

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 7, 2018, at 1:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia.

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

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeff Richardson, 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 1:03 p.m., by the Chair, Ms. Mallek.

Ms. Mallek introduced the presiding security officer for the day, Officer Riley, and County staff at the dais.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No 4. Adoption of Final Agenda.

Ms. Mallek added a discussion of a commendation for a military base to the agenda, to be discussed at the end of the meeting.

Ms. Palmer **moved** that the Board adopt the final agenda as amended. The motion was **seconded** by Ms. McKeel. Roll was called and the motion carried by the following recorded vote:

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

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

Ms. Palmer announced that the Rivanna Solid Waste Authority will host e-waste days at the Ivy facility, similar to hazardous waste days held in the spring and fall, and this will include a charge for commercial drop-offs of computers but not for residential. She said the date has not yet been determined. She added that composting is now accepted at the Ivy MUC as it has been at the McIntire facility.

Ms. McKeel informed the Board that she and Mr. Gallaway had held the first of two town halls the previous night at Jack Jouett School to discuss the budget. She said the meeting was attended by 10 members of the public, 9 staff members, and 5 representatives from the press. She described the discussion as being very good, with an engaged citizenry. Ms. McKeel commented that the discussion about the High School 2022 initiative was enthralling, and she is ready to go back to high school. She noted that the next town hall will be held on March 13 at 6:00 p.m. at CATEC.

Mr. Gallaway commented on how well informed the attendees were.

Ms. Mallek announced that citizens had requested permission to take brush from their yards to Mint Springs Park as a result of the recent storm. She said the request is under consideration.

Ms. Mallek announced that her first town hall will be held on March 8 at the Field School, after the completion of a Crozet Community Association meeting. She announced that her second town hall will be held March 15 at 7:00 p.m. in the cafeteria of Broadus Wood Elementary School in Earlysville. She stated that great ideas always come from citizens, and it is a great time to capture them.

Mr. Randolph informed the Board that he had just received a communication from Bucky Walsh, President of the Albemarle Broadband Authority, and County IT Director, Mr. Mike Culp. He stated they have a preliminary list of criteria for the operation and prioritization of projects of the authority and suggested that the two projects come before the Board for approval since they have a policy-related dimension. Mr. Randolph explained that the first project involved expansion of broadband to households with school-aged children, which he believes needs to be worked out within the long-term planning of the School Division. He said the second involved a recommendation to obtain bids from multiple internet service providers.

Agenda Item No. 6. Proclamations and Recognitions:

Item No. 6a. Proclamation proclaiming March 21 through March 25, 2018 as the 24th Annual Festival of the Book.

Ms. Palmer **moved** that the Board adopt the following proclamation recognizing the Virginia Festival of the Book, and presented same to Ms. Jane Kulow:

**PROCLAMATION
VIRGINIA FESTIVAL OF THE BOOK**

WHEREAS, Albemarle County believes that literacy is critical to active and engaged citizenship, and is committed to promoting reading, writing, and storytelling within and outside its borders; and

WHEREAS, reading stimulates the creative and intellectual growth of individuals, while also building community through shared experiences and understanding; and

WHEREAS, the **VIRGINIA FESTIVAL OF THE BOOK** draws attendees and authors from the region, the Commonwealth, other states, and indeed the world, serving as an economically significant event for this area, while providing the majority of programs free of charge; and

WHEREAS, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, as well as cultural and civic organizations collaborate with the

VIRGINIA FESTIVAL OF THE BOOK to explore the world through reading, foster empathy for the stories of others, and promote literacy for all.

NOW, THEREFORE, BE IT RESOLVED, that we the Albemarle County Board of Supervisors, do hereby proclaim

**Wednesday, March 21 through Sunday, March 25, 2018
as the Twenty-Fourth Annual
VIRGINIA FESTIVAL OF THE BOOK**

and encourage community members to participate fully in the wide range of available programs and activities.

Signed this 7th day of March 2018.

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, Mr. Dill and Mr. Gallaway.

NAYS: None.

Ms. Jane Kulow, Director of the Virginia Center for the Book, addressed the Board and expressed appreciation to them on behalf of the Virginia Foundation for the Humanities and Virginia Festival of the Book. She emphasized the necessity of literacy for education and greater opportunities for newer members of the community, stating that reading offers a powerful pathway to civic engagement and to economic and social independence. She expressed appreciation to County schools for partnering to host author's programs and 80 author visits to all regional schools this year. She said as a reflection of the community wide support of the festival, they partner with over 200 organizations and more than 300 volunteers. Ms. Kulow stated that the 2017 festival attracted more than 30,000 attendees, representing a 50% increase since 2014. She shared the Agency Budget Review Team's report on their application for FY19 funding as follows: "The application was rated as exemplary. The program had strong outreach and engagement strategies and projected outcomes were fully achieved. The festival had a favorable economic impact for localities." Ms. Kulow stated that the festival staff is very proud of their work and very appreciative for the support of the County and looks forward to welcoming local residents and attendees from afar.

Item No. 6b. Proclamation recognizing SAME PAGE 2018: "What We Talk About When We Talk About Anne Frank" by Nathan Englander.

Ms. McKeel **moved** that the Board adopt the following proclamation recognizing SAME PAGE 2018: "What We Talk About When We Talk About Anne Frank" by Nathan Englander, and presented same to Ms. Abby Harris:

**Proclamation
SAME PAGE 2018:
"What We Talk About When We Talk About Anne Frank" by Nathan Englander**

WHEREAS, Same Page provides citizens with the opportunity to read and discuss a single book within their community by an author appearing at the Virginia Festival of the Book; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in Same Page, which will be held throughout March 2018; and

WHEREAS, the library's goal is to encourage all residents of Central Virginia to read and discuss "What We Talk About When We Talk About Anne Frank" by Nathan Englander; and

WHEREAS, the book is a collection of eight stories that explore themes such as trust, neighborliness and the Jewish identity; and

WHEREAS, Same Page is generously funded by the Friends of JMRL, and supported by the Art and Jane Hess Fund of the Library Endowment and the Virginia Festival of the Book.

NOW, THEREFORE, BE IT RESOLVED be it resolved that we, the Board of Supervisors of Albemarle County, do hereby proclaim Same Page during March 2018 and encourage all residents to read "What We Talk About" during this time.

Signed and sealed this 7th day of March, 2018

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, Mr. Dill and Mr. Gallaway.

NAYS: None.

Ms. Abby Harris of the Jefferson-Madison Regional Library accepted the proclamation. She thanked the Board and reminded them that in the past they held "The Big Read" as an annual community reading program, but had decided to go with a new program this year, "Same Page." Ms. Harris stated that the program will always host an author who is attending the Festival of the Book, with this year's theme being based on Anne Frank. She said the public will have the opportunity to meet Nathan Englander at Northside Library on March 22 at 6:00 p.m.

Item No. 6c. Proclamation proclaiming March, 2018, as the 16th Annual March for Meals Month.

Mr. Randolph **moved** that the Board adopt the following Proclamation recognizing March, 2018, as the 16th Annual March for Meals Month, and presented same to Mr. John Cleveland:

Proclamation

PROCLAIMING MARCH 2018 AS THE 16th ANNUAL MARCH FOR MEALS MONTH

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2018 observance of March for Meals celebrates 16 years of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation.

WHEREAS, the Meals on Wheels program in Albemarle County has served our community admirably for more 40 years and volunteers for the Meals on Wheels program in Albemarle County have provided nutritious meals to seniors, individuals with disabilities, and others throughout Albemarle County that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, the Meals on Wheels program in Albemarle County provides a powerful socialization opportunity for millions of seniors and other homebound citizens to help combat loneliness and isolation and deserves recognition for the contributions it has made, and will continue to make, to the local community, our State and our Nation.

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby proclaim **March 2018 as the 16th Annual March for Meals Month** and urge every citizen to take this month to honor the Meals on Wheels program, the seniors and other disable citizens they serve and the volunteers who care for them.

Signed this 7th day of March 2018.

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

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

NAYS: None.

Mr. John Cleveland, member of the Charlottesville Meals on Wheels Board of Directors, accepted the proclamation. He thanked the Board for helping spread the word about Meals on Wheels and informed them that the organization serves 3 million meals nationally every day to homebound seniors, and 200 meals in Charlottesville. He recounted the smiles on the faces of seniors when he delivers their meals and how the meal delivery person may be the only person they see all day. He said the annual "March for Meals" provides an opportunity to spread the word and invited all to attend the March for Meals march on March 17 on the Downtown Mall, with additional information available on the www.cvillemeals.org website.

Ms. Mallek thanked them for all they do and for being the person at the door who makes somebody's day.

Ms. Palmer encouraged citizens to become involved, especially during holidays when substitutes are needed, and described her own experience with Meals on Wheels as being wonderful.

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

Mr. Neil Williamson of the Free Enterprise Forum addressed the Board. He said the Board will receive a report that afternoon from the Residential Development Impact Work Group regarding the proffer reform legislation that became effective in July 2016. He stated that the bulk of the recommendation is to pursue enabling legislation for impact fees at the General Assembly. Mr. Williamson stated that Albemarle, as well as many other localities in Virginia, had a prophylactic proffer policy that had prevented significant rezonings from moving forward. He said all the current year's proffer legislation in the General Assembly has been set aside with a promise from the chairman of a proffer party to discuss solutions with stakeholders over the summer. He said the Free Enterprise Forum had been concerned for a long time about proffers, which he described as a "welcome, stranger" tax. Mr. Williamson noted that he had provided each Supervisor with a copy of his organization's 2013 report and said he would pose a few questions. He asked how they would grade the County's efforts to fund the infrastructure promised in the Comprehensive Plan, considering the unintended consequences of getting the very types of development they did not want, and asked if proffer and impact fees were worth it. He noted that the community is growing at a predictable and sustainable rate of 2% annually and asked how the County's infrastructure spending had prepared for this growth. Mr. Williamson stated that the siren song of proffers and impact fees was very strong for elected officials, and the idea of generating revenue from new homebuyers to pay their way was sometimes just a little too good to be true. He said the negative impacts of proffers and impact fees were documented in the report, including tearing up the community vision as expressed in the Comprehensive Plan, and said that cash proffers and impact fees produced a plethora of contradictory consequences without achieving any significant community benefit.

Mr. Randolph announced that the proffer party will be held on April 17 by the Local Government Committee chaired by Senator Stanley.

Mr. Matt Lawless, Town of Scottsville Administrator, addressed the Board and said he is happy to bring greetings from the Scottsville Town Council and the Scottsville community. He stated that Scottsville is a welcome neighbor and partner in government-to-government interactions, and the town's relationship with the County means a great deal to him. He said they are currently involved in the drafting of a budget, updating their comprehensive plan, and conducting community meetings on tourism. He described Scottsville as a tourist destination; a hub for the community in the southern part of Albemarle; a charming, walkable, traditional neighborhood; and a wonderful place for him to be of service and to leverage the County's efforts. He noted that three years earlier, he had worked as a management fellow with the County, and he described the positive learning experience. Mr. Lawless stated that he wants to bring high standards of ethical and professional management to Scottsville and the southern Albemarle community. He listed several areas in which he sees potential partnerships – including tourism, broadband, small business development, affordable housing, emergency planning, the river, and the railroad.

Ms. Palmer said that Mr. Lawless is very involved with solid waste planning and she looks forward to the establishment of recycling in Scottsville. She said she is happy that he took the job and looks forward to working with him.

Agenda Item No. 8. Consent Agenda.

(Discussion: Mr. Dill pulled his assigned minutes of December 13, 2017, and carried them forward to the next meeting.)

Ms. Palmer **moved** that the Board approve the Consent Agenda, with Item No. 8.1, as amended. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

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

Item No. 8.1. Approval of Minutes: December 6, December 13, December 18 and December 20,

2017.

Mr. Randolph had read the minutes of December 6, 2017, and found them to be in order.

Ms. Palmer had read the minutes of December 18, 2017, and found them to be in order.

Ms. McKeel had read the minutes of December 20, 2017, and found them to be in order.

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

Item No. 8.2. Albemarle Broadband Authority Fiscal Services Memorandum of Agreement.

The Executive Summary forwarded to the Board states that the Albemarle Broadband Authority (ABBA) was created by the Board of Supervisors in 2017 for the purpose of expanding access to high speed internet service (Broadband) in Albemarle County. Though its members are appointed by the Board of Supervisors, the ABBA is an independent political subdivision. Though the ABBA has yet to receive any funds of its own, it seeks to be fully equipped to receive and track any future funds that it may receive.

County staff, in conjunction with the ABBA, has prepared a proposed Memorandum of Agreement (Attachment A) for the County to provide fiscal services to the ABBA. This proposed Agreement with the ABBA is based on a nearly-identical agreement already in place with the Albemarle County Public Recreational Facilities Authority (PRFA). In exchange for an administrative fee of one percent (1%) of the ABBA's incoming funds received, the County would act as the fiscal agent for the ABBA, creating and maintaining separate account(s) for the ABBA. Upon receipt of income designated for the ABBA, the Board would appropriate those funds to the ABBA. Thereafter, the ABBA would have sole discretion over the expenditure of its designated funds. The County would simply act as the ABBA's fiscal agent. Either party may terminate the agreement with 30 days written notice, in which case any fund balance would be transferred to the ABBA for its own management.

Under the proposed Agreement, the County would collect an administrative fee of one percent (1%) of the ABBA's incoming funds received, offsetting any fiscal impact to the County.

Staff recommends that the Board adopt the attached Resolution (Attachment B) approving the Memorandum of Agreement.

By the above-recorded vote, the Board adopted the following Resolution approving the Memorandum of Agreement:

**RESOLUTION TO APPROVE
A MEMORANDUM OF AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE
AND THE ALBEMARLE BROADBAND AUTHORITY**

WHEREAS, the Board finds it is in the best interest of the County to enter into a Memorandum of Agreement with the Albemarle Broadband Authority ("ABBA") for the County to provide fiscal services to the ABBA.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the County Executive to execute a Memorandum of Agreement between the County of Albemarle and the Albemarle Broadband Authority once the Memorandum of Agreement has been approved as to substance and form by the County Attorney.

**ALBEMARLE BROADBAND AUTHORITY (ABBA) FISCAL SERVICES
MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement for Fiscal Services is by and between the County of Albemarle, a political subdivision of the Commonwealth of Virginia (the "County") and the Albemarle Broadband Authority, a public body politic and corporate under the Virginia Wireless Service Authorities Act (the "ABBA").

WITNESSETH:

Whereas, the ABBA has requested, and the County has agreed, to provide fiscal services to the ABBA beginning April 1, 2018.

Wherefore, the parties have agreed on the following services and compensation:

1. The ABBA shall provide all start-up information (including this Agreement, W-9 tax form and the funds to be deposited) by April 1, 2018.
2. The County shall receive, account, segregate, maintain and disburse funds for the ABBA.

3. The County shall provide said fiscal services for the ABBA for an administrative fee of one percent (1%) of the incoming funds received by the ABBA.
4. Any funds designated for the ABBA shall be received by the County and shall be appropriated annually (or as requested by the ABBA) by the Albemarle County Board of Supervisors for the purposes of the ABBA. The accounting of the funds shall be separately kept in a segregated fund designated for the ABBA. After said appropriation, the expenditure of said funds shall be at the sole discretion of the ABBA, subject to applicable law, and the limiting conditions of any contract, gift, or grant. If the Board of Supervisors should fail or refuse to appropriate any ABBA-designated funds to the ABBA, this agreement shall be subject to termination, with all such funds returned to the ABBA, pursuant to the terms of Section 10 herein.
5. An agent for the County shall deduct said administrative fee from the ABBA's account within 30 days of the end of any month in which the ABBA has received funds.
6. Funds being held in the County's ABBA account shall accrue interest based on the County's monthly allocation process.
7. Funds shall be disbursed only for ABBA-approved expenditures and only after approval by an authorized ABBA Member.
8. All ABBA Fiscal Activity, processed through County Records, shall be subject to the County's Annual Audit.
9. This agreement may be amended in writing only with the mutual consent of the parties.
10. This agreement may be terminated by either party upon 30 days' written notice, in which event any remaining funds shall be turned over to the ABBA for its own management.
11. This agreement shall be effective when it has been signed by both parties.

In witness whereof, the parties hereto have executed this Memorandum of Agreement, effective as of the day and year set forth above.

COUNTY OF ALBEMARLE

ALBEMARLE BROADBAND AUTHORITY

By: _____
Jeffrey B. Richardson, County Executive

By: _____
William M. Walsh, III, Chair

Date: _____

Date: _____

Item No. 8.3. Virginia Department of Agriculture and Consumer Services Grant for Easement Acquisition.

The Executive Summary forwarded to the Board states that the Virginia Department of Agriculture and Consumer Services' ("VDACS"), Office of Farmland Preservation, has awarded a \$61,615.23 farmland preservation grant to the County. Albemarle County is one of only five localities in the state to receive the full matching grant requested this year.

Through the years, the County has received numerous grants under this program:

- \$86,950 in 2017
- \$411,890 in 2016
- \$286,883 in 2015
- \$149,678 in 2014
- \$160,716 in 2013
- \$110,952 in 2012
- \$55,290 in 2011
- \$93,932 in 2010
- \$49,900 in 2009
- \$403,220 in 2008.

VDACS has requested that the County enter an Intergovernmental Agreement (the "IGA") (Attachment A) as a condition for receiving this grant. While the County has yet to identify the specific easement(s) to which it would apply these funds, it intends to apply them toward the acquisition of the next qualifying easement(s), most likely from the most recent applicant pool that was received on October 31, 2017. This grant will remain available to (partially) reimburse any qualifying purchase for up to two years from the date of the IGA. As in past years, the key provisions of the IGA are as follows:

1. The IGA would obligate VDACS to set aside the grant amount in a restricted account and reimburse the County for its eligible costs for the purchase of conservation easement(s). The County's funds would be restricted exclusively for the County's qualifying costs for a period of up to two years.
2. The IGA also would restrict conversion or diversion of a subject property from open-space use, unless the conversion or diversion satisfied the requirements of the Open Space Land Act. Conversion or diversion of land is permitted under the Open-Space Land Act in limited circumstances upon the concurrence of the County and the Public Recreational Facilities Authority and upon the placement of substitute land of equal or greater value and quality under an open-space easement. The Agreement would entitle VDACS to reimbursement of its pro rata share of the market value of the easement if conversion or diversion ever occurred.

