board has identified the first members of the authority board in the Articles of Incorporation, as required.

No budget impacts.

Staff recommends that the Board adopt the attached Resolution. (Attachment A)

Mr. Culp stated that the benefits of a wireless service authority were included in the Design 9 telecommunications plan delivered to the Board and approved in November 2016. He reviewed some benefits, including establishment of a management structure, the ability to build on partnerships, the pursuit of funding mechanisms, citizen participation on the authority's board of directors, and commitment by the County to further broadband access, especially in the rural areas. He said that on June 7, the Board appointed six members to the authority and noted that five members are present at this meeting.

Mr. Culp stated that a public hearing is scheduled as required by law to review the articles of incorporation. He presented a slide with the section of the Virginia Code that governs the formation of a wireless service authority which reads as follows: "The governing body of a locality may by resolution, or two or more localities may by concurrent resolutions, create an authority, the name of which shall contain the word 'authority.' The authority shall be a public body politic and corporate. The resolution creating the authority shall not be adopted or approved until a public hearing had been held in each participating locality on the question of its adoption or approval." He said the law allows either a public hearing or a referendum, and they have chosen to have a public hearing. He said the next step in the process is to file articles of incorporation with the State Corporation Commission, which will issue a certificate or charter.

Ms. McKeel opened the public hearing.

Mr. David Blount of the TJPDC addressed the Board and expressed support for the establishment of an authority, stating that by doing so the Board is showing prioritization and commitment to expanding broadband.

Ms. McKeel closed the public hearing.

Ms. Palmer admitted that she was originally skeptical of a broadband authority, believing the County would be expected to pay to install infrastructure at a cost of \$30–\$40M. She said she is now much more comfortable since grants and other funding options have been identified.

Ms. McKeel read the list of broadband authority committee members as follows: Ms. Liz Palmer, Mr. Rick Randolph, Mr. Bill Fritz, Mr. Mike Culp, Mr. Landon McDowell, and Mr. William Walsh.

Mr. Randolph **moved** that the Board adopt the proposed resolution to create a wireless service authority. Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

ABSENT: Mr. Sheffield.

Ms. Mallek asked if, in the event there was a decision to pay per diems, the decision on the amount would be up to the Board of Supervisors. Mr. Culp confirmed that it would be.

RESOLUTION TO CREATE A WIRELESS SERVICE AUTHORITY

WHEREAS, the Board of Supervisors of Albemarle County (the "Board") has duly advertised and held a public hearing on the creation of a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (Virginia Code § 15.2-5431.1 *et seq.*); and

WHEREAS, the Board finds that Albemarle County is unserved or underserved by qualifying communications services, which affects public safety and is an economic, educational, and social disadvantage to the citizens of Albemarle County; and

WHEREAS, the Board has determined that the public health, safety, and welfare would be better served by the extension of qualifying communications services, including but not limited to, high-speed data service and Internet access service, of general application, into unserved or underserved areas of the County.

NOW, THEREFORE, BE IT RESOLVED, on this date, August 2, 2017, that the Albemarle County Board of Supervisors hereby creates a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (Virginia Code § 15.2-5431.1 *et seq.*) which shall be named the "Albemarle Broadband Authority" (the "Authority"); and

BE IT FURTHER RESOLVED that the Articles of Incorporation for the Authority are attached hereto as Exhibit A and incorporated herein; and

BE IT FURTHER RESOLVED that the powers of the Authority will be exercised by a board of directors of six members appointed by the Board, which shall be composed of two members of the Board; two members selected from among an Albemarle County Deputy County Executive, the Albemarle County Director of Finance, the Department of Community Development's Chief of Special Projects, and the Albemarle County Director of Information Technology (the "County Officers"); and two citizen members; and

BE IT FURTHER RESOLVED that the terms of office of the members of the Authority's board of directors shall be as follows: the terms of directors who are also members of the Board shall be concurrent with their elected term of office; the terms of directors who are also County Officers shall be for four years from the dates of appointment or until the person ceases to hold the qualifying County office, whichever occurs first; and the terms of directors who are citizens shall be for four years from their dates of appointment; and

BE IT FURTHER RESOLVED that the Authority's board of directors shall receive compensation as fixed by resolution of the Board from time to time; and

BE IT FURTHER RESOLVED that the Authority shall have an annual audit conducted according to generally accepted auditing and accounting standards or according to the audit specifications and audit program prescribed by the Auditor of Public Accounts; and a certified copy of the audit shall be filed promptly with the Clerk of the Board of Supervisors of the County of Albemarle, Virginia; and

BE IT FURTHER RESOLVED that the Chair of the Board is authorized to sign the Articles of Incorporation for the Authority after they have been reviewed and approved as to form and substance by the County Attorney; and

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to take such other and further actions as are necessary to file the Articles of Incorporation with the State Corporation Commission.

