

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on November 6, 2019, at 1:00 p.m., Lane Auditorium, Second Floor, 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, Jeffrey B. Richardson; Deputy County Executive, Doug Walker; Deputy County Attorney, Andy Herrick; Clerk, Claudette Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:01 p.m., by the Chair, Mr. Gallaway.

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

Agenda Item No. 4. Adoption of Final Agenda.

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

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

Introduction. Mr. Gallaway introduced staff present and the presiding security officers, Officers Kevin Dean and Mitchell Saunders.

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

Mr. Randolph said he had given each Board member some information about a locally grown organization called The Common Grain Alliance, which seeks to connect and support farmers, millers and bakers to build a vibrant, integrated and sustainable regional grain economy in Virginia. He said that on the back side of the sheet he provided, on the grain flight, it included information about the participants on October 13 at Arden Craft Ales in Richmond, where many of the organizations featured bread and other products that use organic and native-grown grain, especially noncommercial native-grown types of grain.

Mr. Randolph also mentioned the Scottsville Magisterial District, noting that Arden Craft Ales prepared an imperial milk stout for that event, and the malt of the grain was malted in Broadway at Murphy and Rude by the local company. He said it was a delicious stout. He again referenced the sheet he provided, noting that also in the immediate area Marie Bette Café and Bakery, who also uses some of the locally sourced grains.

Mr. Dill asked Mr. Randolph how one gets the local grains and if the sheet was simply referencing some local places that use them.

Mr. Randolph replied yes, noting that on the back side of the sheet, it listed all the participants beginning with a cornucopia and going all the way down to Woodson's Mill, explaining that all those organizations are supporting the Common Grain Alliance.

Mr. Dill asked if there was not a specific event that the Board was being invited to.

Mr. Randolph replied no, that it was a specific event and was the first time they had organized and arranged all their participants to be there.

Mr. Dill remarked that it sounded interesting.

Mr. Randolph said he thought it would be useful for Supervisors and the public to know about it.

Ms. McKeel reminded the public that there would be a Veterans Day service at the County Office Building on Monday at 11:00 am.

Ms. Mallek said that the 25th Annual Artisans Studio Tour would take place that weekend throughout Charlottesville, Albemarle, and Nelson County. She indicated to brochures for the event and mentioned a website, artisanstudiotour.com. She said Second Saturday Crozet, a group of about 50 artisans who take turns opening their studios on the second Saturday of the month, was a part of this. She added that in addition to 5-6 regulars, Hamner Theatre would be doing an improv, workshop, and then a performance at Crozet School of the Arts, located in the old Crozet Elementary School.

Ms. Palmer said the past weekend, Albemarle Cider Works, Vintage Virginia Apples, and the Coveseville Ruritans had their annual Apple and Apple Butter Festival. She said it was amazingly well attended, adding that she hadn't seen the final numbers but there were many vehicles there. She said it was becoming somewhat dangerous on 29, as there was a line trying to get into the pullover for most of the day. She said there were many local artisans there who had great sales, with some from the Scottsville District.

Ms. McKeel remarked that there was good TV coverage for the event, and it looked packed.

Ms. Palmer said she had been going to the event every year for years and had never seen it so packed. She remarked that the weather was perfect, and the artisans seemed to be having great sales. She said the invasive plant people were there, who had a big crowd around their table.

Mr. Gallaway pointed out there had been an election the day before. He noted that running a campaign is quite a labor and thanked all the candidates who stepped up around the county to run for office, as well as the volunteers working the polls. He said the polls were open 6:00 am to 7:00 pm and it was quite the day not just for the volunteers for the campaigns, but for those who are specifically there running the polls to make sure the election is carried off as seamlessly or as effortlessly as possible. He said they did a great job in Albemarle running the different polls.

Mr. Gallaway said there were outcomes that impacted the Board and offered his congratulations to Ms. Mallek for her re-election. He noted that both Supervisors-to-be were also present, Bea Lapisto Kirtley and Donna Price, and congratulated them for being elected to the Board of Supervisors.

Mr. Randolph said he also wanted to put in a plug for all the people who have lawn signs throughout the county. He asked those who ran for public office to have their teams remove those lawn signs, noting that some of them in the past have lasted weeks, if not months. He said there was one on Route 29 that still includes a candidate for Governor for about 3-4 terms back.

Ms. Mallek said that in that regard, there is a recycling program, both at McIntire and at Ivy, for the signs, and that the plastic sleeve covers go into a bin at McIntire, and the sturdier laminated plastic parts could go to Ivy. She said at Henley Middle School, there was a project in which the students are building a new wind apparatus and needed some of the smaller plastic parts, and that her campaign people have taken care of that.

Ms. Palmer said the plastic sleeves could go into the bins that have the plastic bags in them that go to TREX for recycling. She said there was a separate bin that will collect the corrugated signs, acknowledging that many campaigns save them because they use them in subsequent years.

Mr. Dill said that the metal parts, H-frames, could go in the mixed metals bin with the steel cans.

Ms. McKeel said that candidates, as well as the organizations, like to save the metal pieces as they must pay extra for those. She said she saves hers every year, so she doesn't have to order as many. She said some of the candidates might be happy to have theirs back.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. FY19 GFOA Award of Achievement for Excellence in Financial Reporting.

Mr. Curtis Doughtie, Director of Finance and Administration for the Virginia Resources Authority, said he also served as the past president for the Virginia Government Finance Officers Association. He said he was honored to be there on behalf of the VGFOA to present the Certificate of Achievement for Excellence in Financial Reporting to Albemarle County.

Mr. Doughtie said the award promotes the preparation of high-quality financial statements by encouraging local governments to go beyond the minimum reporting requirements and prepare a comprehensive annual financial report, or CAFR, that reflects the spirit of transparency and full disclosure. He explained that the goal of the award is not to assess the financial health of an organization, but to ensure that the users of the financial statements have the information they need to do so.

Mr. Doughtie said the award reflects the professionalism and commitment of numerous staff members as well as many hours of hard work. He said it also reflects a high degree of dedication, leadership, and commitment on behalf of the Board of Supervisors. He said the award serves as an example to other localities across the Commonwealth to strive for the same high standards in their own financial statements. He said that on behalf of the VGFOA, he was honored to present the award to Albemarle County.

Mr. Bill Letteri, Chief Financial Officer, said the real credit for this effort went to the Financial Management Division. He asked them to stand to recognize them. He said it was a tremendous effort and prestigious award which requires a great deal of attention to detail, noting that it had been a particularly difficult year as they introduced new programs in Finance. He recognized the work those staff do each day to make it possible.

Mr. Gallaway said it was a good mantra to go beyond the minimum and that value could be seen in going past the minimum standard with higher levels of reporting. He thanked the Finance department

for the work they do, as well as Mr. Doughtie.

Item No. 6.b. Veterans Day Resolution.

Mr. Randolph **moved** to adopt the Veterans Day Resolution of Appreciation as he read it into the record.

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

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

NAYS: None.

Mr. Gallaway asked for the veterans in the room to stand to be recognized. The veterans were applauded.

Mr. Trevor Henry, Assistant County Executive and former Naval Officer, said he was joined by Jamie Gellner, the schools' Program Evaluation Manager and former Army Captain. He said that behalf of everyone who stood and the veterans in the community, through local government and schools, they appreciate the resolution and the day off on Monday in honor of Veterans Day. He reminded the Board of the Veterans Day service on Monday at 11:00 am, with music starting at 10:30 am.

Mr. Henry said that he and Ms. Gellner were leading, through local government and schools, the creation of the Veterans Affinity Group, with the first meeting of that group meeting Wednesday evening. He said the purpose of the group was to bring together veterans, reservists, and family members and is an inclusive group in support of veterans and military in the region for networking and support. He said there was anticipated programming support within the schools, e.g., supporting the launch of the Junior ROTC at Monticello High School in 2020. He said he was excited to get the Affinity group launched and be able to have some connections internally with staff.

Ms. Mallek asked about Wednesday, November 13 and Roll Call.

Mr. Henry said the event called "Roll Call" involved approximately 30 agencies and organizations throughout the community coming in. He said there would be tables set up and would be open to the public 6:00-8:00 pm to support military active duty, veterans, Blue Star families, Parade Rest, and other organizations. He said the V.A. would be there and that it was an opportunity to connect the veteran families and military families with those organizations that can provide support to the families and extend support to those who are serving.

Ms. Mallek said that over 100 people attended in the spring in Earlsyville, and that there would hopefully be a good turnout there as well.

RESOLUTION OF APPRECIATION

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

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

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

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

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

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

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

FURTHER RESOLVED, that this Resolution celebrating Veterans Day, be adopted this 6th day of November 2019.

Signed this 6th day of November, 2019.

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

Dr. Charles Battig recalled that in October, some faculty members from UVA came to the Board meeting to speak. He said that when Sally Thomas was on the Board, he was also speaking about climate issues in those days, and she had had some faculty come down to speak.

Dr. Battig presented a slide on polar bears, explaining that Dr. Susan Crawford showed that the numbers had gone from 5,000 to about 25,000 despite predicting any decrease. He said National Geographic had to apologize for pointing out a fraudulent picture, which was falsely showing a dying polar bear. He mentioned a 1973 treaty, which limited the hunting of polar bears.

Dr. Battig said that Dr. Crawford was fired from her academic job for pointing out the truth. He said this kind of bullying has been happening far too often at universities, even in Canada, and cautioned university speakers. He mentioned Professor Pat Likos, who left UVA in 2007 after being there several years, noting that his views conflicted with that of the Governor and that he backed out from a non-tenured position.

Dr. Battig said that Professor Michael Mann refused to disclose his "magic numbers," indicating the "warm period" before SUVs. He said his tree ring study, which was discredited, was taken on by the Environmental Movement. He said Mann went to court in British Columbia and lost his case because he refused to prove his point.

Dr. Battig said that Albemarle County has adopted its resolution. He said Google tried to do it several years ago, and that their engineers decided that it's impossible to make renewable energies and that they don't work.

Dr. Battig said in 1956 aliens did not arrive and there was a book written called "When Prophecy Fails," which discusses cognitive dissonance, when one disregards the truth or reality. He said the same thing was being done in 2019.

Mr. Neil Williamson said he was the President of the Free Enterprise Forum, a privately funded public policy organization focused on local governments of Central Virginia. He congratulated the winners of the previous night's elections. He said the Free Enterprise Forum strongly believes that contested elections make better elected officials.

Mr. Williamson said that later that afternoon, the Board would be holding a work session to discuss improving stream health in the development areas. He commended staff, particularly David Hannah and Frank Pohl, for their constructive, proactive outreach on the issue. He said his organization had "limited heartburn" regarding the reduction of threshold of disturbing activity. He explained that based on the current draft, anyone diggers three-footers for a deck will be required to pull a Special Permit. He said under Option B, a responsible land disturber will be required for those three-footers. He said that while the Free Enterprise Forum doesn't think that this is the best prefer, they prefer Option A to Option B.

Mr. Williamson said the Free Enterprise Forum also continues to have concerns regarding the restriction of off-site stream credits. He said Albemarle County was a leader in the "Save the Bay" movement when it adopted Chesapeake Bay regulations, even though Albemarle County isn't near the bay. He asked why, then, the county should restrict where the nutrient credits come from. He said if the county goes the route that seemed to be suggested in the staff report, all its development areas will be impacted.

Mr. Williamson said that, as drafted, he understands that applicants seeking such off-site credits would be forced to deal with the sole nutrient bank located in Albemarle County, Ivy Creek), which currently produces 100 pounds of credit annually. He said that in recent discussions with several local developers, he became aware that over half of those credits have been spoken for. He said that by mandating the purchase of only Ivy Creek credits, the county will be creating a false scarcity and inflating the costs of such credits, therefore increasing the costs of housing.

Mr. Williamson said the Free Enterprise Forum is also concerned at the expansion of government required by these proposals. He said again, staff work shows that the proposals will require 1.75 full-time employees and the question was if "the juice was worth the squeeze." He said he looked forward to the Board's discussions and appreciated the opportunity to speak.

Mr. Scott Beyer said he grew up in the Charlottesville Albemarle area and still lives in the area. He said that he has traveled around the country to study urban issues and in the course of those travels, he managed to build a journalism career. He said he is now a regular columnist and urban affairs analyst for Forbes magazine, as well as a Policy Fellow for the Independent Institute, and is preparing to launch his own consultancy dealing with zoning and land use.

Mr. Beyer said that he studies urban issues and land use policy and that, through his travels, he has hit on some trends he is seeing around the country when studying different metro areas, especially regarding housing affordability. He said he finds that in large metro areas, there are usually two types of housing markets, elastic and inelastic.

Mr. Beyer explained that an elastic housing market comprises of fast-growing metro areas that

have fast population growth, but also build a lot of housing. He said that the metros that are like this can manage their home price inflation. He said four leading examples of elastic housing markets are Houston, Dallas, Atlanta, and Phoenix, which all have median home prices that are at or just above the national average, despite their fast growth.

Mr. Beyer said that the inelastic housing markets, by contrast, are ones that grow very fast with many demand pressures, but do not build a lot of housing. He said four leading examples of this market are San Francisco, Portland, Boston, and San Diego as they do not build much housing and have median home prices that are often 3-4 times the national average.

Mr. Beyer said that Charlottesville is increasingly reflecting an inelastic housing market because there are heavy demand pressures, but a lack of building housing, and that the Census Bureau numbers bear this out. He said the biggest thing at blame was a combination of zoning in the City of Charlottesville that is heavily single-family and prevents density, but that he also thought that Albemarle County was much to blame for it as well as a vast majority of its land is not in the growth area, so there are not many places to build, which is causing a shortage of the housing supply and the median home prices to increase well above the national average and the Virginia average.

Mr. Sean Tubbs, with Piedmont Environmental Council, offered his congratulation to Ms. Mallek for her reelection, and to Supervisors Elect Ms. Price and Ms. Lapisto Kirtley. He thanked Mr. Dill and Mr. Randolph for their service on the Board. He said that in terms of the supply of housing, an interesting site plan was coming forward soon at Stonefield, where there are now 239 units that are slated to go to site review plan December 4 in what is now a parking lot. He said there are also 160 more units coming and that the community was seeing a lot of housing coming in. He said the question was to how the county will build the infrastructure to support that, expressing that the work the Board had done over the past few years regarding that was positive.

Mr. Tubbs reported that City Council recently coordinated with the Planning and Coordination Council, and there was a 4-1 vote, with one member of the Council who thought that it was perhaps not the right way to go. He said he would take a "wait and see" approach with it, expressing that there was a lot of positive work that happened with the Regional Transit Partnership but that for him, the skepticism does come with UVA being a major driver in the community for growth and that he wanted to ensure there was transparency.

Mr. Tubbs applauded the Board on the Zoning Text Amendment that day on fill and waste issues. He said there have been many concerns about that issue over the past few months and that the conversation would be interesting. He said the goal was water quality, and that one thing that got buried in the news was the fish kill at Meadow Creek. He said that some of the pictures he has seen from some of the construction debris that has been in the ground at Free Union, for instance, causes him some concerns about whether there will be effects from it 5-10 years down the line.

Mr. Tubbs said regarding the stream health issue, he was interested to see what the Harrisonburg example was. He said Harrisonburg has decided that they will try to make sure that one cannot buy credits in areas that are already impaired. He said the Board's discussion will be interesting in seeing what the legalities of this in the future will be.

Mr. Tubbs said he was looking forward to the on-demand transit presentation from JAUNT, expressing that it was something that could fit. He said he took the 7 bus that day and it took an hour to get from the 29 Bypass to Downtown, and that perhaps the on-demand transit program could serve as the missing ingredient to make transit a more viable option.

Mr. Tubbs mentioned the election that took place the day before, and that the last time, the Board had passed the legislative packages. He said he was curious to see if this might change, or what the discussion might be going forward. He said again that he looked forward to the Board's conversations.

Mr. David Roper, White Hall District, said he has been a resident of the area for 10 years. He said he would talk about the barking dog exclusion for properties 5 acres and greater. He said that one of his neighbors with a property just under 10 acres has dogs that are about 100 feet from his property. He said he has listened to the dogs most days starting at about 5:00 am and that the barking can go until extremely late at night with very little cessation.

Mr. Roper said he has talked to his neighbors about options to calm and quiet the dogs so that he can enjoy his property and have the quality of life he came there to enjoy when he retired from the military. He said the conclusion of the conversation was that the neighbor stated they checked the rules and that the ordinance doesn't apply to them.

Mr. Roper said his personal perspective was that there should be a rule that applies to all citizens, and if there was an ordinance that compelled his neighbor to calm or quiet their dogs, they would comply, particularly in the face of penalty. He recommended the 5-acre exclusion be removed so that all citizens of Albemarle County can enjoy the peace they come to expect and sometimes enjoy.

Mr. Roper said there was a discussion to have a proximity-to-neighbors type of limit. He said he didn't know if that would be able to be applied equally; whereas if the ordinance was simply amended to remove the 5-acre limit, it would be something that could be applied on an on-demand basis as need

occurs. He thanked the Board for its time to hear his complaint and that he was adding his voice to other citizens who have come forward about the issue. He said he looked forward to more conversations about it, noting that there was supposed to have been a legal review since the last meeting in October and that he was curious if there had been any results or conversations from that.

Ms. Mallek said that they would be reporting on this.

Mr. Morgan Butler, with Southern Environmental Law Center, said he would address two of the comments that had been raised thus far in Matters from the Public. He said Mr. Williamson was talking about the stream protection measures that the Board would be discussing that day, and recent concerns about how the restriction on off-site treatment may be constrained by the fact that there is currently only one nutrient bank in the County. He pointed out that in the meeting he had with County staff, they discussed ideas of ways it could be phased in over time to allow the market time to catch up and create more nutrient banks. He said that in the staff report, there was mention of how that recommendation could be phased in over time.

Mr. Butler said that in response to the commenter who pointed out the elastic and inelastic markets and raised some concerns about the capacity of the development areas, the Planning Commission has now reviewed a helpful analysis that County staff has done of the capacity of the existing development areas, which notably found that even if all the zoned residential land is developed by right under current zoning, there would be enough capacity to satisfy 20 years of projected residential growth in the County.

Mr. Butler said he didn't think that the County's concern needed to be that there was not enough capacity in the existing development areas. He said one of the concerns needs to be how to build more affordable housing and build more affordably within the existing development areas. He said another key question, as Mr. Tubbs pointed out, was how to provide the infrastructure within the existing development areas to make sure they function effectively. He said it doesn't make sense when the County is struggling to provide infrastructure within its existing development areas to consider expanding them, and thereby expanding the area over which they are then required, and desperately need, to provide those services.

Mr. Butler said he appreciated the opportunity to speak and offered his congratulations to Ms. Mallek as well as to the other victors, as well as his gratitude for the contribution to democracy the other candidates made to Albemarle County and the community.

Mr. Gallaway closed public comment.

Agenda Item No. 8. Consent Agenda.

Mr. Gallaway said he would need to remove his minutes, explaining that he did not have the opportunity to collect his minutes to review them.

Ms. Mallek said she needed to pull her minutes from May 9. She said she had a question about 8.5 but did not want to stop the vote.

Ms. McKeel offered to move to approve the Consent Agenda, minus the minutes that were pulled and 8.5.

Ms. Palmer encouraged Ms. Mallek to ask her question before a motion was made.

Mr. Gallaway recommended to go ahead and approve the Consent Agenda, minus the minutes that were pulled and deal with the question afterwards.

Mr. Dill **moved** to adopt the Consent Agenda, as amended. Ms. Mallek **seconded** the motion.

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

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

Ms. Mallek said that under the ACEA Easement Template, her concern was about utilities because it says, "Exempt would be utilities and alternate energy structures." She said this could include a compressor station, which would not be compatible with an easement held by the Albemarle County Easement Authority. She said she would leave the matter with Mr. Kamptner to have him figure out how they can make a distinction, if he thinks it necessary, to make sure they are talking about a simple power line and not something larger that will be emitting noise and particulates.

Ms. Mallek said there were probably many more kinds of utility structures with which she had no familiarity and asked if something should be better defined as the template goes forward, adding that it was a great start thus far.

Mr. Randolph asked Ms. Mallek to identify where in the language of Attachment A

she had concerns.

Ms. Mallek replied that it was 8.5, with 4e as the subcategory.

Mr. Kamptner said it was on page 9.

Ms. Mallek said they were not required to discuss it immediately.

Mr. Kamptner asked if the Board wanted to act on 8.5, as is.

Ms. Mallek said she thought they already did. She said the only things they pulled were the minutes.

Ms. Palmer said she was confused, expressing that she had thought Mr. Dill had made a second, corrected motion.

Mr. Gallaway said they corrected the motion to only remove the minutes.

Ms. McKeel said it seemed as if the Board needed 8.5 to come back to it.

Ms. Mallek said it was already an evolving template and if they had some suggestions on modifications, the Board could handle it that way.

Ms. McKeel asked Ms. Mallek if she was okay with approving 8.5.

Ms. Mallek said yes, noting that it was a great start.

Ms. McKeel said she would make a motion to approve it.

Mr. Gallaway said it had already been done.

Item No. 8.1. Approval of Minutes: April 3, April 17, May 1, May 9, 2019.

Mr. Randolph had read the minutes of April 3, 2019 and found them to be in order.

Mr. Dill had read the minutes of April 17, 2019 and found them to be in order.

Ms. Mallek had read the minutes of May 9, 2019 and found them to be in order.

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

Item No. 8.2. FY 2019 Appropriations.

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

The total change to the FY 19 budget due to the appropriations itemized in Attachment A is \$56,357.42. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations for local government and school projects and programs as described in Attachment A.

By the above recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the appropriations for local government and school projects and programs as described in Attachment A:

Appropriation #2019100		\$0.00
Source:	General Government CIP Fund fund balance	(\$8,133,208.23)
	School Division CIP Fund fund balance	\$8,133,208.23

*This appropriation does not increase or decrease the total County budget.

This request is to temporarily transfer \$8,133,208.23 from the Local Government Capital Improvement Program (CIP) fund balance to the School's CIP Fund balance to maintain positive balances in the CIP funds. This action is part of the County's financial management strategies, where borrowing for CIP projects is delayed when accumulated cash balances can be used in the interim. In the future, an additional appropriation will be requested to transfer the equivalent amount back to the Local Government CIP to restore the original fund balance.

Appropriation #2019101 **\$56,357.42**

Source: CIP Funds fund balance \$56,357.42

This request is to reconcile the FY 19 Debt Service funds and to also reconcile the General Fund transfers to Debt Service funds and Capital Improvement Program (CIP) funds for a net increase of \$56,357.42 by:

- Increasing the appropriation of the transfer from General Fund to the General Government Debt Service Fund by \$19,926.35 to reflect actual expenditures; and
- Increasing the appropriation of the transfer from General Fund to the School Debt Service Fund by \$36,431.07 to reflect actual expenditures; and
- Decreasing the appropriation of the transfer from General Fund to General Government CIP Fund and increasing the use of General Government CIP Fund fund balance by \$19,926.35; and
- Decreasing the appropriation of the transfer from General Fund to School CIP Fund and increasing the use of School CIP Fund fund balance by \$36,431.07.

* * * * *

**RESOLUTION TO APPROVE
ADDITIONAL FY 19 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

1. That Appropriations #2019100 and #2019101 are approved; and
2. That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2019.

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APP#	Account String	Description	Amount
2019100	3-9000-69000-351000-510109-6599	SA2019100 - CIP Funds Fund Balance Reconciliation	\$8,133,208.23
2019100	3-9000-69000-351000-510100-6599	SA2019100 - CIP Funds Fund Balance Reconciliation	-\$8,133,208.23
2019100	4-9010-93010-493010-930027-9999	SA2019100 - CIP Funds Fund Balance Reconciliation	\$8,133,208.23
2019100	3-9010-51000-351000-510100-9999	SA2019100 - CIP Funds Fund Balance Reconciliation	\$8,133,208.23
2019101	4-1000-93010-493010-930003-9999	SA2019101 - Debt Service Reconciliation #2	\$36,431.07
2019101	4-1000-93010-493010-930004-9999	SA2019101 - Debt Service Reconciliation #2	-\$36,431.07
2019101	3-9900-51000-351000-512004-9999	SA2019101 - Debt Service Reconciliation #2	\$36,431.07
2019101	4-9900-95000-495000-312810-9999	SA2019101 - Debt Service Reconciliation #2	\$36,431.07
2019101	3-9000-51000-351000-512004-9999	SA2019101 - Debt Service Reconciliation #2	-\$36,431.07
2019101	4-1000-93010-493010-930011-9999	SA2019101 - Debt Service Reconciliation #2	\$19,926.35
2019101	4-1000-93010-493010-930010-9999	SA2019101 - Debt Service Reconciliation #2	-\$19,926.35
2019101	3-9910-51000-351000-512004-9999	SA2019101 - Debt Service Reconciliation #2	\$19,926.35
2019101	4-9910-95000-495000-312810-9999	SA2019101 - Debt Service Reconciliation #2	\$19,926.35
2019101	3-9010-51000-351000-512004-9999	SA2019101 - Debt Service Reconciliation #2	-\$19,926.35

Item No. 8.3. Proclamation Declaring a Half-Day County Holiday on Wednesday, November 27, 2019.

The Executive Summary forwarded to the Board states that

By the above-recorded vote, the Board adopted the Proclamation Declaring a Half-Day County Holiday on Wednesday, November 27, 2019:

**PROCLAMATION DECLARING A HALF-DAY COUNTY HOLIDAY
ON WEDNESDAY, NOVEMBER 27, 2019**

WHEREAS, the Commonwealth of Virginia is providing a four-hour holiday for State employees on Wednesday, November 27, 2019; and

WHEREAS, County Personnel Policies §§ P-81 and P-86 authorize the Board of Supervisors to grant additional holidays, including half-day holidays, for County employees by proclamation.