3. In exchange for the state's grant commitment, the IGA would obligate the County to:
- appropriate matching funds equal to the grant amount for the purchase of a subject easement,
 - apply the grant funds to the purchase of the easement,
 - provide VDACS with annual progress reports (while the grant Agreement is in force) describing the County's efforts to obtain easements on other working farms, and its programs for public outreach, stewardship and monitoring, and measuring the effectiveness of the County's efforts to bring working farms under easement,
 - maintain sufficient title insurance for the subject easement(s), which is already a standard County practice, and allow VDACS the opportunity to review easement instruments and the title insurance policy prior to closing,
 - receive copies of the recorded easement instrument after closing,
 - provide notice to VDACS if the County receives an application to convert or divert a subject easement from its permitted easement uses, and
 - enforce the terms and conditions of the deed of easement.

Staff has reviewed the terms of the proposed IGA between VDACS and the County, and recommends their acceptance.

The County's execution of the FY 18 IGA would allow the County to receive \$61,615.23 in state funding to apply to the ACE program. In order for the County to receive these funds, it must appropriate matching funds of \$61,615.23. That local match is available through funds previously appropriated for ACE by the Board in FY 18.

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

By the above-recorded vote, the Board adopted the following Resolution approving the FY18 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Agriculture and Consumer Services:

**RESOLUTION TO APPROVE THE FY 18 AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE AND
THE COMMONWEALTH OF VIRGINIA
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

WHEREAS, the Board finds it is in the best interest of the County to enter into an Agreement with the Commonwealth of Virginia Department of Agriculture and Consumer Services as a condition of receiving a FY 18 grant award for the preservation of working farms and forest lands through the ACE Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the FY 18 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Agriculture and Consumer Services, and authorizes the County Executive to execute the FY 18 Agreement on behalf of the County, after approval as to form and content by the County Attorney.

**INTERGOVERNMENTAL AGREEMENT
Between
Virginia Department of Agriculture and Consumer Services
and
Albemarle County**

This INTERGOVERNMENTAL AGREEMENT is entered into this 31st day of December, 2017, in the City of Richmond, Virginia, between the Virginia Department of Agriculture and Consumer Services ("VDACS") and Albemarle County (collectively, "the Parties") to provide mutually advantageous terms for cooperation between VDACS and Albemarle County to implement VDACS' contribution of funds in support of Albemarle County's purchase of agricultural conservation easements.

WHEREAS, the General Assembly, by Chapter 836 of the 2017 Acts of Assembly, appropriated \$250,000.00 in the fiscal year ending June 30, 2018, to VD ACS for the continuation of a state fund to match local government purchase of development rights program funds for the preservation of working farms and forest lands; and,

WHEREAS, § 3.2-201 of the Code of Virginia authorizes VDACS' Office of Farmland Preservation to develop methods and sources of revenue for allocating funds to localities to purchase agricultural conservation easements, and to distribute these funds to localities under policies, procedures, and guidelines developed by VDACS' Office of Farmland Preservation; and,

WHEREAS, for all purposes of this INTERGOVERNMENTAL AGREEMENT, the term "agricultural conservation easement" shall mean a negative easement in gross that has the primary conservation purpose of preserving working farm and/or forest land; and,

WHEREAS, the Board of Supervisors has enacted an ordinance or passed a resolution that: authorizes, in accordance with Title 10.1, Chapter 17 of the Code of Virginia ("the Open-Space Land Act") and other applicable law, Albemarle County to purchase agricultural conservation easements from landowners (each hereinafter called "Grantor"); sets forth a clear, consistent, and equitable administrative process governing such purchases; and outlines the goals and purposes of Albemarle County's farmland preservation program; and,

WHEREAS, Albemarle County has agreed to maintain a public outreach program designed to educate various stakeholders in Albemarle County-including farmers, landowners, public officials, and the non-farming public-about Albemarle County's initiatives to preserve working farms and forest lands; and,

WHEREAS, Albemarle County has agreed to establish a transparent and replicable process for valuation of agricultural conservation easements; and,

WHEREAS, the purchase of agricultural conservation easements is one component of Albemarle County's broader farmland preservation program; and,

WHEREAS, Albemarle County has agreed to use a deed of easement that is sufficiently flexible to allow for future agricultural production in purchases of agricultural conservation easements for which Albemarle County uses funds contributed to it by VDACS; and,

WHEREAS, Albemarle County has agreed that any agricultural conservation easement purchased as per the terms of this INTERGOVERNMENTAL AGREEMENT shall meet the definition of "real estate devoted to agricultural use", "real estate devoted to horticultural use" or "real estate devoted to forest use" as established in§ 58.1-3230 of the Code of Virginia; and,

WHEREAS, Albemarle County has agreed to establish a clear strategy for monitoring and enforcing the terms of the agricultural conservation easements that Albemarle County purchases; and,

WHEREAS, Albemarle County has agreed to establish a process that Albemarle County will use to evaluate the effectiveness of its farmland preservation program, including a protocol for making changes to Albemarle County's agricultural conservation efforts based on such evaluations; and,

WHEREAS, VDACS, in reliance on the veracity of the foregoing recitals, certifies Albemarle County is eligible to receive contributions of funds from VDACS in reimbursement for certain costs Albemarle County actually incurs in the course of purchasing agricultural conservation easements; and,

WHEREAS, Albemarle County, and the agents and employees of Albemarle County, in the performance of this INTERGOVERNMENTAL AGREEMENT, are acting on behalf of Albemarle County, and not as officers or employees or agents of the Commonwealth of Virginia;

NOW, THEREFORE, VDACS and Albemarle County agree their respective responsibilities, pursuant to this INTERGOVERNMENTAL AGREEMENT, shall be defined as follows:

1. VDACS Responsibilities

- a. VD ACS shall, within thirty (30) days of the date of execution of this INTER GOVERNMENT AL AGREEMENT, restrict \$61,615.2 3 (hereinafter "the Allocation Amount") in an account, from which VD ACS shall withdraw funds only to pay contributions of funds that Albemarle County is eligible to receive pursuant to this INTERGOVERNMENTAL AGREEMENT, except that upon the expiration of two (2) years from the date of this INTERGOVERNMENTAL AGREEMENT, or immediately upon Albemarle County's failure to perform any of its obligations under the terms of this INTER GOVERNMENT AL AGREEMENT, VD ACS shall have the right to withdraw any funds then remaining in such account and the right to redirect those funds to other localities that VDACS certifies as being eligible to receive matching funds and that enter into an intergovernmental agreement with VDACS to govern the distribution of matching funds for the purchase of agricultural conservation easements. The allocation amount from this and any prior INTERGOVERNMENTAL AGREEMENT shall not be considered to be a grant as that term is used in paragraph I(b) of this INTERGOVERNMENTAL AGREEMENT.
- b. Upon Albemarle County or any agent acting on behalf of Albemarle County's recordation of a deed evidencing Albemarle County's purchase of an agricultural conservation easement in the circuit court of the city or county where the Grantor's land is located and Albemarle County's submission to VD ACS of a completed claim for reimbursement, on a form prescribed by VDACS, together with the supporting documentation required under paragraph 2(e) of this INTERGOVERNMENTAL AGREEMENT, VDACS shall reimburse Albemarle County fifty percent (50%) of the reimbursable costs that Albemarle County actually incurred in the course of purchasing that agricultural conservation easement, limited to that portion of the allocation amount remaining in the account maintained by VD ACS pursuant to paragraph I(a) of this INTERGOVERNMENTAL AGREEMENT. The following shall not be considered to be reimbursable costs that Albemarle County actually incurred and shall be subtracted from the total amount of reimbursable costs considered for reimbursement by VD ACS in connection with any particular agricultural conservation easement transaction: grants made by the

United States of America, the Virginia Department of Agriculture and Consumer Services (VDACS), the Virginia Department of Conservation and Recreation (DCR), the Virginia Outdoors Foundation (VOF), or any other governmental agency or political subdivision of the Commonwealth of Virginia; payments made by any other funding sources either directly to the landowner or to reimburse Albemarle County; or in-kind donations or contributions. VD ACS may make alternative arrangements for the distribution of funds pursuant to this INTERGOVERNMENTAL AGREEMENT, provided Albemarle County presents a written request for such alternative arrangement to the Commissioner of VDACS or the Commissioner of VDACS's designated agent (referred collectively hereinafter as "the Grant Manager") prior to incurring any expense for which Albemarle County seeks a distribution of funds under the proposed alternative arrangement.

For purposes of this INTERGOVERNMENTAL AGREEMENT, "reimbursable costs" include:

1. The purchase price of the agricultural conservation easement actually incurred by Albemarle County, at present value, including any portion that Albemarle County will pay over time pursuant to an installment purchase agreement;
 2. The cost of title insurance actually incurred by Albemarle County;
 3. The cost actually incurred by Albemarle County of any appraisal of the land by a licensed real estate appraiser upon which Albemarle County purchases an agricultural conservation easement;
 4. The cost actually incurred by Albemarle County of any survey of the physical boundaries of the land by a licensed land surveyor upon which Albemarle County purchases an agricultural conservation easement, including the cost of producing a baseline report of the conditions existing on the land at the time of the conveyance of the agricultural conservation easement;
 5. Reasonable attorney fees actually incurred by Albemarle County associated with the purchase of an agricultural conservation easement, where reasonable attorney fees include those fees associated with outside counsel required for the completion of the easement, but do not include fees related to county or city attorneys serving as staff and who are paid regular salary in the county's or city's employ;
 6. The cost actually incurred by Albemarle County of issuing public hearing notices associated with Albemarle County's purchase of an agricultural conservation easement that Albemarle County is required by law to issue; and
 7. Any recordation fees actually incurred by Albemarle County that Albemarle County is required to pay pursuant to the laws of the Commonwealth of Virginia.
- c. VD ACS shall only be responsible for reimbursing Albemarle County under paragraph 1 (b) of this INTERGOVERNMENTAL AGREEMENT for reimbursable costs that Albemarle County actually incurs in the course of purchasing an agricultural conservation easement when Albemarle County or any agent acting on behalf of Albemarle County acquires, by such purchase, a deed of easement that, at a minimum, provides:
1. The primary conservation purpose of the easement conveyed by the deed of easement is the conservation of the land in perpetuity for working farm and/or forestal uses.
 2. The Grantor and Albemarle County agree that the land subject to the agricultural conservation easement shall not be converted or diverted, as the Open-Space Land Act employs those terms, until and unless the Grant Manager, with the concurrence of Albemarle County or an assignee of Albemarle County's interest in the agricultural conservation easement, certifies that such conversion or diversion satisfies the requirements of the Open-Space Land Act.
 3. The Grantor and Albemarle County agree that, in the event of an extinguishment of the restrictions of the agricultural conservation easement that results in the receipt of monetary proceeds by Albemarle County or an assignee of Albemarle County's interest in an agricultural conservation easement in compensation for the loss of such property interest, VD ACS shall be entitled to a share of those proceeds

proportional to VDACS' contribution toward the total reimbursable cost of acquiring the agricultural conservation easement as evidenced by the completed claim for reimbursement required under paragraph 1 (b) of this INTERGOVERNMENTAL AGREEMENT.

4. If the Grantor conveys the agricultural conservation easement for less than its fair market value, the Grantor and Albemarle County mutually acknowledge that approval of the terms of this Deed of Easement by VDACS and/or its legal counsel does not constitute a warranty or other representation as to the Grantor's qualification for any exemption, deduction, or credit against the Grantor's liability for the payment of any taxes under any provision of federal or state law.
5. All mortgagors and other holders of liens on the property subject to the restrictions contained in the deed of easement have subordinated their respective liens to the restrictions of the deed of easement acquired by Albemarle County. All such mortgagors and other holders of liens shall manifest their assent to the easement's priority over their respective liens by endorsing the deed of easement.
6. A baseline report documenting the conditions existing on the land at the time of the conveyance of the agricultural conservation easement is incorporated into the deed of easement by reference.

2. Albemarle County Responsibilities

- a. Albemarle County shall, within thirty (30) days of the date of execution of this INTERGOVERNMENTAL AGREEMENT, have available local funds greater than or equal to the allocation amount for the purpose of purchasing agricultural conservation easements.
- b. Albemarle County shall use matching funds that VDACS contributes to Albemarle County, pursuant to this INTERGOVERNMENTAL AGREEMENT, only for the purpose of purchasing agricultural conservation easements that are perpetual and that have the primary conservation purpose of preserving working farm and/or forest lands.
- c. Within one (1) year from the date of this INTERGOVERNMENTAL AGREEMENT, and for each subsequent year in which the INTERGOVERNMENTAL AGREEMENT or a subsequent agreement is in force, Albemarle County shall submit to VDACS a progress report that:
 1. describes any properties that Albemarle County has identified as prospects for Albemarle County's purchase of agricultural conservation easements and the status of any negotiations for the purchase of such agricultural conservation easements;
 2. estimates the timeframes within which Albemarle County will execute contracts for any such purchases, close on such purchases, and request reimbursement of reimbursable costs for those purchases from VDACS;
 3. describes the measures Albemarle County has undertaken to develop and/or maintain a public outreach program designed to educate various stakeholders in Albemarle County's community-including farmers, landowners, public officials, and the non-farming public-about Albemarle County's agricultural conservation easement program and other initiatives to preserve working agricultural land;
 4. describes the measures Albemarle County has undertaken to develop and/or maintain a formal plan for stewardship and monitoring of the working agricultural land on which Albemarle County acquires agricultural conservation easements; and
 5. describes the measures Albemarle County has undertaken to develop and/or maintain a process that Albemarle County will use to evaluate the effectiveness of its program, including a protocol for making changes to Albemarle County's agricultural conservation efforts based on such evaluations.
- d. For any purchase of agricultural conservation easements for which Albemarle County requests reimbursement from VDACS pursuant to this INTERGOVERNMENTAL AGREEMENT, Albemarle County shall obtain a policy of title insurance on its purchased interest that covers at least an amount equal to the amount for which Albemarle County requests reimbursement from VDACS.

- e. Prior to closing on a purchase of an agricultural conservation easement for which Albemarle County requests reimbursement from VDACS pursuant to this INTERGOVERNMENTAL AGREEMENT, Albemarle County shall submit, for review and approval by VDACS and its legal counsel, the following documentation:
1. a written agreement setting forth, in the manner prescribed by Albemarle County's ordinance or resolution governing its program to acquire agricultural conservation easements, the terms of Albemarle County's purchase of the agricultural conservation easement, including the purchase price;
 2. a written confirmation from the Albemarle County Commissioner of Revenue or Director of Finance, or the Albemarle County Commissioner of Revenue's or Director of Finance's designated agent that the property/properties to be encumbered by the agricultural conservation easement meet the definition of "real estate devoted to agricultural use", "real estate devoted to horticultural use" or "real estate devoted to forest use" as established in § 58.1-3230 of the Code of Virginia;
 3. a written description of the agricultural, environmental and social characteristics of the property/properties to be encumbered by the agricultural conservation easement;
 4. any installment purchase agreement;
 5. the deed of easement that the Grantor will deliver to Albemarle County at closing, including all exhibits, attachments, and/or addenda;
 6. a title insurance commitment for a policy to insure the easement interest under contract indicating an amount of coverage at least equal to the amount of funds for which Albemarle County requests reimbursement from VDACS; and
 7. an itemized list of all reimbursable costs that Albemarle County has or will, up to the time of closing, incur in the course of purchasing the agricultural conservation easement.

Albemarle County shall make whatever changes to the proposed deed of easement and/or the installment purchase agreement, where applicable, that VDACS and/or its legal counsel deem necessary to ensure compliance with applicable state law and the requirements and purposes of this INTERGOVERNMENTAL AGREEMENT. If Albemarle County closes on any purchases of easement prior to the review and acceptance of VDACS or its legal counsel, VDACS may withhold part or all of the allotment amount until VDACS approves of the deed of easement.

Albemarle County may fulfill its obligation under this paragraph by submitting accurate and complete copies of all documents enumerated in this paragraph, provided that Albemarle County shall deliver or make available the original documents to VDACS for review at VDACS' request.

- f. Together with any claim for reimbursement pursuant to this INTERGOVERNMENTAL AGREEMENT that Albemarle County submits to VDACS, Albemarle County shall also submit the following supporting documentation:
1. a copy of the recorded deed of easement that VDACS and/or its legal counsel approved prior to closing, showing the locality, deed book, and page of recordation, and including all exhibits, attachments, and/or addenda;
 2. copies of invoices, bills of sale, and cancelled checks evidencing Albemarle County's incurrence of reimbursable costs in the course of purchasing the agricultural conservation easement;
 3. a copy of any executed installment purchase agreement related to the purchase, which shall indicate the purchase price; and
 4. a copy of any deed of trust related to the purchase.
- g. Albemarle County shall provide the Grant Manager immediate written notice of Albemarle County's receipt of any application or proposal for the conversion or diversion of the use of any land upon which Albemarle County or its assignee, where applicable, holds an agricultural conservation easement, for the purchase of which VDACS contributed funds pursuant to this INTERGOVERNMENTAL AGREEMENT.

- h. Albemarle County, or any assignee of Albemarle County's interest in an agricultural conservation easement for which Albemarle County receives a contribution from VDACS pursuant to this INTERGOVERNMENTAL AGREEMENT shall at all times enforce the terms of that easement. Albemarle County shall provide the Grant Manager immediate written notice of any actions, whether at law, in equity, or otherwise, taken by locality to enforce the terms of the easement or to abate, prevent, or enjoin any violation thereof by any Party. Any failure by Albemarle County or such assignee to perform its enforcement responsibility shall constitute a breach of this INTERGOVERNMENTAL AGREEMENT, for which VDACS shall have a remedy by way of a civil action for specific performance of that enforcement responsibility; or, VDACS shall have the right and authority, at its option, to demand and receive from Albemarle County a portion of the full market value of the agricultural conservation easement at the time of the breach in proportion to VD ACS' contribution toward the total reimbursable cost of acquiring the agricultural conservation easement as evidenced by the completed claim for reimbursement required under paragraph l(b) of this INTERGOVERNMENTAL AGREEMENT.
- i. For any purchase of an agricultural conservation easement for which Albemarle County requests reimbursement from VDACS pursuant to this INTERGOVERNMENTAL AGREEMENT, Albemarle County shall derive its valuation of the agricultural conservation easement according to the valuation methods prescribed by ordinance or resolution.