ARTICLES OF INCORPORATION OF THE ALBEMARLE BROADBAND AUTHORITY

WHEREAS, the Board of Supervisors of the County of Albemarle, Virginia (the "Board") has duly advertised and held a public hearing on the creation of a wireless service authority pursuant to the Virginia Wireless Service Authorities Act (Virginia Code § 15.2-5431.1 *et seq.*); and

WHEREAS, the Board finds that Albemarle County is unserved or underserved by qualifying communications services, which affects public safety and is an economic, educational, and social disadvantage to the citizens of Albemarle County; and

WHEREAS, the Board has determined that the public health, safety, and welfare would be better served by the extension of qualifying communications services, including but not limited to, high-speed data service and Internet access service, of general application, into unserved or underserved areas of Albemarle County; and

WHEREAS, the Board has created a wireless service authority as a public body politic and corporate by resolution duly adopted on August 2, 2017.

NOW THEREFORE, the Board hereby certifies and states as follows:

1. Name of the Authority. The name of the wireless service authority is the “Albemarle Broadband Authority.”

2. Address of the Authority’s Principal Office. The physical address of the Albemarle Broadband Authority’s principal office is the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia 22902.

3. Name of the Locality Creating the Authority. The name of the locality creating the Albemarle Broadband Authority is the County of Albemarle, Virginia.

4. Names, Addresses, and Terms of Office of the First Members of the Authority’s Board of Directors. The names, addresses, and terms of office of the first members of the Albemarle Broadband Authority’s Board of Directors are:

- A. Name: Liz A. Palmer
 Address: 401 McIntire Road, Charlottesville, Virginia 22902
 Term: Concurrent with the elected term of office on the Board of Supervisors

- B. Name: Richard Randolph
 Address: 3191 Darby Road, Charlottesville, Virginia 22947
 Term: Concurrent with the elected term of office on the Board of Supervisors

- C. Name: William Fritz
 Address: 1506 Rialto Street, Charlottesville, Virginia 22902
 Term: 4 years from the date of appointment or until the person ceases to hold the qualifying office, whichever occurs first

- D. Name: Michael Culp
 Address: 330 Swift Fox Lane, Charlottesville, Virginia 22901
 Term: 4 years from the date of appointment or until the person cease to hold the qualifying office, whichever occurs first

- E. Name: Landon McDowell
 Address: 415 Harrison Street, Scottsville, Virginia 24590
 Term: 4 years from the date of appointment

- F. Name: William Walsh
 Address: 6495 Indian Ridge Drive, Earlysville, Virginia 22936
 Term: 4 years from the date of appointment

5. Purposes of the Authority. The purposes for creating the Albemarle Broadband Authority are to provide qualifying communications services as authorized by Article 5.1 (Virginia Code § 56-484.7:1 *et seq.*) of Chapter 15 of Title 56 of the Virginia Code.

6. Powers of the Authority. The Albemarle Broadband Authority shall exist and exercise the powers set forth in, and be subject to, the Virginia Wireless Service Authorities Act (Virginia Code § 15.2-5431.1 *et seq.*). The powers shall be exercised by the Albemarle Broadband Authority’s Board of Directors.

Item No. 8.3. FY 2018 Appropriations.

Mr. Randolph referenced Appropriations 2018-011 and 2018-012, stating that these funds would be taken out of the potential surplus from FY17 and applied to expenditures in FY18. He emphasized that they would not know the amount of the surplus until the auditor had completed its work in November, and asked if it was appropriate to allocate FY17 funds as a substitute for authorized FY18 funds. He said the matter under consideration here is minimal, but there would be other areas of the budget with a surplus. He cautioned that they might drain the surplus of a few hundred thousand dollars and lose the opportunity to fund a particular priority. He said he had spoken with Ms. Lori Allshouse, who had agreed to provide the Board with a running total of FY17 surplus funds that have been authorized to be expended.