NOW, THEREFORE, the Board of Supervisors of the County of Albemarle, Virginia, proclaims Wednesday, November 27, 2019, a half-day holiday for County employees subject to County Personnel

Policies §§ P-81 and P-86, and the County Office Buildings at McIntire Road and Fifth Street will close to the public at 12:00 p.m. on that day.

Item No. 8.4. Ordinance to Change the Branchlands Precinct Polling Place Location

The Executive Summary forwarded to the Board states that Virginia Code § 24.2-307 requires that the Board of Supervisors establish polling places by ordinance. Albemarle County Code § 2-102(C)(2) establishes the Senior Center as the polling place for the Branchlands Precinct in the Rio Magisterial District. The Senior Center provided written notice on November 6, 2018 of its intent to terminate its Polling Place Agreement with Albemarle County (Attachment A). The Agreement will terminate after the November 5, 2019 general election.

The Albemarle County Electoral Board investigated alternative polling place locations for the Branchlands Precinct and recommends that the polling place be relocated to the Church of the Incarnation. The Church of the Incarnation has agreed to have the Church serve as a polling place. The attached map (Attachment B) shows the former Senior Center location and the proposed new Church of the Incarnation location.

The County Attorney has prepared the attached proposed ordinance (Attachment C) to reflect this polling place change in County Code Chapter 2, Administration, Article I, Elections, Section 2-102(C)(2), Rio Magisterial District, Polling Places, Branchlands Precinct.

The adoption of the proposed ordinance will have no budget impact.

Staff recommends that the Board schedule a public hearing on December 4 to consider the adoption of the proposed ordinance (Attachment C).

By the above-recorded vote, the Board authorized the Clerk to schedule a public hearing on December 4, 2019 to consider adoption of the proposed Ordinance to Change the Branchlands Precinct Polling Place Location.

Item No. 8.5. Rural Preservation Deeds of Easement.

The Executive Summary forwarded to the Board states that the Albemarle County Zoning Ordinance allows and encourages “clustering” as an alternative to traditional by-right development of the Rural Areas. Specifically, County Code § 18-10.3.3 (in the County’s Zoning Ordinance) outlines the process and standards by which Rural Preservation Developments (RPDs) may be approved and developed. After outlining the restrictions applicable to RPDs, § 18-10.3.3(f) provides: “These restrictions shall be guaranteed by perpetual easement accruable to the County of Albemarle and the public recreational facility authority of Albemarle County [renamed the Albemarle Conservation Easement Authority (ACEA)] in a form acceptable to the board [of supervisors].” Note that though both the County and the ACEA jointly hold RPD deeds of easement, the Board of Supervisors is solely responsible for approving the form of the deed.

While the ACEA does not control the form of the deed used for RPD open-space easements, it has expressed concern about the existing form of that document. Specifically, because RPD proposals have been almost non-existent for over a decade, the standard form RPD deed of easement has not kept up with the more frequently-updated deed that the ACEA uses for its donated open-space easements. The ACEA has requested and is recommending that the standard form RPD deed of easement more closely track the standard deed for its donated open-space easements.

After comparing the current base RPD deed of easement word-for-word against the base deed used for donated easements, staff developed “reconciled” versions that combined the best of both deeds. The ACEA reviewed and approved the form of these deeds at its September 23, 2019 meeting, and is now requesting that pursuant to County Code § 18-10.3.3(f), the Board accept the form of the “reconciled” RPD deed.

The changes to the proposed deed template include:

- An overall update of the structure and wording of the document, to be consistent with the current practices of easement holders statewide, such as the Virginia Outdoors Foundation and the Virginia Department of Forestry. This also makes the overall form of the document consistent with the ACEA’s revised template for donated easements.
- The addition of a maximum size for dwelling units on RPD preservation tracts. This size cap is on a sliding scale, from 4,500 square feet for preservation tracts of less than 50 acres, up to 8,000 square feet for preservation tracts of 80 acres or more.

No budget impact is anticipated.

Staff recommends that the Board adopt the attached Resolution (Attachment B) accepting the recommended form RPD deed of easement (Attachment A).

By the above-recorded vote, the Board adopted the attached Resolution :

**RESOLUTION TO APPROVE
RURAL PRESERVATION DISTRICT DEED OF EASEMENT TEMPLATE**

WHEREAS, County Code § 18-10.3.3.3(f) requires that restrictions required for rural preservation tracts in the County shall be guaranteed by perpetual easement accruable to the County of Albemarle and the Albemarle Conservation Easement Authority in a form acceptable to the Board of Supervisors; and

WHEREAS, the Board finds it is in the best interest of the County to approve the Rural Preservation Development Deed of Easement template for use in Rural Preservation Developments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves the Rural Preservation Development Deed of Easement template, attached hereto and incorporated herein, for use in preparing Rural Preservation Developments.

Item No. 8.6. County Grant Application/Award Report, **was received for information.**

GRANT REPORT ACTIVITY – September 13, 2019 through October 16, 2019

No applications were made during this time.

Awards received during this time.

Granting Entity	Grant Project	Type	Amount Awarded	Match Required	Match Source	Department	Purpose
Virginia Department of Criminal Justice Services	Edward Byrne JAG Program FY 2019 – Supporting Community Policing Efforts 2019	Federal	\$12,090	\$0	N/A	Police	This grant will provide funding to support additional community policing projects and activities that the Police Department's Community Support Services Division Commander will develop, grant-funded overtime projects and activities involving problem solving, crime prevention, community relationship building and safety enhancement.
Virginia Department of Motor Vehicles (DMV)	FY 20 Selective Enforcement – Alcohol Grant	Federal	\$20,000	\$10,000	Department In kind contribution	Police	This grant award will fund overtime wages for additional driving under the influence enforcement to reduce the number of fatal crashes in Albemarle County. This is an annual grant through DMV and is funded by the National Highway Traffic Safety Administration (NHTSA).
Virginia Department of Motor Vehicles	FY 20 Selective Enforcement – Speed Grant	Federal	\$8,800	\$4,400	Department In kind contribution	Police	This grant award will fund overtime wages for additional speed enforcement to reduce the number of fatal crashes in Albemarle County. This is an annual grant through DMV and is funded by the National Highway Traffic Safety Administration (NHTSA).
Virginia Department of Emergency Management	2019 Local Emergency Management Performance Grant (LEMPG)	Federal	\$ 25,452	\$0	N/A	Emergency Communications Center (ECC)	This grant application provides funds to augment the Emergency Communication Center's public outreach, training, and exercises for the region as well as to purchase training equipment to support emergency personnel and the community.

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 potential costs 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.

Granting Entity	Grant Name	Grant Project	Expected Grant End Date	FY 20	FY 21	FY 22	FY 23	FY 24
Charlottesville Area Community Foundation	2019 Strengthening Systems Grant	Yancey School Community Center (YSCC)	6/30/2022					
		Grant Funds		\$100,000	\$100,000	\$100,000		
		County Funding*					\$100,000	\$100,000
Funds a dedicated full-time Program Coordinator, infrastructure for a community garden, and support for community programming for rural Southern Albemarle								

** In the third year of the grant, if the program proves successful based on the performance criteria, staff expects to request the permanent addition of the YSCC Program Coordinator position through the County's annual budget cycle.*

Item No. 8.7. Environmental Quarterly Report – 1st Quarter FY 19, **was received for information.**

Item No. 8.8. Rio29 Form Based Code Planning Commission Work Session Summary 10-15-2019, **was received for information.**

Item No. 8.9. Board to Board, October 2019, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Item No. 8.10. VDOT Monthly Report (November) 2019, **was received for information.**

Agenda Item No. 9. **Action Item** – Planning and Coordination Council (PACC) Redefinition Plan.

The Executive Summary forwarded to the Board states that the Planning and Coordination Council (PACC) was established in 1986 as part of the “Three-Party Agreement”, promoting cooperation in planning and community development among the City of Charlottesville, Albemarle County, and the University of Virginia. PACC is an advisory body - not a decision-making body - that fosters cooperative planning and provides guidance and recommendations for decisions made by the City, County, and/or UVA.

Recently, there has been interest among PACC members to broaden the conversations and potential collaboration beyond land use to include environmental, sustainability, and infrastructure-related opportunities.

Attachment A describes PACC’s proposal to redefine the Planning and Coordination Council, which includes recommendations that:

- A working group of professionals be established (Land Use and Environmental Planning Committee (LUPEC))
- The scope of work, respective staff representation, and organizations, to be expanded
- The new process be evaluated after one year.

There is no anticipated budget impact.

The Planning and Coordination Council unanimously approved both the City and County elected bodies consider this proposal as outlined in Attachment A, specifically, “PACC take action to formally dissolve itself and PACC Tech. The new process will be evaluated after one year.”

Mr. Jeff Richardson, County Executive, said the Planning and Coordination Council (PACC) was coming before the Board because two of the current Board members currently sit on the Council, Ms.

McKeel and Ms. Palmer, to represent Albemarle County, and that he was the staff person assigned to the Council.

Mr. Richardson said the Council unanimously approved, and both the City and County elected bodies considered, the proposal that he would put before the Board, as outlined in the Board's packets, specifically that the PACC be allowed to take action to formally dissolve itself, as well as PACC Tech. He said the new process he outlined for the Board's consideration would be evaluated after one year. He said he had a short presentation, pointing out that it was the presentation that was heard at the last PACC Board meeting in October.

Mr. Richardson recognized Chip Boyles, who was in attendance and representing the Thomas Jefferson Planning District. He said Mr. Boyles is active with the University, City, and County, not just with PACC, but in a variety of leadership and support capacities. He said Mr. Boyles attended the City Council meeting that Monday evening and was available for questions regarding his perspective on the process.

As background, Mr. Richardson said PACC has been established and active since 1986. He said it was a 33-year-old governing structure that was part of a three-party agreement, and that it promotes planning and community development among the City, County, and UVA. He said it is an advisory body with a focus on coordination and cooperative planning, providing guidance and recommendations for decisions that are made by the City, County, and UVA. He said PACC Tech is the technical staff support from those three entities.

Mr. Richardson said he had several points to make about the proposed redefinition. He said the discussion and consideration by PACC has been a venue to share land use and development plans and projects. He said the question was if this could be better served by a broader group of working professionals who would work to broaden discussions and that could also broaden cooperation and collaboration among the three organizations. He recalled that the Board has met four times in the past year with the City of Charlottesville, which was board-to-board with high staff involvement, and that he would get to how the reformulation of PACC could be woven into the City and County regular meeting schedule.

Mr. Richardson said he suggested establishing a working group of professionals that not only focuses on land use and planning, but also on environmental issues, infrastructure issues, and issues of mutual concern to all three organizations. He said the group would meet on a regular basis, and there would be an adequate amount of time to discuss timely issues among the entities, share the information with the public, keep minutes, and have a direct connection to all entities' senior leadership. He said they were looking to broaden the membership from the County, City, and UVA to now also include the UVA Foundation as well as the Rivanna Water and Sewer Authority (RWSA).

Mr. Richardson said the three-party agreement and applicability to land use planning among the entities would remain in effect.

Mr. Richardson presented a slide showing the overview of proposed membership of the working professionals' group. He said it would not be exclusive to only those positions identified from the organizations, but that those were key leadership positions that represent not only the City and County, but also UVA, UVA Foundation, and RWSA.

Mr. Richardson said that the communication and transparency of the one-year trial period would include posting agendas and minutes to the PACC website; submitting regular six-month written reports to the leadership and governing boards that summarizes the group's work and discussion; and presentation of those reports at a biannual meeting with leaders from the City, County, and UVA.

Mr. Richardson reiterated that the Board had had four meetings with the City in the past year, and that they could have two of those four meetings with a set-aside amount of time to invite top officials from UVA to sit with them and discuss issues that are specific to the collaborative discussions going on among the City, County, and UVA. He suggested they also include a member of the City Planning Commission and County Planning Commission on the administrative work group, as well as continue UVA representation on both respective Planning Commissions. He suggested also continuing the City and County representation on the UVA Master Plan Committee.

Mr. Richardson said there would be potential advantages in broadening participation to include all elected members of both the Council and Board of Supervisors that include raising the level of attention to the necessity for there being broader, collaborative discussions at the top leadership level several times a year; and opening the door for collaborative discussions and potential for partnerships that perhaps had not had the opportunity to discuss prior. He said expanding the membership to the UVA Foundation and RWSA would be an advantage, given the continued growth in the development area, the need for coordination on infrastructure issues.

Mr. Richardson said the new process would broaden the collaboration beyond land use to include environmental, sustainability, and infrastructure. He said that allowing professional staff to collaborate would develop solutions on a continuous basis, with regularly scheduled reports to leadership of all three entities. He said they hoped to retain the visibility into the substance of work, with publicly posted agendas, minutes, and materials, acknowledging that the concern was raised about the necessity for transparency in the community.

Mr. Richardson said the proposal would be to establish a working group and that a Land Use and

Environmental Planning Committee was suggested to the Board, and that the Board would consider an act to dissolve PACC and PACC Tech. He said the City Council chose to do this on Monday evening and if the Board chose to do this, it would formally go back to PACC at its next meeting, which was November 21. He said the PACC Board would then hear any final comments and concerns and take appropriate action.

Mr. Richardson suggested evaluating the structure for one year to determine if they have met the stated objectives and provide an adequate public communication about the group's work. He said the Board of Supervisors would be involved at least twice a year publicly with discussions that would include the City Council as well as top officials from UVA.

Mr. Richardson again mentioned that Mr. Boyles was in attendance representing TJPDC. He said Ms. McKeel and Ms. Palmer were that year's representatives to PACC. He offered to answer questions.

Mr. Dill said he wondered if having the one-year test was going to affect the effectiveness of the work that can be done in terms of big-picture issues. He asked if, with the one-year test hanging over their heads, people would be less willing to negotiate or make agreements, or if this would be unrelated if working on a certain project even if a committee changed or dissolved after a year and if commitments could still be satisfied.

Mr. Richardson responded that those were great comments in terms of the continuity and assuredness of pace and tempo of structure. He expressed that a one-year check-in was a wise move, as it was a departure from a 33-year governance structure that has not been examined in anyone's recent memory to consider changes. He encouraged the Board to try and observe it for a year, noting that it would require all three organizations' participation and collaboration. He said a one-year check-in could enable any changes or tweaks to be made and that it would be prudent for the Board to consider it.

Ms. McKeel said Mr. Dill made a good point, but that as Mr. Richardson suggested, after one year the Board would have a sense and may want to make changes. She said a one-year check would be a positive thing to do. She acknowledged that with big projects, it was difficult to evaluate after just one year.

Ms. Palmer said the main issue she would be evaluating on this is, when removing all the principals, what would be the transparency. She said she had asked at the PACC meeting what the minutes would look like, if they would be action minutes, noting that they wouldn't be verbatim minutes because they want to do this in private. She said there were meetings that did not include the entire PACC that took place prior to the last PACC meeting where she was not involved, and although she was not there and the meeting was not public, her understanding was that one of the issues discussed was UVA's desire to not make decisions in a more public setting.

Ms. Palmer said at the last PACC meeting, it was explained that there would be more freedom to discuss things if the public or news were not there and to say things they would not necessarily say in public.

Ms. Palmer said she asked why they were doing this and essentially doing a PACC Tech "Light" and doing a combination of PACC and PACC Tech, getting rid of the principals, and that she was interested in seeing the minutes and how they would come forward. She asked if her understanding about the private meetings was correct.

Mr. Richardson said he would add context to this, that the opportunity for working professionals to discuss projects, infrastructure, and collaborative opportunities would often result in discussions of "what if" in terms of collaboration, advantages, and disadvantages. He said that with this, there is analysis done of pros and cons on the fly in trying to determine if an idea is a good one. He said sometimes those discussions are not ready for public consumption simply because they are at the idea stage and that there are questions of if the idea will work and if there is enough upside to put the idea in front of senior leadership and elected officials, if they can raise the necessary funding and if they have the resources.

Mr. Richardson explained that this was in the context of what he was speaking to when they talked about this at the PACC meeting, that the advantage of having the working group looking for the collaborative opportunities is that they have a think tank opportunity to be able to float ideas and possibilities without the fear of getting ahead of themselves and perhaps creating an expectation that cannot be met in the community, or perhaps creating a sense of anxiety on something that they have not had a chance to fully vet.

Mr. Richardson reminded the Board that the decisions that would be made there would be decisions that would move up through the organization and eventually would be discussed in a public way. He said that the early "what if" discussions often lead to positive things as it relates to the partnership.

Ms. Palmer said this was frequently what happens in a PACC Tech meeting, and that they were losing the interaction with the principals in a smaller setting. She said the larger setting was, as they have been in many meetings with the City Council and Board, sometimes cumbersome in having that number of people there. She said this was no one's fault, but that it was a large meeting with many people. She said the new group adds to that in having UVA there.

Ms. Palmer said one of the things she would be looking for in the minutes was who attended. She

said in the last several years, there has been turnover of senior leadership in the County and UVA, and that this was at least some of the issue and problems they have had with PACC Tech over the past several years in that it was not particularly functional and was not operating as well as they would have liked it to. She said she would be very interested in the one-year look to read the minutes, look at attendance, and hopefully not receive action minutes as she was not expecting much action out of it.

Mr. Randolph said that three years ago, the Board of Supervisors came to grips with the fact that they had Citizen Advisory Councils, and the term "council" itself implies that the body has some kind of decision-making role. He said very deliberately, the Board decided to change the CAC third word from "council" to "committee" because the power of that group was the power only to make recommendations to the Board, not to substitute its own judgment. He said he thinks the change has been a successful, welcome change and has made the role of the citizen participants in CACs much more comfortable in that they know they are only making a recommendation and are not making decisions.

Mr. Randolph said the National Security Council, for instance, makes recommendations, but they have reached a decision in those recommendations for the President of the United States. He said "council" to "committee" was not in any way degrading of that body, but it more crisply defines its role and responsibilities.

Mr. Randolph said that regarding attendance, as elected officials, they have a whole series of different committees, boards, and commissions that they have attendance responsibilities for. He said daily, 60-120 emails come in and phone calls, and there is only so much time in the day. He said they must triage and prioritize and that often for elected officials, going to a council meeting doesn't rise to the level of primacy that perhaps it should. He said he thought that in making this a committee and establishing its focus as a LUEPC (Land Use Environmental Planning Committee) and populating it not with elected officials, but with appointed people and staff, it would address the attendance problem.

Mr. Randolph said he also thought that the quality of the work that would take place would be greater because this was a sensible type of structure that was now professionally directed and was not in any way viewed as politically directed. He said this was all a step in the right direction.

Mr. Randolph said in terms of the minutes, summative minutes are appropriate simply because the body was only going to make recommendations. He said anyone with a question about a recommendation provided in the minutes can follow up with any member of County staff, Planning Commissioners, etc. to find out what the basis was of the conversation. He said that having those kinds of summative minutes would be useful. He said there are many narrative minutes that the Board reviews on a bimonthly basis.

Mr. Randolph said that overall, all the changes were welcome changes that were appropriate. He added that he thought they were overdue, but better to have them now than waiting any further to address them.

Ms. McKeel said she has been on the PACC for the past six years since she's been on the Board of Supervisors and that traditionally, at least since Dennis Rooker was a Supervisor, the Jack Jouett representative has been a member of the PACC. She said part of the reason was that the Jouett District has most of the UVA property, though the Foundation property is spread out more over the other magisterial districts.

Ms. McKeel said that over the past six years on the committee, she has watched several supervisors and Brad rotate on and off and that over those years, each one of the Supervisors, up until 2019, has expressed frustration over the fact that it seemed to be just hearing from UVA projects that were going to take place in Albemarle County and the City. She said this was fine and was great information, but that those same reports came back to the City Council and Board of Supervisors and that they all heard the reports that were on PACC numerous times in different locations. She said that by the time those reports or projects came to the Board, they had gone to the Board of Visitors and approved most of the time and were almost set in stone.

Ms. McKeel said the Board didn't have the ability to express their desires, e.g., if UVA was going to build a new hotel and convention center, if the County could put a visitor's center there too. She said the Board didn't have an opportunity to get in but were hearing what UVA had already decided to do. She noted she was not saying anything critical about UVA because they are a huge institution, and this is the way they operate. She said she saw the changes to PACC as the next step in improving the work among the three jurisdictions and was not sure she would have waited 33 years, as she tends to think that everything they do should be an improvement model.

Ms. McKeel said regionalism must be a team sport, and she was very concerned at that point in looking at the current landscape with UVA, City Council, and Albemarle County. She said the County wants to make sure they have a seat at the table, noting that they had already discussed how the staffs are working more closely together. She said in the past year, UVA has set up a working group that established priorities for them, and Albemarle County did not have a designated person on that working group. She said she was not being critical of UVA other than to say that regionalism is a team sport, and the County needs to make sure it has a seat at the table.

Ms. McKeel said that while there were people in that original working group that live in Albemarle County, as well as the Charlottesville School Board Chair and other great people and organizations appointed, there was not a county focus. She said that if the Charlottesville School Board Chair was

there, perhaps the County School Board Chair could have also been a representative. She said they have now established a second Presidents Council Group on UVA community partnerships, and that the County does not have an identified person on that group in comparison to representation from the City.

Ms. McKeel said that when UVA agreed to come to a public meeting with the City Council and with Albemarle County, she was ecstatic and thrilled because it was a positive move for the community. She said one of the things she wrote to the new administration two years ago as the Board's chair was about UVA, City Council, and the County perhaps having a regional, strategic plan. She said they should all be at the table looking at all the issues that affect their community and that the County needs to have a strong voice.

Ms. McKeel said she does not resent the City at all, but that it should be regional work. She said the County has concerns, for example, of future collaboration, community safety concerns, ordinances around electric scooters. She expressed that the UVA, City, and County should be not creating their own scooter policies but that they should have a regional policy. She said that affordable housing, living wage, solid waste, entry corridor planning, and UVA as an RTP full partner meant that they were almost there, but not quite there the way they were set up.

Ms. McKeel said she appreciated Mr. Tubbs talking about RTP, but that he was not working behind the scenes and does not realize the effort and how hard it was to even get this on the agenda of PACC at the time. She said at the time, it required a lot of work to get Pat Hogan to agree to have this as part of the conversation. She said again she was not trying to be critical.

Ms. McKeel said bike and pedestrian connections, UVA expansion and changing demographics, West Main Street congestion, UVA park strategic planning, regional economic development efforts and coordination, environmental and sustainability efforts all involved teamwork and that she believed the proposed change positions Albemarle County to be at the table and a full player in that work.

Ms. Palmer said she appreciated everything that Ms. McKeel said and that she agreed with most of it. She said her point was that they were losing something with the proposed change. She said she sees good things about the proposal, and that she understood that they would have everybody making the discussions. She recalled having very good meetings with the PACC and that her concern was that what they were deciding to do with the proposal, because they didn't like the way it worked up until that point, was to throw it completely out.

Ms. Palmer said they had the ability to write the agenda at the times they were able to, which was a rule. She said when she was first on the PACC, they were able to have a say of what was on the agenda, but that they really didn't and did not push that. She acknowledged that the Board was going to vote to accept the proposal and said she wasn't suggesting otherwise, but that she wanted to point out that when they remove the principals from it and from the smaller group, they can still have those kinds of conversations to start them off.

Ms. Palmer said she hoped that the people who would be populating the LUPEC group would have those conversations and bring them back to the Board, but that there was nothing preventing PACC from having some of those conversations in its meetings. She said that they were throwing something out because it didn't work and that they may be losing something as a result, and that they would see if this was true or not in a year. She said she hoped that with the meeting minutes, whether they're narrative or summative, and attendance, the meetings would be substantive.

Ms. Palmer recognized the Board would be voting for it, but they were losing the principals, noting that Mr. Richardson and Dr. Tarron Richardson would not be at the table.

Mr. Gallaway asked if Ms. Mallek wanted to weigh in.

Ms. Mallek said that what Ms. Palmer had just said undercut her thought which was that over the past couple years, there was tremendous progress when they have gotten the senior staff from the three jurisdictions together to hammer matters out and then come back to a more substantive discussion. She said that if this was not the case, she would have to start over again, because she had thought that Mr. Richardson was going to be there and that this was a concern.

Ms. Mallek said that having a focus of painful discussions among the different players to ensure that the many players understand the rules of the County for a number of different topics would never happen if the Board was in the room, but that they had representatives who could lay it all out and get some understanding and that this was a far better place for this to happen, with the expectation that there has to be a substantive report at the next big meeting. She said to her, it gives them something that is much more useful to talk about at the big meetings, as she has been frustrated that it is the same every year. She said though she was hopeful, she had the one concern that she hoped someone would explain about carrying senior leadership forward.

Ms. Palmer said Mr. Richardson could tell them who would be representing the County on LUPEC.

Ms. McKeel said the problem they had was that the principals were not coming to the meetings, which was part of the issue. She said the meetings were not engaging enough to get the principals there.

Ms. Palmer agreed and explained that this was why she was interested in seeing the attendance

and minutes.

Mr. Randolph said it was not a matter of who's in the room, but it was to ensure that there is a discussion among the parties that would be represented on the topic at hand. He said one of the advantages of the proposed change is to ensure that there will be principals representing all the parties there, and that anything of major importance to the County will arise to the level quickly of the County Executive in terms of communication, and then to the Board. He said they would assume that the same would occur in the City and with UVA. He said he sees this much more as a functional, operational group that can enhance its effectiveness with the change.

Mr. Gallaway said that to the point of whether Mr. Richardson or Dr. Richardson are there, these were huge organizations that they are responsible for running. He said that when he ran for Supervisor, he heard at the time public criticism of the City, County, and UVA not working collaboratively together. He said he heard this again in the recent election cycle coming from the public in terms of what's important to them. He said this was indicative of something not working, and that the proposed changes seemed to be a way to attack that.