3. Merger and Supersedure of Prior Agreement

The Parties agree that terms of any INTERGOVERNMENTAL AGREEMENT previously entered into between the Parties to govern VD ACS' distribution of funds to Albemarle County in support of Albemarle County's purchase of agricultural conservation easements shall be merged into the instant INTERGOVERNMENTAL AGREEMENT, the latter of which shall supersede all former INTERGOVERNMENTAL AGREEMENTS to the extent that there are any inconsistencies between the terms of these INTERGOVERNMENTAL AGREEMENTS. Notwithstanding the language of this paragraph, VDACS shall be required to restrict the allocation amount(s) provided in paragraph l(a) of any prior agreement(s) in addition to the current allocation amount, but shall only be required to restrict any prior allocation amount(s) until the expiration of two (2) years from the date of execution of the prior agreement(s).

4. Recertification

This INTERGOVERNMENTAL AGREEMENT pertains exclusively to VDACS' contribution of funds that the General Assembly has appropriated to VD ACS through the fiscal year ending June 30, 2018. VD ACS shall not contribute other funds in the future to Albemarle County except upon VD ACS' recertification of Albemarle County's eligibility to receive such funds. VDACS may establish and communicate to Albemarle County certain benchmarks of program development that VD ACS will impose upon Albemarle County as preconditions to Albemarle County's recertification for future contributions.

5. Governing Law

This INTER GOVERNMENT AL AGREEMENT is governed by and shall be interpreted in accordance with the laws of the Commonwealth of Virginia. In all actions undertaken pursuant to this INTERGOVERNMENTAL AGREEMENT, preferred venue shall be in the City of Richmond, Virginia, at the option of VDACS.

6. Assignment

Albemarle County shall not assign this INTERGOVERNMENTAL AGREEMENT, either in whole or in part, or any interest in an agricultural conservation easement for the purchase of which VD ACS contributes funds pursuant to this INTERGOVERNMENTAL AGREEMENT, without the prior, written approval of the Grant Manager.

7. Modifications

The Parties shall not amend this INTERGOVERNMENTAL AGREEMENT, except by their mutual, written consent.

8. Severability

In the event that any provision of this INTERGOVERNMENTAL AGREEMENT is unenforceable or held to be unenforceable, then the Parties agree that all other provisions of this INTER GOVERNMENT AL AGREEMENT have force and effect and shall not be affected thereby.

In witness, whereof, the Parties hereto have executed this INTERGOVERNMENTAL AGREEMENT as of the day and year first written above.

Sandra J. Adams Commissioner Virginia Department of Agriculture & Consumer Affairs	Date	County Executive	Date
APPROVED AS TO FORM ONLY:		APPROVED AS TO FORM ONLY:	
Assistant Attorney General	Date	County Attorney	Date

Item No. 8.4. Ivy Road Sidewalk.

The Executive Summary forwarded to the Board states that the County’s Department of Facilities and Environmental Services - Project Management Division received Virginia Department of Transportation (VDOT) approval to commence the right-of-way and easement acquisitions for the locally administered Ivy Road Sidewalk (“Project”) Revenue Sharing project. The Project will construct 1625 feet of sidewalk on the south side of Ivy Road. The acquisition of public rights- of-way and/or easements across approximately 10 parcels will be necessary to construct this project. The costs of acquiring the rights-of-way and easements are subject to a state match from VDOT’s Revenue Sharing Program. As a condition of the Revenue Sharing Program, VDOT requires that the County determine the amount of just compensation for the rights-of-way and easements, and that the County inform the property owners of their right to receive just compensation.

This executive summary is to request that the Board authorize the County’s purchase of all rights-of-way and easements necessary to complete this project at a price not to exceed the just compensation amount and not to exceed the current project budget. This procedure, implemented at the start of the right-of-way phase of previous Revenue Sharing sidewalk projects, has helped facilitate our property acquisition process and is consistent with Locally Administered VDOT Revenue Sharing project requirements. Rights-of-way and/or easements will be acquired across approximately 10 parcels as illustrated on the Project Map in Attachment A and as listed in Attachment B based on the data from current tax records.

The attached Resolution (Attachment C) authorizes the purchase of the rights-of-way and easements necessary for the Ivy Road Sidewalk Project for amounts not to exceed just compensation as confirmed by the County Attorney and not to exceed the current project budget; and authorizes the County Executive to sign, in a form approved by the County Attorney, all documents necessary to complete the acquisitions.

The budget for this project is approved and appropriated. This action will have no additional impact on the current budget.

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

By the above-recorded vote, the Board adopted the following Resolution authorizing the acquisition of rights-of-way and/or easements on approximately ten parcels located on Ivy Road:

**RESOLUTION TO AUTHORIZE
ACQUISITION OF RIGHTS-OF-WAY AND/OR EASEMENTS
ON APPROXIMATELY TEN PARCELS LOCATED ON IVY ROAD**

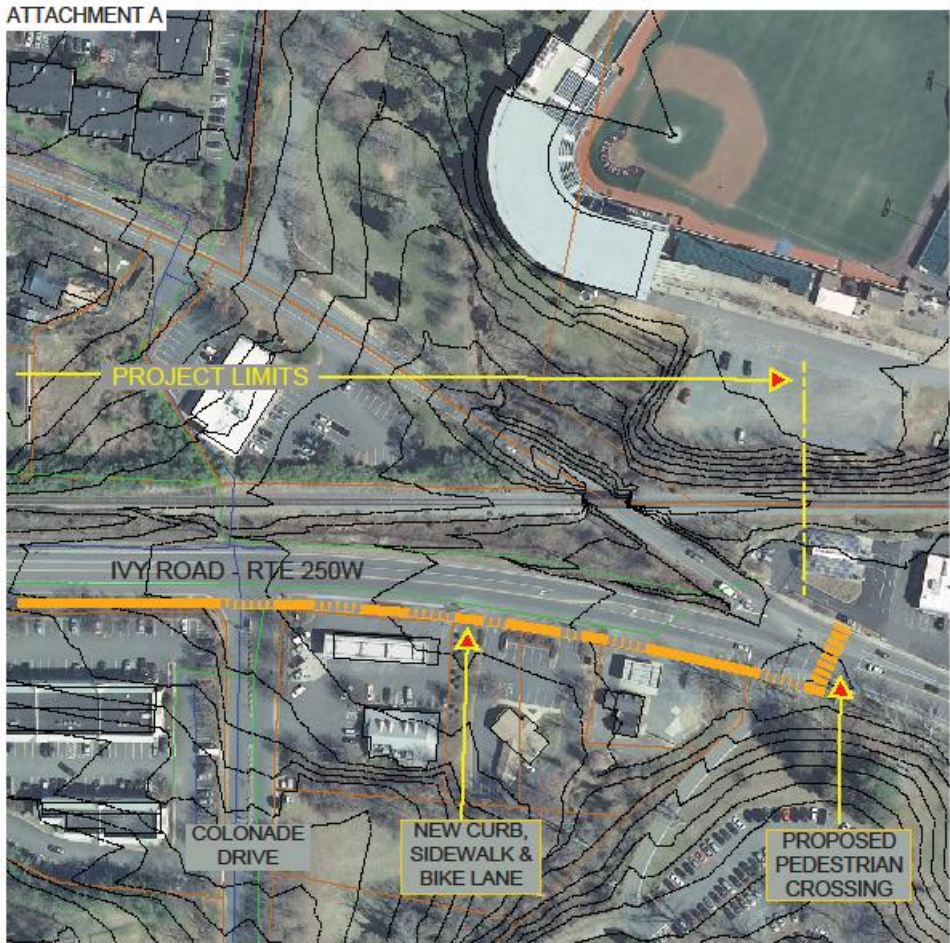
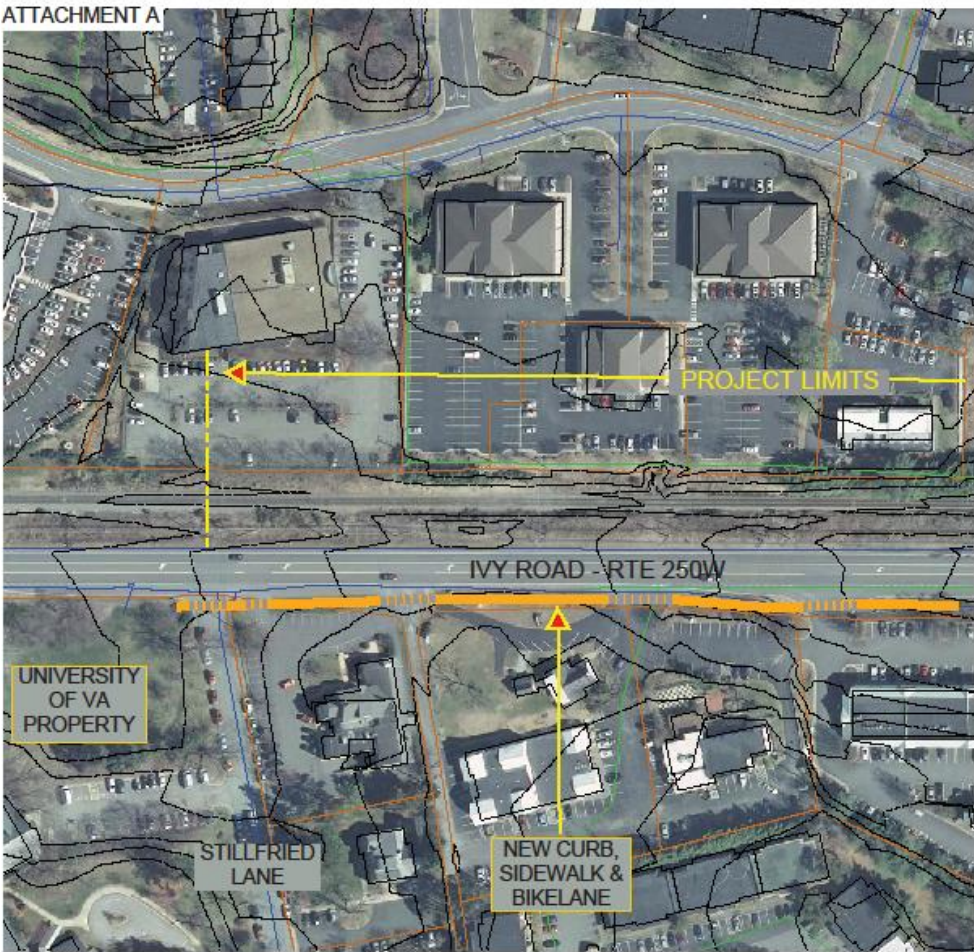
WHEREAS, the Project Management Division of the County’s Department of Facilities and Environmental Services is completing the right-of-way and easement acquisition phase for the Ivy Road Sidewalk Project; and

WHEREAS, rights-of-way and/or easements on approximately ten parcels are necessary to construct the Project.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the acquisition of rights-of-way and/or easements on approximately ten parcels, including, but not limited to, those listed below, that are necessary for the Ivy Road Sidewalk Project for an amount not to exceed just compensation as confirmed by the County Attorney or his designee, and in amounts not to exceed the current project budget, and further authorizes the County Executive to execute all documents in a form approved by the County Attorney that are necessary to complete the acquisitions.

06000-00-00-03100
06000-00-00-03700
06000-00-00-03800
06000-00-00-03900
06000-00-00-040B1
06000-00-00-040B2
06000-00-00-040C1
06000-00-00-040D0
070001101
0700019A0

NOTE: Ownership information is based on tax records at the time of preparation and is subject to change.



Item No. 8.5. Rio Road, Avon Extended and Rockfish Gap Turnpike Sidewalks.

The Executive Summary forwarded to the Board states that the County's Department of Facilities and Environmental Services - Project Management Division received Virginia Department of Transportation (VDOT) approval to commence the right-of-way and easement acquisitions for the locally administered Rio Road, Avon Street Extended and Rt. 250 West/Rockfish Gap Turnpike Sidewalks

("Project") Revenue Sharing project. The Project will construct 1600 feet of sidewalk on Rio Road, 3370 feet of sidewalk on Avon Street Extended, and 1780 feet of sidewalk and a mid-block pedestrian crossing on Rt. 250 West/Rockfish Gap Turnpike. The acquisition of public rights-of-way and/or easements across approximately 37 parcels will be necessary to construct this project. The costs of acquiring the rights-of-way and easements are subject to a state match from VDOT's Revenue Sharing Program. As a condition of the Revenue Sharing Program, VDOT requires that the County determine the amount of just compensation for the rights-of-way and easements, and that the County inform the property owners of their right to receive just compensation.

This executive summary is to request that the Board authorize the County's purchase of all rights-of-way and easements necessary to complete this project at a price not to exceed the just compensation amount and not to exceed the current project budget. This procedure, implemented at the start of the right-of-way phase of previous Revenue Sharing sidewalk projects, has helped facilitate our property acquisition process and is consistent with Locally Administered VDOT Revenue Sharing project requirements. Rights-of-way and/or easements will be acquired across approximately 37 parcels as illustrated on the Project Map in Attachment A and as listed in Attachment B based on the data from current tax records.

The attached Resolution (Attachment C) authorizes the purchase of the rights-of-way and easements necessary for the Project for amounts not to exceed just compensation as confirmed by the County Attorney and not to exceed the current project budget; and authorizes the County Executive to sign, in a form approved by the County Attorney, all documents necessary to complete the acquisitions.

The budget for this project is approved and appropriated. This action will have no additional impact on the current budget.

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

By the above-recorded vote, the Board adopted the following Resolution authorizing the acquisition of rights-of-way and/or easements on approximately thirty-seven parcels located on Rio Road, Avon Street Extended, and Rt. 250W/Rockfish Gap Turnpike:

RESOLUTION TO AUTHORIZE ACQUISITION OF RIGHTS-OF-WAY AND/OR EASEMENTS ON APPROXIMATELY THIRTY-SEVEN PARCELS LOCATED ON RIO ROAD, AVON STREET EXTENDED AND RT. 250 W/ROCKFISH GAP TURNPIKE

WHEREAS, the Project Management Division of the County's Department of Facilities and Environmental Services is completing the right-of-way and easement acquisition phase for the Rio Road, Avon Street Extended, and Rt. 250 W/Rockfish Gap Turnpike Sidewalks Project; and

WHEREAS, rights-of-way and/or easements on approximately thirty-seven parcels are necessary to construct the Project.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the acquisition of rights-of-way and/or easements on approximately thirty-seven parcels, including, but not limited to, those listed below, that are necessary for the Rio Road, Avon Street Extended, and Rt. 250W/Rockfish Gap Turnpike Sidewalks Project for an amount not to exceed just compensation as confirmed by the County Attorney or his designee, and in amounts not to exceed the current project budget, and further authorizes the County Executive to execute all documents in a form approved by the County Attorney that are necessary to complete the acquisitions.

<u>Rio Road</u>	<u>Avon Street Extended</u>	<u>Rt250W/Rockfish Gap</u>
06100-00-00-16500	07700-00-00-04300	090F0-00-00-000A1
06100-00-00-165A0	07700-00-00-04400	09100-00-00-00100
06100-00-00-165B0	07700-00-00-04500	09100-00-00-001A0
06100-00-00-165C0	07700-00-00-04600	09100-00-00-001B0
06100-00-00-17000	07700-00-00-04700	09100-00-00-001D0
06100-00-00-173A0	09000-00-00-03300	09100-00-00-001E0
06100-00-00-17400	09000-00-00-033A0	09100-00-00-001F0
06100-00-00-17900	09000-00-00-033B0	09100-00-00-002D1
06100-00-00-180A0	09000-00-00-033C	09100-00-00-01300
06100-00-00-18200	09000-00-00-03400	
061A0-03-00-000A0		
061A0-03-00-00100		
062F0-01-00-000C0		

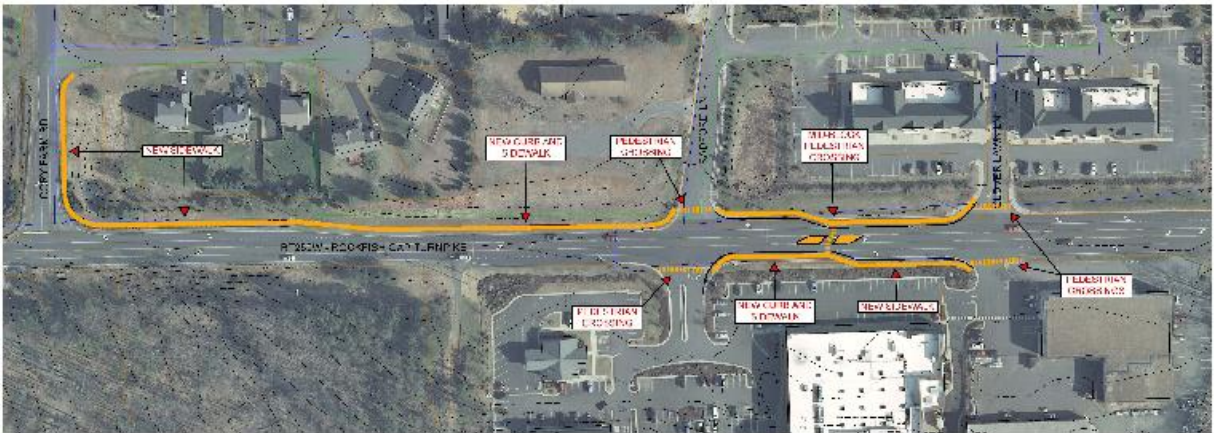
ATTACHMENT A
PROJECT MAP - RIO ROAD SIDEWALKS



ATTACHMENT A
PROJECT MAP - AVON STREET EXTENDED SIDEWALKS



ATTACHMENT A
PROJECT MAP - RT 250W / ROCKFISH GAP TURNPIKE SIDEWALKS



Plan.

The Executive Summary forwarded to the Board states that the subject properties for the “Avinity Estates” development are zoned PRD Planned Residential Development, per approved ZMA-2013-00016. Special exceptions to vary from the provisions contained on the approved ZMA application plan for properties in the PRD district may be granted by the Board of Supervisors, pursuant to County Code §§ 18-8.5.5.3 and 18-33.5.