Mr. Dill expressed support for Mr. Randolph’s idea. He asked for clarification of the dollar amounts.

Ms. Lori Allshouse, Director of the Office of Management and Budget, responded to Mr. Dill’s inquiry. She said there was an additional appropriation, 2018-0016, to allocate \$10,000 for a temporary employee in the FES Department.

Ms. Allshouse explained that the end-of-year variance was due to department savings and excess revenues. She said there were three instances in which they would offer these as recommendations to the Board: a purchase order for something that was to be paid for in one year but spilled over into the next; an activity had been authorized and appropriated for one year and was in

progress into the following year; and realization of departmental savings.

Mr. Walker urged caution in estimating end-of-year variance savings, as the numbers change through the accounting process.

Mr. Randolph commented that while the audited and budget figures may square, the line items may have variations.

Mr. Walker commented that the difference in the numbers last year became the story, which they should work to avoid.

Ms. Mallek said that departmental savings were known by the end of the year, and it was anticipated that revenues can change.

Ms. Palmer **moved** that the Board approve Consent Agenda Item 8.3, FY18 appropriations, as amended. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

**RESOLUTION TO APPROVE
ADDITIONAL FY 18 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2018010, #2018011 (amended), #2018012, #2018013, #2018014, #2018015, #2018016, #2018017, and #2018018 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2018.

**COUNTY OF ALBEMARLE
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2018018	3-1650-51000-351000-510100-9999	-17,780.000	SA2018018 Project Management Services
2018018	3-9000-69000-351000-510100-6599	130,223.000	SA2018018 Project Management Services
2018018	3-9010-51000-351000-510100-9999	-87,943.000	SA2018018 Project Management Services
2018018	3-9100-51000-351000-512050-9999	-17,780.000	SA2018018 Project Management Services
2018018	4-1650-93010-493010-930202-9999	-17,780.000	SA2018018 Project Management Services
2018018	4-9000-69980-466730-312366-6599	52,733.000	SA2018018 Project Management Services
2018018	4-9000-69983-466730-312366-6112	15,400.000	SA2018018 Project Management Services
2018018	4-9000-69983-466730-312366-6302	48,650.000	SA2018018 Project Management Services
2018018	4-9000-69983-466731-312366-6599	16,590.000	SA2018018 Project Management Services
2018018	4-9000-69985-466730-312366-6109	-3,150.000	SA2018018 Project Management Services
2018018	4-9010-21009-421005-312366-2180	-14,055.000	SA2018018 Project Management Services
2018018	4-9010-32018-432010-312366-3140	-14,000.000	SA2018018 Project Management Services
2018018	4-9010-32028-432020-312366-3140	-10,500.000	SA2018018 Project Management Services
2018018	4-9010-41020-441200-312366-9999	24,500.000	SA2018018 Project Management Services
2018018	4-9010-41350-441200-312366-9999	-58,278.000	SA2018018 Project Management Services
2018018	4-9010-42042-442040-700008-1210	3,500.000	SA2018018 Project Management Services
2018018	4-9010-43100-443200-312366-9999	-4,340.000	SA2018018 Project Management Services
2018018	4-9010-71020-471020-312366-7100	-14,770.000	SA2018018 Project Management Services
2018018	4-9100-82040-482060-312366-1307	-13,160.000	SA2018018 Project Management Services
2018018	4-9100-82040-482070-312366-1304	-4,620.000	SA2018018 Project Management Services
2018017	3-9000-69000-351000-510100-6599	45,000.000	SA2018017 Sch Cap Fund Bal from FY17 HMS for LSM
2018017	4-9000-69983-466732-800605-6252	45,000.000	SA2018017 Learning Space Modernization Project
2018017	4-9000-69985-466730-999999-6302	-45,000.000	SA2018017 WAHS Enviro Phase I to Phase II
2018017	4-9000-69983-466730-800605-6302	45,000.000	SA2018017 WAHS Enviro Phase II from Phase I
2018017	4-9010-41350-441200-950509-9999	150,000.000	SA2018017 Hydraulic-Barracks Rd from Old Lynchburg
2018017	4-9010-41350-441200-950524-9999	-150,000.000	SA2018017 Old Lynchburg Rd to Hyd-Bar Rd
2018016	3-1925-16000-316000-160560-1004	10,000.000	SA2018016 ISF PMD Operating Budget
2018016	4-1925-43100-443100-130000-1004	9,289.000	SA2018016 ISF PMD Operating Budget - Part Time Wages
2018016	4-1925-43100-443100-210000-1004	711.000	SA2018016 ISF PMD Operating Budget - FICA
2018016	4-1000-43100-443100-312366-1004	10,000.000	SA2018016 ISF PMD Operating Budget
2018016	3-1000-51000-351000-510100-9999	10,000.000	SA2018016 G/F Fund balance - ISF PMD Operating Budget
2018015	3-4100-51000-351000-510100-9999	119,432.500	SA2018015 ECC FB: Reclass, Micro comp. repl, VEOCI software contract
2018015	4-4100-31040-435600-110000-1003	82,865.000	SA2018015 ECC: Reclassification
2018015	4-4100-31040-435600-800700-1003	17,000.000	SA2018015 ECC: Micro computer replacement
2018015	4-4100-31045-435600-312210-1003	19,567.500	SA2018015 ECC: VEOCI Software Contract
2018014	4-1935-12200-412200-800700-1001	16,276.930	SA2018014 Re-app Projected Balance
2018014	3-1935-51000-351000-510100-9999	16,276.930	SA2018014 Re-app Projected Balance
2018013	4-1000-79000-479000-560410-1007	4,500.000	SA2018013 Contribution to Piedmont Council of Arts
2018013	3-1000-24000-324000-240418-1007	4,500.000	SA2018013 VA Commission Of The Arts Challenge Grant for PCA
2018012	4-1000-12200-412200-310000-1001	36,496.000	SA2018012 Website redesign and content mgmt
2018012	4-1000-12200-412200-540301-1001	4,380.000	SA2018012 Website hosting