Mr. Gallaway said that while Mr. Richardson and Dr. Richardson may not be there, there are still the responsible parties. He said, for instance, that the County has a huge budget to put together and that he can't imagine that Mr. Richardson attends every budget meeting, but he is responsible for the budget to come back to the Board and then they handle it. He said he was not as concerned about that because he knows that, at the end of the day, their attendance there doesn't necessarily equate to their responsibility. He said they will make sure it gets handled in a way that should be done.

Mr. Gallaway said staff works like this all the time and to consider all the staff meetings that occur before an item comes to the Board. He said the proposal was essentially doing what the City, UVA, and the County has working on a regular basis.

Mr. Gallaway said he had faith that this would occur and liked the idea of the other four supervisors getting included in a joint meeting to be able weigh in in a summary way. He said that from the last few Council meetings, they have learned the level of staff work that have gone into them and that there has been more substance to those meetings. He said he did not think the proposal was, in any way, excluding top level leadership, but that it was speaking to something that hasn't been working. He said he would look forward to seeing how it goes after a year.

Mr. Randolph said he would as well.

Ms. Palmer said that something she thought was very positive about the proposal that on the water and sewer side, the Director of Facilities Management Operations for UVA is going to be on the committee, along with the Executive Director of RWSA and Director of Public Works from the City. She said she did mention at the PACC that they may want to consider for some of the meetings, depending on the information and agenda, that Gary O'Connell from ACSA be involved and that she hoped this would be done on a case-by-case basis. She said cooperation in water and sewer with some of the large projects happening on Ivy Road, for instance, was incredibly important.

Ms. McKeel said that at that meeting, the response was that they would absolutely consider that, and that there may be other people that would be asked to join as well, depending on the topic.

Ms. Palmer said that it wasn't on the list before them and wanted to mention it to the Board.

Ms. Mallek said that if he is the contemporary of the City's Director of Public Works, that ought to be taken care of.

Ms. McKeel said she was thrilled about the change. She said it could bring a stronger sense of regionalism to their work with their community partners at UVA and the City.

Mr. Randolph agreed.

Ms. Mallek asked if there had already been a discussion about this being a hiatus for a year, or if they would have the old structure still alive. She said she did not want to spend six months afterwards recreating something if they have other ideas.

Mr. Gallaway said the assumption was that it would revert to what exists now.

Ms. Mallek said that there would be something that would be standing at the end of the trial period instead of nothing, which may make people feel calmer.

Ms. Palmer said it was an interesting suggestion but was not what was being discussed. She asked if Mr. Richardson could comment.

Mr. Richardson said it would be moving to a proposed new structure for a one-year period and that it would likely run through calendar year 2020. He said that at the close of 2020, there would be some type of flag discussion both with the Board of Supervisors and at City Council for how the past year went, and there would have been involvement of UVA with hopefully two joint meetings to see the accomplishments and momentum. He said that at that point of time, they could continue to do what was done for a year, or have a discussion with the two entities about bringing back what they had in the past,

or tweaking and creating something that has not yet been contemplated as a third alternative.

Ms. Mallek said that this would not necessarily be specified immediately. She said she knew the third alternative and would withdraw her question.

Mr. Randolph said this was not for the Board to decide, as the Supervisors Elect may have different thoughts.

Ms. Palmer said that she would be on the PACC and would be voting for dissolution of it and asked if Ms. Mallek was requesting if they would be putting the PACC on a hiatus for a year rather than a dissolution.

Ms. Mallek replied yes, noting that she wasn't sure if this was useful or not.

Ms. Palmer said she also didn't know if this was useful or not and was looking to Mr. Richardson to answer the question.

Mr. Richardson said he would ask Mr. Kamptner, as he was not the legal expert and that he didn't know if it would save any time to put it "on the shelf" versus dissolving it because they could likely reconstitute it with the same steps either way. He suggested they be consistent with what the City did if they want to try this, which would be to dissolve it for a year, then come back in a year.

Mr. Kamptner said that the three parties can have what existed before spring up and become active again or, if a year informs that a different approach or hybrid is better, this could be quickly brought back.

Ms. Mallek agreed, as long as they don't forget that it took five years to get there in the 1980s. She said she would take the materials to Leigh Middleditch to have them go over them, as he was the one who founded the PACC and this would ensure they haven't missed something.

Ms. McKeel **moved** that the Board request that the Planning and Coordinating Council act to formally dissolve itself and PACC Tech and institute the new redefinition plan (which will be evaluated after one year), as defined by Attachment A. The motion was **seconded** by Mr. Randolph.

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

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

NAYS: None.

Agenda Item No. 10. **Action Item** – Resolution of Intent to Address Fill and Waste Activities.

The Executive Summary forwarded to the Board states that, on September 18, 2019 the Board of Supervisors conducted a midyear review of the Community Development work program. The Board directed staff to prioritize the review of fill and waste regulations.

The County Code allows fill and waste in all zoning districts. County Code § 18-5.1.28 includes regulations that address the technical aspects of the activity. However, impacts such as truck traffic on rural roads, hours of operation, placement of fill on critical slopes and in stream buffers, and loss of agricultural resources are not addressed. Fill and waste activities are necessary for the development of the County. Revisions to fill and waste regulations should include adequate provision for the efficient and appropriate placement of fill and waste, including construction debris.

The development of any new regulations will require moderately extensive staff resources that will not be available for other activities. Staff will analyze proposed regulations for their budgetary impacts.

Staff recommends that the Board adopt the attached resolution of intent and endorsement of the proposed engagement process.

Mr. Bill Fritz, Community Development, said that during the midyear review of the Community Development's Work Program, one thing the Board had identified was to bring forward a Resolution of Intent to amend the fill and waste regulations. He said he would discuss the adoption of the resolution to amend the ordinance and to establish a review process for bringing forward any potential changes to the ordinance.

Mr. Fritz said that one thing considered when bringing forward a Resolution of Intent was why to do it. He said the fill and waste provisions have not been reviewed since 1998 and since that time, the Board has adopted more than one new Comprehensive Plan and Strategic Plan. He said the Zoning Text Amendment review will make sure that the regulations are consistent with the Comprehensive Plan and the Strategic Plan.

Mr. Fritz said he would provide a quick background of what the existing regulations do. He explained the existing regulations are largely technical in nature and deal with things such as ponding of

water, reclamation of the area with covering fill, fencing, and dust control. He said the ordinance also requires the fill work to be completed within one year unless an extension is approved. He said some of the ordinance provisions simply refer to other requirements that already exist such as not being allowed to fill in the flood plain, bonding requirements, requirements that vehicles secure their loads, and the need for a WPO permit if the area disturbed is over 10,000 square feet.

Mr. Fritz said there was also one interesting provision that limits the hours of operation for "industrial-type power equipment." He said, however, that this term was not defined anywhere in the ordinance.

Ms. Mallek added that the provision doesn't address hauling.

Mr. Fritz said that staff has tried to identify some of the issues that should be considered during the ZTA process, noting that the list was not comprehensive by any means. He said if the fill and waste activity is related to bona fide agriculture, it is exempt; however, no mechanism exists to determine what type of activity is supportive of bona fide agriculture. He said fill and waste currently can be located on critical slopes in the rural areas and can be located within stream buffers. He said no regulations exist that address the volume or hours of truck traffic.

Mr. Fritz said fill and waste is permitted in all zoning districts; however, the existing regulations serve to discourage placement in the development areas, which could facilitate industrial development or other development desired.

Mr. Fritz said staff has identified four key interest groups to engage in roundtables, with each group having a unique interest in fill and waste activities. He said they have also identified the Architectural Review Board (ARB) as a party to engage in ZTA due to the potential of revising provisions for fill and waste within the development areas.

Mr. Fritz noted that staff is proposing an aggressive review process, with two potential processes to consider.

Mr. Fritz said the first process would have the roundtables start in January, explaining that they typically try not to do roundtable meetings during December, and the ARB would be engaged. He said in February, staff will develop some initial proposals for the Board's consideration, which would happen in March. He said in April, staff will develop the actual language for consideration by the Planning Commission, which would hear that in May. He said that after that meeting in June, staff would make any necessary revisions to the ordinance language so that the final language could be presented to the Board in July. He said this would make the process run from January to July.

Mr. Fritz said the schedule he just read was developed before they had started doing any analysis or opportunity to review the provisions of other localities or, in fact, the history of fill and waste regulations within the County. He said staff has started that review process and have found various options that the Board may want to consider. He said that based on their initial work, they believe that they can bring forward to the Board a meaningful work session in January, which may have to move to February depending on the Board's agenda.

Mr. Fritz said this alternative schedule accelerates the process by approximately two months, concluding the process in May. He said the accelerated process would not permit the roundtables to be held; however, those interest groups could be contacted and they, and any member of the public, could attend work sessions and the public hearings. He said this alternative schedule would also allow the Board, after the work session held in January, to decide if it wants to go back to hold roundtables or to move forward. He said staff has listened to the Board about trying to be aggressive with their schedules and wanted to give the Board two options.

Mr. Fritz said that what staff was asking the Board for was to adopt the Resolution of Intent (Attachment A) and to endorse a review process. He offered to answer any questions about where staff was at that point.

Ms. Palmer asked Mr. Fritz for the first timetable.

Mr. Fritz replied that the first timetable would involve starting in January with the roundtables and ARB and would conclude with a public hearing with the Board of Supervisors in July.

Ms. Palmer asked if it would conclude in June of 2020.

Mr. Fritz replied it was July 2020. He said that in June, they would be preparing the final language to come before the Board in July.

Ms. Palmer said that in Attachment C, "Memorandum of Fill and Waste Regulations," one of the bullets said, "Regulations are summarized below. It requires reclamation, including covering fill and waste materials with 2 feet of clean fill." She said she was confused, as she was used to a different definition of "clean fill." She asked Mr. Fritz to define "clean fill," in this case.

Mr. Fritz replied that they did not have a definition of "clean fill," but that what they have used is dirt, not rock or rubble, or usable soil.

Ms. Palmer said that this was interesting because she was used to defining “clean fill” as what is going in over at the MUC, which is concrete and asphalt (inert material).

Mr. Fritz said that inert material would include concrete, block, and stone.

Ms. Palmer agreed but said that he was talking about dirt.

Mr. Fritz said that these were the types of things, in looking at the ZTA, that should be clarified. He said there is simply no clear definition in the ordinance. He said he has looked at other ordinances that very clearly define the difference between “clean fill” or “clean earth” and “inert material” and that some localities treat these two things differently.

Ms. Palmer said that this was good, and her problem was that she treats those two things differently. She said that in the attachment, it states that the ordinance, as it is, discourages using clean fill in the development area. She asked Mr. Fritz to explain why this is.

Mr. Fritz explained that in the development areas, if there is a piece of property that has one tree in it and one wants to place fill on that particular piece of property to raise it up and prepare it for development, the tree cannot be cut unless there is a building permit or an approved site plan.

Ms. Palmer expressed her surprise.

Mr. Fritz acknowledged that this was a significant barrier, and that during projects such as Stonefield that had overburden and a need to get rid of dirt, there could have been a property in the development areas that may have needed dirt, but they were not ready to submit their site plan. He said when Stonefield is ready to export that material, they look around to determine where they can put it. He said that the property that may be submitting, or have already submitted, a site plan cannot receive the dirt until they have an approved site plan. He said one can go to the rural areas and cut trees or take a field and dump the material, so it is much easier to dump the material in the rural areas than it is in the development areas.

Ms. Palmer stated that this was clearly something that the Board needs to review and hopefully change. She said she had another question and referred to a recent article Ms. Mallek had sent to the Board by the Piedmont Environmental Council, dated September 15, 2019, that gave a very brief overview of the issue in rural areas throughout the region. She said one of the things that was said in the article was that the DEQ was not regulating it because they said they have already turned over regulation of soil and erosion control to local governments and therefore, it should be a local government issue. She asked Mr. Fritz to expand on this, noting that it was another example of unfunded mandates, in a way.

Mr. Fritz said he would give a very high-level view and that perhaps Frank Pohl could add his input as well. He said if there is a project in Albemarle County that is generating waste material, either soil, or they are demolishing a building, as part of the review of that particular project, staff looks at where that material will be exported to, even if that area that is receiving exported material is under 10,000 square feet because the sending is over 10,000. He said, however, that if the material is being generated outside of the control of Albemarle County, either from the City, UVA, or some other jurisdiction, that doesn't happen, and staff only looks at it if the disturbance is over 10,000 square feet.

Ms. Palmer added that they consider where it's going.

Mr. Fritz replied that they look at the receiving property when it is over 10,000 square feet. He said if it is, the normal erosion sediment control regulations come into play.

Ms. Palmer said that to be clear, they are relying on that property owner to notify the County to know that it is going to be over 10,000 square feet prior to beginning their receiving of it and getting a permit.

Mr. Fritz replied that this was correct or, as has happened, the County receives a complaint and must then go out and fix the issue. He said this was a broad overview of how it is done.

Ms. Palmer said her question was somewhat different and that she was asking it also because it came up in her mind when they were talking about the next item on the agenda, which was the stream health suggestion. She asked if Mr. Fritz could talk more about the State turning over those types of reviews and permitting processes to local governments.

Mr. Fritz replied that he had read the same article that Ms. Palmer had referred to and believed that what they were discussing was turning over the determination about whether it was an agricultural activity to the locality. He said he may have misread the article. He said there wasn't anything the DEQ has handed over to the County that they haven't already had, explaining that they have already been responsible for the soil erosion control enforcement and there was no change there.

Mr. Randolph said that under the current ordinance, there was a prohibition of fill in the flood plain. He asked how many feet away from the flood plain this was. He said he assumed the flood plain was defined by the measure of years of flood and asked if it was 100 years.

Mr. Fritz replied that it was the 100-year flood plain as shown on the FEMA map, explaining that it can be right up to the limit of what the flood plain is. He said they would need to identify where the flood

plain is.

Mr. Randolph said he understood. He encouraged Mr. Fritz to investigate expanding this from 100 feet to a minimum of 250-500 feet, reminding that the summer before, there were two 1,000-year floods, one after the other, in the region. He said that this didn't mean that they wouldn't see statistics on polar bears from the North Pole, notwithstanding.

Mr. Randolph said that under "Issues to Consider During Review," the second item said, "Currently, fill and waste may be located within stream buffers." He asked if there was anything in the current ordinance that excludes fill in wetlands.

Ms. Mallek remarked that this was federal.

Mr. Fritz replied that he did not know.

Mr. Randolph said he wanted to make sure that staff looks very closely at wetlands and intermittent streams, remarking that he has, firsthand, seen them obliterated with fill in the development area in the past.

Mr. Randolph said that he has expressed a preference for incentives as much as possible, but that there should be consequences for failure to comply with the ordinance. He said he hoped that staff would look at a robust non-compliance process where someone who doesn't comply with the ordinance would experience clear consequences for a first-time offense and then for subsequent offenses. He said if staff could come up with incentives, he would favor looking at this but if not, there should be clear consequences in terms of fines and fees.

Ms. Mallek said Mr. Fritz made a distinction in the 10,000-square-foot qualification or requirement being within the County. She asked if this State law was a distinction.

Mr. Kamptner said that as they have talked before, they can reduce it down to 2,500 square feet.

Ms. Mallek said that inside the County, they already have what seem to be perfectly adequate rules for the source being inside, and where they are completely left out is when something is coming over the border. She asked if this State law was required or not.

Mr. Kamptner said that when it is within the County, they know where it is going, and the permit must be issued by the County because the demolishing party must include that in their permit information. He said they tell the County where they are taking it, but if it is UVA or the City, the County does not have that information until it reaches the threshold where the County's regulations kick in. He said there is not communication between the City or other permitting authority and the County right now.

Ms. Mallek said they could have the authority to get that information, however, and that this was the most important missing piece. She said the County is always "behind the 8 ball," and that it was unfair to staff and neighbors not to have any capability. She said if the County needs the authority to get that information, that's a different question.

Mr. Fritz said that Mr. Pohl was working with UVA to improve this.

Ms. Mallek said she knew this and that she was looking at the legal requirements. She expressed that this was good but that they needed the law behind them.

Mr. Kamptner said they may need something in addition to what they already have in terms of legal requirements. He said the immediate solution is better communication.

Mr. Pohl, County Engineer, said he didn't know if the County had the authority to require reporting to them from outside their jurisdiction. He said he didn't have any authority of the County unless he has a permit through the County.

Ms. Mallek said that they do have the authority to establish a permitting process for the receiver within the County.

Mr. Kamptner said they could go all the way down to 2,500 square feet.

Ms. Mallek said that this is what they have been discussing off and on for the past year.

Mr. Kamptner said that right now, it was 10,000, but it could be changed to as little as 2,500.

Mr. Pohl said the question is if this was done through zoning or through the WPO ordinance. He said he believed it was currently done through the zoning ordinance.

Ms. Mallek said the question was also where it is done most effectively. She asked, since Mr. Pohl was the one facing all these things, if it was better to have it in the WPO, which is what Engineering oversees.

Mr. Pohl said the question comes down to a bona fide agricultural use, which was the biggest area of contention or discussion about what is bona fide. He said the WPO ordinance does not allow

enforcement action on bona fide agricultural activities.

Ms. Mallek asked if this was State law, or if it was the County's chosen WPO.

Mr. Pohl replied that it was State law.

Ms. Palmer asked if the County could define "bona fide agricultural activity."

Mr. Pohl replied that the State has already defined it.

Ms. Mallek said they have not done it very well, because the County has said they still haven't defined it for events and that they should define it for this purpose as well.

Mr. Fritz said he has looked at other jurisdictions to try to see what they are doing and will continue to do that research to see what they can do locally.

Ms. Palmer said that she was very interested in having staff go forward with this, but that her concern was to what it would take as far as additional staff. She said they already know that Mr. Pohl needs more staff for the work he already has, and that she assumed the Board would see this as they go through the budgeting process. She said she was very concerned about how they go about doing this and what the staff implications are.

Mr. Fritz said that with every Zoning Text Amendment staff brings to the Board, they try to include a budgetary impact.

Ms. Mallek said that as they consider this, she would ask him to also report on, if they had clearer rules and requirements, what the offset would be and how many thousands of staff hours they spend and the Board spends chasing to catch up with things that get away from them. She said this was the balance the Board would be seeking.

Mr. Fritz said they would include this analysis.

Ms. Mallek said the County has looked away from many important things over the years and that it was not serving the community well.

Mr. Gallaway said that when staff brings anything forward to the Board with an accelerated schedule, it was appealing to the Board, but he becomes concerned about the tradeoff or consequence. He expressed that it was contextual and noted that there are sometimes things brought to the Board outside of the budget cycle when they don't have the other budget information around it. He said that while he would be all for accelerated schedules on multiple things, he wanted to make sure that when he says yes to one, he understands what the tradeoffs are for other items in the queue. He said that staff's work plan is tight, and to accelerate one item in Community Development will have a consequence.

Mr. Fritz said the consequence would be, if they brought something before the Board in January and they didn't like it or if there was public outcry, they would then be somewhat slower because they would then go and do the roundtables. He said in terms of staff resources, they can do either one, accelerated or slightly longer schedule. He said the tradeoff for the board was the possibility, after the January work session, of perhaps wanting the roundtables.

Ms. Palmer said her concern was that currently, there are not many options for development projects, redevelopment projects, and places to put things. She said she would like it to go to the Ivy MUC and recognized that at \$8 per ton, it was too expensive. She said perhaps they should be looking into this. She said she has also been told by Rivanna Solid Waste Authority (RSWA) that they have a different standard for taking the material there as they define "clean fill," expressing that this confuses her compared to Mr. Fritz's use of the term "clean fill." She said RSWA has a higher standard than the people in the rural areas who are taking that material. She said at some point, she would like to understand that better.

Ms. Palmer said her personal preference would be to have the roundtables, knowing that people don't have many options, and she wants to make sure they hear from the development community and hauling community.

Ms. Mallek asked if Mr. Fritz needed the timetable decision immediately.

Mr. Fritz replied that staff would like to have it immediately so that they can know if they are planning for a work session in January or if they are trying to schedule roundtables in January.

Ms. Mallek said she would like to have the work session first before laying out 16 months of plans when they didn't yet know what the questions were.

Ms. Palmer said that if the Board could add another work session if needed, this would work.

Ms. Mallek said this was a given. She said when they have gone to roundtables without enough certainty of what the question this, this tends to be a mistake and that she would prefer not to repeat this. She recommended getting the information together first to then have something that people can react to.

Mr. Randolph said they could have the work session and then potentially a roundtable.

Ms. McKeel said this was her preference.

Mr. Gallaway asked Mr. Fritz if he was clear about what the Board wanted.

Mr. Fritz said staff would work with the Clerk's office to get this to the Board as early as possible. He said they would get it on the agenda as soon as they could after the beginning of 2020.

Mr. Randolph **moved** that the Board approve the Resolution of Intent for Zoning Text Amendment Fill Areas and Waste Areas as expressed in Attachment A. The motion was **seconded** by Ms. Mallek.

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

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

NAYS: None.

**RESOLUTION OF INTENT
ZONING TEXT AMENDMENT
FILL AREAS AND WASTE AREAS**

WHEREAS, pursuant to Albemarle County Code § 18-4.3.1, fill and waste areas are permitted in all zoning districts subject to the regulations of Albemarle County Code § 18-5.1.28; and

WHEREAS, fill and waste activities may facilitate agriculture; and

WHEREAS, the disposal of fill and waste is necessary to accommodate development in the County; and

WHEREAS, the use of rural land for fill and waste areas may be inconsistent with the Comprehensive Plan; and

WHEREAS, the placement of fill and waste may cause increased traffic on rural roads that may be inadequate to accommodate increased traffic; and

WHEREAS, it is desired to review and amend Albemarle County Code § 18-4.3.1, Albemarle County Code § 18-5.1.28, and other appropriate sections to address impacts of fill and waste areas.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-4.3.1 and Albemarle County Code § 18-5.1.28 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein.

Agenda Item No. 11. **Action Item** – Resolution Requesting Local Legislators to Support State Funding for Biscuit Run Park.

Mr. Kamptner said he authored the resolution, and that it was the follow-up to the resolution that was adopted by the Board on October 16 in which the Board expressed its support for the budget, including \$5 million, to fund Biscuit Run Park. He said this was the follow-up resolution, at the Board's direction, to request that the local delegation, those members of the General Assembly whose districts include portions of Albemarle County, also support the \$5 million being included in the budget.

Mr. Randolph **moved** that the Board support the Resolution requesting the local General Assembly delegation and regional General Assembly delegation to support State funding to develop Biscuit Run Park in Albemarle County. The motion was **seconded** by Ms. Mallek

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

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

NAYS: None.

**RESOLUTION
REQUESTING THE LOCAL GENERAL ASSEMBLY DELEGATION TO SUPPORT
STATE FUNDING TO DEVELOP BISCUIT RUN PARK
IN ALBEMARLE COUNTY**

WHEREAS, the State acquired the approximately 1,200 acre property located in Albemarle County known as "Biscuit Run" in 2009 and thereafter developed a master plan to develop it as a State park; and

WHEREAS, the cost to the State to develop Biscuit Run as a State park was estimated in 2017 to be approximately \$42,000,000, an amount that was never funded; and

WHEREAS, on January 4, 2018, the County entered into a 99-year lease of Biscuit Run with the State for the purpose of developing it as a County and regional park; and

WHEREAS, the Governor's January 4, 2018 press release stated: "This new partnership will allow for the park to open sooner than expected and will provide high-quality recreational opportunities for Albemarle County and the surrounding communities"; and

WHEREAS, the Board of Supervisors adopted a master plan for Biscuit Run Park on December 15, 2018, and it was thereafter reviewed and approved by the Virginia Department of Conservation and Recreation; and

WHEREAS, the estimated cost to develop Biscuit Run Park over three phases as planned is estimated to be between \$31,000,000 and \$34,000,000; and

WHEREAS, despite Biscuit Run Park being characterized as both a County and a regional park, other localities in the region have declined to provide funding to develop the park; and

WHEREAS, on September 5, 2019, the Board held a public meeting with its local delegation of the General Assembly or their representatives to share the Board's legislative priorities for the 2020 General Assembly session, and they included a request for a State commitment to provide \$15,000,000 in funding for Biscuit Run Park over three years; and

WHEREAS, on October 16, 2019, the Board adopted a resolution stating its support for including \$5,000,000 in the Governor's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Supervisors of the County of Albemarle, Virginia, requests that those members of the General Assembly whose districts include Albemarle County support the Commonwealth providing \$5,000,000 in the Commonwealth's Fiscal Year 2021 budget to fund, in part, the development of Biscuit Run Park by Albemarle County.

Agenda Item No. 12. **Work Session – Improving Stream Health in Development Areas.**

The Executive Summary forwarded to the Board states that during 2017, staff conducted a public review of the County's stream buffer regulations, culminating in a work session with the Board on December 6, 2017. Based on Board direction during the work session, staff developed thirteen proposals designed to improve stream health in the Development Areas while remaining true to the County's Growth Management Policy. None of the proposals should limit or hinder growth and development in the County's Development Areas.

From October through December of 2018, staff conducted a public engagement process to receive feedback and public comment on the proposed strategies. During a work session on January 9, 2019, the Board directed staff to work on nine of the thirteen proposals to improve stream health in the County's Development Areas. A joint work session with the Board and Planning Commission was held on July 9, 2019. More detailed proposals and staff recommendations were presented and discussed. Staff was directed to continue working on seven proposals, develop final proposals, and make recommendations to the Board.

A summary report (Attachment A) includes more details about the process of developing and reviewing the stream health proposals. Attachment B provides the list of the original fourteen proposals as presented to the public and discussed at the January 9 and July 9, 2019 work sessions. Notes (highlighted in yellow) have been added to the list to help clarify and explain some of the proposals.

During the July 9, 2019 joint work session, staff was directed to continue working on seven proposals. The summary report (Attachment A) addresses each of the seven proposals. The Board expressed support for the seven proposals and staff recommendations though more information and further research were requested on a few.