The applicant (Mr. Scott Collins, P.E., Collins Engineering) has requested two special exceptions to vary the application plan approved in conjunction with ZMA-2013-00016 Avinity Estates:

1. Variation request to modify (reduce) the width of the landscaping maintenance and access easement from ten (10) feet to six (6) feet, pursuant to County Code §18-8.5.5.3(a)(5); and
2. Variation request to modify (reduce) the depth of the front yard setback for portions of structures that are not garages from eighteen (18) feet to six (6) feet, but still require a minimum setback dimension of eighteen (18) feet between the sidewalk and all garages, pursuant to County Code §18-8.5.5.3(a)(1).

Please see Attachment B for full details of staff’s analysis.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the two special exceptions.

By the above-recorded vote, the Board adopted the following Resolution approving the two special exceptions, subject to the conditions:

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS
TO VARY THE APPLICATION PLAN
FOR ZMA 2013-16 AVINITY ESTATES**

WHEREAS, the Owner of Tax Map Parcels Number 09100-00-00-01400 (portion), 09100-00-00-016A0, 09100-00-00-016C0, and 09100-00-00-016E0 (the “Property”) filed requests for special exceptions to vary the Application Plan approved in conjunction with ZMA2013-16 Avinity Estates to reduce the width of the landscaping maintenance and access easement from ten (10) feet to six (6) feet and to reduce the depth of the front yard setback between the sidewalks and dwelling units from eighteen (18) feet to six (6) feet.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception requests and the attachments thereto, including staff’s supporting analysis, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-8.5.5.3, 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exceptions to vary the Application Plan approved in conjunction with ZMA2013-16 Avinity Estates as described above, subject to the condition(s) attached hereto.

ZMA 2013-16 Avinity Estates – Special Exception Conditions

1. A modified front yard setback of six (6) feet may be applied to portions of dwelling units that are not garages; but shall not be applied in any way which results in any garage being set back less than eighteen (18) feet from the sidewalk in order to ensure that vehicles parked in the driveway and in front of the garage do not obstruct the sidewalk.
2. A modified front yard setback of six (6) feet shall not include any encroachment, other than a one (1) foot maximum encroachment for roof overhangs, in order to maintain sufficient space for the required landscaping materials to be located within the six (6) foot landscaping easement. The existing four (4) foot encroachment of all rear setbacks and one (1) foot encroachment of side yard setbacks specified on the approved ZMA-2013-00016 application plan shall remain in effect.
3. The width of the landscaping maintenance and access easement shall be no less than six (6) feet.

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 two (2) grant awards received during this time period. 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 – January 13, 2018 through February 16, 2018
No Applications 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 Housing and Community Development	Commercial District Affiliate Grant with Downtown Crozet Initiative	State	\$ 7,000	\$ 0	N/A	Office of Management & Budget	This grant will provide support for Downtown Crozet Initiative's organizational development using DHCD's Virginia Main Street model. This will include strategic planning sessions to assess a variety of economic development initiatives as well as development of a fundraising plan, budget, event plan, and scope of work for an economic restructuring plan in addition to supporting the development and maintenance of DCI's website, Facebook page and email marketing program.
Virginia Department of Housing and Community Development	CDBG - 2017 Community Organizing Planning Grant: Southwood Redevelopment Phase 1 Preliminary Design	Federal	\$ 40,000	\$ 0	N/A	Community Development	This grant will support the development of a preliminary design plan for the housing portion of Phase 1 of the Southwood community including an assessment of the infrastructure needed for this phase.

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, 30% 3rd, 75% 4th and 100 percent in 5th year. Updated FY18 to match request

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

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

						Potential Financial Impact					
Grant Entity	Grant Name	Summary	# of FTE	Designation of Current Budget Match	Actual End Date	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. Copy of letter dated February 16, 2018, from Ms. Leah H. Brumfield, Senior Planner, Designee of the Zoning Administrator, to Mr. William R. Pulliam, RE: LOD2017-00035-OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 12700000004100 - Tax Map 127, Parcel 41, Samuel Miller Magisterial District, ***was received for information.***

Agenda Item No. 9. Sheriff's Office Additional Personnel.

The Executive Summary forwarded to the Board states that the Albemarle County Sheriff's Office (ACSO) has not requested additional positions since 2005. In the twelve years since the ACSO's last position request, workload has significantly increased. Considerable growth has been experienced in the areas of civil process and court security, as well as all other functional areas of the ACSO. As a result of this growth, needs are exceeding the current capabilities of ACSO personnel.

The purpose of this agenda item is to request that the Board of Supervisors authorize the Sheriff to increase staffing by two full time employees (FTE) to serve as deputies.

The ACSO has attempted to mitigate the disparity between the increased demands and staffing capabilities by relying on several strategies including:

- Increased reliance on volunteers.
- Increased limitation of professional development and annual leave.
- Mandatory overtime.

In an effort to meet needs, the ACSO has increased its reliance on its Volunteer Reserve Division. These volunteers have helped to sustain security levels in Albemarle County courts, over the past ten years. However, over recent years, there has been significant reduction in the amount hours available from volunteers and the number of volunteers. Last year, reserve hours declined by 695 hours and the number of volunteers declined by 20.

In order to fill that gap, the Sheriff's Office has instituted a minimum staffing procedure that allows for only three deputies off each day. The current staffing level reflects an absolute minimum of coverage; consequently, the office must routinely deny requests for vacation days and professional development opportunities. Doctor's appointments have been limited to one hour per day and staff has been encouraged to return to work after the appointment. These constraints as well as the frequent denial of requests for time off have had a significant impact on employee morale.

The Sheriff's Office is unable to effectively manage scheduled and unscheduled leave at current staffing levels without incurring overtime expenses. The amount of overtime required to meet the demands of the office has caused the department's expenditures to exceed budget, and with no changes to staffing this will not change. Additionally, the high levels of overtime have had a profound effect on employee productivity and morale. Overworked personnel are more likely to make mistakes or have accidents while performing their duties, putting employees and citizens at increased risk.

Attachment A outlines the increase in workload and more detailed support for additional staffing.

The budget will be impacted by adding two additional full-time employees. The cost of these employees will be \$192,819 for salaries and benefits and an additional one time operating expenditure of \$18,516.00 for uniforms and equipment. There will be no additional cost to purchase new vehicles. ACSO will be using vehicles that are currently in our fleet.

Staff recommends that the Board authorize ACSO to hire two full-time deputies.

Ms. Chan Bryant, Chief Deputy Sheriff of Albemarle County, presented. She reviewed current staffing of the Sheriff's Office, which consists of 19 full-time and 4 part-time deputies – with the full-time staff consisting of Sheriff Chip Harding, Chief Deputy Bryant, 3 sergeants, and 14 deputies. She listed the core responsibilities of the department as courtroom security, civil process, transportation of prisoners, and court-issued capias. She noted that the last time an additional staffing request had been made was in September 2005, and she informed the Board that per Judge Higgins' order, the Circuit Court is staffed with two deputies in the courtroom, two deputies for movement of prisoners, and one deputy to operate the metal detector – for a total of five deputies each day. She noted that there are two Circuit Courts. She reviewed required staffing for the General District Court as follows: two deputies for the courtroom, one deputy to operate the metal detector, for a total of three deputies per day. She noted that the metal detector is not used for civil cases.

Ms. Bryant next reviewed required staffing for Albemarle-Charlottesville Juvenile Domestic Relations Court: two deputies in the courtroom per court for a total of four, one deputy for the metal detector, two additional deputies as a result of the addition of a judge in August 2017 – for a total of five deputies each day for the juvenile court and two deputies required for the additional judge. She said the additional judge was added for the third and fourth Friday's of the month, and a total of 15 deputies is required each day for courtroom security. Ms. Bryant reported that regarding transportation, two deputies move prisoners from the regional jail and one deputy is assigned to out of town transports. She presented graphs that showed a steady increase in the number of local and non-local prisoners transported from 2008 – 2017. She explained that although they have video conferencing capability, the Circuit Court judge requires the prisoner to be present to sign paperwork for a first appearance.

Ms. Palmer asked if this is a state requirement or the requirement of an individual judge. Ms. Bryant replied that it is the judge's requirement.

Ms. Bryant next presented a graph indicating the number of mental health transports had increased significantly from 2008 – 2017. She explained that they had a memorandum of understanding with Albemarle County Police Department to handle all their non-local, mental health transports. She noted that it usually takes at least five hours to conduct a mental health transport and they only have 24 hours to get patients to a bed reserved by Region Ten.

Ms. Palmer asked if this issue is the result of a new requirement that a patient must be assigned to a bed in a state hospital within 24 hours if a local bed is not available. Ms. Bryant confirmed this, adding that under a temporary detention order a patient cannot be refused.

Mr. Randolph commented that the recent growth in transports has created a serious manpower problem. He encouraged the Sheriff's Department to present reasons why transports are growing rapidly and said it would be helpful to the Board in its decision making if they begin keeping track of the causes of non-local transports. He thanked Ms. Bryant for her response to his request for information on this subject and noted that volunteer recruitment for public safety has declined, which he described as a problem. He proposed that the County establish a volunteer development committee with representation

from the Center for Non-Profit Excellence, the Board of Supervisors, County Sheriff, and Police Departments, to come up with solutions and recommendations.

Ms. Mallek asked her to explain the ways in which the Sheriff's Department utilizes volunteers. Ms. Bryant replied that volunteers assist with courtroom security by manning the metal detectors, help with security in the courtroom, and assist the deputy in mental health transports.

Ms. McKeel asked Ms. Bryant if her office had contacted the County Executive while he was preparing his budget to bring this request to his attention. Ms. Bryant replied that this was added to her department's initial budget request in October.

Ms. McKeel expressed her concern about funding requests that are made after a department's budget has already been submitted and would like to find ways to avoid this. She wondered why this budget request was not in the recommendations to the Board.

Mr. Bill Letteri, Deputy County Executive, confirmed that this request was submitted during the budget process, and said his office balanced this request with many others and decided to fund one position this year and look to fund the others in future years.

Ms. Palmer speculated that the reason the matter had been brought to the Board's attention at this late date was due to the difficulty in finding time in their schedule to address the matter.

Ms. Bryant commented that she was originally scheduled to address the Board on February 7, but that had been rescheduled.

Mr. Randolph emphasized that Albemarle is growing and that residents have an expectation of quality services. He suggested that the Board establish a policy whereby they require a one to two-page summary explanation for each new staff position request, which would benefit both staff and the Board in its decision making. He commented that under their responsibility to taxpayers, they should demonstrate that they have carefully scrutinized each request.

Ms. Bryant reviewed the number of deputies required for civil process, of which they currently have three full-time, one part-time, and one dual-responsibility deputy that serves the district and civil courts. She presented graphs that showed a growth in the number of civil process papers and warrants served from 2008 – 2017. Ms. Bryant explained that the Code of Virginia specifies that paper must be served and returned within 72 hours, and they are only meeting this requirement 40% of the time. She next reviewed extraditions, which requires two deputies to transport out-of-state prisoners to Virginia to face charges. She presented a list of the 14 out-of-state extraditions they had in 2017, which included states as far away as Nevada, New Mexico, and California. Ms. Bryant stated that they have two part-time deputies that work overtime and two that work 32+ hours per week, though they were hired with the expectation of a 20-hour work week and do not receive full-time benefits. She presented a slide that listed the number of overtime hours worked and wages paid in FYs 15/16 and 16/17 – exceeding the amount budgeted for overtime – and said they are on track to exceed this again this year. She explained that deputies are often denied requests for personal leave, and mandatory holdover has been established to cover late running courts. Ms. Bryant reported that they have 60 reserve volunteers, which is the same number they had at the last increase in 2012. She summarized the various duties of volunteer reserves, stating that the department would not be able to do the job without them. She noted that they are committed to working four or eight hours per month, depending on when they began serving as volunteers.

Ms. Bryant presented a slide indicating that the cost in salaries and benefits to add two full-time deputies was \$211,335, plus a one-time expenditure of \$18,516 for uniforms and equipment. She explained that the benefit of adding deputies would be to improve the safety and security of deputies, citizens, court staff, and judges – and to improve morale.

Ms. Palmer noted that services provided to the Juvenile and Domestic Court are shared with Charlottesville and asked if the hiring of additional deputies would affect the shared-use formula. Ms. Bryant replied that the deputies would serve the Circuit Court and transport prisoners.

Ms. Palmer said she is very sympathetic to the request, noted the importance of public safety, and expressed her support. She recounted how she had recently spent a day observing the court and encouraged others to attend and view the interesting things the court does.

Mr. Randolph asked Ms. Bryant for comment on his suggestion, which was to fund the addition of one deputy, and to work with Lorna Gerome to address the issue of deputies that work more than 20 hours per week, along with proposing a set of recommendations as to how to resolve this for the following year. Ms. Bryant replied that the part-time deputies are already providing the hours, and she has been in communication with Human Resources to address benefit issues. She added that addressing this problem does not resolve manpower issues. Mr. Randolph clarified that they would add two deputies from the current budget cycle.

Ms. McKeel asked Ms. Bryant if she is asking for one or for two deputies. Ms. Bryant responded that she is seeking two deputies, though she had originally requested three, with the third being an accreditation manager/training coordinator. She said one deputy position had been approved and she is seeking a second.

Mr. Randolph clarified that he would approve the addition of two deputies, with the Board's commitment to come up with strategies to address the issues associated with using part-time deputies.

Ms. Mallek said it is not the role of the Board, but of Human Resources to figure out benefits issues, adding that these issues must be addressed quickly and could not wait until the next budget cycle.

Mr. Gallaway commented that if they are to add a deputy position, this would require a cut to another area of the budget – and they are being asked to make a decision without knowing where this cut would be made.

Ms. Lori Allshouse, Director of the Office of Management and Budget, proposed that they hire the first deputy, to begin in July, with available funds in this year's budget – then add the second deputy in January and work this into the FY20 budget. She said they believe there is enough flexibility in the Sheriff's Department budget to add one full-time position. Ms. Allshouse emphasized that her office is looking at ways they can find funds in preparation for the March 27 work session.

Mr. Gallaway stated that the analysis for the current fiscal year budget was not included in the agenda brief.

Ms. Allshouse offered to research the FY18 budget to see if they can hire someone sooner.

Ms. Palmer expressed her preference that the Board approve two positions to begin in July, with staff to determine a source of funding.

Mr. Gallaway said he is supportive, but does not want to make a decision without knowing the impact to other areas of the budget.

Mr. Randolph emphasized that whatever they decide will just be a recommendation and they will vote on the full budget on March 27.

Mr. Gallaway described the Sheriff's Department as being very lean and recognizes they are stretched. He pointed out that when a lot of overtime is worked, a part-time position could become almost a full-time one – which could impact morale. He expressed support for a current budget-year fix.

Ms. Mallek said she looks forward to learning more detail at the next work session and invited the Sheriff's Department to address the Board for solutions with immediate human resources issues. She emphasized that they are asking a lot of deputies who work in a dangerous environment, and said she looks forward to learning more at the next meeting.

Ms. McKeel asked if information could be furnished as to what could have been done better in the past for the next budget discussion. Ms. Mallek commented that the time to discuss issues of budget process would be at the debriefing, and suggested they explore additional incentives to recruit volunteers.

Mr. Richardson asked to summarize what he understood the Board to be asking. He said they will focus on FY19 operations at the March 27 work session, with one deputy position already loaded into the recommended budget. He said he heard Board consensus for support of two positions, with a request to learn how this would affect the recommended budget. Mr. Richardson stated that staff will prepare to address funding for the positions and will discuss how to speed up the process. He said they will also look at the process from last fall and acknowledged that his onboarding as the new County Executive may have contributed to this.

Mr. Gallaway pointed out there was a difference between the numbers budgeted for the new positions listed in the agenda compared to what was requested in the presentation.

Ms. Bryant confirmed the amount was \$211,335 plus \$18,516.

Recess. The Board recessed its meeting at 2:29 p.m. and reconvened at 2:36 p.m.

Agenda Item No. 10. Residential Development Impact Work Group.

The Executive Summary forwarded to the Board states that in October 2016 the Board of Supervisors created the Residential Development Impact Work Group (Attachment A). The Board appointed members to the group in February 2016. The charge of the Work Group was to understand recent State Code amendments regarding proffers and to develop and analyze alternative means for determining and addressing the fiscal impact of residential development allowed either by-right or subsequent to a rezoning. The Work Group was also charged with providing a recommendation on how to proceed with addressing fiscal impacts of residential development.

The Work Group held multiple meetings to discuss and understand the County's ability to accept off-site and cash proffers. The Work Group also analyzed all available provisions in the State Code that may allow the County to address the fiscal impact of residential development. Some of these included, use of existing proffer language in the State Code, drainage districts, service districts, road impact fees, general impact fees and use of special use permits for increased residential density. The Work Group concluded that none of the options seemed likely to provide enough revenue to meaningfully offset the

fiscal impacts of new residential development in the County. The Work Group noted that changes to State law may increase the tools available to the County to offset fiscal impact of residential development.

In January 2018 the Work Group adopted the following "Summary of Conclusions and Recommendations"

- We urge the Board of Supervisors to make clear to the community that the County is still open to approving residential rezoning proposals and will carefully consider each proposal even if staff concludes that the County cannot safely accept any off-site or cash proffers for the development. Although we agree that a proposed residential rezoning's fiscal impact is an important factor in the decision whether to approve a rezoning, we do not believe it should be the only factor.
- We have a number of concerns with, and recommend against, a widespread "comprehensive rezoning" in which the County would proactively rezone Development Area parcels to match their Comprehensive Plan designation. However, a much more limited County-initiated rezoning of one or two small priority areas within the Development Areas, perhaps coupled with a form-based zoning code for those priority areas, could be worth considering.
- The County should form a coalition with other local governments, developers, smart growth advocates, and other stakeholders to advocate expanding Virginia's current enabling authority for general impact fees.
- The County should also explore and advocate expansion of the enabling authority for establishing service districts.

This is a discussion item only. There is no budget impact at this time.