2018012	4-1000-12200-412200-800100-9980	2,983.860	SA2018012 Remote wireless camera for PD
2018012	4-1000-12200-412200-800718-1001	11,610.000	SA2018012 Digital Workspace
2018012	3-1000-51000-351000-510100-9999	55,469.860	SA2018012 IT Re-appropriations
2018011	3-1000-31013-324000-240231-1003	9,555.000	SA2018011 APP: Police speed signs
2018011	3-1000-51000-351000-510100-9999	13,555.000	SA2018011 APP: Police speed signs
2018011	4-1000-31013-431010-332100-1003	4,000.000	SA2018011 Speed Signs - maintenance
2018011	4-1000-31013-431010-800100-1003	19,110.000	SA2018011 Speed Signs - initial purchase
2018010	4-1222-81030-481030-300205-1008	10,000.000	SA2018010 Southwood CDBG Planning Grant Administrative Fees
2018010	3-1222-33000-333000-330009-1008	10,000.000	SA2018010 Southwood CDBG Planning Grant Revenues
TOTAL		601,018.580	

Item No. 8.4. Additional Speed Indicator Signs.

Ms. Palmer **moved** that the Board approve additional speed indicator signs, as amended, and set out in Appropriation #2018011. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

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

Agenda Item No. 22. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said she would provide Supervisors with an email from Mr. David Lynch about state level discussions of the designation of counties under fiscal stress, noting that such a designation could have implications, such as a negative effect on bond ratings. She invited Supervisors to attend the VACO dinner with the Summit Board when this issue is likely to be discussed.

Mr. Walker said staff is monitoring this information about the financial stress issue.

Ms. Mallek noted that Mr. Mark Graham is setting up a discussion about transitions from forestry to agriculture and relevant state law, adding that over the past 20 years they have not emphasized the distinction between general residential and the agricultural-forestry side. She said other communities have agricultural districts, which means they are not for rural area subdivisions. She suggested they consider the establishment of agricultural districts so if people want a change in use that is not in compliance with their land use deferrals, it would be much quicker than the two years it usually takes them to figure it out. She said the County could get credit for stormwater and all the things they are spending tons of money on to meet federal and state requirements, not getting stewardship contributions from landowners that will help raise points. She said they are not asking landowners for enough performance for access. Ms. Mallek said when revalidation first began, there was a fight among Board members, and it barely passed in 2009. She said the real farmers were taken advantage of by people pretending to be farmers, yet the real farmers were getting blamed by people who did not get land use or people in the growth area who paid more. She said if they are going to have a program, it has to work. She said they have made some progress in getting accountability from forestry and agriculture people, but have not gotten a handle on the open space constituents. She said she would continue to raise the issue of raising standards for access to open space and requiring increases in stewardship investments, which will help the entire County.