Proposal #1 (to implement the County's steep slope design standards when a VSMP or VESC application is required), requires an amendment to the Zoning Ordinance. Staff has begun a Zoning Text Amendment (ZTA) process to implement the proposal. The ZTA requires public hearings with the Planning Commission and the Board, as well as approval by the Board. Staff plans to present a Resolution of Intent to the Board for its consideration and adoption in December 2019.

Proposals #2, #3, #5, #6, and #14 require amending the Water Protection Ordinance (WPO). The Board has expressed support for these proposals, but additional information will be provided for #2, #5, and #6. Proposal #2 has been refined since the joint work session of July 9, 2019. Further discussion and direction from the Board on Proposal #2 is required. Staff will develop the necessary amendments to the WPO and will return to the Board with a draft ordinance in the spring of 2020 with a request for the Board to authorize the ordinance to be scheduled for a public hearing.

Proposal #9 requires implementing a new policy regarding the purchase of off-site nutrient credits based on existing State code and the WPO. The City of Harrisonburg has begun phasing in restrictions

on nutrient credit purchases for Virginia Stormwater Management Program compliance in TMDL watersheds (Attachment C). Board review and direction to staff is needed.

In addition to working on the seven proposals above, as directed by the Board during the joint work session of July 9, 2019, staff is proposing two additional amendments to the WPO. The two amendments are simpler and more straightforward than the seven proposals above but are not non-substantive. They will help improve stream health. After full discussion during this work session (November 6, 2019), staff recommends that the Board approve them.

- Under the Erosion and Sediment Control Program, require two-layer perimeter control measures where land disturbances occur within two hundred feet of a stream or wetland.
- Under the Stormwater Management Program, require a maintenance bond from developers for stormwater facilities prior to release of the construction bond if the facility has not been transferred to the Homeowners Association."

Several proposals will cause an increase in staff work load as noted in the summary report, Attachment A. The ZTA process to implement proposal #1 will include an analysis of impacts to staff. The effect of implementing all seven proposals is expected to require the need to add 1.25 Civil Engineer I and 0.50 Engineering Inspector II FTEs to existing staff at a cost of \$137,025. Anticipated staffing impacts and the need to increase fees will continue to be refined as part of Board considerations with the associated ordinance amendments. Preliminary analysis of program fees, revenues and costs indicates the need to increase fees to recover the cost of this position. Proposed Water Protection Ordinance amendments are not expected to become effective before September of 2020.

Staff recommends that the Board confirm previous direction to staff to implement proposals #1, #2, #3, #5, #6, and #14. Proposal #2 will require further direction from the Board. Staff recommends that the Board direct staff to continue working on proposal #9, which may require an ordinance amendment.

Mr. David Hannah, Natural Resources Manager for Albemarle County, and Mr. Pohl presented.

Mr. Hannah said he and Mr. Pohl would further the discussion about the proposals they have for improving stream health in the County's development areas. He said he would provide a brief history.

Mr. Hannah said that in December of 2017, a public review process for reviewing stream buffer regulations in the County was completed. He said that after that work session, staff developed proposals to improve stream health in the development areas, at the Board's direction. He said in the last few months of 2018, staff went to several public meetings to receive feedback and input on those proposals. He said this was followed by a work session with the Board in January 2019 for the initial discussion and review of the proposals. He said in July 2019, staff held a joint work session, at the Board's direction, with the Board and the Planning Commission to further review the proposals and that the purpose of the current presentation was to follow up on that.

Mr. Hannah said that all along, the proposals were originally developed for development areas only, but that most of the proposals require an ordinance change. He said in this case, the changes will apply County-wide, but the impacts will be very largely concentrated in the development areas, and so the proposals were still development-area focused. He said the intent of the proposals was to improve stream health while staying consistent with the County's growth management policy in that there was no intent to limit or hinder development in the development areas as they went through the process.

Mr. Hannah said he would discuss the several proposes the Board had directed staff to work on during the July joint work session. He said he would update them on five of the proposals and take any comments on them. He said staff wanted to seek direction from the Board on two of the proposals and would also be presenting two new amendments that the Board had not seen before other than in the summary report and would be discussing those for the first time. He said the goal was for staff to be able to return in Spring of 2020 with the draft language to amend the Water Protection Ordinance at that time and proceed from that as quickly as possible to a public hearing to implement the WPO amendments.

Mr. Hannah presented a slide, noting that it could be found in the summary report, Attachment A. He said he wanted to present this first so that it was not lost in the shuffle. He indicated on the slide to the estimated additional FTE staff that would be needed for each of the individual proposals. He noted that Proposal 2 had the largest impact, and the impacts of the other proposals were less significant but do, in fact, have impacts.

Mr. Hannah said that if all proposals are implemented, staff estimates a need for an additional 1.75 full-time equivalent employees in addition to the current staff at an estimated cost of approximately \$129,600.

Mr. Hannah said in amending the WPO, he did not see that being completed until, or before, September of 2020. He offered to take questions about the slide's information.

Ms. McKeel said she had thought that the number in the Executive Summary was \$137,025. She asked if this was the same number as \$129,600, reduced.

Mr. Hannah replied that they had revised the number.

Ms. McKeel asked if it had just come down slightly.

Mr. Hannah replied yes. He said it replaces the other number.

Ms. McKeel said the number was going in the right direction.

Ms. Mallek said that those were enforcement staff as opposed to developing the legislative change. She asked if each one was separate and if Civil Engineer 1 was one person in each line, or one person who would do all five of the proposals.

Mr. Pohl replied it would be one person. He said if adding up the FTEs, it's 1.25 Civil Engineer 1, and 0.5 Inspector.

Ms. McKeel asked if it was a mix of an Inspector and a Civil Engineer.

Mr. Pohl replied yes. He said if they can do 1.25, the 0.25 might not be that single person, because that's what 1.25 means. He said either this would be absorbed, or they would hire someone part-time to fill the 0.25.

Ms. McKeel asked if he meant 0.75.

Mr. Pohl said he was only referring to the Civil Engineer. He said it could be a part-time person that comes in to help with reviews, for instance.

Ms. Palmer asked if they were having any trouble hiring Civil Engineers.

Mr. Pohl replied they didn't have any openings or a need to advertise.

Ms. Palmer asked about Inspectors.

Mr. Pohl replied that they were fully staffed with Inspectors, and that there were no openings or turnovers since he started, except for one.

Mr. Randolph asked if he could comment.

Mr. Hannah replied that if it was about budget or staff impacts, it would be a good time.

Mr. Randolph said he would hold off.

Mr. Hannah said they would dive into the proposals themselves to get the Board's comments and directions as they go. He said one proposal will require amending the Zoning Ordinance, and the five proposals and two new amendments require revising the WPO. He said there was one proposal that staff did not think would require an ordinance revision at all.

Mr. Hannah said that only a few of the proposals would require discussion and direction from the Board, and others would be simple updates about the status.

Mr. Hannah said he would give an update on Proposal 1, which was the proposal to implement the County's steep slope design standards anytime a stormwater or erosion sediment control application plan is required. He said this would be County-wide and not just in the development areas. He said the Board had expressed support for the proposal in the past, in previous work sessions. He said a Zoning Text Amendment process had begun and that staff was looking to bring a Resolution of Intent to the Board in the December Board meeting to kickstart the process.

Ms. Mallek asked if the "as required" phrase depended on size and impact — for example, if someone was putting in three sonotubes to put up a deck, that would probably not require everything else because it was of such limited impact.

Mr. Pohl replied this was correct and that under current regulation, it was 10,000 square feet, or whenever a plan is required.

Ms. Mallek said that this, when the plan was required, told much of the story.

Mr. Pohl said the exception was being in the steep slopes overlay district. He said this was for proposed improvements or proposed grading.

Ms. Palmer asked if someone was putting up a deck on posts, they were not falling under the standards at all because they were not disturbing the land.

Mr. Pohl replied no, stating that if they were trying to put the deck on a steep slope, it may still have some restrictions based on building code and the zoning overlay. He said that it would not come into effect under the subject requirements.

Ms. Mallek asked if an existing house was already there on Emerald Ridge and wanted to add a deck with three sonotubes, that would be different.

Mr. Pohl replied yes.

Mr. Randolph asked if currently, if an applicant comes in under the VSMP or the VESCP, the County collects any fee outside of the ZTA to cover the extra level of staff scrutiny in evaluating the impact of the proposed project on steep slopes. He asked, in other words, if the County receives any cost recovery outside of the ZTA application fee for the extra time and effort that is required, based on the VSMP and VESCP, to evaluate and assess the impact on steep slopes.

Mr. Pohl replied no, stating that staff has estimated around 0.05 FTEs required to do what they are proposing.

Mr. Randolph asked if this was per year.

Mr. Pohl replied it was per year. He said the County already currently reviews slopes, so there is a minimal amount of additional review to make sure that they would meet the added requirements. He said there was already a 3-1 slope requirement maximum, 3-1 slope and 4-1 slopes with different requirements on those slopes. He said 2-1 is the absolute maximum, and so there are different things the County looks at when there is 2-1.

Mr. Pohl said there is already some level of review for proposed slopes on VSMP plans, and the standards would add about 100 hours (or 0.05 FTEs) per year. He said the numbers were estimated timeframes and that it was very difficult to estimate how much time is required because staff would have to go back and look at every single plan to see where it would come into play to make the estimate.

Ms. Mallek said if there are rules established, and staff has the plans in front of them, it should be a seamless process.

Mr. Pohl agreed, stating that it should flow seamlessly and should not require much extra effort, which is why he had put 0.05 as what they estimated the extra effort to be to enforce or check for the requirements.

Mr. Randolph said that if, in fact, this was currently SOP, they would be looking at a marginal increase in terms of time, perhaps two weeks of additional staff time. He said he was posing the question, given the proposal on the need for additional human labor to be invested to support the enhanced WPO. He asked if there should be a commiserate increase in the overall costs of the ZTA to recoup some of the additional costs for steep slope assessment, explaining that even if it was an estimate of \$20, they would at least cover the additional cost there. He said that with "pay as you go," whoever is receiving the additional services should help carry some of the additional burden of the services provided.

Mr. Pohl said absolutely. He said currently, staff was assuming 100% of the additional FTEs to be paid out of the VSMP program because they were VSMP requirements. He said they would have to look at the fee structure, and he could tell Mr. Randolph what the revenues for the VSMP are.

Mr. Randolph said he didn't have to provide this level of detail, but that he was posing a philosophical question. He said that when Mr. Williamson came up to address the Board earlier about the issue, the two points he raised were exactly the two concerns he had in reading through: the proposal for increased staffing, and single source for the land bank.

Mr. Randolph said he would come back to this in terms of the fee structure because he was trying to look for a way to absolutely minimize the need for additional staff, going forward, unless they are actually already covered for in a budgetary fashion by revenue that is generated to justify hiring the staff, due to the fragility of the economy. He acknowledged he had been saying for four years that they were "going into headwinds" and said they could only postpone the inevitable for so long.

Mr. Pohl said if it is a zoning review, a fee within the Zoning Ordinance would be appropriate to cover the costs. He said they were coming close to the period where Community Development will be doing their comprehensive update to the fee regulations.

Mr. Hannah said Proposal 2 would eliminate or reduce the threshold for the area of land-disturbing activity to invoke the erosion sediment control regulations but allowing an agreement in lieu of a plan for land disturbance areas under 10,000 square feet. He said there had been much discussion about this during previous work sessions. He said it would apply County-wide, since it would be an ordinance revision. He said most of the impacts would be in the development areas.

Mr. Hannah pointed out that properties that are exempt from the WPO would not be affected by any of the proposals. He said to think of agricultural land as being the basic, big exception to WPO regulations.

Mr. Pohl said this wouldn't change the exemptions, projects, or activities that are exempt. He said it just changes the threshold for the non-exempt activities.

Ms. Mallek said that when they were talking earlier about changing the 10,000 square foot number to 2,500 as a solution and asked if it would not actually be a solution.

Mr. Pohl replied it would not be if it was an exempt activity.

Ms. Mallek asked if this was the case even with notification to staff so they would know that

something is happening.

Mr. Pohl said the exemption was whether they can enforce anything. He said the notification meant they could work with the City and other municipalities for the notification.

Ms. Mallek said she meant from a receiving landowner, for example.

Mr. Pohl indicated the same was true.

Mr. Hannah said the WPO amendments that are made will not impact exempt properties. He said staff would be seeking direction from the Board on Proposal 2 to discuss it further. He said in the July joint work session, the Board had supported lowering the threshold from 10,000 square feet to 6,000 square feet, but that staff had heard some Board members express support for a lower threshold, going down as low as 2,500 square feet.

Mr. Hannah said staff was presenting two options for the Board to consider, which were included in the summary report. He said both options would strengthen erosion and sediment control practices in the County.

Mr. Hannah said Option A had two categories of oversight, based on the amount of land-disturbing activity: 0-4,999 square feet, and 5,000-9,999 square feet. He said for each category, a permit is required, but not a plan, and that permit would be an agreement in lieu of a plan. He said minimal fees for those activities were to be determined. He said the difference between the two categories was that for the lower land-disturbing activity area, a responsible land disturber (RLD) is not required for the work that is done. He said in the larger category, a responsible land disturber is required to conduct the work.

Ms. Mallek asked what this meant.

Mr. Pohl said this would be someone licensed at the State level as an RLD who has that certification. He said this person learns the erosion sediment control rules and regulations and get certified.

Ms. Mallek asked if they then do an inspection on the property and give it a checkup.

Mr. Pohl said they oversee the work, and that a homeowner can also get certified. He said this was not expensive, about \$150.

Ms. Palmer asked about the 0-5,000 square feet amount.

Mr. Pohl said that he had done research with other counties throughout the state and came across this method, which he thought was an interesting way to handle it. He said the County would not have to check any land-disturbing activity to determine if it meets the threshold or not. He said that from a staff level, he saw this as an advantage because anything that has a building permit for an addition, swimming pool, deck has a form in the building permit packet that the homeowner would sign and pay a fee on. He said he put "to be determined" on the amount because they were not sure what offset they will need. He said they could adjust the fee to accommodate the offset.

Mr. Pohl said at the last work session, there was a concern about the gap, the lower threshold, and what happens for projects that were below that threshold. He said this option would address it and would also establish the stream buffers down to zero, so if one had a deck, they would have a stream buffer. He said if they go to Option B at 2,500, there would not be a stream buffer if they are below 2,500 because they would not need to have a permit and if there is no permit, there is no buffer because the buffer regulation is in the WPO ordinance and is connected to the VSMP or VESCP plan or permit.

Mr. Randolph asked Mr. Pohl if, in the WPO revision, they would identify what the LDA determination measurement device is. He asked if he was applying, how would he, as a landowner, determine the amount of square footage of the LDA. He asked if there would be means for measuring that so that there is a standardization of criteria.

Mr. Pohl said there would be a requirement to submit a critical resources plan, which is the critical resources map, and that the homeowner would show that area on the map.

Mr. Randolph asked if this would be GIS-verifiable.

Mr. Pohl said it was GIS, but it could be estimated. He said it was not rocket science and didn't have to be down to 1 square foot. He said if they were down to zero, there was no determination to be made except for at the 5,000 threshold about an RLD. He said if they used Option B, there would be some level of review that staff must assist with and work with the applicant to determine that LDA.

Mr. Randolph said that his take was that Option A makes a lot of sense to him because it differentiates based on the amount of LDA square footage that will be affected. He said that thereby, the fee is adjusted appropriately based on this, and it gets away from the potential of discretion as in Option B.

Mr. Pohl said this is what the County now does frequently at 10,000 square feet. He said it would just be lowering that.

Ms. Palmer asked if one would need a permit for any land disturbance at all in the development area, County-wide. She asked if someone wanted to put a box in their yard, if they would need a permit.

Mr. Pohl replied that if someone is coming in for a building permit, that is the case. He said if there is a land disturbance and they do not have a building permit, they would then have to make a site visit and determine if it's exempt or not. He said there was a list of activities, such as gardening, that are exempt.

Ms. Palmer asked if Mr. Pohl could go over the list of exemptions, noting that she was having concerns about getting too restrictive.

Ms. Mallek said that this was a matter of prevention and saving time for staff.

Mr. Pohl said it was possible they could find a way to apply this only for building-permit type applications. He said they could narrow it down to where it applies to building permit applications with some other tier for other activities, if that was a concern.

Ms. Palmer asked for examples of exempt activities.

Mr. Pohl said this included minor residential-related activities such as gardening, landscaping repairs and maintenance work, individual service connections, public utility lines, conventional on-site sewage systems, mining oil gas operations, agriculture, horticulture, forestal activities, ag-engineering operations, railroad improvements, posts and poles.

Ms. Palmer asked if this was posts to the deck.

Mr. Pohl said that it also included installing fence or signposts, or telephone or electric poles, and other kinds of posts of poles. He said this would exclude a deck. He added emergency work to the list.

Ms. Palmer asked if a small toolshed would require a building permit.

Mr. Pohl said they would need a permit. He said they do not need to submit a plan but would sign a form which agrees that states that they will not cause any erosion to leave the property, or they will install measures to prevent that from occurring. He said it will give staff a way to enforce those measures if there was a problem.

Ms. Palmer said a lot of people will not know that they need to have a permit to put in a small toolshed.

Ms. Mallek expressed her disagreement, stating that this was a standard operation.

Mr. Pohl said it would be a zoning violation off the bat, and there would be a couple things that might remind them. He said the form would be part of the building permit package and would be an easy thing to incorporate.

Ms. Palmer said she didn't realize that if she goes to Lowe's and buys a small 2x2 shed and puts it on a concrete block, she should have had a building permit to do that.

Ms. Mallek said this was the size of a doghouse and asked what they were talking about.

Mr. Pohl said they were not talking about building permits. He said if it already requires a building permit, that is in the building department. He said they were not trying to change building permit requirements.

Ms. Palmer said she was not using the correct terminology.

Mr. Pohl said they meant the Land Disturbance Permit.

Ms. Palmer said she would then need to know that she would need a Land Disturbance Permit if she was to go to Lowe's and buy a small shed, then put it on a concrete block.

Mr. Pohl said they could modify it to say, "If a building permit is required." He said if a building permit is not required, then they wouldn't need the Land Disturbance Permit. He said they could modify the language and put in more detail. He said if a building permit is required, the applicant would get that package and see in that package that they must enter into an agreement.

Ms. Palmer said this was great.

Mr. Pohl said the County wouldn't need to go and look at where they are doing it, and they would not need to show the County how much area they are disturbing. He said they could even claim that there is no disturbance, and if there's no disturbance based on what they're doing, they wouldn't need that agreement.

Ms. McKeel said that gives the County something to go back to if, in fact, there is a problem.

Mr. Pohl said yes. He said they were not trying to tell people they must have this if they are not going to disturb the land.

Ms. Palmer said she recognized that the County is complaint-driven and want to have something to go back to for people who are not good actors, whereas most of the people doing this are good actors and doing a good job. She said there is a feeling that many have that they don't want to do something that is not permitted or wrong, and they may not know that they need to do this. She said people generally want to do the right thing and are disturbed or concerned when they find that they are not following the rules. She said she, as a Supervisor, would not have known that she would need to get a Land Disturbance Permit for putting in a small shed in her backyard.

Ms. Mallek said she would be parking the shed on top of the ground and would not be digging a hole.

Ms. Palmer said she may have to level the ground before she puts it down, as leveling the ground was required most of the time. She said she was taking it to the extreme because she was trying to make sure they were not being too restrictive. She said she recalled their last conversation with Mr. Pohl when he explained why he was looking at the 6,000 number and staff requirements. She said she knew that he has now explained this, that they would need less.

Mr. Randolph said that the need is to proceed very carefully considering "bad actors." He gave an example of someone arguing that when they put six concrete posts into the ground, they truly were not disturbing the ground. He said this person would then put on top of the posts a prefab granny pod, run electricity to it, run a hose buried under ground for water, install a composting toilet, and suddenly have a habitable space. He said there was a real reason to be careful on how to proceed because if they are not crystal clear in the ordinance, there may be ways that people work around them, as seen with farm-to-table operations.

Ms. Mallek said she liked Option A.

Mr. Gallaway said if there was any exception to the choice being Option A. He added that the requiring of the building permit seemed to be a reasonable add.

Ms. Palmer agreed.

Mr. Pohl said that they would clarify "when building permits are required," letter revisions, site plans, and anything that is an application with the County.

Mr. Gallaway asked if this was pragmatic.

Mr. Randolph said yes.

Mr. Pohl said when staff comes back, they will come back with proposed language and changes and that there may be other unknown changes.

Mr. Kamptner asked if Option A would help better track the information they would need if Proposal 5 is implemented, which attempts to deal with the serial developed creation of impervious areas.

Mr. Pohl said it would.

Ms. Mallek said this was a great reason to do it.

Mr. Pohl said they could review what's being proposed if it's anything under 2,500.

Mr. Hannah said they would take this direction and move on to Proposal 3 with an update. He said the Board supported it at previous work sessions and so staff plans to move forward with it, unless there are comments or questions.

Mr. Hannah said Proposal 5 was the idea to expand the definition of the common plan of development in the WPO to include activities occurring within any five-year plan. He said there had been much discussion about this in the past. He said the intent was to capture incremental development on individual parcels and that as staff worked through this over many months, they came to realize that it was not necessary to change the definition of common plan of development.

Mr. Hannah said the Board, at the last work session, expressed strong support for a policy like this, like Greene County has in place, where stormwater is always addressed when any impervious surface is added to a previously-developed parcel regardless of the amount or the size of the impervious surface that is added. He said staff wants to move forward and apply this County-wide.

Mr. Randolph informed staff that he called the Chair of the Board at Greene County and asked him if there had ever been an issue or problem that had risen to the Board level about their policy. He said there were none whatsoever, so it is not controversial within Greene County.

Mr. Pohl said it didn't necessarily mean a plan but could mean a letter from the engineer who's preparing the plan to explain what they think the impacts are or aren't and how they are addressing them.

Ms. Palmer said in Greene County, they have redevelopment if there is anything on the piece of property currently and that they have a smaller square footage disturbance for redevelopment than they do for new development. She said this was what she remembered from looking at their regulations and asked if this was the case.

Mr. Pohl said that Greene County's policy was like Albemarle County's, except for the one provision. He asked Ms. Palmer if she was referring to having a smaller post-development impervious area.

Ms. Palmer said, for instance, if there was a piece of property that already has a building on it, anything one does to the rest of the property that is not developed (e.g. half the property is developed is considered redevelopment, and rules for stormwater kick in for a smaller square footage of area than they do for new development.

Mr. Pohl said there is an additional requirement for treating the impervious area on the redevelopment site.

Ms. Palmer said she thought that Greene had two different size disturbances for treating impervious surfaces. She said she could see that she was reading the impervious surface portion.

Mr. Pohl said he could investigate it and get back to Ms. Palmer.

Ms. Mallek said she would assume this would work with parking lots that are expanded, with each one being below 10,000 square feet. She said when Mr. Pohl was very clear about a single parcel and asked if there was something that would cross over the parcel line, how this would affect the matter at hand.

Mr. Pohl said that improvements typically cannot cross property lines and must be associated with what they're serving. He said if they are in a development such as Old Trail, that is a common plan of development and so they don't need to address common plans of development as they are already covered. He said this was for individual parcels where they have seen a parking lot develop at 9,000 square feet in one year, and the next year at 9,000.

Ms. Mallek asked if this still had to be on the same parcel because otherwise, it wouldn't qualify.

Mr. Pohl indicated yes.

Ms. Palmer said she was all for the proposal.

Ms. Mallek and Ms. McKeel agreed.

Mr. Hannah said staff would go forward with Proposal 5.

Mr. Hannah said Proposal 6 was to simply increase the fees for WPO violations. He said the intent was to cover County costs for the program and that fines were not being proposed. He said the Board expressed support for the proposal in the July joint work session. He said staff needed to conduct more analysis to compare the number of inspections required with actual staff costs. He said they plan to move forward with it doing the further analysis.

Mr. Hannah said that Proposal 14 involved updating the WPO with non-substantive updates that do not alter the intent or the meaning of the ordinance. He said examples would be to modernize or use the current name of some County departments, adding a few definitions, and simply clarifying or simplifying wording in a few cases. He said the County Engineer has a list of things he's encountered over the past four years or so and has already begun working with the County Attorney Office to collaborate on the updates. He said the Board supported the proposal at the last work session and staff would be moving forward on it.

Mr. Hannah said they would discuss two things they had not previously discussed, which were included in the summary reports to give the Board a chance to think about them. He said staff was seeking direction on those items. He said Mr. Pohl found examples of them in other ordinances and that they were applicable to what Albemarle County is trying to accomplish. He said they would apply County-wide and not just in the development areas.

Mr. Hannah said there were two amendments and that the first applied to the Erosion Sediment Control Program. He said they would like to require a two-layer perimeter control measures where land disturbances occur within 200 feet of a stream or wetland. He said a common example of this would be a silt fence in combination with stormwater diversion.

Ms. Palmer asked if two silt fences could also be an example.

Mr. Pohl replied no. He said from the example he found, it was two different types of diversion and silt fence was the most common preferred method.

Ms. Palmer said that silt fences often come down and get washed down. She said if this was the reason why two would not be advisable.

Mr. Pohl replied that it would depend if they were on contour. He said if there is a piece of land that is sloping continuously across, one could do two silt fences at the bottom of that. He said if there is a slope, there needs to be a diversion, and many times they only have a diversion on those slopes, which then go to a silt fence. He said it was dependent on the situation and he didn't want to rule anything out. He said staff could investigate this more closely, noting that single-family was excluded in certain instances because of the lot sizes and amount of disturbed area. He said the idea was that for a typical development, within 200 feet, they would provide two types of protection.

Ms. Palmer said she would support Mr. Pohl looking into this very carefully, stating that she knew there would be some situations where there isn't much contour and the two silt fences may be adequate, in his professional judgment.

Mr. Pohl agreed.