Staff recommends the following:

- That Board clarify the County's current position on residential rezoning as it relates to off-site and cash proffers as recommended by the Work Group.
- That the County form a coalition with other local governments to expand enabling authority for general impact fees
- That the County advocate for expansion of the enabling authority for establishing service districts

Mr. Bill Fritz, Development Process Manager, addressed the Board and reminded them that in October 2016 they had created the Residential Development Impact Work Group, recognizing the assistance and work of Mr. Randolph, Vito Cetta, Chair, and Morgan Butler. Mr. Fritz explained that the work group was charged with understanding proffer amendments to state code and with developing a means by which to address the fiscal impact of residential development that occurs by right and with residential rezoning. He noted that the group was also charged with providing a recommendation as to how to best address fiscal impacts of all future residential development and said his presentation will focus on that aspect.

Mr. Fritz explained that the group had analyzed all possible provisions of the state code to address fiscal impacts of residential development, including the use of existing proffer language in the state code, drainage and service districts, road and general impact fees, special use permits for increased residential density, and comprehensive rezoning. He stated the work group had concluded that none of the options were likely to provide enough revenue to meaningfully offset the fiscal impacts of new residential development. He said the work group noted that changes to state law may increase the number of tools available to the County to offset these fiscal impacts, noting that a bill to allow general impact fees had been introduced in the General Assembly this year but had failed. He said in January 2018, the work group adopted the summary conclusions and recommendations that were in the packet.

Mr. Fritz summarized the four conclusions and recommendations of the work group. He said they recommended against a comprehensive proactive rezoning of development areas to match the Comprehensive Plan designation. He added that a more limited County-initiated rezoning of one or two small priority areas within the development areas, coupled with form-based zoning for these areas, could be worth considering. Mr. Fritz stated that the work group urged the Board of Supervisors to make it clear to the community that the County is still open to residential rezoning proposals and to carefully consider each proposal, even if staff concludes that the County could not safely accept any offsite or cash proffers for that development. He said the work group had agreed that a proposed residential rezoning's fiscal impact was an important factor in the decision to approve a rezoning, but did not believe it should be the only factor. He said the work group suggested that the County form a coalition with other local governments, developers, smart growth advocates, and other stakeholders to advocate the expansion of Virginia's enabling authority for general impact fees and explore and advocate for expansion of the enabling authority for the establishment of service districts. He said that David Blount had just sent out an email announcing the creation of a work group to discuss general impact fees.

Ms. Mallek expressed disappointment that there was not a magic bullet solution.

Mr. Fritz said that members of the work group had attended a conference of the high-growth coalition to see what other localities had done and learned that there was not a magic bullet. He added that other localities are not getting rezonings because of fears and concerns of the proffer language.

Mr. Randolph recounted that at a Senate Committee on Local Government meeting he had recently attended, it was clear that senators understood this. He described the legislature's action regarding proffers as "putting a noose around their necks" and said that no one wanted to take a risk due to liability concerns. He emphasized that they have to address this issue.

Ms. Mallek mentioned that there were other localities that passed the bill the previous year and implied personal responsibility.

Mr. Fritz stated that many jurisdictions do not use proffers but are still getting applications, including the portion of Loudoun County that is exempt from proffers.

Ms. Palmer asked if impact fees in other states affected by-right development or just rezoning. She asked if the legislature were to change the law if impact fees would affect all. Mr. Fritz replied that it is on everything and would address by-right and rezoned properties. He stated that typically what used to exist, such as road impact fees, the proffer would be reduced from those fees.

Mr. Randolph said the committee actively discussed whether by-right development should be incorporated and there was a feeling that it should as developers currently do not have to contribute to the growth they are creating. He commented that this needs to be fair and equitable to all parties.

Ms. Mallek said this was the hope five years earlier when the legislature had given the County enabling authority to impose impact fees for transportation and commented that something would be better than nothing.

Mr. Fritz said he had spoken with Stafford County officials, the only locality with road impact fees, and learned that because Albemarle had a minimal number of transportation projects in its Comprehensive Plan they would spend as much to administer the program as they would gain in revenue. He said the state code established a very specific criteria of plans that must be developed and updated, and that carried administrative costs that were covered only by a large transportation budget or a larger number of projects.

Ms. Mallek mentioned that at the local government meeting, a Prince William official had felt it was bad to have the number of units reduced from 20,000 to 1,200 and blamed it on proffers – but areas with extreme growth pace are in a very different position.

Mr. Fritz noted that proffer money is being used to build an entire interstate interchange in Stafford County – and that was just one project. He stated that the work group did look at what could be done with impact fees and special districts, but determined this was not particularly workable under existing legislation. He said they also agreed to work with other localities and at the state level on impact fees and special districts.

Ms. Palmer said it seems like the actual amount received from proffers was relatively small, and she does not know how often the proffer was the driver in a rezoning.

Mr. Fritz said there was a general concern among the work group that the development community had the opinion it was a primary factor and that any rezoning might be denied if it did not offer cash proffers. That was the reason the work group had phrased its recommendations the way they did in terms of the Board considering rezonings.

Mr. Randolph observed that if 10 years earlier the General Assembly had confronted the reality of continued growth and had undertaken an impact fee program and had given permission to counties, they would be looking at very different infrastructure across the Commonwealth today. He said there was an assumption that Department of Defense spending would be a constant, and with this becoming uncertain, he hopes the legislature would now recognize the necessity to permit counties to be able to undertake impact fees to cover the increased cost of infrastructure, particularly since additional funding was not coming to the County from the federal level.

Ms. Palmer recognized that the Board has focused on redevelopment in the urban areas since it seems clear that real estate tax revenue was increased with density, especially when compared to the City of Charlottesville. She expressed the expectation that developers should know this, which would make them more comfortable in coming forward with rezoning requests.

Ms. Mallek commented that it had taken 50 years for Virginia to recognize what other areas had known since the 1970s, which was that every new unit costs taxpayers a certain amount of dollars. She expressed disappointment that the mindset of the state legislature had not changed and they would not allow local governments to make their own decisions, despite the fact that many legislators had come from local government. She said they need to add a special condition each time they grant a special use permit to make sure developers carry out what they had represented they would do, and it bothers her that developers get special credit for doing things they should have been doing anyway.

Ms. Palmer said she wished to qualify her earlier statement and clarified that her comments were directed at commercial and industrial development – and residential development does not help the tax situation for current citizens.

Ms. McKeel asked what staff is expecting of the Board at this point. Mr. Fritz stated the work group was tasked with bringing recommendations back to the Board for information, and from that there is

a group of recommendations as he has summarized. He said that the Board had expressed an interest in the past about being involved in impact fees and other legislation to address fiscal impacts.

Ms. McKeel commented that a lot of this seems to her to be about advocacy, education, and partnering with other counties.

Mr. Fritz agreed, stating that the Board would have to decide how many resources to allocate to that – particularly from Community Development. He clarified that the work group was not saying that rezonings should automatically be approved and agreed that a full analysis of the fiscal impact should always take place. He said this would just be one piece of the decision-making process and not the only piece, and there was concern from members of the work group that because of the lack of proffers an application would be dead on arrival.

Ms. Mallek stated that her comments were strictly on the replacement of the impact and did not have anything to do with the rest of the process.

Mr. Fritz said the work group talked about how enhanced proffers might do certain things onsite that serve to address fiscal impacts or were so desired by the County that they offset the fiscal impacts.

Mr. Dill asked what kind of leverage they have to encourage the County's development goals such as properties being LEED certified, landscaping that does not require watering, and smaller, more energy-efficient houses. Mr. Fritz replied that these things could be put in the Comprehensive Plan or in a guidance document that indicates the Board promotes and encourages development with certain characteristics.

Mr. Dill asked if they could encourage a development of smaller homes with a density requirement. Mr. Fritz replied that these are the kinds of things the Board could do that would be helpful to developers and to Community Development when reviewing an application.

Mr. Kamptner interjected that in terms of putting these requirements in a proffer, the County would have to look at these on a case by case basis, as the new law requires that the proffers address an impact that is specifically attributable to the rezoning.

Mr. Dill asked if these requirements would have to be part of a proffer. Mr. Kamptner replied that they would not.

Mr. Dill suggested they look at what they could do locally, instead of continuing to come up against state government.

Mr. Fritz offered the option of performance zonings where rezonings were not required, as density could be increased if a developer met criteria. He said the work group talked about considering a comprehensive rezoning of a target area, coupled with form-based code, to get the type of development the County desires.

Mr. Gallaway asked if there was a recording or minutes taken of the work group meetings in the event he wanted more information on the Comprehensive Plan piece and the conversation around this. Mr. Fritz said that formal minutes were not kept, but he had notes he could provide.

Mr. Vito Cetta addressed the Board, stating that the County needs about 700 new homes each year to keep up with the increased population – and in a free market economy, they would be built. He said the Comprehensive Plan is a wonderful document that had worked terrifically and mentioned successful developments such as Old Trail, Glenmore, Out of Bounds, White Gables, etc. that were increased density rezonings, which he said developers love as they could get more density and have access to sewer, water, buses and schools. He attributed the maintaining of the rural nature of the southern and western parts of the County to the Comprehensive Plan and attributed a reduction in projects since 2009 to higher proffers. He emphasized the importance of using the Comprehensive Plan as a way of development, adding that he is in favor of impact fees for all units and noting that this is done in most states.

Mr. Gallaway commented on onsite mitigation and said the Board could brainstorm for ideas, but suggested they ask developers for creative input as to how to reduce the demand for County services onsite – then put it in a rezoning to lead the way.

Ms. McKeel added that it was a slightly different way for developers to think.

Ms. Palmer commented that it was unlikely they would be able to change the mind of the General Assembly anytime soon, but she would like to know specifics about service districts they would be advocating for. She asked Mr. Fritz to send the Board information so she could refresh her memory about what they would be requesting of the General Assembly on service districts.

Mr. Fritz offered to provide this.

Ms. Mallek asked Mr. Kamptner for confirmation that a bill to allow localities to pay for public projects in service districts had passed the General Assembly. Mr. Kamptner offered to get back to her with that information.

Mr. Gallaway stated that on the private side, community buy-in would have to be a bigger piece for rezoning considerations, which could potentially help developers in their applications.

Mr. Morgan Butler of the Southern Environmental Law Center addressed the Board. He said he is a member of the Residential Development Impact Work Group and is speaking for himself. He addressed the recommendation that the County make clear it is open to consideration of rezonings and acknowledged the concern about residential development without proffers and the impact this has on taxes for other residents. Mr. Butler stated that these impacts are greater for development in the rural area than in the development area, and they should analyze the totality of the circumstances as there may be other benefits that could help reduce the cost of providing services. He referenced Mr. Dill's question about ways to use proffers to mitigate onsite impacts and Mr. Fritz's response that onsite proffers are much less affected by the statutory change than offsite cash proffers.

Mr. Butler read the following excerpt of the report: "It was important to point out that the statute's major limitation on proffers pertain to offsite impacts and cash contributions. The County may still negotiate and accept proffers to mitigate onsite impacts, as long as the impact sought to be mitigated was specifically attributable to the proposed residential development. This means that proffers likely could still be accepted for things such as enhanced erosion and sediment control measures on sites with streams, design and layout features that help reduce demand for County services, and onsite transportation enhancements, such as transit stops. As a result, even if staff determines the County could not accept offsite cash proffers for a particular proposal, proffers could still be a valuable tool for mitigating many onsite impacts."

Mr. Butler expressed his opinion that LEED certification, when there is an attempt to reduce the environmental footprint of a particular development, is very much an onsite impact specifically attributable to a development. He said they should not "throw the baby out with the bath water," acknowledging that offsite cash proffers are more complicated and difficult now, but onsite proffers still offers a viable avenue for mitigating development impacts and helping to reduce the cost to the County.

Ms. Mallek pointed out that for 20 years, the County had relied on the development community to build infrastructure instead of placing more responsibility on the local government funding side, and she expressed hope they would find new ways to do some things better.

Mr. Kamptner said the service district bill had passed both houses of the legislature, adding general government facilities as those that could be paid for by a service district.

Agenda Item No. 11. Board-to-Board, March 2017, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.

Ms. Kate Acuff, Chair of the Albemarle County School Board, thanked the Board for the opportunity to share some recent outstanding student achievements but said she would first provide an update on the budget process in Richmond and school safety efforts. She said that she and School Board member Jonno Alcaro were monitoring the legislature with a focus on the \$1.9 million in hold-harmless funding that was earmarked for Albemarle in the Governor's proposed budget. She said they had learned from the House Appropriations Committee that funding would not be restored, under the logic that it would only benefit the 34 school divisions that were caught off guard and that lost funding under the recalculation of the composite index – whereas funding from the lottery, which would be the source for this funding, was supposed to support all school districts. She said they would know later this month whether the estimated \$1.2 million funding gap would increase to \$2.2 million, when the legislature had finalized the budget and the Governor had signed off on it.

Mr. Randolph asked if Ms. Acuff would know this by March 27. Ms. Acuff replied that she did not know the date, but would let him know as soon as she did.

Mr. Gallaway said it is important that when they say the spending gap had risen by \$1.1 million, it is because the money taken out of the budget was \$1.9 million or \$2 million, which they had spread out over two years – so it is really a loss of \$1 million this year and \$1 million next year.

Ms. Acuff said they based their funding request on the monies that were in the Governor's budget and spread this out over two years to be prudent and to soften the blow.

Ms. McKeel commented that this was a very wise move and the Board supports it.

Ms. Acuff said she would address the nationwide student walkout to occur on March 14 at 10:00 a.m., when students would leave school for 17 minutes in honor of the 17 lives taken on Valentine's Day at a Florida high school. She noted ACPS had not orchestrated the walkout, but as a result of many student queries about their right to protest and in consultation with their attorney, ACPS has communicated guidelines to staff and has addressed a letter to parents urging them to discuss the walkout with their children and help them decide whether they would participate. She said the letter emphasized ACPS's three objectives: to provide students with a safe learning environment throughout the school day, to prepare students to be lifelong learners and positive contributors to their communities, and to comply with all applicable legal requirements. She said they would support the constitutional right of students to express their opinions through speech and peaceful protest as long as it does not interfere with the rights of others and does not unduly disrupt learning in the school. She said they will permit students to leave class to participate in a demonstration, in an orderly manner, and encourage them to

remain on school property to maximize safe conditions, with zero tolerance for any harassment of students – whether they participate or choose not to – and at the conclusion of the 17-minute walkout, students are required to return to class. She said that given the potential for misunderstanding about the possible walkout and ACPs's role, Dr. Nick King, Student Services Officer, had been interviewed by Newsplex earlier that morning.

Ms. Acuff addressed school safety, stating that the schools have received several queries about what they are doing or should be doing. She described safety as a continuous improvement process, emphasizing that they have school and division-level preventive measures. She said schools have entrances to prevent direct access to hallways and classrooms and that part of the 2016 referendum includes securing of entrances at the remaining four schools as a high-priority item. She reported that once school is finished, Scottsville is under construction, and the other two will go out to bid this week with work expected to be completed by December. She said all schools have an annually updated crisis plan, conduct regular lock down drills with staff and students, and classroom locks have been converted to give teachers the ability to immediately lock a door from the inside without having to enter the hallway. She said the School Board will soon vote on a program to complete the installation of bullet-resistant protection on all classroom door windows in all schools, noting that 300 classrooms already have this protection. She said they will consider a division-wide program to install window coverings on classroom windows to prevent identification of students and teachers by outside intruders.

Ms. Acuff reported that every school visitor is required to check in, sign in and out, electronically confirm their identity and purpose of the visit, and check their name against a state sexual offender registry. She stated that all middle and high schools and buses have digital security cameras installed at strategic locations and that high schools have armed school resource officers. She said an annual anonymous survey of students was used to identify those who may be victims of bullying, with a companion school climate survey used to improve student engagement and enhance relationship and trust between students, teachers, and other adults. She reported that at the division level, they worked with the police department and Region Ten, and the police have the ability to conduct monitoring of social media 24 hours per day/7 days per week of posts that may be threatening to schools. Ms. Acuff noted that as a result of a recent posting, a perpetrator was in custody within hours despite the fact that a false name was used in the post. She said the police department also partnered with the schools to implement a threat assessment process and resolve behavioral incidents that have the potential to lead to conflict. Ms. Acuff reported that security evaluations of all schools had been completed using the Crime Prevention Through Environmental Design standards and as a result of findings, the School Division had made several security improvements. She noted that one suggestion they implemented was to place large numbers on exterior doors that are visible from the street, which improves timeliness and accuracy of emergency response personnel. She said they collaborated with Region Ten to provide mental health and emotional support services and they have recently increased funding to ensure they have full-time positions at all schools.

Ms. Acuff reported that the County and Schools continues to support the arts. She explained that Josh St. Hill, a student at Monticello High School., had written "A Kings Story," which Amaya Wallace had directed, and she commented that it had generated a great deal of discussion around issues of racial equality and justice. She said the play earned an award from the Virginia Theater Association and had been presented locally at Live Arts and The Haven, followed by a panel discussion about the play's message. She said they have been invited to give a presentation to an audience of New York City educators during spring break, with a conference focusing on the development and use of innovation in the classroom. Ms. Acuff commented that Josh and Amaya are outstanding examples of the importance of student voice in their own learning and how that can stimulate and serve community interests. She reported that students at the Center for Learning and Growth are also making a national impact and had recently written, filmed, and produced a virtual reality 360-degree film about the events that took place in the community in August. She said they had won the prestigious "Community Matters" award given by the 360 Filmmakers National Showcase Challenge, competing with arts and magnet schools from around the country. She said the students have mastered a new, innovative technology, by filming in virtual 360-degree format, and she presented a two-minute clip of the film, noting that she would share a full version with the Board.

Agenda Item No. 12. FY 17-19 Strategic Plan Quarterly Report.

The Executive Summary forwarded 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 Interim County Executive provided a preview of a new restructured County Executive Monthly Report to include a preview of the Strategic Plan report which uses tools to provide a way to capture, track and ultimately report all projects to the Board and the community. In August 2017, staff provided an overview of the on-going implementation activities to include the project management techniques. To capture, track and report on the twenty-two initiatives that make up the Strategic Plan, staff developed a project management system. The new restructured reporting tool pulls data from the project management system to enable the Board of Supervisors to view project status and upcoming milestones. The new Strategic Plan report was provided to the Board in early September in preparation for the Strategic Plan work session. The September work session provided time for staff to report current project milestones and for the Board to provide feedback to staff regarding current project assumptions to enable alignment of County resources with strategic priorities. Staff then reflected these resource needs to the greatest extent possible in the long-range financial planning

processes. In December 2017, staff provided an annual report of milestones and accomplishments.