Ms. McKeel asked what actions they can take other than discussing this. Mr. Kamptner said they can have a work session to review land use and land use valuation issues.

Ms. Palmer expressed support for a work session, adding that since some farming situations have changed with greenhouses and since the state had changed the rules on agriculture for less than five acres, they can establish clearer performance standards.

Mr. Kamptner said the state law allows the use of less than five acres for specialty crops, as defined by the County.

Ms. McKeel obtained positive feedback from other Supervisors to hold a work session about this issue and asked staff to prepare for one.

Ms. Mallek noted that several months ago they discussed the SPCA contract, which is up for renewal in 2019. She suggested they consider adding SPCA employees to the County Human Resources staff as a way to obtain better performance. She noted an issue with them giving away dogs when their owners are away. She said the County needs better performance for the money they are spending.

Mr. Walker acknowledged that internally they have been discussing having greater participation in the governance of the SPCA considering the amount of money the County provides to them, and there have been problems with consistency in the organization's leadership.

Ms. Mallek said they need to have a physical separation of the area where County animals are supposed to be, as spay/neuter personnel have been entering the County area of the pound. She said the County needs to empower its personnel to deal with them.

Ms. Mallek asked if work would be done to improve rules for events in the parks. Mr. Kamptner responded that this issue is on a list, though they do not have a timetable yet. He then corrected himself and said it is on a timetable and is on the project sheet.

Ms. Mallek asked if the County has the ability to address the issue of people shooting guns in the rural area for purposes other than hunting.

Ms. McKeel said they have had complaints about people shooting guns in the middle of the night for no reason and that a road sign was recently shot at.

Mr. Kamptner said that his office will take a look at this.

Mr. Randolph commented that if someone fires a gun as practice in preparation for hunting season, this would be acceptable. He said Ms. Mallek is suggesting that people are firing rounds in the middle of the night.

Mr. Kamptner reminded the Board that there is an ordinance prohibiting the discharge of firearms within residential districts. He said state law allows them to prohibit outdoor shooting of firearms and other devices in areas of the County which, in the opinion of the governing body, are so heavily populated as to make such conduct dangerous to the inhabitants. He said there is an exemption for killing deer.

Ms. Palmer said she had watched a presentation on B Corporation, an agency that certifies business for being socially or environmentally responsible. She said it sounded interesting and something the County might want to adopt to reward businesses.

Mr. Dill said it is a business owner's choice to register as a B Corporation.

Ms. McKeel expressed support.

Ms. McKeel said that older, high density neighborhoods in the urban ring have been struggling with parking issues and she had a meeting last fall with residents about this. She said one renter was parking 8-12 cars on the street and appears to be running a tow truck business out of his house, as he now has the trucks parked outside the home. She said another resident in her district parks an old van with antique license plates on a public road for months at a time. She said she reviewed the Virginia Code 46.2 Chapter 12, and learned that some counties had permission to regulate parking on secondary highways. She asked Supervisors for support to direct staff to research their options to address this issue. She said the Police have told her they cannot do anything because it is a VDOT road and now residents cannot sell their houses.

Mr. Kamptner agreed to research this to see if it can be added to the legislative agenda list.

Agenda Item No. 23. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Walker said they are entering a more visible phase of the courthouse improvement project, and a press release will be issued tomorrow announcing the early stages of the adjacency study and evaluation of courthouse location options involving Options 1 and 5. He said that he and Trevor Henry will meet with key stakeholders tomorrow and will soon be conducting surveys of stakeholders and citizens.

Agenda Item No. 24. Closed Session. *(if needed)*

There was no need for an additional closed meeting.

Agenda Item No. 25. Adjourn to August 4, 2017, 9:00 a.m., UVA Alumni Hall, 211 Emmet Street South, Charlottesville, VA.

At 7:56 p.m., Ms. McKeel **moved** to adjourn the Board of Supervisors meeting to August 4, 2017, 9:00 a.m., UVA Alumni Hall, 211 Emmet Street South, Charlottesville, VA. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

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

NAYS: None.

ABSENT: Mr. Sheffield.

Chairman

Approved by Board
Date 11/01/2017 Initials CKB