Ms. Mallek said they still know that the silt fences are only good for 30% anyway. She said she liked the idea of having two different methods and that this was done across from the view on Jarmon's Gap where there was an enormous pile of dirt from the cellar hole across the street. She said they made a bowl for a while that was settling, and they also had silt fences all around the bottom. She said they still had to drain it, which scared the neighbors.

Ms. Palmer said the only reason she suggested keeping it in the toolbox for staff was because there could be situations where land disturbance isn't appropriate (e.g. a small area with not much contour).

Mr. Pohl said the ordinance he read didn't specify the type, but just required the two-layer. He said it allowed for some discretion.

Mr. Randolph asked if when Mr. Pohl was specifying two layers, he was talking about two levels of fence, such as one level of fencing at a certain distance and another level of fencing.

Mr. Pohl said yes, and that they would be separated by 10 feet in between.

Mr. Randolph asked if the separation should be a fixed amount, or variable according to the slope. He said if there is a steeper slope, they may want to have the fencing even closer, whereas if it's a distance, it can be somewhat further apart. He said that as water moves, they should try to prevent as much sediment as early as possible, and water will move faster on a slope than it will on a flat surface.

Mr. Pohl said the key is that there is a minimum of 10 feet. He said there could be a circumstance where it may need to be further.

Mr. Hannah said the second example was under the Stormwater Management Program to require a maintenance bond from developers for stormwater facilities prior to the release of the construction bond if the facility has not been transferred to a Homeowners Association.

Ms. Palmer said she could think of some examples in the rural areas. She asked if it would be for residential areas in the rural areas.

Mr. Pohl said it was for anything that they have a bond on, or a stormwater facility that is bonded. He said they could include the bond amount upfront in the original bonds if the developer is willing to not require them to post a second new bond later, which staff has already heard is a positive thing and something they prefer.

Mr. Hannah said staff would move forward with both changes to include them to the amendments coming to the Board in the spring.

Mr. Pohl said he wasn't sure if it had to be in the ordinance or if it could be policy.

Mr. Kamptner said they want to put it in the ordinance because they already have regulations in the ordinance that cover the bonding maturity improvements.

Mr. Hannah said the final proposal was one that had been discussed before. He said he would go through all the slides and open it up for discussion after. He said this was the proposal that would require, or incentivize, that all stormwater treatment be conducted on site of a development project and/or that any nutrient credits purchased are from a nutrient credit bank located in Albemarle County.

Mr. Hannah said originally, they tied this to the Zoning Ordinance so that these would be factors to be considered when seeking special exceptions to zoning requirements, but that the proposal was now much broader than that. He said the Board strongly supported requiring that nutrient credits be purchased from local banks when offsite mitigation is used, absent any legal concerns or issues. He said staff has been doing research and had more information to share with the Board.

Mr. Hannah said in watersheds of impaired waters that have an approved TMDL in place (Total Maximum Daily Load), on-site best management practices and/or the purchase of nutrient credits upstream of the proposed developments can be required. He said the City of Harrisonburg is phasing in this policy and their memo was included in Attachment C. He said staff believes DEQ may be revising regulations in 2020 to prohibit nutrient credit banks from selling credits for projects in watersheds that

have an approved TMDL. He said they did not know that for certain, at that point. He said they believe that the current code and WPO language will allow them to proceed with implementing the policy.

Ms. Mallek asked if she heard Mr. Hannah say that DEQ may be revising to prohibit improvements in impaired waterways.

Mr. Hannah said no, explaining that they would prohibit the purchase of off-site nutrient credits.

Ms. Mallek said this would still improve the quality of the upstream if they are doing stream remediation and that this would help where the impairment is.

Mr. Hannah said they could still do BNPs, but if they are going to purchase nutrient credits, the credits must come upstream of the development project.

Ms. Mallek asked if they were not prohibiting it but rather, requiring it.

Mr. Hannah said yes.

Mr. Kamptner noted that even though DEQ said they will be revising the regulations to expressly address that; they have already had conversations with the County about this.

Mr. Pohl said yes, adding that draft regulations were coming out in December and they will see something soon.

Ms. Mallek asked if, in the extreme sense, there are not any credits available, this would be the same thing legally as the fact they don't have one if there's nothing to buy. She asked if the regular rules would take over in that circumstance and would revert to the closest possible option, or if they would not allow that.

Mr. Hannah said this would not be allowed.

Ms. Mallek asked if determination had been made as to if the County can have a nutrient bank, noting that there is a lot of upstream, e.g., Ivy Creek, owned by the School Department, where the County would be getting credits from themselves and providing them locally, which would also provide competition. She said this had been discussed several months prior.

Mr. Kamptner said he couldn't recall what was concluded. He said there would be a process the County would have to go through with the State.

Mr. Pohl clarified that regardless of a bank being available, the regulation, in his opinion, requires the County to limit the purchase of off-site nutrient credits where a TMDL has been approved for that watershed. He said that based on the way the law is written, he didn't think the County had a choice, and that this was the same way that the Harrisonburg engineer interpreted the regulation.

Mr. Hannah said there is currently only one nutrient credit bank in Albemarle County, on a tributary of Ivy Creek, and that there are several, about 20, approved TMDLs that overlap areas of Albemarle County. He said there is a Rivanna River TMDL for sediment that encompasses all the County's development areas, adding that he would show a map of this.

Mr. Hannah said staff needs to conduct more research to confirm that their understanding of the regulations is correct and determine if DEQ will be planning or making any regulatory changes they can share with the County. He said it was also key to determine if a TMDL for sediment, which is in place for the Rivanna River, would justify prohibiting the off-site nutrient credits.

Mr. Pohl said Harrisonburg has two TMDLS, sediment and phosphorus. He said in their letter, they referenced their phosphorus TMDL as justification to limit the off-site nutrient credit purchases in that watershed.

Mr. Hannah presented some maps, with the purpose to illustrate that there are 20 approved TMDLs that occur at least partially in Albemarle County. He said most of them are bacteria TMDLs, so they would not come into play regarding the use or non-use of off-site nutrient credits. He indicated to the red striped area on the map, which represented the watershed of the sediment TMDL for Rivanna River.

Mr. Hannah presented a map of a closer look of the watershed of the TMDL for sediment in Rivanna River, represented by a bold red line. He said the County's development areas were on the map in a purple-pink color, noting that they all occur within that watershed, and therefore there is potential impact in implementing the policy. He said they know that that the one local nutrient credit bank is not upstream of much, if any, land in the development areas and that the bank is not upstream of most of the land in the development areas.

Ms. Mallek said it was a half-mile or mile from the South Fork, and then everything downstream from there was going right through the development areas. She asked if it extends downstream as far as its impact.

Mr. Hannah replied that staff would need to clarify that. He offered the example of Rivanna Village, explaining that it was downstream and on the main stem of the Rivanna, but much of the growth

area is serviced by Carroll Creek, so projects in that development area may not be applied to the nutrient credit bank on Ivy Creek. He said that, in other words, a project upstream of a project in Rivanna Village could be further upstream on Carroll Creek and not further upstream on Rivanna River.

Ms. Mallek said that Carroll Creek is impaired, because if it isn't impaired, it wouldn't qualify to have it there anyway.

Mr. Hannah said it must have an approved TMDL. He said there are many more streams that are impaired in the County.

Ms. Mallek apologized and said she used the wrong term.

Mr. Hannah said the other examples on North 29, explaining that much of those development areas are in the watershed or North Fork Rivanna. He said development areas south of the City of Charlottesville are in the watershed of Moore's Creek. He said that although staff did not look at this closely, much of the land in the development areas are not technically downstream of the credit bank that is in place currently.

Ms. Mallek said this sounded like a great business opportunity for people all over the whole County to be thinking about ways that they could be participating in this. She said a development project person who had a stream segment going right through their development could enhance that and probably be able to use it. She said people could figure out how to make this work better in the County because she supported the fact that where the impact is happening is where they should be fixing things, not 150 miles away.

Ms. Palmer said the Mechum River drains into the South Fork.

Mr. Hannah said yes.

Ms. Palmer indicated to an area on the map, noting that it was all upstream of the development area, and one could have a bank in any of those areas. She asked Mr. Hannah if this was correct.

Mr. Hannah said he wasn't sure he understood.

Ms. Palmer said she was somewhat confused about his description that said that most of the development area is not downstream of the watershed that has the sediment.

Mr. Hannah replied it was not downstream of the nutrient credit bank that is in place in Albemarle County.

Ms. Palmer asked if he mean the bank they have in place now.

Mr. Hannah said yes.

Ms. Palmer said she had misunderstood him.

Mr. Hannah said it would potentially create the incentive for other banks.

Mr. Hannah said staff was open to the Board's feedback, direction, and comments on the proposal and how they would like to proceed. He said staff needed to do more homework on it, recommending that the Board direct them to do that and continue working on it.

Ms. Palmer said she would support staff continuing to work on it.

Ms. Mallek and Ms. McKeel agreed.

Mr. Randolph said he liked the idea of a local land bank, but that he also liked the idea of a regional land bank and having more than one banking option, as the County was putting a lot into one single source when they say they are only going to utilize one land bank as far as the kinds of credits that may be available and the demands on them. He said there was an advantage to having something regional, especially because projects could arise where it is close to the periphery of the County, and where they are contiguous to another county that is part of the TJPDC. He said he had talked to Chip Boyles and that he would be interested in the TJPDC potentially undertaking a land bank.

Mr. Hannah said there had been staff discussions about this but that to date, they had not resolved a regional land bank and a County-owned bank, and that more discussion was needed on this.

Mr. Randolph thanked Mr. Hannah and Mr. Pohl for all their follow-up work from the last discussion in July.

Ms. Palmer said in the background statement, it said, "In Spring of 2017, County staff began conducting the public review. A team consisting of the Natural Resource Manager, County Engineer, and Development Process Manager Ombudsman led the effort." She asked who the Ombudsman was and what kinds of activities they were doing. She said this question was from a constituent.

Mr. Hannah said that Bill Fritz was the individual and that that was his title at the time. He said he

was not sure if this was still part of his official job title or not.

Ms. Palmer said it suggests that this person was the outreach person talking to the developers, and that she was trying to understand what the “Ombudsman” portion of the job was. She noted he was a very good communicator.

Mr. Hannah said he would defer to Mr. Fritz to define that but that he believed it was to be, on an as-needed basis, a liaison between staff and the general public to identify, interpret, and explain policies and troubleshoot for people who are having difficulty in resolving conflicts.

Mr. Richardson asked Mr. Gallaway if he could give Doug Walker the floor for a moment.

Mr. Walker said he did not want to let the opportunity go by without calling attention to this being Mr. Hannah’s last meeting. He said he was retiring from the County later in the month, noting that he has been valuable to the Board and the community over the many years he has been with the County in the Natural Resources Manager position. He said Mr. Hannah would be impossible to replace and that the County would do the best they can to find someone who is as knowledgeable and talented.

Mr. Walker said he wanted to give the Board a chance to thank him for his service. He said they would continue with the work Mr. Hannah has been leading and would look to try to fill his role moving forward. On behalf of Mr. Hannah’s team, director, and the County Executive, he thanked him for his good work.

The members of the Board thanked Mr. Hannah for his work.

Recess. The Board recessed its meeting at 3:52 p.m. and reconvened at 4:04 p.m.

Agenda Item No. 13. **Presentation – JAUNT On-Demand Transit.**

Mr. Brad Sheffield, Chief Executive Officer for JAUNT, presented. He said he was asked, as part of the presentation, to briefly discuss an email he had sent to the Board about COMTO (Conference on Minority Transportation Officials). He said JAUNT has been investing in their staff and getting them involved. He said at one of the last conferences, he had one of the staff return and after a discussion with her, she has an ambitious effort that she wishes to tackle. He said he would introduce her and have her share her thoughts about the organization and what led her to want to tackle it.

Mr. Sheffield said Phyllis Williams is JAUNT’s Road Supervisor, recalling that in 2018, the Board had voted to fund an additional Road Supervisor. He said Ms. Williams had been a dispatcher and driver who impressively and quickly worked her way up the ranks.

Ms. Williams thanked Mr. Sheffield for introducing her to COMTO and for the support and push in her being a part of starting a chapter in Virginia. She said she went to her first COMTO breakfast in 2017 in Baltimore and was inspired by the speakers and how professional everyone there was. She said there were several people who spoke, but that there was one woman who spoke and that her words particularly had stuck with her. She said there were two things, and one was about “raising your hand” and be willing to step up, help, and support everyone in what they are doing. She said the other was, “Be yourself,” and don’t try to change yourself.

Ms. Williams said that in 2018, she was one of the four employees who was chosen to go to the national meeting. She said she got the opportunity there to have four days of learning, training, and networking. She said some of the workshops she attended were about mental wellness, stress management and taking time off for oneself, and about thinking and acting like a leader no matter the role.

Ms. Williams said at COMTO in 2018, there was a workshop with Gregory Bradley, and during questions, there was a woman who introduced herself by saying, “I’m just a JAUNT driver.” She said Mr. Bradley stopped her and said, “It’s not JUST a JAUNT driver.” She said that at the end of the workshop that day, he told the participants to remember that they are not just a JAUNT driver because drivers have the biggest role in that they have to operate the buses, get people places safely, be on time, and help passengers.

Ms. Williams said that from that point on, everybody in the room made sure that she did not leave saying, “I’m just a driver.” She said this inspired her, encouraging her to think of herself not only as a little person or a driver. She said this person works with JAUNT and contributes so much to the agency, she received a 2019 Rookie of the Year Driver award. She said at the conference, she thought that everyone there was a great leader and that she wanted to be just like them. She said she wanted to be the best person to inspire others and be a leader in helping establish a chapter in Virginia for COMTO.

Ms. Mallek said she knew that the training to be a JAUNT driver was hard because she did it and it was difficult.

Mr. Sheffield thanked the Board for allowing Ms. Williams to speak and mention starting the chapter. He said it will be an endeavor for her to do this and that it was good to know she has the community behind her, as well as general support from JAUNT. He let the Board know they could ask him

questions individually about it, adding that COMTO was a great organization that has inspired many of his staff and that he looked forward to staying involved.

Mr. Sheffield began his presentation on on-demand transit. He said since leaving the Board nearly two years before, he started to tackle exploring what the concept of on-demand really meant. He said it has been called a lot of things in the United States and that it was called something very different in Europe. He said "micro-transit" was a term that was tossed around, and in Europe, it was referred to as "mobility as a service" and is a means of packaging more than just the typical fixed route, with rail and metro packaged together. He said the new approach was looking at how to serve the customers who are using the service rather than putting service out, hoping that people will use it.

Mr. Sheffield said that typically, for JAUNT, they have a service demand response where people call the day before to schedule a trip. He said they find the best time, build the schedules, put the vehicles out, and hope for the best that it works out. He said it is curb-to-curb and costly, and very customer focused in that they know where people want to go, why, and the importance of it.

Mr. Sheffield said when comparing this to fixed route, fixed route has the benefits of having more diversity of possibilities of where one can go. He said it requires a very set schedule and routes and focuses mainly on corridors, so its ability to get someone from their primary origin to their primary destination is limited. He said it is meant to catch all that could possibly happen in the denser areas.

Mr. Sheffield said that on demand was the best of both worlds and a hybrid. He said on demand was "day of," where an individual in a designated area can request a trip, very similarly to Uber. He said the differences are that this is run by a public entity, not a private entity, and so things like safety that have plagued Lyft and Uber for some time now are not an issue, as JAUNT drivers are professionally trained and certified.

Mr. Sheffield said the other aspect of on demand is that it is shared ride and is the same thing that JAUNT already does today. He said when JAUNT schedules trips the night before, they are trying to maximize on where those people are coming from and where they are going to, and they try to find the commonalities to pair together and put the buses out. He said that is what the app will start to do in that it will help clump together the requests, try to be predictive, and coordinate the different rides on an on-demand basis.

Mr. Sheffield said this opens up a whole new world of opportunities, specifically for Albemarle County and especially on the urban fringe, as they get away from looking at fixed route to where they are going from, bus stops down the corridor to bus stops, to now looking at where they can create zones through which they are considering where people come from and where they go to, and creating very specific services that will offer them those connections. He said it is not just a matter of putting service out and hoping for the best, but a matter of being very strategic in how it's being deployed.

Mr. Sheffield said the flexibility of allowing for not having to wait at a stop or being held to a schedule shifts to where an individual can be within the zone and still be able to be picked up at more of their convenient location, rather than at a location that is predetermined. He said factors such as infrastructure that currently create limitations would go away because they would be shaping it around the places that they can help passengers more easily access.

Mr. Sheffield said on demand was a powerful tool for JAUNT to implement due to the ability to create layers of zones for the different types of services that can be provided. He said one thing he was asked to do was come to show an example of this applied for Loaves and Fishes. He said this was something that has plagued Ms. McKeel for a while in that Loaves and Fishes is off one of the main corridors of Hydraulic and that it is difficult for any large bus to get in and out. He said JAUNT serves the location now and carries some of its ADA passengers to this area.

Mr. Sheffield said the concept applied here would be that they would look at creating zones, noting they were conceptual, with Loaves and Fishes as the target destination area. He said that during those times of day and days of week, Loaves and Fishes is offering service, and so anyone living in those areas who need to access Loaves and Fishes can access the app or call JAUNT to get the service. He said the average public person who is using the same app won't receive this kind of option because unless they choose Loaves and Fishes, they will not know it is available. He said this allows JAUNT to work with Loaves and Fishes or any other entity to scale the cost to make it more manageable.

Mr. Sheffield said other entities could be the Senior Center, employment centers, employers, and others and would become more viable options. He said it builds upon the same approach of building the zones, knowing where people are potentially coming from, knowing how to optimize a vehicle running through those areas, and getting people to the destination while being efficient and effective as possible by minimizing ride times and getting to the front door of that destination.

Mr. Sheffield said he went through the presentation quickly because they were behind on schedule, but to also allow the Board to ask questions. He said he had a demo of what this looks like on the web browser, but that he could take questions and send the link to the Board another time. He said the demo was meant to give a feel for the app, adding that on demand was powerful and will allow for JAUNT to explore many ways of serving the community instead of solely having a blanket type of service.

Ms. McKeel said the Board recognizes that they have a Regional Transit Partnership that is working around issues with CAT. She said for the County to serve its communities, they will have to have

multiple ways to serve and that fixed routes alone would not do it. She said they will have to think outside the box, and it seemed as if Loaves and Fishes, because it is a discreet location in the urban ring, would be a great place to start the on demand service so that everyone can get a sense of how it works. She said she did not know much about it but that she appreciated Mr. Sheffield's presentation.

Mr. Sheffield said to keep in mind that there is the logistics, planning, and strategy behind how to put on-demand service in place, and then there is the community who looks to use it. He said the community doesn't want to know how it was put in place and don't want to know the layers that might exist. He said they just want to be able to access an app or call to say they want to go from A to B and know their options. He said not only will on demand allow them to schedule an on-demand trip, but it will also show them two or three other options they can take, such as walking to a CAT stop.

Mr. Sheffield said if downloading JAUNT's Connect to Pay app, which is available on the App Store and Google Store, for the Crozet route and other connect routes, it will start to link the trips together. He said the vision was that eventually, someone can pay for whatever services they are considering without having any limitations of having to pull up a different payment platform or schedule. He said it was all in one place and that they can work with taxi companies, Lyft and Uber, scooters, and bike shares. He said if those entities have a software platform they are pushing out their information with, JAUNT can pull this in so that the users can know what their options are.

Mr. Sheffield said the potential was limitless in that they will give people a diversity of choices, and then JAUNT can measure what those choices are and why (e.g. cost versus convenience).

Mr. Randolph said that given the fact that Loaves and Fishes has seen a dramatic increase in demand for their services, even as the economy's unemployment rate has dropped because unfortunately, the overall level of poverty in the community remains robust, that one thing that will be valuable going forward, if a beta test is done with Loaves and Fishes, is for them to look very closely at their empirical information such as the number of clients come in and leave using the app.

Mr. Randolph said he would project that transportation in the urban ring of the County is a major explanatory variable for why they don't have more people utilizing their services. He said all he was concerned about was that they are not surprised, suddenly, if they are inundated with additional new clients.

Mr. Sheffield said that as they roll out the app, it is a matter of working with the different community partners where are the common destinations that become the focal point, and then the origins are built around that. He said JAUNT will have to work with those partners to cull the data together, plan, and know where to draw the zones to maximize it.

Mr. Randolph said that it was good for Ravi Respeto to be there for United Way to be aware of the beta test because once the app is successful, it may be applicable to some of her organizations that are looked after by United Way.

Ms. Palmer said she had a question and assumed the answer was "yes." She said they recently received an email from Peter Thompson explaining the need for an additional CAT route or bus stop from Branchlands area to the new Senior Center. She said on demand seemed like the perfect solution.

Mr. Sheffield said he talked to Mr. Thompson and showed him the information. He said he looked at JAUNT's data of who they already take to the current Center and encouraged Mr. Thompson to reach out to the County to see if there is a way to survey some of the people who are using CAT to get to The Center to get a sense of where they are coming from. He said this was a perfect example of where this could be made a focal point, and then zones or service can be built around that. He said The Center may look at sponsoring different days or times of services based on different programs that are occurring and that this was the flexibility that could occur.

Ms. Palmer said the whole area where The Senior Center was is where a large percentage of people who would use The Senior Center still live. She said given the concerns that the new CAT Director has about getting their system organized and running better, and not wanting to expand services, she thinks the app will be a wonderful help to The Senior Center.

Ms. McKeel remarked it was perfect timing.

Mr. Dill said it seemed like it was more of an IT issue than a transportation issue in terms of the investment in it. He asked if there was already a format for the software to build upon.

Mr. Sheffield replied that the vendor was Routematch. He said when he left the Board, he spent a lot of time learning what was behind some of the concepts, then spent time seeing what software vendors had put together. He said many had put together an on demand platform, but not something that would merge together different modes, which was important to him because he wanted to make sure that everyone who used the service or app had the diversity of options in front of them.

Mr. Sheffield said that now that the City is offering the ability to know if parking spaces are available via phone, that can be pushed into the app, and it can give you a choice of driving, noting if no parking is available, catching the CAT, or using the on demand service.

Mr. Sheffield said the vendor has deployed the software in many different areas, and one of the

questions he receives is if he has an example of this. He said he could point to five different locations that are using the software, but that they are all using it so differently that one cannot get a real concept of how they want to use it.

Mr. Sheffield said when the software slowly starts to roll out in the spring, it will be to give people an understanding of what it can do and not necessarily about the logistics and everything behind the scenes. He said it will be about communication and getting people to understand that this is not just limited services to certain populations.

Mr. Sheffield said Routematch is proven technology, and that it has been around just slightly longer than he has been in a transit career. He said he has been working with them to implement much of the base software so that they can transition into it. He said if there is someone who maybe needs some special equipment on the vehicle, or special attention in boarding or unboarding, they will see this come across in the software and will be able to push it to vehicle specific so that they are not receiving any individuals that they cannot serve. He said they are integrating what JAUNT is already doing with the platform so that it is all seamless.

Mr. Sheffield said the technology is proven and very similar to Uber in that it has a predictive nature. He said Ubers gather in certain areas because they are predicting where their trips are going to come from, and they tell drivers to wait in an area to get a trip. He said this software was very similar.

Mr. Dill said he recently saw an article with the headline, "Seniors need rides more than most other segments of the population" due to their immobility. He said the article asked why seniors do not use Uber and Lyft, and it was essentially because they were not comfortable with the technology or safety.

Mr. Sheffield said that safety is typically the bigger part of it. He said Uber had its positive wave of usage, and that any kind of TNCs (Transportation Networking Companies) started hitting the safety aspect, and that is where in government public settings, there is a much higher level of expectation when it comes to safety. He said those entities started to push and prove to transit that the customer's perspectives and needs are just as important as simply deploying frequency or coverage. He said bringing in the fact that they can be safe and have the accountability at the local or state level, it is a win-win for transit. He said it is a matter of getting beyond just wanting to operate a bus.

Mr. Dill said it seemed as if marketing and training were a huge part of it, as the critical mass sounds great whether talking about 25 people or 250 people, but to be moving thousands of people a week going on demand to many places may mean that customers use it a few times, but then find that they cannot find a ride when the demand increases. He remarked that it was a huge project.

Mr. Sheffield said that it could lead to a point where JAUNT knows where to invest in fixed route, because there is enough of the critical mass of use, then they will know where the infrastructure and bus routes need to go. He said as planners, they can guess and try to analyze the census and hold meetings, but that in his opinion, as Crozet has proven, it's all about hitting the right niche and needs that spark that ridership. He said there would be people walking through anything to get to the stops because they prefer to do that than sit in the congestion. He said this was where it gets to help test how far someone is willing to go to have their needs met pricewise or location-wise versus if a fixed route was in place.

Mr. Sheffield said places like Avon Street Extended are interesting areas where there is a challenge with the infrastructure, and it is still to be determined what it is they need that would incentivize them to eventually ride a fixed route. He said he didn't think the app would ever replace a full-on, successful fixed route service, and that it was not intended to do that. He said it was intended to either complement it, or to help start it up.

Mr. Sheffield indicated to a slide on the screen that showed the different ways that the platform could work, such as on demand or regional connection, where someone can transfer to UTS or CAT. He said, for example, he lives in Crozet but isn't going to walk to the stops. He said he will call an on-demand service, get dropped off at the stop, connect with the Connect service, then get transferred to CAT or UTS. He said supposedly, it will all be seamless in the app and there was the hope it would coordinate it all so that no one feels like they are waiting too long in between those transfers.

Ms. Mallek said that what she heard at the DRTP briefing recently at the MPO was that the new connection, similar to Roanoke to New York City on the Virginia Breeze, will be from Danville through Charlottesville. She said there would now be two going through Charlottesville enabling a seamless connection all the way to New York City. She said the service had many great possibilities to bring people from the neighborhood to join up with this as well.