At the March 7th meeting, staff will review the current implementation activities and project milestones related to the FY17- FY19 Strategic Plan.

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, addressed the Board and reminded them that the County Executive had presented his recommended budget to them in February, at which time they discussed long-range planning and the planning used to develop the annual budget. She said she would present a different lens on all the resources with a strategic plan perspective, and presented a timeline of resource alignment:

May – August: Staff focused on project definition and scoping to better align resources.

September: BOS strategic plan work session. Departments and teams develop resource plan requests.

October: Staff team develops two and five-year plans with prioritized resources.

November: BOS work session on two and five-year plans.

December: Approve two and five-year plans. FY19 budget alignment

February: FY19 County Executive recommended budget

Ms. Shifflett emphasized the importance of balancing the factors of sustaining a quality organization, advancing strategic priorities, and maximizing transformation and addressing emerging issues. She said she would focus on the strategic plan, with the understanding that much work is yet to be done and things will change. Ms. Shifflett presented a slide entitled "Rio/29 Small Area Plan," which listed the Board's priority to revitalize aging urban Neighborhoods, and noted that it lists proposals for the addition of two staff positions: Transportation Manager and Senior Planner. She said the Transportation Manager will focus on expanding demands for transportation services in the Rio/29 area as well as in aging, urban neighborhoods. She explained that the Senior Planner will address workload in the department for these two projects.

Ms. Shifflett reviewed items that will support the priority to revitalize aging urban neighborhoods: Neighborhood Planner, \$275,000 support for Southwood redevelopment, comprehensive neighborhood inventory, and \$213,110 operational increases for public works.

She next reviewed the strategic priority focusing on at-risk four-year-olds in the community, stating that the proposal was to add a Bright Stars classroom at Woodbrook Elementary School, which would entail the addition of three positions, and to support a United Way childcare scholarship program. She then presented the priority related to Family Support programs and reviewed the proposal to add a Finding Family position to bolster the ability of families to take care of and support children with whom the Department of Social Services work. She said they hope to negate the need for foster care.

Ms. Shifflett reported that the next priority is the court facilities addition/renovation project and said the CIP includes the downtown option, and she presented a graphic with operational costs for several fiscal years. She said the next priority is the Pantops Master Plan and Rivanna River Corridor Plan. Ms. Shifflett said they have funding for Phase 2 and reported that projects and studies are moving forward and will cross over into FY19. She referenced her next slide, which listed Phase 2 of the Rivanna River Corridor Study and Pantops Master Planning.

Ms. Shifflett reviewed developing items in the strategic plan action plan and presented a slide listing broadband, environmental/climate action plan, age-friendly community needs, economic development, and stormwater. She noted that funding is available for all of the listed items. Ms. Shifflett reviewed two positions she said are required to manage cross-functional work: Senior Strategic Planning Project Manager, Operational Project Manager. She presented a slide with next steps in the process: March 27 & 29 – Board/staff discussion on FY19 funding recommendation; April 17 – budget adoption; and Summer 2018 – Board/staff strategic plan review.

Ms. Palmer thanked Ms. Shifflett and stated that it is always very good to get an overview of previous progress. She said she looks forward to reviewing the strategic plan over the summer since there have been some changes in the community regarding solid waste. She asked Ms. Shifflett to go into more detail about the roles of the project managers.

Ms. Shifflett explained that she is one of the project managers and is building a project management portfolio across the organization. She said the complexity and cross-functional nature of some projects – added to the fact that staff has not done them before – called for strategic thought as to how they manage these efforts. Ms. Shifflett stated that she is working with all departments and specific project managers to help them think about schedules, timelines, and costs and to manage their functional expertise so they can apply it across the organization's internal processes. She said as they dove down into projects, they realized that more support was needed in this area – so a second project manager position was requested. She said they need support for the Biscuit Run project as this would be agency wide and cross-functional.

Ms. Palmer said as they consider how they interact with the Rivanna Solid Waste Authority, she wonders where a strategic planning manager would fit in to help them interact more efficiently.

Ms. Mallek asked if the new project manager would be funded project by project. Mr. Trevor Henry, Director of Facilities and Environmental Services, explained that they envisioned having Ms. Shifflett as the lead and to bring someone in under her. He emphasized this should not be confused with the Project Management Division, which works on construction projects and is funded by the capital program with a little bit from the general fund. He said they have many technology projects that are in different degrees of implementation, and this would be a way to conquer more complex projects and bring them through the system more quickly with a more effective outcome.

Ms. McKeel commented that this could save them money.

Mr. Henry agreed and added that time is money. He said the two positions would be under Facilities and Environmental Services.

Ms. Shifflett said the goal is to have a single point person who can shepherd all of the resources.

Ms. Mallek said she is in favor of them having their own folks.

Mr. Gallaway asked how Supervisors could track the progress of the strategic plan and that an attendee at a town hall meeting had asked him the same. Ms. Shifflett responded that they had created some project specific websites to track schedules, and these were being turned into a report for the Board. She said the sites could grow and improve to communicate for public engagement.

Mr. Gallaway said the site should not just include the strategic plan but transportation, schools, and other items. He added that it should include the amount invested so far, department performance, and an executive summary. He pointed out that this would save staff time in responding to Supervisors questions, noting that Mr. Richardson had attended the town hall and asked him to comment.

Mr. Richardson agreed that attendees urged that information be readily accessible so they did not have to ask staff to respond to inquiries.

Mr. Randolph said they need to do better at making items easy to find online, as the public has a right to know about issues that are in the public domain, outside of closed meetings.

Ms. Shifflett said she had focused on mapping out and articulating proper data that could be filtered out and provided to the public. She said as project schedules are updated, the reports to the Board are also updated.

Agenda Item No. 13. Innovation Fund Update.

The Executive Summary forwarded to the Board states that innovation, learning, and stewardship are three of the County's four core values; the Innovation Fund encourages all three by dedicating one-time money to support the start-up of organizational initiatives that reduce costs and improve customer service and productivity. Since the inception of the Innovation Fund in FY 14, the Board has received periodic updates on the initiative. Last fall, the Board expressed an interest in getting another update.

A cross-functional team of County employees came together to create the Innovation Fund program following adoption of the FY 14 budget, which made funding available. The team stressed a spirit of entrepreneurship in designing the Fund. Program guidelines were developed as outlined below, along with eligibility criteria and an application and review process.

The "Inventing Albemarle" Innovation Fund supports projects that:

- Yield a return on investment, may be measured in new ideas or relationships as well as new dollars
- Support an "innovation culture" in the organization --Reduce operating costs/create capacity by freeing up employee time for more productive work
- Increase process efficiency, quality, and services that impact staff and/or customers --Leverage technology, including automating/standardizing routine processes
- Improve customer experience - both internal and external
- Establish a competitive edge

Selection criteria that project proposals are judged on include:

- Transferability of solutions, technologies and processes
- Project management and schedule --Post-grant/long term sustainability
- Revenue enhancement potential
- Accelerating the modernization of government services and practices
- Probability of success
- Supporting *One Organization, Committed to Excellence*

Project applicants also are asked to estimate cost/benefit ratio and identify savings and/or avoided costs. Since 2014, employees have submitted over 60 applications for funding. Of the 60

applications, 35 of them were approved funding and are either fully implemented or are currently in progress.

Quantitative and Qualitative Results

Regular progress reports are required for all funded projects to ensure that goals are met. Of the 35 funded projects, staff estimates the following anticipated or realized results:

- Direct cost-savings (34% of the projects)
- Ongoing cost avoidance (69% of the projects)
- More efficient service delivery (71% of the projects)
- Enhanced service levels (94% of the projects)

The program has also afforded the opportunity for employees to step up to secure funding to implement a good idea. This has helped to reinforce the County's belief in and expectation of "leadership at all levels" of the organization.

In FY 17, \$108,752 was expended for innovation projects. To date, \$89,521 has been expended in FY 18. Money for approved innovation fund projects is moved administratively by the County Executive.

There is no budget impact associated with this update.

This update is for information only and no action is required by the Board.

Ms. Louise Wyatt, Organizational Development Manager, stated that she led the development of the County's Innovation Fund, established in FY14, which encouraged three of the four core values the County had adopted: innovation, learning, and stewardship. She said it dedicated one-time startup funding for organizational initiatives that reduced costs and improved customer service and productivity. She reminded the Board that last year, an update spreadsheet that contained new initiatives and projected ROI was provided at the request of the Board. She said it was requested that she come before the Board to talk more generally about the program's operations and efforts. Ms. Wyatt read a list of guidelines for projects the innovation would support: yield a return on investment; support an innovation culture in the organization; reduce operating costs and create capacity; increase process efficiency, quality, and services that impact staff and/or customers; and leverage technology, including automating/standardizing routine processes. She read a list of selection criteria: alignment with mission, values and strategic plan priorities; benefits to internal and external customers – return on investment; transferability of solutions, technologies and processes; project management and schedule; post-grant/long-term sustainability; accelerating the modernization of government services and practices; and supporting "One Organization, Committed to Excellence."

Ms. Wyatt reviewed the process, noting that applications are received on a quarterly basis and that any local government employee may apply. She said the applications are reviewed by a cross-functional team of standing representatives from the County Executive's Office and the Office of Management and Budget against the established criteria, and the County Executive's signature is required for final approval of funding. She emphasized that trying something new is always a risk, and they recognize that not every initiative may pan out as expected. Ms. Wyatt said the use of taxpayer funds requires them to be thoughtful stewards, which encourages them to use and improve best practices. She said they have received 60 applications since the fund was established, with 35 of them approved and implemented or in progress. She said progress reports are required of all funded projects, and staff has determined that 34% have resulted in cost savings, 69% in cost-avoidance, and 94% have experienced enhanced service levels – either to internal customers or to the public.

Ms. Wyatt reviewed some notable projects as follows: Technology Training Anywhere Anytime, County finance payment kiosk, wireless camera system (VACO award), Fire/Rescue turnout gear in-house repair, Finance Department electronic payment web portal, the Board's Granicus software, the Department of Social Services automated check-in service, digital fire training simulator for Fire/Rescue, and consolidated fueling for Fire/Rescue. She next reviewed projects that were in progress: Community Development Department paperless plan review and print communications revamp, Finance Department contract management software, Parks and Recreation solar automatic park entry gate, and Police Department background check software. She stated that it has been exciting and gratifying that the innovation program has given many employees funding to implement a good idea, and it helps reinforce the County's belief in leadership at all levels by engaging creativity and innovation.

Mr. Dill asked if a financial award is given to employees if their project is approved. He asked what role employees played in determining implementation costs of an idea before it was given to Mr. Henry to determine the cost. Ms. Wyatt replied that an award is not provided. She stated that in most cases the employee with the idea is involved in doing a lot of the work and when an application is submitted, they are asked if they have consulted with affected departments.

Ms. Palmer pointed out that merit pay is available and could be a way for a manager to reward an employee for an idea.

Ms. McKeel added that there are other ways to reward employees and suggested they come up with ideas.

Ms. Wyatt reminded the Board of the total rewards program. She thanked Supervisors for their feedback and suggested they look to tie this more closely with the Innovation Fund.

Mr. Randolph asked if employees who have innovation awards implemented are recognized. He commented that recognition among peers is one of the most important things that can be done to remind staff of the value of the program, and he suggested they find a way to recognize everybody that has had a proposal awarded. He said he expects that in some cases the local newspaper would pick up the story, and he would like to increase public awareness of the County's efforts at staff innovation. Ms. Wyatt replied that they award annual leadership at all level awards, which has included several Innovation Fund recipients.

Ms. McKeel suggested they conduct a press release when an innovation award is granted.

Ms. Wyatt indicated they have issued press releases for those Innovation Fund awards that receive state and national awards and agreed there is an opportunity to do more.

Mr. Randolph suggested they list Innovation Fund award recipients on the website every Friday to get the message out that, as an organization, they are working to do things better.

Mr. Gallaway agreed with Mr. Randolph's comments and emphasized that this is a way to remind the public of the outcomes from past investment of a previous year's surplus money. He asked if the Innovation Fund is replenished and from what source it is replenished.

Ms. Wyatt replied that the FY19 proposed budget included a \$300 thousand request for funding.

Mr. Dill asked about the motivations for people to apply for Innovation Fund awards. Ms. Wyatt said the existence of the Innovation Fund allows them to be nimbler and not have to await the next budget cycle when an opportunity is identified.

Mr. Richardson remarked that innovation ideas are part of the organizational culture and recounted that he had overheard several conversations among staff, some of them cross-departmental, about Innovation Fund ideas. He credited Ms. Wyatt with encouraging this culture and applauded the Board's interest in creating a culture of innovation and consideration of ways to reward employees.

Agenda Item No. 14. Closed Meeting.

At 4:21 p.m., Mr. Gallaway **moved** that the Board go into a Closed Meeting pursuant to Section 2.23711(A) of the Code of Virginia, under Subsection (1), to consider: 1) appointments to boards, committees and commissions in which there were pending vacancies or requests for reappointments and 2) appointing a Director of Economic Development; under Subsection (3), to discuss and consider the disposition of real property in the City of Charlottesville related to court facilities where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County; and under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to: 1) negotiating an agreement for, and the possible relocation of, court facilities, 2) the authority of certain charter cities to establish historic districts, and 3) the uses and activities on a preservation parcel in a Rural Preservation Development. 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, Mr. Dill and Mr. Gallaway.
NAYS: None.

Agenda Item No. 15. Certify Closed Meeting.

At 6:02 p.m., the Board reconvened into open meeting, and Mr. Gallaway **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each Supervisor'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. The motion was **seconded** by Ms. Palmer.

Roll was called and the motion carried by the following recorded vote:

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

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

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

- **appoint** Mr. Brian Day, Ms. Kelly Templeman-Gobble, Mr. Joe Fore, Ms. Valerie Long, and Mr. David Mitchell to the Crozet Community Advisory Committee with said terms to expire March 31, 2020.

- **reappoint** Mr. Kostas Alibertis to the Crozet Community Advisory Committee with said term to expire March 31, 2020.
- **appoint**, Mr. Robert Holewinski to the Places 29 North Community Advisory Committee with said term to expire August 5, 2019.
- **reappoint** Mr. William Walsh and Mr. Xavier Jackson to the Police Department Citizens Advisory Community with said terms to expire March 5, 2020.
- **appoint** Mr. Lehman Bates, Mr. John Springett and Ms. Olga Boucher to the Police Department Citizens Advisory Committee with said terms to expire March 5, 2020.
- **appoint** Ms. Jennie More to the Public Recreational Facilities Authority with said term to expire December 13, 2020.
- **appoint** Ms. Mary McIntyre as the Rio Magisterial District Representative and Ms. Katherine Burton as the Samuel Miller Magisterial District Representative to the Social Service Advisory Board with said terms to expire December 31, 2021.
- **appoint** Ms. Ginna Kelly and Ms. Ann Harrod to the Village of Rivanna Community Advisory Committee with said terms to expire March 31, 2019.
- **appoint** Mr. Tim Novak to the Village of Rivanna Community Advisory Committee with said term to expire March 31, 2020.

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

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

NonAgenda. Ms. McKeel offered **motion** to adopt the following resolution to appoint Mr. Roger Johnson as the Director of Economic Development:

**RESOLUTION
APPOINTING THE DIRECTOR OF ECONOMIC DEVELOPMENT**

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia (the "Board") that, upon the recommendation of the County Executive, Roger Johnson ("Johnson") is hereby appointed the Director of Economic Development for the County of Albemarle, Virginia pursuant to Virginia Code § 15.2-512, and this appointment shall be effective on and after April 2, 2018; and

BE IT FURTHER RESOLVED that Johnson shall serve as Director of Economic Development at the pleasure of the Board and for an indefinite tenure pursuant to Virginia Code § 15.2-513; and

BE IT FURTHER RESOLVED that Johnson shall act under the supervision of the County Executive.

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, Mr. Dill, and Mr. Gallaway.
NAYS: None.

Mr. Richardson said he is excited that a key vacancy within the senior leadership team is now filled. He described the process as extremely collaborative and thanked stakeholders for their participation. He said that Mr. Doug Walker and Ms. Lorna Gerome had led an inclusive process that included key leaders across departments, as well as key leaders in the community, that have a vested stake in the community's economic vitality. He thanked the Economic Development Authority, as well as the Board of Supervisors, for helping to guide the process. He said that Mr. Johnson will be a great asset and has strong qualifications including specific experiences that will set him up very well.

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

As there was no one from the public who asked to address the Board, Ms. Mallek closed this portion of the meeting.

Item No. 17a. Update on Emergency Response to Recent Wind Storm.

Mr. Walker addressed the Board and acknowledged that there had been interest on the part of some Board members, as well as members of the community, regarding emergency response to the recent wind storms. He expressed that the 911 Center, Police Department, Fire/Rescue, and utility companies were very active over the weekend, and said that public safety officials would present brief overviews of how they addressed needs and responded over the weekend.

Ms. Allison Farole, Manager of the Emergency Communications Center, addressed the Board. She said the ECC had worked heavily with Fire/Rescue and law enforcement and utilized their instant management tool, VOG, to share information and allow all partners to communicate with each other. She said she worked with ECC staff to understand the types of calls that came in, and worked closely with ACFR and Albemarle County Police Department to determine what roads were blocked and ensure that

any blocked roads and powerline issues were communicated immediately to Dominion and VDOT so they could be addressed as quickly as possible to prevent hazards to citizens. Ms. Farole stated that ECC was reviewing what was happening as the events progressed, providing resources to Fire/Rescue and law enforcement and relaying that information to utilities and VDOT.

Ms. Mallek asked if a separate command operation had been set up or if this was normal ECC parameters. Ms. Farole explained that VOG is a virtual emergency operations center, stating that there was no actual stand-up, physical emergency operations center established. She noted that Fire/Rescue and law enforcement personnel were in the ECC with dispatchers, and VDOT and Dominion did not have the resources to place personnel in the ECC Center, but ECC was able to communicate with Dominion and VDOT by phone and email – and they were fairly quick at responding to emergency situations around the roadways and powerlines.

Mr. Randolph asked how much interaction there had been with the City surrounding localities that share roads going in and out with Albemarle. Ms. Farole replied that they had also worked with the City and the University of Virginia to make sure their needs were met through the regional emergency operations center and as the emergency hazard coordinator.

Mr. Randolph asked if other counties operated emergency communications centers. Ms. Farole replied that emergency management coordinators are housed under different departments, depending on the locality – with some under the fire department or sheriff's office. She noted that locally, her office is based out of ECC and oversees the City, County, and University as a region. Ms. Farole stated that this includes work with police, fire, social services, parks and recreation, facilities, the Red Cross, and other departments and agencies. She confirmed that both Dominion and VDOT are part of this umbrella.

Mr. Randolph asked if a protocol were established under which they could set up to coordinate with surrounding counties in case of a major event. Ms. Farole replied that they have a strong relationship with Virginia Department of Emergency Management, which ECC would call on to ask for resource support. She said if the County were to exhaust its resources locally, she would advise that a local emergency be declared and VDEM would draw assistance from other localities with which Albemarle does not have mutual agreements, as well as support from out of state in the event of a state emergency.

Ms. Palmer asked if a local emergency had to be declared to get state money to help with cleanup. Ms. Farole replied that declaring a local emergency was to open up avenues to easily procure resources needed and to ask for additional help from other jurisdictions around the state. She said in terms of a financial threshold, that is a program called "public assistance," and to be able to apply for that the County must meet a financial threshold of approximately \$4 per capita within a 48-hour time frame in order to apply for financial assistance. She said the County's threshold would be about \$400,000, and noted that the 48-hour timeframe was chosen in terms of the highest expenditure occurrences due to these incidents.

Ms. Palmer asked if they had reached the threshold. Ms. Farole replied that she does not believe they had hit that threshold.

Ms. McKeel asked if there is a protocol or triage process for situations such as dead ends where people are trapped and emergency equipment cannot pass until a road is cleared. Ms. Farole replied that the highest priority is placed on life-threatening situations, and they would work with VDOT and other partners to get to a trapped person as quickly as possible.

Ms. McKeel clarified that her question is specific to a situation in which road access is blocked to an area so that there would be no access in the event of an emergency. She asked if they are able to prioritize with VDOT and the power companies to clear the roads that have no access. Ms. Farole replied that this type of situation would require collaboration among multiple partners to make sure they could deal with the situation as quickly as possible, and she would be working with Fire/Rescue, VDOT, and the appropriate power company, such as Dominion.

Ms. McKeel asked how ECC would be informed that there is a dead end with access blocked off. Ms. Farole responded that it would be a matter of what type of information is coming in and how it is being infiltrated into the dispatch center, and what is being observed on the ground.

Ms. Mallek stated that it sounds like this is very important information that needs to be conveyed to Board members and the ECC.

Chief Dan Eggleston of Albemarle County Fire/Rescue explained that Fire/Rescue and law enforcement began preparing days before the storm by staffing up and reviewing plans. He said they sent a Battalion Chief to the ECC center the night of the event who could make decisions based upon information as it came in – sometimes talking to the call taker and finding out if anyone was in danger and establishing different access. He said they reported issues to the power companies, but if people were not in danger those calls were not prioritized; if people were in danger, they would find another way to get them out and evacuate them. Mr. Eggleston stated that in a storm event, Fire/Rescue does not respond to typical situations like trees and powerlines down unless they are causing immediate danger to life or property, and most citizens are very understanding of that. He reported they ran 176 calls between 3:00 p.m. to midnight, with 30 being active brush fires, and he felt they managed the events rather well. He noted that they were in communication with ECC and the City throughout the timeline. Mr. Eggleston recounted that a month ago, Ms. Farole was called to meet with public safety and utility company officials

– and the utility company officials explained how they prioritized, with input from public safety, and how they addressed widespread power outages. Mr. Eggleston stated that Fire/Rescue supported their safety prioritization, which was usually hospitals and large communities first, then going down to single residents – but the County is huge and there were a lot of trees down.

Ms. McKeel noted that Dominion had indicated that this was their fifth worst event ever.

Ms. Palmer said she had received calls and emails from residents who are on Central Virginia Electric Co-op and noted that those who lost power frequently got it back faster than Dominion customers. She said she had written to Dominion asking for an update on burying of the lines and said the Board may want to hear from them regarding progress on this.

Ms. McKeel recounted that Dominion had advised them a few years earlier that they were mapping their entire coverage area to determine which areas lost power the most often, with the intention of burying the lines in these areas first.

Ms. Palmer commented that the lines in her area were buried over a year earlier, but they still lost power until the Sunday night of the storm.

Ms. McKeel mentioned that Dominion had presented to the Board a few years earlier and said they were mapping their coverage areas, making a note of which areas lost power the most often and strategizing to bury lines their first.

Ms. Mallek noted that they are doing two projects in the White Hall District currently.

Ms. McKeel said they are going into the hardest hit areas most often and are burying those lines.

Ms. Palmer commented that their lines were buried over a year ago, yet they still lose power frequently.

Ms. McKeel said that may be the best they can do until everything, including transformers, is buried.

Mr. Randolph acknowledged that Dominion did make a concerted effort to communicate what was going on. He recounted that when he lived in Connecticut, he noticed that the power company topped off any trees within 20 feet of a powerline, due to the frequency of nor'easters. Mr. Randolph stated that the companies are very aggressive in this aspect, so they could remain cost-effective to shareholders and ratepayers. He said that locally, Dominion tries to maintain the trees that serves as a buffer to powerlines and although they cut back trees, they do not do it to the extreme he had seen elsewhere. Mr. Randolph said they should be thankful for this in some ways – but on the other hand, they pay for it during a storm like this.

Ms. McKeel suggested that it might be helpful to have an update from Dominion on where their prioritization plan currently stands.

Regarding emergency services protocol, Mr. Eggleston explained that they have an emergency operations plan that is required of each locality, and that is integrated with state and federal governments as required since the Cold War era. He said they closely follow the protocol during emergencies, and he offered to present this to the Board.

Ms. McKeel commented that it does not always matter where you live, as the impacts could be felt everywhere.

Mr. Randolph noted that sometimes it could be one tree causing these issues.

Mr. Eggleston mentioned that the interstate was shut down at the Fluvanna/Albemarle line because of downed powerlines.

Ms. Mallek stated that someone from Dominion had said this event was worse than the derecho, because the trees in the derecho fell in one direction and lay there – but this event had wind coming from all directions and was much more complicated to clean up.

Chief Ron Lantz, Police Chief of the Albemarle County Police Department, addressed the Board and said he would provide an update on their efforts during the storm, in addition to the normal calls they handled. Mr. Lantz reported that from Thursday evening until Saturday afternoon, they responded to 241 traffic hazards, 78 calls for trees down, 2 brush fires, 1 VDOT call, 2 “lights out” issues, and 4 crashes related to trees falling – for a total of 328 storm-related calls. He stated that because schools were closed on Friday, he was able to pull school resource officers to help with patrol. He related how they had recently provided chainsaw training to officers, which proved beneficial during the storm, as officers used the three chainsaws to open roads by cutting fallen trees. Mr. Lantz said they plan to conduct additional training with chainsaws. He said he sent Captain Tim Aylor to the ECC Center to help prioritize calls. He said he was able to manage the incident without having to spend money on overtime.

Ms. Palmer asked if there were more calls for emergencies related to chainsaw injuries. Mr. Eggleston responded that there were not.

Ms. Mallek said that in many areas, Fire/Rescue volunteers beat VDOT to the spots needing to be cleared.

Mr. Walker reported that the County was not eligible for reimbursement for the storm and that any type of debris collection and disposal program would be a cost to the County, citing previous use of Chris Greene and Mint Springs. He said there had been discussion about waving tipping fees at Ivy MUC, which would mean the County would pay the fees, and he offered to explore this and other opportunities at the Board's request. Mr. Walker stated that staff could return more information to the Board for their March meeting, noting that there would need to be additional staffing at these sites and hence a financial impact.

Ms. Palmer commented that she did not believe the waving of tipping fees at Ivy would work, as there was too much commercial debris and it would be confusing. She suggested a drop-off at Mint Springs, and people eventually cut up the downed trees for firewood.

Ms. Mallek noted that there was debris along the roadways for about 18 months following the derecho, and said she would make a list of items that citizens had brought to her attention and would address the need at that point.

Mr. Walker informed the Board that Mr. Joel DeNunzio of VDOT had informed them that VDOT intended to have all roads cleared of debris within a month.

Ms. Palmer suggested that they ask Mr. DeNunzio if VDOT would remove trees that had fallen in drainage ditches because they could block drainage.

Ms. McKeel commented that as they talked about climate change, the way the community collaborated during storms should be part of the conversation. She said it seems to her that storms are getting more ferocious and happening more often, and part of the community's resiliency needs to be linked to how the County provides support for these events.

Mr. Walker said they could look at how to better anticipate an increase in frequency and severity of weather events.

Ms. Mallek said she would like to place a discussion on the agenda in late spring regarding shelters and places to go to take a shower after days without power and water. She also expressed an interest in better communication with citizens to provide information on where to go or who to call during emergency weather situations, noting that without power, sometimes posters are the best form of communication.

Ms. McKeel mentioned that cell phones would not work after a few days without power.

Mr. Gallaway agreed with Ms. Mallek's comments, stating that most calls he had received were from landlines – and if people are calling their Supervisor after they had exhausted other options, this was an indication of a lack of response protocol in place. He related the story of a downed powerline along a resident's driveway and said the resident had spoken with VDOT and the fire department and was informed that it was Dominion's responsibility. Mr. Gallaway said he was not sure what to advise in a situation in which Dominion advised not to get within 40 feet of a powerline, but the neighbor felt it was passable within 6 feet. Mr. Gallaway emphasized that it is the job of local government to facilitate in this type of case, possibly having a staff person on call to answer questions.

Ms. McKeel stated that she received a constituent call inquiring as to where they could purchase sandbags, and this constituent had water pouring in their back door.

Ms. Mallek responded that Lowe's would be an option.

Mr. Gallaway commented that he was not sure that Dominion was aware of all the lines that were down, citing Rhea's Ford as an example of one location in which this was true.

Ms. Mallek stated that Dominion and CVEC were bringing contractors from all over the country, and it was not possible for those people to identify every jumper on the line – and it would be helpful to educate the citizenry so they could help out.

Mr. Gallaway emphasized that when citizens call Supervisors, they would rise to action – so he would rather that this energy be planned and coordinated.

Mr. Walker summarized what he had heard and said they could have further conversations about how to better interface emergency response and the recovery period so they could better help citizens.

Ms. Mallek suggested that they consider the use of rural schools and fire stations as emergency shelters, and she would like to brainstorm ways to better accommodate the public.

Ms. Palmer added that many firehouses are not handicapped accessible, and this should be addressed.

Ms. McKeel said she wonders if all the schools have generators.

Mr. Gallaway said some schools were not back online until Sunday night, which is part of the reason for the school closings and delays.

Mr. Randolph commended personnel for their work.

Agenda Item No. 18. **Public Hearing: FY 2018 Appropriations.** *(Advertised in the Daily Progress on February 25, 2018.)*

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 cumulative total of the FY 2018 appropriations itemized below is \$5,198,611.80. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

The proposed increase of this FY 2018 Budget Amendment totals \$5,198,611.80. The estimated expenses and revenues included in the proposed amendment are shown below:

ESTIMATED EXPENDITURES	
General Fund	\$1,358,914.85
Special Revenue Funds	\$433,912.22
School Special Revenue Funds	\$1,869,710.10
ECC Funds	\$(254,285.04)
Capital Improvement Funds	\$1,790,359.67
TOTAL EXPENDITURES - All Funds	\$5,198,611.80
ESTIMATED REVENUES	
Local Revenue	\$1,170,200.54
State Revenue	\$121,349.02
Federal Revenue	\$253,669.61
General Fund Balance	\$2,025,230.00
Other Fund Balances	\$1,628,162.63
TOTAL ESTIMATED REVENUES - All Funds	\$5,198,611.80

The budget amendment is comprised of a total of thirty-four (34) separate appropriations. Twenty-nine (29) have already been approved by the Board as indicated below:

- Thirteen (13) appropriations approved 11/1/2017 in agenda item FY 2018 Budget Amendment and Appropriations: #2018040, #2018041, #2018042, #2018043, #2018044, #2018045, #2018046, #2018047, #2018048, #2018049, #2018050, #2018051, and #2018052;
- Four (4) appropriations approved 12/6/2017 in agenda item FY 2018 Budget Amendment and Appropriations: #2018053, #2018054, #2018055, and #2018056;
- One (1) appropriation approved 12/13/2017 in agenda item FY 2018 Budget Amendment and Appropriations: #2018060;
- Four (4) appropriations approved 1/3/2018 in agenda item FY 2018 Budget Amendment and Appropriations: #2018057, #2018058, #2018059, and #2018061; and
- Seven (7) appropriation approved 2/7/2018 in agenda item FY 2018 Budget Amendment and Appropriations: #2018062, #2018063, #2018064, #2018065, #2018066, #2018067, and #2018068.
- Five (5) appropriations requests for approval on 3/7/2018 are the remaining: #2018069, #2018070, #2018071, #2018072, and #2018074.

After the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment B) to approve appropriations #2018069, #2018070, #2018071, #2018072, and #2018074 for local government and school division projects and programs as described in Attachment A.

FY 18 Appropriations		Attachment A Descriptions
Appropriation #2018069		\$44,561.51
Source:	Local Revenue	\$ 10,000.00
	State Revenue	\$ 12,404.99
	School Special Revenue Fund fund Balance	\$ 22,156.52

This request is to appropriate the following School Division appropriation requests approved by the School Board on January 11, 2018:

This request is to appropriate \$32,156.52 to the Making Spaces Program. This program is a partnership between Albemarle County Public Schools (ACPS), Google, Maker Ed, and the Children’s Museum of Pittsburgh. The project goal is to develop a strategy for sustainably integrating making education into schools across the country and to create a national resource

network. Funding includes a \$10,000.00 grant from Google and \$22,156.52 in remaining fund balance.

This request is to appropriate \$12,404.99 in Career and Technical Education Equipment Grant funding from the State to purchase Computer Numerical Control Desktop Routers for Albemarle, Monticello, and Murray high schools.

Appropriation #2018070		\$980,217.68
Source:	Local Revenue	\$ 371,250.89
	School Special Revenue Fund fund Balance	\$ 608,966.79

This request is to appropriate the following School Division appropriation requests approved by the School Board on January 25, 2018:

This request is to appropriate \$608,966.79, the remaining fund balance in the School Division's Computer Equipment Replacement Fund. These funds will be used to provide students and staff reliable access to technology and support the 1:1 student computer initiative.

This request is to appropriate \$371,250.89 for the E-rate program. This program is designed to ensure that all eligible schools and libraries have affordable access to modern telecommunications and information services. The E-rate program, which was established by the Federal Government, provides discounts for eligible telecommunications services, depending on economic need and location (urban or rural). The level of discount is based on the percentage of students eligible for participation in the National School Lunch Program or other federally approved alternative mechanisms. These funds will be used to provide students and staff reliable access to technology.

Appropriation #2018071		\$7,000.00
Source:	State Revenue	\$ 7,000.00

This request is to appropriate \$7,000.00 in State Grant revenues from the Virginia Department of Housing and Community Development (DHCD) to support Downtown Crozet Initiative's organizational development using DHCD's Virginia Main Street model.

Appropriation #2018072		\$36,383.08
Source:	CIP Fund Balance	\$ 36,383.08

This request is for a supplemental appropriation of Capital Improvement Program Fund Balance for unexpected cost overruns for the construction of the Agnor Hurt Elementary School Addition/Renovation.

Appropriation #2018074		\$0.00
Source:	Recovered Costs	\$ 463,792.43
	CIP Fund balance	\$ (463,792.43)

This request is to appropriate \$463,792.43 in one-time recovered cost revenue from the Blue Ridge Juvenile Detention Center (BRJDC) to the Capital Improvements Program (CIP), where there is a corresponding reduction in the planned use of CIP fund balance in FY 18. This funding from the BRJDC is the County's share of the balance of debt service and reserve funds for bonds that have been paid in full. This one-time revenue is recommended to be provided to the Capital Improvement Program.

Ms. Lori Allshouse, Director of the Office of Management and Budget, presented. She reminded the Board that the Code of Virginia requires the County to hold a public hearing before amending its budget when the total amount of funds appropriated exceed 1% of expenditures in the currently adopted budget. She said the proposed FY18 budget amendment included in the resolution totaled \$5.2M, including 34 appropriations, of which 29 were already approved by the Board between November 2017 – February 2018. She said there are five requests today, as detailed in Attachment A, and recommended that after the public hearing the Board adopt the resolution to approve these appropriations and approve the amendment to the budget in Attachment B.

Ms. Mallek opened the public hearing.

As no one came forward to speak, Ms. Mallek closed the public hearing.

Ms. McKeel **moved** that the Board adopt the proposed resolution to approve Appropriations #2018069, #2018070, #2018071, #2018072 and #2018073, for local government and School Division projects and programs. The motion was **seconded** by Ms. Palmer.

Roll was called and the motion carried by the following recorded vote:

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

RESOLUTION TO APPROVE

ADDITIONAL FY 18 APPROPRIATIONS

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 18 Budget is amended to increase it by \$5,198,611.80.
- 2) That Appropriations #2018069, #2018070, #2018071, #2018072, and #2018074 are approved; and
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2018.