Ms. McKeel said that one of the things that was unique about Loaves and Fishes is that people are going to have a cart full of groceries rather than a single shopping bag. She said she wanted to make sure there is a comfort level with the buses that this will be seamless, and they will be able to carry their groceries on.

Mr. Sheffield said that this was where he felt fortunate about implementing the platform because of the depth and density of services that JAUNT already provides that tackles these questions, as they already serve Loaves and Fishes with some of the trips they perform. He said coordinating that right density to make it efficient and cost-effective is something that JAUNT already does. He said JAUNT was in a good spot to make this transition so that they can easily have answers for those concerns without

having to scramble and figure it out, whether it is the platform that is informing them, or just the general location implying that there will be certain dynamics that come from it, e.g., a cartload of groceries.

Ms. McKeel said that for her, the question that she has going forward was the cost, as she had heard from the people at Loaves and Fishes about the cost of just calling JAUNT as an individual and paying the regular rate. She asked what the rate was.

Mr. Sheffield replied it was \$1.50.

Ms. McKeel said that her connection at Loaves and Fishes had talked about a \$14-15 rate.

Mr. Sheffield replied that those would be coming from outside of the urban area, which goes back to the density of service and trips and the level of ride sharing that would occur.

Ms. McKeel said this was what her question was about and didn't expect Mr. Sheffield to give her an answer immediately on the price, but that it was just a thought she had had as she had heard the \$14-15 rate for the people who were not eligible for the ADA service, and that this was prohibitively expensive. She said she was not sure if this was for a one-way trip or two-way.

Mr. Sheffield said this was a great question because up until he was able to hire Stephen Johnson, they had to come up with a blanket rate in the hopes that it would recover what they would need it to. He said JAUNT was now in the process of creating a model to where they can get down to more specifics about what a rate would need to be based on distance, time of day, and other factors so that they can have a better rate that is related to factors such as the level of ridership and where they are going. He said Steven was working on this information and by the time the platform is launched, the app will scale based on where people are coming from, the purpose of the trip, and so forth. He said JAUNT has never had this ability before and that he felt fortunate they now do.

Mr. Dill said it seemed like it would be a big decision whether to commercialize it, as that is how they could pay for it. He said most people want to go to a commercial place and if those businesses were helping pay for the platform, it would help subsidize it for low-income passengers.

Ms. McKeel said that this is what happens in many communities — that the businesses help subsidize the transit to get their employees to work.

Ms. Mallek said this was similar to what UVA was doing with Connect.

Ms. McKeel agreed.

Mr. Randolph asked Mr. Sheffield if he could tell the Board about how JAUNT On Demand establishes a pathway to a transition for them to autonomous transit.

Mr. Sheffield said it has been discussed and explored about how this kind of platform can connect to that type of technology, as that technology needs point-to-point information. He said this would be able to feed to it fairly seamlessly. He said there were some preliminary discussions between Routematch and Perrone about what it would take to do this, and though they never followed through on it, it was a matter of getting the systems to talk to each other as simply as the scooter platforms out there feed in and talk to this as well. He said the reverse was not impossible. He said the platform does position JAUNT to make that kind of step much easier than if they were on the older platform that they have had in the past.

Mr. Randolph asked Mr. Sheffield if he was thinking about potentially establishing concentric zones as Congress has done with D.C. and as one goes out further from the zone into, for example, a center such as Loaves and Fishes, if they were coming from down in Keene, they would pay a different fee because they are coming from a greater distance. He asked if this would be built in to help cover the costs.

Mr. Sheffield replied yes, adding that time of day would be a factor as well. He offered the example of Val from CBS 19 running the story about the CAT rider who got left behind and had to walk. He said they did a story on JAUNT, and that the final interview with him hinted at this because it would allow for them to scale what is available based on time of day for that person to have had a safe ride home to be able to call or pull out her phone and use the app to request a trip to make that last leg. He said they would be able to scale the cost based on those kinds of dynamics, whether it was a hardship on her or whether there was a vehicle in the area at no cost because they are already waiting on the next trip.

Mr. Sheffield said he was excited about scaling and the feeling that the platform was limitless.

Ms. McKeel said one of the concerns she has heard from social workers, and occasionally from parents, was that on the Lambs Lane campus with Greer and Jack Jouett, and to some degree Albemarle High School, there was no bus stop anywhere along there. She said if they had parents that needed to get over to that campus, and JAUNT was serving Loaves and Fishes, this could be a ridership for them as well.

Mr. Sheffield agreed, noting that the interesting aspect about a fixed route is that if there is a schedule out that doesn't work, it's difficult to pull it back out to make the changes. He said for JAUNT, if they put something out and quickly see it is not working, they can either change it or take it away. He said

all of this was back-of-the-office kinds of logistics that the public doesn't really care about, but results in what's available to them when they go to make that request.

Mr. Gallaway said the Board had faith in Mr. Sheffield's ability to plan and prepare, knowing that he would do the proper pieces. He said he shared Ms. McKeel's enthusiasm because he knew that this was a critical need in the urban area, and that Mr. Sheffield recognized this from his past position on the Board. He asked Mr. Sheffield if he could pragmatically talk about his business model to the extent that he is able to about capacity to handle increased ridership if the platform takes off, the timing of when to be implementing, and when the Board needs to start discussing budget impacts and that perhaps monies that go towards this service need to be designated elsewhere. He asked if this was the next budget cycle.

Mr. Gallaway said he would like to "get his teeth" into the project and needed some help in understanding the timing. He asked if he should be asking Mr. Richardson for budget impacts and the like.

Mr. Sheffield replied that this would be where diving into doing some more planning work with Kevin McDermott and other County staff would target the areas that JAUNT feels could provide them with enough information to build on. He said Loaves and Fishes, Avon Street Extended, any other employers or entities that want to partner with JAUNT will allow them to begin to figure out the nuances of how to calculate different costs and target certain levels of density of ridership and other aspects.

Mr. Sheffield said that he did not want to move quickly, come March, but rather wants to take it slow and easy as it will be a matter of communication to the public about what JAUNT will be offering on this platform versus trying to throw everything in to see what happens. He said it needs to be layered as they go along.

Mr. Gallaway asked if they would have the fleet in place to do this. He said the need was there and if the platform starts to take off, it would be like backfilling the infrastructure JAUNT needs in terms of vehicles. He asked about the timing and plan for this.

Mr. Sheffield replied that JAUNT had three vehicles coming specifically for on demand service and that after that, it would be a matter of building on what the demand will look like. He said JAUNT also knows they can fit some of the demand into the existing services they have out there, and it was a matter of finding where the peaks and valleys of demand are and trying to figure out where it might overlay.

Mr. Sheffield said it was too soon to try to come up with the exact expansion of fleet JAUNT would need versus repurposing the fleet they have. He said the platform could shift some of the paratransit trips and rural demand trips they must make, where the passengers stop calling a day or even two weeks ahead of time and start looking at making more on-demand requests on the day that they need them.

Mr. Sheffield said JAUNT has a good number of passengers who schedule trips and then, the morning of, they cancel because they wanted a safety net and wanted to know they had a seat on the bus in case they needed to go to the store or doctor. He said the platform opens it up so that JAUNT no longer must worry about building the schedules at night, banking on passengers having to ride, and then having to reshuffle. He said if they don't have to do the reshuffling, they could likely maximize resources initially, and then this would give them enough information to know what additional vehicles they would need.

Mr. Gallaway said it could be interesting in the current budget cycle whether or not they are budgeting for the service. He said with the new agreement through the RTP of the rate structure, they are scrutinizing what they are getting. He said they must stay ahead of it because if they do the on-demand service and then need a fixed route in a place where it would work, they also must have the funds for that. He said they need to start getting ahead of that.

Ms. McKeel said that looking at this as a service for the County's residents, they may very well want to start shifting money from CAT, for example, to the on-demand service. She said one of the current frustrations around the fixed routes in CAT is the lack of good data on what the ridership numbers are and where people are going.

Ms. McKeel said she also felt compelled to remind people that public transportation usually does not pay for itself. She noted it has many benefits, is a service to citizens, reduces traffic congestion, and is environmentally friendly.

Mr. Sheffield said it was Mr. Richardson's direction to talk to CHO more about transit there, and that it didn't have to be subsidized. He said it could be charged the actual cost for trips such as going to the airport. He said in weighing those kinds of factors, this was very possible, and that they did not have to subsidize all the trips. He said a type of trip could be deemed more discretionary and more burden placed on the users because they may be willing to pay the additional cost. He said that while they wouldn't make money, they would likely be able to recover more of the actual cost in certain cases. He said this was a matter of exploring where this type of approach would or wouldn't work.

Ms. McKeel said this was a great point. She said she just wanted everyone to go into the project with their eyes wide open. She said they were a community and if businesses need transit for their customers and employees, they may want to very well help in the effort.

Mr. Sheffield said as the platform rolls out, he would give the Board more information. He said that as more tangible examples in the area can be shown, it starts to make more sense. He said until the platform is built up, it is difficult to show it in context. He said he would send the Board a link to the demo because it would help to see how the process goes when booking a trip.

Agenda Item No. 14. **Presentation – United Way – Thomas Jefferson Area Bi-Annual Report.**

Ms. Ravi Respeto, President of United Way-Thomas Jefferson Area, presented. She said she was previously at the Albemarle Housing Improvement Program for many years working on affordable housing issues, and then at the YMCA helping to put the new Brooks facility into McIntire Park. She said she had been at the United Way for more than a year and that this was her first opportunity to present what has been done there.

Ms. Respeto said she was excited to say that United Way has actually never had a vision or mission in the 75 years that they have been in the community, and that has been challenging in the sense that they do many things, and people know that some aspects of what the organization is involved in, though they do not understand all they are involved in.

Ms. Respeto said in coming on board to the United Way, one of the first things that they do was going through a strategic planning process over the last six months. She said they performed an activity analysis of all the different activities United Way was involved with to determine where they need to be in the community, where other services are being provided, and where they could bolster existing services and use the resources they have wisely. She said that out of that process, they established a couple key things.

Ms. Respeto said that first and foremost, the organization name is going to be modified to “United Way of Greater Charlottesville,” and the reason for this was that most of their clients were confused about what “Thomas Jefferson Area” was or is, and that is more of a Planning District name. She said people weren’t sure if this United Way would serve their needs, so they felt like this would add clarity around this.

Ms. Respeto said that from a donor perspective, historically much of the organization’s fundraising comes from their place campaigns, and that they were finding that people were actually donating to the Lynchburg United Way because it is called “Central Virginia United Way,” and that this was also confusing, especially with CVC when people were filling out their forms at the University. She said “United Way of Greater Charlottesville” feels like a much better fit for who they are and the region that they serve.

Ms. Respeto said that for the vision, they came up with, “A strong, equitable community where every person thrives.” She said this really speaks to who they are, and they were in the community to make sure they lift families and individuals, and that this was what they aspire to.

Ms. Respeto said their mission is, “The United Way of Greater Charlottesville connects our community, enabling individuals and families to achieve their potential.” She said she would get into how they do that, and that this speaks to the reason why they have always existed in the community.

Ms. Respeto said they have looked at impact areas, and historically, they have three impact areas people were familiar with, which were Financial Stability, School Readiness, and what was called “Community Health.” She said “Community Health” has been changed to “Connected Community” because they find that there is some funding the community around health, and there are more coalitions and support services that exist that they felt that others could provide.

Ms. Respeto said they could take the resources they have and put them into Financial Stability, which is around issues of poverty both in the City and beyond and in the County, where they feel that it is a great need. She said that, as discussed earlier, they saw that they have not been able to move the needle in a broad way around those issues, and so they felt that this was an area they could do the most good.

Ms. Respeto said that School Readiness continues to be a big portion of what the United Way focuses on and that she would talk about this.

Ms. Respeto said the UVA Health Foundation put \$250,000 in the Community Foundation that year and made a five-year commitment of \$1 million in funding around health and equity. She said that when she spoke to their leadership, they felt it would be a nice balance for the Community Foundation to provide that funding, and then the United Way could do more in Financial Stability and School Readiness in terms of their grant making. She said United Way’s commitment is to put about \$250,000 a year, or \$1 million over the next five years, in those two specific buckets.

Ms. Respeto said she would run through each of the impact areas. She said their goal for Financial Stability is to help adults who are on the path to becoming financially stable and economically independent by supporting customized and holistic solutions that address obstacles encountered along the way. She said they do this in 4-5 different key areas, with a Family Investment Program, Cville Tax Aid, Santa Fund, Financial Resilient Tax Force, and Impact Grants.

Ms. Respeto presented stats on the current year for Cville Tax Aid. She said they serve about 2,600-2,700 local families with the program, with several centers around the community. She said they

partner with the UVA Madison House, who provides United Way with about 220 students that work with families who are very low-income on their Earned Income Tax Credits. She said many of these families are eligible for anywhere from \$500-1,000 and often don't have the skills or knowledge to file and get the best refund, so they work with them one-on-one. She said the students are trained to go through the process.

Ms. Respeto said Cville Tax Aid was United Way's biggest program in terms of direct services for Financial Stability. She said the \$37 million number in the presentation was adding in all the tax money they were able to get back for those families that goes back into the community. She said the average household income is about \$25,000 for those families. She said looking at the taxpayer demographics, 86% are single, which flows with their other direct services.

Ms. Respeto said 42% of them are UVA employees and this continues to be one of the big areas that United Way serves. She said they were working with the University Office of the President on doing some partnerships around this so they can help fund some of the work. She said families were using the funds for savings, utility bills, debt payment, etc.

Ms. Respeto said it continues to be a strong program for the United Way and one that they continue to grow. She said that year, they have new sites as there was so much demand, so they would be offering at the new Brooks Family YMCA the community room four nights a week for three months, which would be starting in January and will run through the tax season. She said that Chip Boyles with the Thomas Jefferson Planning District has given United Way a large space on Water Street on the bus route, with the idea of making it accessible to families who have transportation concerns.

Ms. Palmer asked if United Way does any work in Southern Albemarle. She said they now have the Yancey Community Center there, and she wasn't sure if most of the people United Way serves are in the urban area or if they are reaching out to Southern Albemarle.

Ms. Respeto said they have eight UVA Credit Unions and that she would have to check to see if they have one near Scottsville. She said it continues to be a challenge as far as getting out into the rural areas and getting to people who don't have the transportation. She said that most of it is in the urban ring and in the City.

Ms. Palmer said that Yancey Community Center is a great space and that the County is looking at ways to utilize it to help the community.

Ms. Respeto said this was a great recommendation.

Mr. Dill asked Ms. Palmer who was renting there.

Ms. Palmer said there was a school there now.

Mr. Dill asked about JABA.

Ms. Palmer said that JABA, PVCC, and the Health Department were renting there. She said a clinic was opening there that Southern Albemarle Health Services would also be using. She said it was all in the works but that there was room, and if United Way wanted to have a couple days a month there in an office, it would be great to hear from Ms. Respeto about this. She said Siri Russell would be her contact at the County to get an idea of how the space might be used by United Way.

Ms. Respeto thanked Ms. Palmer for the recommendation. She noted there were criteria with the IRS about spaces, and they must be able to leave equipment, but that she would investigate this.

Ms. Respeto said that the Financial Resilience Task Force was new, and they wanted to provide the list of people currently involved, noting that Siri Russell from the County Office of Equity and Inclusion had joined. She said the idea behind the group was to look at issues of poverty and community and how the different agencies are working in that space. She said that much like they have done with the Early Ed Task Force; they created a work plan to see where the gaps were and how they could more efficiently serve the community around those issues.

Ms. Respeto said they look at the community being about 12,000 families and one of the things they learned very quickly that out of the group, including entities such as Habitat and Piedmont Housing Alliance, they all define the space differently.

Ms. Respeto said people needing the most services are those people who might be accessing The Haven, for example, so they need a great deal of social service interventions and a larger safety net. She said they also have people along the continuum all the way up to the family that might be in the Hope Program at Habitat who are ready to buy their first home and just need the last \$5,000. She said the kind of investment they need is going to be very different from the person who is at The Haven, but they tend to talk about that whole group as people who are living in poverty, and they don't have a solid definition around this.

Ms. Respeto said one of the things the group has been able to quickly sort out is some common language around where the needs are. She said the next step they are trying to identify is how each entity can work in that space and how the United Way can do funding and granting in that space. She said there was also an issue of diversity, equity, and inclusion in that they see the rate of poverty is much higher for

minority families and people of color in the community. She said the question is about how to address this within that continue of need around Financial Stability.

Ms. Respeto said she was excited about the Task Force that was formed four months earlier, and that she would like to keep the Board apprised of how it progresses and what the work plan will be that comes out of that work. She said some of the newcomers in the group are Yolanda Harrell with New Hill Development Corps, who was doing work more in the City. She said it will be interesting to see how the different groups will be able to put their plans together to work more holistically.

Mr. Gallaway remarked that there were some “heavy hitters” on the Task Force list.

Ms. Respeto said they do, and this was one of the things that comes up about United Way in that they convene organizations to come together and think holistically about how they solve complicated social issues. She said it was where they can do the most good in many ways.

Ms. Respeto noted the Charlottesville Regional Chamber of Commerce was on the list, with Elizabeth Cromwell, and though she was not directly involved in the social service aspect of it, she was an employer and represents the business community, and often looks for qualified employees to take jobs. She said with those who live in poverty, there are often issues of training and secondary education that need to happen for them to be employed. She said if United Way can connect those dots, they feel it will be better for everyone.

Ms. Respeto said that School Readiness was the next impact area, and the goal was to close the opportunity gap by promoting strategies to provide all children with the most appropriate and effective early services that support high-quality childcare and education. She said they have been working in this area diligently for the past 10 years, and the overall landscape is early learner scholarships, Early Education Task Force, Early Education Symposium, Smart Beginnings partnering, Children’s Data Consortium, SoHo Book Center Program, and granting in the area.

Ms. Respeto said she would pause to bring up one other item in the Financial Stability area. She said they were in the second year of what they call their Family Investment Program, which is a program where they do a grant of about \$10,000 and partner with PHA or Habitat. She said United Way walk with a family over two years to help them to improve their credit score and income, and they create a workplan of what they need to do to become economically independent.

Ms. Respeto said one of the things United Way is considering is how to work with Ridge Schuyler’s program, which is Network to Work, where he is working with individuals who may have a job, e.g., in fast food, where they are only making \$14-15 per hour. She said Mr. Schuyler helps them go through a process where they can come out with a tangible skill at the end. She said United Way looks at the individuals who graduated from his program and then put their whole family into the Family Investment Program which includes things such as transportation, childcare, housing, and looking at their situation holistically. She said it has been a pilot program, and they have just started their second year of it and have seven families involved in that program.

Ms. Respeto said the Early Learner Scholarship Program currently has 75 families participating, with 98% of the children being from single-family households. She said that on the demographics side, 43% are City residents, and 30% are Albemarle County residents. She said 65% are African American, 12% Caucasian, 12% Latino, and the rest of other nationalities.

Ms. Respeto said the Early Learner Scholarship Program continues to be one of the biggest direct service programs that United Way offers. She said childcare is expensive, with quality childcare averaging around \$12,000 per year. She said most of the research shows that childcare costs more than in-state college tuition, and with families who are earning \$25,000, it is completely unattainable. She said United Way sees it as a workforce development item as well, as there are mostly single mothers who are employed and able to work because United Way is providing subsidized childcare that is helping them for the long-term success of their families and impacts their financial stability.

Ms. Respeto said that for the Children’s Data Consortium, there is an investment that year with the Virginia Early Education Foundation for \$160,000 to the United Way to be able to put together what they call “dashboards” or “data dashboards.” She said she would show the Board a few of the data dashboards, noting that the data was mostly pulling from 2017 and was coming from state agencies such as the Department of Education and Department of Health and Social Services. She said it runs through different statistics happening in the community.

Ms. Respeto said the idea was that United Way would like to start working with the County, and also with the City and other jurisdictions, to find out what information and dashboards would be useful for those localities, and for also the public to see about what is happening in the community, especially with an eye to education. She said it would show the poverty rate, how many families are single-parent households, and other stats that the localities may want to know about families, especially as they relate to education.

Ms. Respeto said they have academic benchmarks they are now able to pull, as well as equity closeups that look at the discrepancies between low-income children who are mostly free and reduced-lunch kids who are disadvantaged compared to advantaged children. She pointed to the wide gaps that exist in those populations. She said the Data Consortium has many aspects to it and that she would like to share the information out as a follow-up to each Board member so they can learn more about what the

United Way is doing around data and providing data in the community.

Ms. Respeto said the Early Education Task Force has existed for nearly four years, and a large group of individuals participate in it. She said the basic idea was to look at the area of 0-5 years of age and how to improve quality and access in the community. She said they focused on making sure that four-year-olds were placed appropriately, and now they are looking at 0-3. She said all the research coming out points to 0-3 as being the most critical time for brain development for a child, and so making sure there is quality early education is incredibly important. She said the Task Force has a workplan, adding that she would be happy to provide it to the Board as a follow-up.

Ms. Respeto said what was not listed in the presentation was that United Way also has Vision Keepers, of which Mr. Richardson is a member, consisting of representation from the County, City, PVCC, and Community Foundation who work together to determine how to support the work around the workplan for the Early Education Task Force.

Ms. Respeto said United Way is involved in a fun program called the SoHo Book Project. She said the SoHo Center has provided 10,000 books and United Way has been working to distribute them throughout the City of Charlottesville and the County with Piedmont Housing Alliance, City of Promise, and Habitat Southwood. She said the goal was to get high-quality books into the hands of children mostly 0-5 years of age, as well as kindergarteners. She said United Way was looking at taking another 10,000 books as they go into the new year. She said this was a new program for them that focuses on literacy and exposure to reading.

Ms. Respeto said Connected Community was about United Way connecting, convening, and supporting the collaboration of organizations in the community and among that network, they were able to identify needs in the community and work towards collaborative goals. She said it covers Day of Caring, work with Women United, Community Table work, work with the Tom Tom Summit, Health Celebration, racial equity efforts, and Awards of Excellence.

Ms. Respeto said the Day of Caring was a big celebration of service that happens one day a year, with 2,000 volunteers and 220 different businesses who get involved, as well as multiple non-profits. She said it was about helping people get involved in giving back.

Ms. Respeto said one of the things they are working on now is how to make this an annual event for businesses. She said CFA has signed up, and they are now doing an annual arrangement where they get the employees plugged into community service. She said many organizations pay for their employees to do community service but don't have a way to resource that or connect those individuals with the non-profits, and so United Way has a robust volunteer website that connects people, and they work one-on-one with those different businesses. She said they are also working with UVA around how to support their employees in getting involved in community.

Ms. Respeto said that after August 2017, there was a desire to get people in community together, especially from diverse communities, to connect and share about their backgrounds and experiences. She said they had 750 people come to their first Community Table and when she started, there were many requests to continue the work. She said United Way has since hosted two additional Community Tables, with one last spring at the Tom Tom Summit, and one as part of the Celebration of Summer at IX Art Park. She said President Jim Ryan came and spoke at the July event.

Ms. Respeto said what they hear from those events is that people walk away learning about what is happening in the community, noting that they bring data about the stats look like around housing, wage earning, transportation, and health, and so people learn about what is happening, but they also get to meet people they would normally never have a chance to build a friendship or relationship with.

Ms. Respeto said that although the specific takeaway was intangible, what they hear from people who have attended the events is that they have made friendships, they're connecting their communities, and they are better understanding one another. She said United Way feels this supports a better, stronger community in general, and their goal is to continue to do this kind of work at least once a year.

Ms. Respeto said one of United Way's key partnerships was working with UVA Office of the President. She said Jim Ryan has come out with his ten-year strategic plan, and a big part of it is good neighbors connecting community. She said they are putting together four work groups, which have been talked about in the news, and that United Way is tentatively involved in supporting their Early Education Youth Programs work group, which will be bridging community and resourcing into the Charlottesville-Albemarle and greater community. She said they were excited about how this would unfold and where it would go.

Ms. Respeto said they are also working with the VP of Diversity, Equity, and Inclusion to support an idea called Inclusive Communities of Excellence, which is an idea that Kevin McDonald, who just replaced Marcus Martin, has brought into the community. She said she hoped the County will get involved with this as well as the City, Chamber of Commerce, and UVA. She said this was a platform for how they can do diversity work in community well, and there are five goals that everyone aspires to, which are culture of the organization goals. She said United Way just began to get involved with this and would potentially be offering some grants to other non-profits to do their own diversity, equity, and inclusion work.

Ms. Respeto said UVA is interested in United Way brokering their employee hours and that each

employee gets 16 hours. She said many of them don't use the hours, so they are looking at an annual relationship where they help a large portion of their employees get involved in the community service aspect.

Ms. Respeto said regarding granting, United Way does grants in the community. She presented a slide that provided a breakdown of how much they grant and where they grant. She said in 2019, they told all the grantees that they work with ahead of time what they were going to be doing, so they do multi-year grants in Financial Stability and School Readiness.

Ms. Respeto said new that year, they would also be granting to the Chamber of Commerce, helping the Minority Business Council with \$10,000, which would be two grants to help minority businesses with tools, software, and equipment to help them grow their businesses. She said they have developed a more finite focus of who they grant to, so they are now working with the CIC and Network to Work, looking to grant to organizations that are specifically helping families scale to economic independence and break the cycle of poverty.

Ms. Respeto said they would be coming out with a winter campaign that says, "It takes more than baby steps. Children need investment at every level to climb the economic ladder." She said this would help people understand that if they invest in children while they are young, the cost to society is much less and produces some great citizens. She said it starts with organizations like United Way and the network with other non-profits that they work with to get involved.

Ms. Respeto presented a slide of numbers, explaining that for every dollar that is given to United Way, they put \$13 back into the community, which was around helping children graduate from high school, go on to advanced training, and becoming financially stable. She said the same applied with the Financial Stability program that for every dollar, it was \$32, and this was around the Cville Tax Aid program and that this money goes back into the community when it's invested.