**COUNTY OF ALBEMARLE
APPROPRIATION SUMMARY**

APP#	ACCOUNT	AMOUNT	DESCRIPTION
2018069	3-3105-63105-318000-181279-6530	10000	SA2018069 Revenue-Local
2018069	3-3105-63105-351000-510100-6599	22157	SA2018069 Revenue-Fund Balance
2018069	4-3105-63105-461313-312500-6530	5000	SA2018069 Prof Svcs-Instructional
2018069	4-3105-63105-461313-580500-6530	22157	SA2018069 Staff Development
2018069	4-3105-63105-461313-800100-6530	17405	SA2018069 Machinery/Equip-ADDL
2018069	3-3105-63105-324000-240900-6530	12405	SA2018069 Revenue-State
2018070	3-3907-63907-318000-189900-6599	100000	SA2018070 Miscellaneous Revenue
2018070	3-3907-63907-319000-190241-6599	271251	SA2018070 Recovered Cost - E-Rate
2018070	3-3907-63907-351000-510100-6599	608967	SA2018070 Appropriation-Fund Balance
2018070	4-3907-63907-468200-800700-6599	980218	SA2018070 Technology Equipment
2018071	3-1230-24000-324000-240500-9999	7000	SA2018071 State Revenue – DHCD - Commercial District Affiliate Grant
2018071	4-1230-81050-481050-392000-9999	7000	SA2018071 Contractual Services – Downtown Crozet Initiative
2018072	3-9000-69000-351000-510100-6599	36383	SA2018072 Use of CIP Fund Balance for Agnor Hurt Cost Overruns
2018072	4-9000-69985-466730-800605-6116	36383	SA2018072 Cost overruns for construction Agnor Hurt Elementary Addition/Renovation
2018074	3-1000-19000-319000-199910-9999	463792	SA2018074 One-time BRJDC Revenue to CIP Recovered Costs
2018074	4-1000-93010-493010-930027-9999	463792	SA2018074 One-time BRJDC Revenue to CIP
2018074	3-9010-51000-351000-510103-9999	463792	SA2018074 Transfer to CIP for debt service and bond reserves
2018074	3-9010-51000-351000-510100-9999	-463792	SA2018074 Use of CIP FB related to a one-time BRJDC Revenue
TOTAL		3,063,909.400	

Agenda Item No. 19. **Work Session:** BF Yancey Use Framework.

The Executive Summary forwarded to the Board states that in May 2017, the Albemarle County School Board voted to close BF Yancey Elementary School and on September 25, 2017, the building transferred to the Board of Supervisors. For the remainder of FY 18, the School Division will continue to maintain and operate the building and grounds at a reduced operating mode that would support limited community use during this transition period, including elections, Open Gym, and a food pantry. In addition, the playground and external grounds continue to be available for open community use. At the December 6 Board meeting, additional near-term uses recommended by the BF Yancey Transition Advisory Committee were approved, including quarterly community meetings, twice weekly exercise class, girl scout meetings, and a monthly fellowship program with the Esmont and Scottsville Community Centers, through JABA. Following this, the BF Yancey Transition Advisory Committee and staff have shifted focus to the long-term uses and management of the facility.

The BF Yancey School is located in Esmont, a historic community in rural Southern Albemarle that functionally serves as a crossroads community. The Comprehensive Plan identifies that for the Rural Area, crossroads communities “provide basic support services and centers of community life”. The Comprehensive Plan also identifies that community facilities “help protect the public health, safety, and welfare of the community, as well as to enhance the quality of life for residents”. Managing the BF Yancey School as a community facility will allow the building to continue its legacy as a center of community life and provide enhanced access to programs and services for all of Southern Albemarle, an area of the County that is geographically isolated from many public services.

As the BF Yancey Transition Advisory Committee and staff have shifted to study for long-term use and management of BF Yancey school, the need for direction from the Board on a use framework became evident so as to be able to set expectations for organizations interested in potential future use.

Staff have evaluated the range of use management models currently deployed throughout the community for County-owned properties. Two departments manage facilities, Parks & Recreation and

Facilities & Environmental Services. Parks & Recreation facility fees are minimal in recognition that these programs provide community benefits that may otherwise need to be provided by Parks & Recreation directly. Facilities & Environmental Services facility fees are set for cost recovery of operations, focusing on facilitating access to excess County capacity. More detailed information about operating costs, revenues, and programs are provided in Attachment A (Parks & Recreation) and Attachment B (Facilities & Environmental Services).

Proposed Use Framework

In evaluating the physical space of BF Yancey, the proposals from interested users, and the desires from the community, staff believes three user groups have emerged, as well as three space types.

User groups could be established as follows:

- *Public* (eg., County departments and School Division and Parks & Recreation-run programs)
- *Community Agency Partners* (eg., JABA, PVCC)
- *Private* (eg., member organizations, business-use, private event (birthday party, wedding))

Space types could be established as follows:

- *Shared recreation/education spaces* (eg., cafeteria, media center, gym, front classrooms), managed through Parks & Recreation utilizing part-time, seasonal staff
- *Dedicated spaces* (eg., administrative office, rear classrooms), managed through FES-PWD
- *Available but undetermined at this time* (rear-most classrooms)

A graphic depicting these space and a proposed fee matrix is available in Attachment C.

Budget impacts would accompany the long-term use recommendations later this spring. The recommended FY19 recommended budget includes \$133,169 in the FES budget for building maintenance and utilities (40 hours per week) and \$10,569 for part-time wages to support the opening/closing of the building.

Staff recommends the Board of Supervisors endorse the use framework including the differentiation of user group types, space types and the associated fee structure as proposed.

Mr. Walker stated that he and Nancy Scott of the BF Yancey Advisory Committee would present an update on the framework and seek direction from the Board to guide the planning process for management of the facility and for future uses. He displayed agenda items for the presentation: where we have been; where we are headed; existing community uses of the facility; proposed use framework for BF Yancey; questions and discussion; and direction. He next displayed a timeline of past actions:

- May: School Board action to re-assign students
- June: First community open house
- September: School Board action to surplus building; building transferred to Board
- October: Board directs creation of BF Yancey Transition Advisory Committee
- December: Board approved near-term use recommendations

Mr. Walker presented a timeline of future actions:

- April 17, 2018: FY19 Budget Adoptions
Recommended Budget Includes: \$133,169 (operating), \$10,369 (part-time wages to open/close)
- June 6, 2018: BF Yancey Advisory Committee:
 - Serve as conduits to the larger southern Albemarle community
 - Develop a vision to honor the history of BF Yancey
 - Develop guiding principles for future uses of the building and grounds
 - Develop recommendations on future uses of BF Yancey for the Board
- July 1, 2018: FY19 Begins
Building operations/maintenance transitions fully to local government

Mr. Walker explained that Parks and Recreation and Facilities and Environmental Services manages buildings and building uses in different ways, presenting an example of fee structures. He said that while Parks and Recreation sees its role as providing a community benefit and imposes minimal fees, Facilities and Environmental Services seeks to recover the cost of operations. He invited Michael Freitas of Facilities and Environmental Services to address the Board on its fee structure.

Mr. Michael Freitas, Chief of Public Works, presented. He said the County has a tenant/landlord relationship in examples he would review. He said they attempt to determine the market rate for properties and Ms. Susan Stimart, who is no longer with the County, had played an important role. He presented a slide with rent, revenues, and expenditures for two tenants: CACVB and Crozet Artisans Depot. He presented a second slide showing current annual rents, revenues, and expenditures from 2010 – 2017 from The Field School and Crozet Arts and provided detail regarding the specifics of how they set the rental rates for the tenants.

Mr. Walker interjected that this is an illustration of how they approach the use of these spaces for community benefit through lease arrangements.

Ms. Amy Smith, Assistant Director of the Department of Parks and Recreation, presented. She reviewed a chart that depicted rent, revenues, and expenditures from Boys and Girls Club, JABA, Community Youth Basketball and Soccer, and Bread of Life. She noted that these groups pay rent of \$0 or \$1/year and provide a community service, and provided detail of various revenue and expenditures. She next presented a chart depicting revenues and expenditures for the Greenwood Community Center, which she said is used by dance groups, for public skating, classes, and private events.

Mr. Walker recognized the dilemmas of whether they should or should not charge rent for the use of Yancey, whether it would fall under Parks and Recreation or Facilities and Environmental Services, and whether it would be for private or community use. He presented a chart outlining the proposed use framework:

User Types	Space Types
Public	Dedicated
Community Partners/Agencies	Shared
Private	To Be Determined

He next presented a slide of proposed user types:

Public	Community Agency Partners	Private
County Departments	JABA, PVCC	Member Orgs.
School Division		Business Use
Parks and Recreation		Birthdays, Weddings

Mr. Walker presented an architectural drawing of the building, with rooms colored in blue identified as potential dedicated spaces. He then presented a slide with a proposed fee matrix:

User Group	Shared Space Fee	Dedicated Space Fee
Public	No Cost	No Cost
Community Agency Partners	In-Kind, No Cost	In-Kind/No Cost
Private	Cost-Recovery	Cost-Recovery

Mr. Walker invited questions and asked for guidance from the Board regarding what has been proposed.

Mr. Randolph noted that different County departments and divisions handle property in a different manner. He said he would like the Property Committee to discuss a way to get repurposed facilities under a common tent so they are managed under a common set of approaches to avoid inconsistency. He remarked that the County has been very generous in leasing out the Scottsville Community Center to JABA and the Boys and Girls Club at no charge and \$1/year, respectively, and is effectively subsidizing these organizations as it provides both an annual appropriation as well as a silent appropriation by providing facility space. He said they should consider how facilities serve the goals and objectives of the County, which he feels they do at the Scottsville Community Center. He added that the elderly had not been as well served as they could be, which is why he is encouraged that Yancey could come online. Mr. Randolph emphasized that they operate facilities with sunken costs and are not able to recover the annual costs to maintain and operate the buildings. He expressed support for a uniform rental agreement across all facilities, unless there is a determination that the ability to pay is not there and a lower fee is charged. He said he does not see a common and coherent policy and suggested the Property Committee come up with recommendations to the Board.

Ms. Palmer stated that one of the things she likes about the plan is that it provides a lot of flexibility in a committee that is currently working on how to use this building. She informed the Board that Central Virginia Health Services operates the Southern Albemarle Family Practice, and a presenter at the recently held open house expressed an interest in renting a dedicated space to provide mental health services. She said this is an example of an organization that would pay rent while also providing a community social service. She commented that the committee had been very thoughtful and credited Emily Kilroy with keeping it running smoothly and well-organized. She recounted a conversation she had the previous day with Mr. Walker, during which she asked if they are excluding anything by voting on this budget before the committee has completed its work. She asked Mr. Walker to comment.

Mr. Walker said that one item he had discussed with Ms. Palmer was a request by Facilities and Environmental Services for a maintenance mechanic that was not recommended in the budget. He said he had spoken with Trevor Henry, who expressed that he would like to add this position but understood that when making choices you cannot recommend everything, and the impact would be felt across the department and not just at Yancey School.

Mr. Walker explained that the second item he had discussed with Ms. Palmer was an estimated \$10,500 identified for part-time support to open and close the building. He emphasized that this is an estimate.

Ms. Palmer noted that the former secretary at Yancey had volunteered to open and close the building and that she asked Mr. Walker if the County has a policy regarding volunteers.

Mr. Walker pointed out that at other facilities the County rents out, it is the tenants who open and close the buildings, and he said it is nice to know there are residents of the community that are willing to participate. He asked Mr. Henry if he would like to weigh in.

Mr. Henry addressed the Board and explained that the use of volunteers to open and close buildings is not currently under the model of how FES manages buildings. He said the lessees are responsible for this task, while the County is responsible for custodial and maintenance services, pointing out that Parks and Recreation opens and closes buildings in its community centers. He addressed the issue of not providing funding for an additional maintenance mechanic, stating that the impact would be felt in their taking longer to address work orders.

Mr. Gallaway asked what County departments are represented on the committee and what work had been done that led up to the current list of potential uses. Ms. Emily Kilroy, Community Engagement Coordinator, responded that the uses that made it onto the list were people and organizations that had come forward following the news that the school was an available space – and she had been keeping that list, in consultation with Lindsay Snoddy of the School Division. Ms. Kilroy reported that the staff technical work group consists of Amy Smith from Parks and Recreation, Michael Freitas from FES, Francis McCall from Zoning, Captain Byers from the Police Department, David Puckett from Albemarle County Fire/Rescue, and Doug Walker. She noted that they met following the advisory committee meetings to discuss what transpired there and what the impacts might be, and at their meeting they started to sketch out the framework for the building use and space types.

Mr. Randolph remarked that both Sentara Martha Jefferson Hospital and the University of Virginia Medical Center, in addition to Central Virginia Health Services, had expressed interest in utilizing the Yancey School facility. He asked when an RFP would be issued by the County, as when the formalized process occurs he feels they will receive many proposals, and just because they had the ability to pay does not mean they should be located there. He said that once that unfolds, the committee should start considering them and plan to make recommendations as to what tenants would be included – consistent with what the community has identified as preferences and priorities.

Ms. Kilroy replied that the discussion held at this Board meeting would assist in providing direction as to the types of uses the Board desires. Ms. Kilroy stated there are some spaces that may not be used at this point, based on the uses that have emerged to date, and those would be great candidates for an RFP process. She added that what they have heard from people who are interested in using the building was that not knowing how it would be run and managed and what the expectations for cost recovery would be made it difficult for them to engage firmly in the process, and this meeting would set that framework in terms of the future of the building and the Board's vision for it. She said the committee would present recommended uses to the Board in June and if they approved, the County would begin the process to solicit proposals in July, which could include an RFP process.

Mr. Randolph commented that they would want that prior to June.

Ms. Palmer remarked that the Board is trying to provide some clarity and it would be up to the Board to decide how much of the building would be used for community uses and how much would be leased via an RFP.

Mr. Randolph stated that part of the reason they had established a transition committee was to utilize Yancey – not only to serve the immediate community around Porters and Esmont, but also to serve southern Albemarle due to its centralized location. He said that he is confident that there are other organizations out there that are not aware of Yancey's availability because they have not yet seen a formal proposal from the County, and it is important to pose that so they can respond accordingly. Mr. Randolph noted that on a parallel track, the Property Committee could deal with the systematic issues that need to be addressed.

Ms. Palmer stated that this is what she was saying as well.

Mr. Freitas stated that while they could utilize a formal RFP process, for the three existing facilities the County leases in Crozet – the old Crozet School, the train depot, and the Crozet Library – they simply placed an ad in the newspaper. He emphasized that the timeline could be very short, and at this point they are not prepared to know whether they have 10,000 square feet to lease out at Yancey.

Ms. McKeel said she thought an RFP was required by state law, but now she is hearing it may not be.

Mr. Freitas replied that it is not required of the other facilities, and the previous County Attorney determined that there was not a requirement to go out for competitive bids.

Mr. Walker advised they could use an RFP process in conjunction with the work of the advisory committee, to further develop and identify which entities are interested in a dedicated or shared space, which would then become the basis for them to understand how the building could be divided.

Ms. Palmer clarified that the Board is just being asked at this point to indicate whether they want to have public, no-cost, community agency partners, in-kind, no-cost, and private cost recovery – and are being asked to comment on the shared and dedicated spaces.

Mr. Walker provided an example of PVCC wanting to use space for a classroom and said that under this fee matrix they would not be charged.

Ms. McKeel commented that it seems the Board is going in the direction of a hybrid model for the building.

Mr. Walker agreed that this seems to be their direction, stating that this makes it more complicated to explain.

Mr. Dill stated that this had received more publicity than most real estate, and he does not feel they could have asked for much more in terms of community interest. Mr. Dill said that an RFP is synonymous with putting it in the paper, and he expressed support for mixed use. He expressed disagreement with Mr. Randolph's comments about subsidizing JABA and said the County essentially receives free services from JABA to help citizens, noting that the organization is doing great work in the community.

Ms. Mallek commented that the County does not have a department of senior services at a cost of millions of dollars.

Mr. Dill added that renting it for free may be the best they can do, and they can renew the leases on a three or five-year basis, adding that the process would be constantly evolving.

Ms. McKeel stated that she envisions some paying and no-paying tenants.

Mr. Walker said the hope is that the market would be strong enough to support private ventures.

Ms. Mallek recounted that several approaches were offered for use of the first floor of Crozet Library and the depot, and previous experience demonstrated that community input could happen in a very positive way to get tenants that have lots of community support.

Mr. Gallaway said that while he supports having the community drive how the space is used, they would need a long-term commitment to make it financially viable, and he suggested that they involve Economic Development to come up with ideas. He said they could potentially bring a new mindset as to how they educate, repurpose, and retrain, to bring vibrancy to the rural economy beyond what the community is looking for in terms of support services.

Ms. McKeel commented that it is a great idea to involve Economic Development.

Mr. Walker remarked that Piedmont Virginia Community College is already involved in workforce development for that community.

Mr. Gallaway explained that in many cases rural businesses have a lot of capital, and resources through grant funding could provide assistance for business start-ups in a way that fits within the rural scheme of Albemarle.

Mr. Dill remarked that nonprofits could also be economic development drivers, as they make purchases and employs people.

Ms. Mallek asked if the commercial kitchen is still intact. Ms. Kilroy responded that the oven was relocated to another school, but the other equipment is still present and in working order.

Ms. McKeel asked Mr. Walker what he needs. Mr. Walker replied that staff recommends the Board endorse the use framework as proposed.

Ms. Palmer **moved** that the Board endorse staff's recommendations for the use framework, including differentiation of user group types, space types, and the associated fee structure, as proposed. The motion was **seconded** by Mr. Dill.

Roll was called and the motion carried by the following recorded vote:

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

within 25 years of it being approved. She said that Charlottesville, though only paying for a small portion, wants to have a financial evaluation first. She said that all three agencies are conducting rate studies simultaneously, with information to give direction to the Rivanna Board likely to be ready by May.

Ms. Mallek asked if the work would be complete by 2027 or 2028. Ms. Palmer replied that this is when the work will begin. She said they will construct a pump station at the end of the line, replace the raw water line from South Fork to Observatory Hill, add capacity to Observatory Hill, and address pressure problems with piping in the south loop. She said the work would take seven to eight years to complete. Ms. Palmer related that they expect they will have to impose voluntary or mandatory water restrictions every three to five years. She said the ACSA had \$27 million in funds set aside for this infrastructure work, noting that they only had \$12 million when she first joined their board and they plan to use the surplus as a rate stabilization fund. She said the purpose of having connection charges is to pay for expansion of the water and sewer system.

Mr. Randolph asked when the Ragged Mountain Dam would be elevated. Ms. Palmer responded that they have not made this decision and said the letter indicates it will be raised by the time the pipeline is built.

Ms. Mallek said she had circulated an email requesting feedback about making a recognition for the National Defense and Intelligence conferences and would bring this up for discussion at the Board's March 14 meeting.

Agenda Item No. 21. From the County Executive: Report on Matters Not Listed on the Agenda.

There were none.

Agenda Item No. 22. Closed Meeting. *(if needed)*

There was no need for an additional closed meeting.

Agenda Item No. 23. Adjourn.

At 7:55 p.m., Ms. Mallek adjourned the Board meeting until March 14, 2018.

Chairman

Approved by Board
Date 06/06/2018
Initials CKB