Ms. Respeto thanked the Board for its investment in their work. She said the United Way was incredibly pleased with the support they receive.

Ms. Palmer asked if it was 42% of tax relief goes to UVA employees.

Ms. Respeto said yes.

Ms. Palmer asked if this would be changing with their increase to a \$15/hour wage. She asked if the United Way has considered this yet.

Ms. Respeto replied that they were in a sort of holding pattern. She said they have requested to be on the work group that is going to be around a living wage and want to play a role in that. She said the two work groups that they hope to be a part of are the Early Education and Living Wage to see if they can better collaborate around this. She said this has been a big issue and was why President Jim Ryan addressed it first, because they see many people falling through the cracks and needing a lot of support services in the community because of the wage.

Ms. Respeto said she would be happy to send out the workplan for the Early Education Task Force for the Board to see what was happening with it, as well as more on the data dashboards. She said the dashboards were complicated and interesting and as they start to put them together, it would be nice to know what the County might want to see and what might be useful.

Agenda Item No. 15. Closed Meeting.

At 5:09 p.m., Mr. Dill **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the County task force and two County committees;
- Under Subsection (3), to discuss the disposition of County-owned property in the Scottsville Magisterial District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and
- Under Subsection (8), to consult with legal counsel regarding specific legal matters pertaining to the acquisition of real property requiring the provision of legal advice by counsel.

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

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

Agenda Item No. 16. Certify Closed Meeting.

Mr. Dill left the meeting at 5:32 p.m.

At 6:03 p.m., Mr. Palmer **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. Mallek.

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

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

NAYS: None.

ABSENT: Mr. Dill

Agenda Item No. 17. Boards and Commissions
Item No. 17.a. Vacancies and Appointments.

Ms. Palmer **moved** that the Board make the following Board Committee appointments:

- **Appointed** Ronald Goldberg to the Agricultural and Forestal District Advisory Committee with said term to expire April 17, 2023.
- **Reappointed** Heather Stokes to the Places 29 North Community Advisory Committee with said term to expire August 5, 2021.
- **Appointed** Bruce Kirtley to the 250 West Task Force with said term to expire September 5, 2022.

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

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

NAYS: None.

ABSENT: Mr. Dill

Agenda Item No. 18. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Ed Guidem (Rio 29 area) thank the Board for the opportunity to bring forward the matter of traffic, safety, and solutions in the Dunlora area of East Rio Road. He said at the Board meeting on September 18, many came to voice serious concerns about the 999 East Rio Road project rezoning. He said one of those concerns had to do with traffic safety on the roads and intersections nearby. He said with the prospect of even more cars due to rezoning, restructuring, and resulting increased population density, the current traffic situation can only get worse.

Mr. Guidem said several aspects of that meeting's conversations remain troubling and unanswered. He said that evident from the County and State staff reports, there is no comprehensive traffic study of current, much less forecasted, traffic from unfinished projects. He asked if it is too much for an area study, e.g., a three-mile radius, of the Rio Road/John Warner Parkway intersection.

Mr. Guidem said that staff recommendations are based on piecemeal considerations, while traffic is obviously an area of consideration. He said another fallacy is thinking individual developers can solve traffic issues. He said their responsibilities stop at the property lines.

Mr. Guidem said there is the matter of transit traffic that crosses almost immediately from County to City authority. He said no mention was made of County-City traffic planning cooperation. He said if that possible cooperation was anything like what produced the single-lane John Warner Parkway, "God help us."

Mr. Guidem said that also offered was the no-left-turn solution of an R-cut on a very busy East Rio Road. He asked if anyone laid out that concept on the existing roadway without thinking seizure of property around Gasoline Alley.

Mr. Guidem said to focus a moment on timing and money, with money being in the millions and time to completion of five years or more. He encouraged the Board to be sensible and not duplicate the situation at Dairy Central, where apparently traffic planners approved a massive project and are just now tackling the traffic.

Mr. Guidem said growth in the County is good and inevitable, but growth without sensible planning is not good and must be avoided. He said residents continue to look for proper studies that are realistic, timely solutions before rezoning is approved in their area.

Agenda Item No. 19. **Public Hearing. FY 20 Budget Amendment and Appropriations.**
(Advertised in the Daily Progress on October 28, 2019)

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 2020 appropriations itemized below is (\$4,589,493.18). A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget. However, staff recommends that a public hearing be held for transparency purposes in this unique circumstance where 1) appropriation #2020030, if considered by itself, would require a public hearing as a decrease in the budget greater than one percent; and 2) all other appropriations, if considered without #2020030, would require a public hearing as an increase greater than one percent.

The FY 2020 Budget Amendment totals (\$4,589,493.18). The estimated expenses and revenues included in the proposed amendment are shown below:

PROPOSED FY 2019-20 BUDGET AMENDMENT

ESTIMATED REVENUES

Local Revenues	\$ 1,971,056.25
State Revenues	\$ 7,137,064.52
Federal Revenues	\$ 982,362.55
Bond Proceeds	\$ 36,536,389.98
General Fund Balance	\$ 2,994,658.50
Other Fund Balances	\$ (54,211,024.98)
TOTAL ESTIMATED REVENUES	\$ (4,589,493.18)

ESTIMATED EXPENDITURES

General Fund	\$ 2,981,364.90
Special Revenue Funds	\$ 2,579,271.68
School Programs	\$ 285,500.80
Emergency Communications Center	\$ 336,103.50
Capital Projects	\$ (10,771,734.06)
TOTAL ESTIMATED EXPENDITURES	\$ (4,589,493.18)

The budget amendment is comprised of a total of twenty (20) separate appropriations. Twelve (12) have already been approved by the Board as indicated below:

- One (1) appropriation approved on August 21, 2019
- Six (6) appropriations approved on September 4, 2019
- Five (5) appropriations approved on October 2, 2019

Eight (8) appropriation requests for approval on November 6, 2019 are the remaining as described in Attachment A.

After the public hearing, staff recommends that the Board adopt the attached Resolutions (Attachment B and Attachment C) for local government and school projects and programs as described in Attachment A.

Ms. Lori Allshouse, Director of the Office of Management and Budget, presented. She said she was presenting in place of Andy Bowman, who could not attend.

Ms. Allshouse said this was a public hearing and action item on a proposed FY 20 amendment. She said the amendment includes 20 appropriations of which 12 have been previously approved by the Board between August and October. She said the request includes 8 appropriation requests and that Attachment A includes the details on the appropriations.

Ms. Allshouse said the request includes a carry-forward adjustment for capital funding to reconcile capital project budgets as the funding crosses over fiscal years. She said it includes an appropriation of General Fund balance. She said it also includes projects that go over fiscal years, but there is also the creation of a \$500,000 Climate Action Reserve to support strategies to address climate change. She said the amendment also includes appropriation and re-appropriation of various federal and state grants, among some other items.

Ms. Allshouse said after the public hearing, staff recommends the Board adopts the resolutions in Attachment B and C.

Ms. Palmer commented that she had asked Ms. Allshouse if this was establishing the \$500,000 Climate Action fund. She said the Board may have had the same questions she had as far as what's in the budget for this and what they will do with it. She said she has been telling people that there's nothing

in the budget yet and that they would be putting something in for the next fiscal year. She said this was somewhat beating the Board to that.

Ms. Palmer said she was in favor of it and was glad they were doing this. She said she asked Ms. Allshouse as the expenditures were coming back to the Board to let them know what the specific expenditures are. She said they will, and that she wanted to say this publicly because she has had many questions from people about the budget and how the money is being spent.

Mr. Gallaway opened the public hearing. Hearing no comments from the public, he closed the public hearing and brought the matter back to the Board.

Ms. McKeel **moved** that the Board approve the attached resolutions (Attachments B and C) for local government and school projects and programs as described in Attachment A. The motion was **seconded** by Ms. Palmer.

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

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

NAYS: None.

ABSENT: Mr. Dill

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 20 Budget is amended to decrease it by (\$4,589,493.18);
- 2) That Appropriations #2020029; #2020030; #2020031; #2020032; #2020033; #2020035; #2020036; and #2020037 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, 2020.

* * * * *

APP#	Account String	Description	Amount
2020029	4-1000-12200-412200-110000-1001	SA2020029 - Records Mgmt from CDD to IT	\$118,537.0000
2020029	4-1000-12200-412200-130000-1001	SA2020029 - Records Mgmt from CDD to IT	\$12,240.0000
2020029	4-1000-12200-412200-210000-1001	SA2020029 - Records Mgmt from CDD to IT	\$10,004.0000
2020029	4-1000-12200-412200-221000-1001	SA2020029 - Records Mgmt from CDD to IT	\$14,473.0000
2020029	4-1000-12200-412200-231000-1001	SA2020029 - Records Mgmt from CDD to IT	\$17,727.0000
2020029	4-1000-12200-412200-232000-1001	SA2020029 - Records Mgmt from CDD to IT	\$580.0000
2020029	4-1000-12200-412200-241000-1001	SA2020029 - Records Mgmt from CDD to IT	\$1,553.0000
2020029	4-1000-12200-412200-270000-1001	SA2020029 - Records Mgmt from CDD to IT	\$107.0000
2020029	4-1000-12200-412200-520300-1001	SA2020029 - Records Mgmt from CDD to IT	\$250.0000
2020029	4-1000-12200-412200-550100-1001	SA2020029 - Records Mgmt from CDD to IT	\$885.0000
2020029	4-1000-12200-412200-580100-1001	SA2020029 - Records Mgmt from CDD to IT	\$184.0000
2020029	4-1000-12200-412200-550104-1001	SA2020029 - Records Mgmt from CDD to IT	\$115.0000
2020029	4-1000-81021-481020-110000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$118,537.0000
2020029	4-1000-81021-481020-130000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$12,240.0000
2020029	4-1000-81021-481020-210000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$10,004.0000
2020029	4-1000-81021-481020-221000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$14,473.0000
2020029	4-1000-81021-481020-231000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$17,727.0000
2020029	4-1000-81021-481020-232000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$580.0000
2020029	4-1000-81021-481020-241000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$1,553.0000
2020029	4-1000-81021-481020-270000-1008	SA2020029 - Records Mgmt from CDD to IT	-\$107.0000
2020029	4-1000-81021-481020-520300-1008	SA2020029 - Records Mgmt from CDD to IT	-\$250.0000
2020029	4-1000-81021-481020-550100-1008	SA2020029 - Records Mgmt from CDD to IT	-\$885.0000
2020029	4-1000-81021-481020-580100-1008	SA2020029 - Records Mgmt from CDD to IT	-\$184.0000
2020029	4-1000-81021-481020-550104-1008	SA2020029 - Records Mgmt from CDD to IT	-\$115.0000
2020030	3-9000-69000-351000-510100-6599	SA2020030 - Carryforward Adj. #1	-\$4,365,077.2400
2020030	3-9000-69000-351000-512054-6599	SA2020030 - Carryforward Adj. #1 WAHS ESA Phase 2	\$94,385.0000

2020030	3-9000-69000-351000-512090-6599	SA2020030 - Carryforward Adj. #1 Borrowed Proceeds Transfer	-\$3,695,952.1100
2020030	4-9000-63905-462320-800506-6599	SA2020030 - Carryforward Adj. #1 School Bus Replacement Program	\$344,785.7900
2020030	4-9000-69000-496010-999999-6305	SA2020030 - Carryforward Adj. #1 CATEC Contingency	\$144,700.0000
2020030	4-9000-69980-464600-301210-6301	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$634,382.9000
2020030	4-9000-69980-464600-301210-6302	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$409,922.8000
2020030	4-9000-69980-464600-312350-6301	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$45,178.3000
2020030	4-9000-69980-464600-312350-6302	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$250.3000
2020030	4-9000-69980-464600-800614-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$150,143.4900
2020030	4-9000-69980-464600-800634-6302	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$30,233.8200
2020030	4-9000-69980-464600-800634-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$81,415.6200
2020030	4-9000-69980-464600-800665-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$139,107.2800
2020030	4-9000-69980-464600-800949-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$509,284.7200
2020030	4-9000-69980-464600-950182-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$29,549.7700
2020030	4-9000-69980-464600-950257-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$75,000.0000
2020030	4-9000-69980-466200-312350-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$12,970.6100
2020030	4-9000-69980-466200-800140-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$106,654.7700
2020030	4-9000-69980-466200-800675-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$167,615.7700
2020030	4-9000-69980-466740-301210-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$543,905.9300
2020030	4-9000-69980-466750-301210-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$434,843.4000
2020030	4-9000-69980-466750-800725-6303	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$18,204.0000
2020030	4-9000-69980-466750-800725-6507	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$4,200.0000
2020030	4-9000-69980-466760-301210-6111	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$582,754.0600
2020030	4-9000-69980-466760-301210-6114	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$385,764.2500
2020030	4-9000-69980-466760-301210-6115	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$316,253.5800
2020030	4-9000-69980-466760-301210-6302	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$198,665.2700
2020030	4-9000-69980-466760-301210-6304	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$73,339.2800
2020030	4-9000-69980-466760-301210-6507	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$64,012.3500
2020030	4-9000-69980-466760-312350-6102	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$7,600.8600
2020030	4-9000-69980-466760-312350-6103	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$9,106.0000
2020030	4-9000-69980-466760-312350-6114	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$34,430.8800
2020030	4-9000-69980-466760-312350-6302	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$65,847.7900
2020030	4-9000-69980-466760-312350-6507	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$6,071.0000
2020030	4-9000-69980-466790-800612-6599	SA2020030 - Carryforward Adj. #1 School Maint./Repl.	\$204,821.9100
2020030	4-9000-69983-466730-800200-6112	SA2020030 - Carryforward Adj. #1 Woodbrook Elementary School Addition-Modernization	\$261,083.0900
2020030	4-9000-69983-466730-800200-6302	SA2020030 - Carryforward Adj. #1 WAHS ESA Phase 2	\$301,223.3200
2020030	4-9000-69983-466730-800605-6302	SA2020030 - Carryforward Adj. #1 WAHS ESA Phase 2	\$1,855,195.0700
2020030	4-9000-69983-466730-999999-6112	SA2020030 - Carryforward Adj. #1 Woodbrook Elementary School Addition-Modernization	\$73,463.1000
2020030	4-9000-69983-466730-999999-6302	SA2020030 - Carryforward Adj. #1 WAHS ESA Phase 2	\$397,737.0700
2020030	4-9000-69983-466731-312350-6252	SA2020030 - Carryforward Adj. #1 School Security Imp.	\$20,653.2800
2020030	4-9000-69983-466731-800200-6109	SA2020030 - Carryforward Adj. #1 School Security Imp.	\$49,258.6100
2020030	4-9000-69983-466731-800605-6252	SA2020030 - Carryforward Adj. #1 School Security Imp.	\$1,914.8200
2020030	4-9000-69983-466732-312350-6599	SA2020030 - Carryforward Adj. #1 Learning Space Mod.	\$1,332,176.7800
2020030	4-9000-69983-466732-800200-6599	SA2020030 - Carryforward Adj. #1 Learning Space Mod.	\$439,501.5100
2020030	4-9000-69985-466500-312350-6109	SA2020030 - Carryforward Adj. #1 Scottsville Add.	\$185,777.7000
2020030	4-9000-69985-466500-312350-6307	SA2020030 - Carryforward Adj. #1 High School Capacity Imp. Center #2	\$1,272,415.6000
2020030	4-9000-69985-466500-312350-6599	SA2020030 - Carryforward Adj. #1 High School Capacity & Improvement Modernization	\$200,000.0000

2020030	4-9000-69985-466500-800750-6307	SA2020030 - Carryforward Adj. #1 High School Capacity Imp. Center #2	\$3,600,000.0000
2020030	4-9000-69985-466730-312350-6301	SA2020030 - Carryforward Adj. #1 High School Capacity Planning	\$125,000.0000
2020030	4-9000-69985-466730-800605-6599	SA2020030 - Carryforward Adj. #1 School Security Imp.	\$13,451.4900
2020030	4-9000-69990-468200-800700-6599	SA2020030 - Carryforward Adj. #1 Admin. Tech.	\$119,580.2400
2020030	4-9000-69990-468300-800700-6599	SA2020030 - Carryforward Adj. #1 Instructional Tech.	\$15,500.0000
2020030	4-9000-69990-468400-600700-6599	SA2020030 - Carryforward Adj. #1 Telecomm. Upgrade	\$150,000.0000
2020030	4-9000-69990-468400-800741-6599	SA2020030 - Carryforward Adj. #1 Telecomm. Upgrade	\$551,402.4100
2020030	4-9000-91040-491040-999999-6599	SA2020030 - Carryforward Adj. #1	-\$24,762,994.9400
2020030	3-9010-16000-316000-160531-1007	SA2020030 - Carryforward Adj. #1 Darden Towe Park - City Share	\$310,053.0000
2020030	3-9010-18110-318110-181105-7120	SA2020030 - Carryforward Adj. #1 Pilot Fundraising (Brook Hill River Park)	\$75,000.0000
2020030	3-9010-19000-319000-190204-2180	SA2020030 - Carryforward Adj. #1 Court Facilities Addition/Renovation - City Share	\$500,000.0000
2020030	3-9010-19000-319000-190207-1004	SA2020030 - Carryforward Adj. #1 City-County Owned Parks Maintenance/Replacement - City Share	\$90,000.0000
2020030	3-9010-19000-319000-190207-1007	SA2020030 - Carryforward Adj. #1 City-County Owned Parks Maintenance/Replacement - City Share	\$267,990.4800
2020030	3-9010-19000-319000-199900-9999	SA2020030 - Carryforward Adj. #1 Lewis & Clark Repayment	\$260,000.0000
2020030	3-9010-24000-324000-240049-1007	SA2020030 - Carryforward Adj. #1 Preddy Creek Park Phase II	\$69,000.0000
2020030	3-9010-24000-324000-240231-1004	SA2020030 - Carryforward Adj. #1 VDOT	\$6,373,479.5200
2020030	3-9010-33000-333000-330603-1004	SA2020030 - Carryforward Adj. #1 NIFI - Safe Routes to School	\$721,675.0000
2020030	3-9010-41400-341000-410530-9999	SA2020030 - Carryforward Adj. #1 Borrowed Proceeds	\$36,536,389.9800
2020030	3-9010-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1	\$21,733,970.9200
2020030	3-9010-51000-351000-512046-9999	SA2020030 - Carryforward Adj. #1 Parks Restroom Renovation/Modernization	\$40,785.0000
2020030	3-9010-51000-351000-512055-9999	SA2020030 - Carryforward Adj. #1 Sidewalk, Rio Rd . Avon St . Rt 250	\$64,596.3300
2020030	3-9010-51000-351000-512057-9999	SA2020030 - Carryforward Adj. #1 - Out of Bounds Proffer	\$176.0000
2020030	3-9010-51000-351000-512068-9999	SA2020030 - Carryforward Adj. #1 - Belvedere Station Proffer	\$20,000.0000
2020030	3-9010-51000-351000-512083-9999	SA2020030 - Carryforward Adj. #1 - Estes Park Proffer	\$182,571.0000
2020030	3-9010-51000-351000-512085-9999	SA2020030 - Carryforward Adj. #1 - Wickham Pond II Proffer	\$53,096.0000
2020030	3-9010-51000-351000-512086-9999	SA2020030 - Carryforward Adj. #1 - Haden Place Proffer	\$37,133.0000
2020030	3-9010-51000-351000-512087-9999	SA2020030 - Carryforward Adj. #1 -Grayrock West Proffer	\$83,019.5000
2020030	3-9010-51000-351000-512088-9999	SA2020030 - Carryforward Adj. #1 - Avinity Proffer	\$833,247.3600
2020030	3-9010-51000-351000-512089-9999	SA2020030 - Carryforward Adj. #1 - Willow Glen Proffer	\$164,626.2000
2020030	3-9010-51000-351000-512098-9999	SA2020030 - Carryforward Adj. #1 - the Lofts @ Meadowcreek Proffer	\$52,217.6300
2020030	3-9010-51000-351000-512034-9999	SA2020030 - Carryforward Adj. #1 - Transfer from Tourism Fund	\$250,000.0000
2020030	4-9010-12147-412140-800710-1150	SA2020030 - Carryforward Adj. #1 Time & Attendance	\$158,942.2000
2020030	4-9010-12200-412200-800700-1160	SA2020030 - Carryforward Adj. #1 County Server Infrastructure Upgrade	\$109,452.3600
2020030	4-9010-21005-421005-800666-9999	SA2020030 - Carryforward Adj. #1 County-Owned Facilities Maintenance/Replacement	\$328,897.0800
2020030	4-9010-21009-421005-312350-2180	SA2020030 - Carryforward Adj. #1 Court Facilities Add./Renov.	\$4,499,650.3400
2020030	4-9010-21050-421005-331000-2140	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$407.6200
2020030	4-9010-31010-431010-312350-3110	SA2020030 - Carryforward Adj. #1 Police Evidence Processing & Vehicle Storage	\$50,000.0000
2020030	4-9010-31010-431010-800305-3110	SA2020030 - Carryforward Adj. #1 Police County 800Mhz Radio Repl.	\$382,371.6300
2020030	4-9010-31010-431010-800317-3110	SA2020030 - Carryforward Adj. #1 Police Mobile Data Computers Replacement	\$29,910.2500
2020030	4-9010-31010-431010-800509-3110	SA2020030 - Carryforward Adj. #1 Police Mobile Command Center Repl.	\$151,805.0000
2020030	4-9010-31010-431010-800510-3110	SA2020030 - Carryforward Adj. #1 Public Safety Robot	\$85,000.0000
2020030	4-9010-31010-431010-800691-3110	SA2020030 - Carryforward Adj. #1 Police 5th Street Small Vehicle Storage	\$250,000.0000
2020030	4-9010-31010-431010-800714-3110	SA2020030 - Carryforward Adj. #1 Police Technology Upgrade	\$202,990.2000
2020030	4-9010-31010-431010-800733-3110	SA2020030 - Carryforward Adj. #1 Police Patrol Video Cameras Replacement	\$5,145.0000
2020030	4-9010-31055-435600-800305-9999	SA2020030 - Carryforward Adj. #1 ECC Regional 800 MHz Comm. County Share	\$7,886,794.6100
2020030	4-9010-31055-435600-800306-9999	SA2020030 - Carryforward Adj. #1 ECC Integrated Public Safety Technology CAD	\$998,367.0300

		County Share	
2020030	4-9010-32010-432010-800317-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Mobile Data Computers Replacement	\$94,489.0000
2020030	4-9010-32010-432010-800742-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Station Alerting System Replacement	\$851,745.0000
2020030	4-9010-32010-432010-811107-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Apparatus Replacement Program	\$76,900.6000
2020030	4-9010-32010-432010-811301-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Mobile Burn Unit Replacement	\$180,000.0000
2020030	4-9010-32010-432010-811302-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Burn Building Maint./Replacement	\$50,000.0000
2020030	4-9010-32018-432010-312370-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$4,843.0000
2020030	4-9010-32018-432010-601315-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$56,200.0000
2020030	4-9010-32018-432010-800120-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$5,401.3500
2020030	4-9010-32018-432010-800200-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$11,169.0000
2020030	4-9010-32018-432010-800741-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$33,000.0000
2020030	4-9010-32018-432010-800742-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$40,186.0000
2020030	4-9010-32018-432010-999999-3140	SA2020030 - Carryforward Adj. #1 Pantops Public Safety Station	\$56,359.6700
2020030	4-9010-32020-432010-800120-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Apparatus Replacement Program	\$0.0000
2020030	4-9010-32020-432020-800120-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Apparatus Replacement Program	\$254,851.0700
2020030	4-9010-32020-432020-800666-3140	SA2020030 - Carryforward Adj. #1 Volunteer Facilities Maintenance Program Pilot	\$253,336.0000
2020030	4-9010-32028-432020-312350-3140	SA2020030 - Carryforward Adj. #1 Rescue 8 Renovation	\$151.2700
2020030	4-9010-32028-432020-312370-3140	SA2020030 - Carryforward Adj. #1 Rescue 8 Renovation	\$5,000.0000
2020030	4-9010-32028-432020-800120-3140	SA2020030 - Carryforward Adj. #1 Rescue 8 Renovation	\$20,000.0000
2020030	4-9010-32028-432020-800605-3140	SA2020030 - Carryforward Adj. #1 Rescue 8 Renovation	\$16,467.5600
2020030	4-9010-32030-432030-815504-3140	SA2020030 - Carryforward Adj. #1 Fire Rescue Apparatus Replacement Program	\$11,480.2600
2020030	4-9010-41020-441200-950081-9999	SA2020030 - Carryforward Adj. #1 Transporation Revenue Leveraging Program	\$2,420,145.0000
2020030	4-9010-41020-443300-999999-9999	SA2020030 - Carryforward Adj. #1 NIFI Contingency Fund	\$133,046.9400
2020030	4-9010-41020-443310-312350-9999	SA2020030 - Carryforward Adj. #1 NIFI - Avon St Ext Study	\$33,759.3100
2020030	4-9010-41020-443310-950081-9999	SA2020030 - Carryforward Adj. #1 NIFI - Cale ES	\$487,019.0000
2020030	4-9010-41020-443320-950081-9999	SA2020030 - Carryforward Adj. #1 NIFI - The Square	\$128,774.1400
2020030	4-9010-41020-443340-950081-9999	SA2020030 - Carryforward Adj. #1 NIFI - Alb-Jouette-Greer	\$698,877.6100
2020030	4-9010-41020-443350-312350-9999	SA2020030 - Carryforward Adj. #1 NIFI - Baker-Butler	\$174,686.2800
2020030	4-9010-41020-443360-312350-9999	SA2020030 - Carryforward Adj. #1 NIFI - Greenbrier	\$166,735.8300
2020030	4-9010-41350-441200-312105-9999	SA2020030 - Carryforward Adj. #1 Quality of Life CIP Transportation Projects Study	\$10,176.0000
2020030	4-9010-41350-441200-950508-9999	SA2020030 - Carryforward Adj. #1 Sidewalk, Commonwealth & Dominion Drive	\$3,336,224.0000
2020030	4-9010-41350-441200-950509-9999	SA2020030 - Carryforward Adj. #1 Sidewalk, Hydraulic & Barracks Rd	\$63,913.6000
2020030	4-9010-41350-441200-950517-9999	SA2020030 - Carryforward Adj. #1 Sidewalk, Ivy Road (US Route 250 West)	\$1,861,051.7000
2020030	4-9010-41350-441200-950525-9999	SA2020030 - Carryforward Adj. #1 Sidewalk, Rio Rd . Avon St . Rt 250	\$3,079,357.9600
2020030	4-9010-41350-441200-950528-9999	SA2020030 - Carryforward Adj. #1 NIFI - The Square	\$1,310,000.0000
2020030	4-9010-41350-441200-999999-9999	SA2020030 - Carryforward Adj. #1 Sidewalk Program Contingency	\$72,541.7900
2020030	4-9010-42042-442040-700006-1210	SA2020030 - Carryforward Adj. #1 Ivy Landfill Remediation	\$306,672.8700
2020030	4-9010-42042-442040-700008-1210	SA2020030 - Carryforward Adj. #1 Ivy Materials Utilization Center (MUC) New Facility	\$338.0200
2020030	4-9010-42042-442040-800100-1210	SA2020030 - Carryforward Adj. #1 Ivy Materials Utilization Center (MUC) New Facility	\$61,456.0000
2020030	4-9010-42042-442040-950221-1210	SA2020030 - Carryforward Adj. #1 Ivy Recycling Convenience Center	\$350,000.0000
2020030	4-9010-42043-442040-950059-1210	SA2020030 - Carryforward Adj. #1 Keene Landfill	\$10,000.0000
2020030	4-9010-43100-443100-950195-9999	SA2020030 - Carryforward Adj. #1 County-Owned Facilities Maintenance/Replacement	\$62,250.0000
2020030	4-9010-43100-443200-800666-1100	SA2020030 - Carryforward Adj. #1 COB McIntire Windows Replacement	\$159,561.0000
2020030	4-9010-43100-443200-800666-2113	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$4,725.0000
2020030	4-9010-43100-443200-800666-2114	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$6,520.6600
2020030	4-9010-43100-443200-800666-4650	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$8,031.0300

2020030	4-9010-43100-443200-800666-9999	SA2020030 - Carryforward Adj. #1 County-Owned Facilities Maintenance/Replacement	\$1,047,214.1100
2020030	4-9010-43100-443200-950169-9999	SA2020030 - Carryforward Adj. #1 Roadway Landscaping	\$21,581.3000
2020030	4-9010-43100-443200-950222-4400	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$264,887.2800
2020030	4-9010-71018-443330-312350-9999	SA2020030 - Carryforward Adj. #1 NIFI - Free Bridge	\$10,000.0000
2020030	4-9010-71018-443370-950026-9999	SA2020030 - Carryforward Adj. #1 NIFI - Rivanna Greenway Stabilization	\$75,962.4200
2020030	4-9010-71018-471010-800605-7100	SA2020030 - Carryforward Adj. #1 Greenways/Blueways Program	\$647,176.4400
2020030	4-9010-71018-471010-950026-7100	SA2020030 - Carryforward Adj. #1 Greenways/Blueways Program	\$10,000.0000
2020030	4-9010-71020-471020-800612-7100	SA2020030 - Carryforward Adj. #1 Parks Restroom Renovation/Modernization	\$474,891.6700
2020030	4-9010-71020-471020-800948-7100	SA2020030 - Carryforward Adj. #1 City-County Owned Parks Maintenance/Replacement	\$1,174,408.5800
2020030	4-9010-71020-471020-800949-7100	SA2020030 - Carryforward Adj. #1 County Owned Parks Maintenance/Replacement	\$2,692,539.6500
2020030	4-9010-71020-471020-800955-7100	SA2020030 - Carryforward Adj. #1 Crozet Park Maintenance/Replacement and Improvements	\$567,149.0000
2020030	4-9010-71020-471020-950122-7100	SA2020030 - Carryforward Adj. #1 Pilot Fundraising Parks Project	\$83,189.0000
2020030	4-9010-72030-471010-800949-7100	SA2020030 - Carryforward Adj. #1 County Owned Parks Maintenance/Replacement	\$28,292.2700
2020030	4-9010-72030-481020-580409-1240	SA2020030 - Carryforward Adj. #1 ACE Program	\$250,000.0000
2020030	4-9010-73025-473010-800666-9999	SA2020030 - Carryforward Adj. #1 County-Owned Facilities Maintenance/Replacement	\$111,815.5200
2020030	4-9010-73025-473010-800949-7145	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$43,245.6900
2020030	4-9010-73025-473010-800949-7146	SA2020030 - Carryforward Adj. #1 City-County Owned Facilities Maintenance/Replacement	\$165,099.3400
2020030	4-9010-81010-481020-580409-1240	SA2020030 - Carryforward Adj. #1 ACE Program	\$527,713.0000
2020030	4-9010-81010-481020-950147-1240	SA2020030 - Carryforward Adj. #1 GIS Project	\$378,950.4600
2020030	4-9010-81010-481020-950178-1240	SA2020030 - Carryforward Adj. #1 County View Project	\$8,339.1200
2020030	4-9010-81110-481020-312700-1240	SA2020030 - Carryforward Adj. #1 Places 29 Small Area Study	\$18,781.9800
2020030	4-9010-81110-481020-950560-1240	SA2020030 - Carryforward Adj. #1 Pantops Master Plan	\$108,731.4500
2020030	4-9010-81110-481020-950565-1240	SA2020030 - Carryforward Adj. #1 Rivanna Master Plan	\$50,000.0000
2020030	4-9010-91040-491040-999999-9999	SA2020030 - Carryforward Adj. #1	-\$43,813,235.8900
2020030	4-9010-93010-493010-930004-9999	SA2020030 - Carryforward Adj. #1 Transfer to School CIP-Borrowed Proceeds	-\$3,695,952.1100
2020030	4-9010-95000-495000-312807-9999	SA2020030 - Carryforward Adj. #1 Cost of Issuance	\$716,399.8000
2020030	3-9023-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Stillhouse Ridge Bond	-\$8,250.0000
2020030	4-9023-91000-491000-940070-9999	SA2020030 - Carryforward Adj. #1 Stillhouse Ridge Bond Project	-\$8,250.0000
2020030	3-9100-19000-319000-190207-1305	SA2020030 - Carryforward Adj. #1 BMP Retrofits (River Run) - City Contribution	\$87,500.0000
2020030	3-9100-24000-324000-240049-1305	SA2020030 - Carryforward Adj. #1 BMP Retrofits (River Run) DEQ SLAF Grant	\$160,776.0000
2020030	3-9100-24000-324000-240052-1008	SA2020030 - Carryforward Adj. #1 Chapel Hill Stream Restoration (SLAF Grant)	\$210,837.0000
2020030	3-9100-33000-333000-330034-1004	SA2020030 - Carryforward Adj. #1 BMP Retrofits (River Run) - NFWF Grant	\$113,578.0100
2020030	3-9100-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 APPROPRIATION-FUND BAL	-\$3,103,176.4200
2020030	3-9100-51000-351000-512050-9999	SA2020030 - Carryforward Adj. #1 TRS FROM WATER RESOURCES FUND	\$1,748,155.1700
2020030	4-9100-82040-482050-301218-1309	SA2020030 - Carryforward Adj. #1 Drainage Infrastructure Maintenance/Repair Program	\$335,052.0100
2020030	4-9100-82040-482050-800200-1309	SA2020030 - Carryforward Adj. #1 Drainage Infrastructure Maintenance/Repair Program	\$4,000.0000
2020030	4-9100-82040-482050-800605-1309	SA2020030 - Carryforward Adj. #1 Drainage Infrastructure Maintenance/Repair Program	\$384,923.6700
2020030	4-9100-82040-482060-312350-1310	SA2020030 - Carryforward Adj. #1 Water Quality Mandated TMDL Program	\$20,925.5200
2020030	4-9100-82040-482060-312350-9999	SA2020030 - Carryforward Adj. #1 Water Quality Mandated TMDL Program	\$155,471.1500
2020030	4-9100-82040-482060-800605-1301	SA2020030 - Carryforward Adj. #1 Chapel Hill Stream Restoration	\$60,496.5000
2020030	4-9100-82040-482060-800605-1310	SA2020030 - Carryforward Adj. #1 Water Quality Mandated TMDL Program	\$127,867.5100
2020030	4-9100-82040-482060-800605-9999	SA2020030 - Carryforward Adj. #1 Water Quality Mandated TMDL Program	\$323,262.8300
2020030	4-9100-82040-482060-800975-1305	SA2020030 - Carryforward Adj. #1 Large-Scale BMP Retrofits on Private Lands	\$151,087.9300
2020030	4-9100-82040-482070-800605-1304	SA2020030 - Carryforward Adj. #1 Hollymead Dam Spillway Improvement	\$2,013,992.2100
2020030	4-9100-82040-482080-312350-9999	SA2020030 - Carryforward Adj. #1 Water Quality NON-Mandated TMDL Program	\$29,598.5000
2020030	4-9100-82040-482080-800605-9999	SA2020030 - Carryforward Adj. #1 Water Quality NON-Mandated TMDL Program	\$70,000.0000
2020030	4-9100-91040-491040-999999-9999	SA2020030 - Carryforward Adj. #1	-\$4,459,008.0700

2020030	3-8548-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Avinity Proffer Fund 8548	\$833,247.3600
2020030	3-8534-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Avon Park Proffer Fund 8534	\$64,596.3300
2020030	3-8536-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Belvedere Station Proffer Fund 8536	\$20,000.0000
2020030	3-8578-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Estes Park Proffer Fund 8578	\$182,571.0000
2020030	3-8577-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Grayrock West Proffer Fund 8577	\$83,019.5000
2020030	3-8576-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Haden Place Proffer Fund 8576	\$37,133.0000
2020030	3-8527-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Hollymead Area C Proffer Fund 8527	\$40,785.0000
2020030	3-8537-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Old Trail Village Proffer Fund 8537	\$94,385.0000
2020030	3-8522-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Out of Bounds Proffer 8522	\$176.0000
2020030	3-8549-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Wickham Pond II Proffer Fund 8549	\$53,096.0000
2020030	3-8575-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 Willow Glenn Proffer Fund 8575	\$164,626.2000
2020030	3-8526-51000-351000-510100-9999	SA2020030 -	\$52,217.6300
2020030	4-8548-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Avinity Proffer Fund 8548	\$833,247.3600
2020030	4-8534-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Avon Park Proffer Fund 8534	\$64,596.3300
2020030	4-8536-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Belvedere Station Proffer Fund 8536	\$20,000.0000
2020030	4-8578-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Estes Park Proffer Fund 8578	\$182,571.0000
2020030	4-8577-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Grayrock West Proffer Fund 8577	\$83,019.5000
2020030	4-8576-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Haden Place Proffer Fund 8576	\$37,133.0000
2020030	4-8527-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Hollymead Area C Proffer Fund 8527	\$40,785.0000
2020030	4-8537-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Old Trail Village Proffer Fund 8537	\$94,385.0000
2020030	4-8522-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Out of Bounds Proffer 8522	\$176.0000
2020030	4-8549-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Wickham Pond II Proffer Fund 8549	\$53,096.0000
2020030	4-8575-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 Willow Glenn Proffer Fund 8575	\$164,626.2000
2020030	4-8526-93010-493010-930010-9999	SA2020030 -	\$52,217.6300
2020030	3-1650-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1	\$1,748,155.1700
2020030	4-1650-93010-493010-930202-9999	SA2020030 - Carryforward Adj. #1	\$1,748,155.1700
2020030	3-1810-51000-351000-510100-9999	SA2020030 - Carryforward Adj. #1 - Tourism Transfer for ACE	\$250,000.0000
2020030	4-1810-93010-493010-930010-9999	SA2020030 - Carryforward Adj. #1 - Tourism Transfer for ACE	\$250,000.0000
2020031	4-1256-31013-431010-120000-1003	SA2020031 - DMV 20 DUI GRANT 154AL-2020-50394-20394 - OT Wages	\$20,000.0000
2020031	4-1256-31013-431010-210000-1003	SA2020031 - DMV 20 DUI GRANT 154AL-2020-50394-20394 - FICA	\$1,530.0000
2020031	3-1256-33000-333000-330011-1003	SA2020031 - DMV 20 DUI GRANT 154AL-2020-50394-20394- Federal Revenue	\$20,000.0000
2020031	3-1256-51000-351000-512004-9999	SA2020031 - DMV 20 DUI GRANT 154AL-2020-50394-20394 - GF transfer for FICA	\$1,530.0000
2020031	4-1257-31013-431010-120000-1003	SA2020031 - DMV 20 Speed Grant FSC-2020-50373-20373 - OT Wages	\$8,800.0000
2020031	4-1257-31013-431010-210000-1003	SA2020031 - DMV 20 Speed Grant FSC-2020-50373-20373 - FICA	\$673.2000
2020031	3-1257-33000-333000-330011-1003	SA2020031 - DMV 20 Speed Grant FSC-2020-50373-20373 - Federal Rev.	\$8,800.0000
2020031	3-1257-51000-351000-512004-9999	SA2020031 - DMV 20 Speed Grant FSC-2020-50373-20373 - GF transfer for FICA	\$673.2000
2020031	4-1000-93010-493010-930212-9999	SA2020031 - DMV Grants - General Fund Transfer for FICA	\$2,203.2000
2020031	4-1000-31013-431010-210000-1003	SA2020031 - DMV Grants - General Fund Transfer for FICA	-\$2,203.2000
2020031	3-1258-33000-333000-330412-1003	SA2020031 - Supporting Community Policing Efforts Grant 2019-DJ-BX-0385 - Federal	\$12,090.0000
2020031	4-1258-31013-431010-120000-1003	SA2020031 - Supporting Community Policing Efforts 2019-DJ-BX-0385 - Overtime Wages	\$11,230.8400
2020031	4-1258-31013-431010-210000-1003	SA2020031 - Supporting Community Policing Efforts 2019-DJ-BX-0385 - FICA	\$859.1600
2020032	4-1000-21010-421010-120000-1002	SA2020032 - Overtime	-\$5,000.0000
2020032	4-1000-21010-421010-231000-1002	SA2020032 -Health Insurance	-\$8,520.0000
2020032	4-1000-21010-421010-800200-1002	SA2020032 -Furniture	-\$3,160.0000
2020032	4-1000-21010-421010-580000-1002	SA2020032 -Miscellaneous	-\$1,804.0000
2020032	4-1000-99900-499000-999990-9999	SA2020032 -One-time Reserve for Contingencies	\$7,393.6000
2020032	3-1000-16000-316000-160505-9999	SA2020032 -Local Revenue-Greene	-\$7,393.6000
2020032	3-1000-16000-316000-160502-9999	SA2020032 -Local Revenue-Charlottesville	-\$3,696.8000

2020033	3-4100-33000-333000-330215-9999	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$32,952.0000
2020033	4-4100-31045-435600-312210-1003	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$1,000.0000
2020033	4-4100-31045-435600-520300-1003	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$384.0000
2020033	4-4100-31045-435600-550100-1003	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$5,868.0000
2020033	4-4100-31045-435600-600000-1003	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$18,200.0000
2020033	4-4100-31045-435600-110000-1003	SA2020033: 2019 LEMPG Emergency Mgmt Grant	\$7,500.0000
2020036	3-3907-63907-318000-189900-6599	SA2020036-SCH2020014 E-Rate Program	\$100,000.0000
2020036	3-3907-63907-319000-190241-6599	SA2020036-SCH2020014 E-Rate Program	\$185,500.8000
2020036	4-3907-63907-468200-800700-6599	SA2020036-SCH2020014 E-Rate Program	\$285,500.8000
2020037	4-1000-43202-443200-800100-6113	APP2020037-Freezer for Yancey Food Pantry	\$8,000.0000
2020037	4-1000-99900-499000-999962-9999	APP2020037-Climate Action Planning	\$500,000.0000
2020037	4-1000-12013-412010-600120-1001	APP2020037-Reapp: Video Project	\$7,500.0000
2020037	4-1000-12019-412010-130000-1001	APP2020037-Reapp: Interns	\$9,602.7500
2020037	4-1000-12019-412010-550100-1001	APP2020037-Reapp: Training	\$4,000.0000
2020037	4-1000-12019-412010-568920-1001	APP2020037-Reapp: History exhibits and markers	\$50,000.0000
2020037	4-1000-12019-412010-312391-1001	APP2020037-Reapp: Citizen Survey	\$60,000.0000
2020037	4-1000-12017-412010-301210-1001	APP2020037-Reapp Balance from FY 19	\$150,253.7500
2020037	4-1000-99900-499000-999956-9999	APP2020037-Reapp Balance from FY 19 and Standalone Website from EDO	\$65,160.0000
2020037	4-1000-99900-499000-999984-9999	APP2020037-Workforce Development/Capacity	\$35,000.0000
2020037	4-1000-32015-432010-600000-1003	APP2020037-CPAP Devices	\$25,000.0000
2020037	4-1000-32015-432010-360005-1003	APP2020037-Diversity Initiative	\$20,000.0000
2020037	4-1000-32011-432010-312210-1003	APP2020037-Strategic Planning	\$20,000.0000
2020037	4-1000-22010-422010-110000-1002	APP2020037-Comm Atty Vacancy Savings	\$50,814.0000
2020037	4-1000-22010-422010-312125-1002	APP2020037-Comm Atty Domestic Violence Coordinator Payment	\$6,000.0000
2020037	4-1000-12040-412040-350002-1001	APP2020037-County Atty County Code to Municode Transition	\$5,000.0000
2020037	4-1000-71012-471010-390000-1007	APP2020037-Parks and Rec Lake Testing and Treatment for Mint Sprgs and Walnut Creek	\$43,000.0000
2020037	4-1000-31013-431010-800101-1003	APP2020037-Police Tasers	\$113,179.2000
2020037	4-1000-13020-413020-390000-1001	APP2020037-Registrar Desktop Computer	\$1,000.0000
2020037	3-1000-51000-351000-510100-9999	APP2020037-GF Non-Routine Reappropriations	\$1,223,509.7000
2020037	4-1000-32012-432010-800100-1003	APP2020037-A/V Equipment for Stations 11 & 12	30000.000000

Resolution to Appropriate FY 20 On-going Funding of Multi-Year Capital Projects

For the Fiscal Year Ending June 30, 2020
Appropriation # 2020030

Whereas, capital and special revenue projects that are not completed within one fiscal year necessitate the budgeting and appropriation of the remaining balance of project funds from one fiscal year to the succeeding fiscal year; and

Whereas, on June 5, 2019, the total amount of estimated June 30, end-of-year capital project balances and special revenue project balances was \$73,294,214.90; and

Whereas, this amount is reconciled after the year end close out, and the net reconciled amount totals \$62,307,299.34.

Therefore, this appropriation request is to reduce the carry forward amount by \$10,986,915.56, set forth as follows:

Total School Division Capital Improvement Fund:

School Division Capital Improvement Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Administrative Technology	\$158,138.07	(\$38,557.83)	\$119,580.24
CATEC Contingency	\$144,700.00	\$0.00	\$144,700.00
High School Capacity & Improvement Modernization	\$200,000.00	\$0.00	\$200,000.00
High School Capacity Improvements - Center #1 (renamed #2 for FY20)	\$4,895,118.50	(\$22,702.90)	\$4,872,415.60
High School Capacity Planning	\$261,348.77	(\$136,348.77)	\$125,000.00
Instructional Technology	\$565,500.00	(\$550,000.00)	\$15,500.00
Learning Space Modernization 2016 Referredum Project	\$2,177,951.06	(\$406,272.77)	\$1,771,678.29
School Bus Replacement Program	\$1,201,229.40	(\$856,443.61)	\$344,785.79
School Maintenance/Replacement Program	\$8,967,573.46	(\$3,626,042.75)	\$5,341,530.71
School Security Improvements Program	\$88,824.83	(\$3,546.63)	\$85,278.20
Scottsville Elementary School Addition & Improvements	\$287,976.60	(\$102,198.90)	\$185,777.70
Scottsville Elementary School Sitework Improvements	\$794.48	(\$794.48)	\$0.00
State Technology Grant	\$700,000.00	(\$700,000.00)	\$0.00
Telecommunications Network Upgrade	\$708,511.04	(\$7,108.63)	\$701,402.41
Western Albemarle High School Enviromental Studies Academy	\$5,492.62	(\$5,492.62)	\$0.00
Western Albemarle High School Environmental Studies Academy Phase	\$3,773,690.06	(\$1,219,534.60)	\$2,554,155.46
Woodbrook Elementary School Addition-Modernization	\$626,146.05	(\$291,599.86)	\$334,546.19
Total	\$24,762,994.94	(\$7,966,644.35)	\$16,796,350.59

School Division Capital Improvement Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	(\$5,643,143.17)	(\$4,365,077.24)	(\$10,008,220.41)
Transfer from General Government Capital Fund	\$30,406,138.11	(\$3,695,952.11)	\$26,710,186.00
Transfer from Proffer Funds		\$94,385.00	\$94,385.00
Total	\$24,762,994.94	(\$7,966,644.35)	\$16,796,350.59

Total General Government Capital Improvement Fund:

General Government Capital Improvement Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
ACE Program	\$956,595.00	(\$178,882.00)	\$777,713.00
City-County Owned Facilities Maintenance/Replacement	\$499,261.57	(\$6,344.95)	\$492,916.62
City-County Owned Parks Maintenance/Replacement	\$1,174,408.58	\$0.00	\$1,174,408.58
COB McIntire Windows Replacement	\$159,561.00	\$0.00	\$159,561.00
Connector Road Study: Berkmar Dr Extended-Lewis and Clark Drive	\$224,195.39	(\$224,195.39)	\$0.00
Cory Farm Greenway Connector	\$8,615.71	(\$8,615.71)	\$0.00
Cost of Issuance	\$732,263.42	(\$15,863.62)	\$716,399.80
County Owned Parks Maintenance/Replacement	\$2,770,353.36	(\$49,521.44)	\$2,720,831.92
County Server Infrastructure Upgrade	\$400,936.69	(\$291,484.33)	\$109,452.36
County View Project	\$8,339.12	\$0.00	\$8,339.12
County-Owned Facilities Maintenance/Replacement	\$1,899,548.03	(\$349,371.32)	\$1,550,176.71
Court Facilities Addition/Renovation	\$4,510,410.34	(\$10,760.00)	\$4,499,650.34
Crozet Park Maintenance/Replacement and Improvements	\$567,149.00	\$0.00	\$567,149.00
ECC Emergency Telephone System	\$5,509.55	(\$5,509.55)	\$0.00
ECC Integrated Public Safety Technology Project CAD	\$1,072,755.65	(\$74,388.62)	\$998,367.03
ECC Regional 800 MHz Communication System	\$8,036,040.76	(\$149,246.15)	\$7,886,794.61
Fire Rescue Apparatus Replacement Program	\$764,851.30	(\$421,619.37)	\$343,231.93
Fire Rescue Burn Building Maint./Replacement	\$0.00	\$50,000.00	\$50,000.00
Fire Rescue Mobile Burn Unit Replacement	\$0.00	\$180,000.00	\$180,000.00
Fire Rescue Mobile Data Computers Replacement	\$94,489.71	(\$0.71)	\$94,489.00
Fire Rescue Station Alerting System Replacement	\$851,745.00	\$0.00	\$851,745.00
GIS Project	\$386,650.46	(\$7,700.00)	\$378,950.46
Greenways/Blueways Program	\$667,501.74	(\$10,325.30)	\$657,176.44
Ivy Landfill Remediation	\$368,128.87	(\$61,456.00)	\$306,672.87
Ivy Materials Utilization Center (MUC) New Facility	\$142,274.02	(\$80,480.00)	\$61,794.02
Ivy Recycling Convenience Center	\$350,000.00	\$0.00	\$350,000.00
Keene Landfill	\$10,000.00	\$0.00	\$10,000.00
NIFI - Alb-Jouette-Greer	\$708,727.61	(\$9,850.00)	\$698,877.61
NIFI - Avon St Ext Study	\$75,000.00	(\$41,240.69)	\$33,759.31
NIFI - Baker-Butler	\$176,596.78	(\$1,910.50)	\$174,686.28
NIFI - Cale ES	\$512,094.00	(\$25,075.00)	\$487,019.00
NIFI - Free Bridge	\$77,225.73	(\$67,225.73)	\$10,000.00
NIFI - Greenbrier	\$167,742.25	(\$1,006.42)	\$166,735.83
NIFI - Rivanna Greenway Stabilization	\$75,962.42	\$0.00	\$75,962.42
NIFI - The Square	\$1,478,022.89	(\$39,248.75)	\$1,438,774.14
NIFI Contingency Fund	\$104,807.00	\$28,239.94	\$133,046.94
Pantops Master Plan	\$108,731.45	\$0.00	\$108,731.45
Pantops Public Safety Station	\$207,159.02	\$0.00	\$207,159.02
Parks Restroom Renovation/Modernization	\$481,730.67	(\$6,839.00)	\$474,891.67
Pilot Fundraising Parks Project	\$83,189.00	\$0.00	\$83,189.00
Places 29 Small Area Study	\$18,781.98	\$0.00	\$18,781.98
Police 5th Street Small Vehicle Storage	\$250,000.00	\$0.00	\$250,000.00
Police County 800Mhz Radio Replacements	\$382,371.63	\$0.00	\$382,371.63
Police Evidence Processing and Specialty Vehicle Storage	\$50,000.00	\$0.00	\$50,000.00
Police Mobile Command Center Replacement	\$151,805.00	\$0.00	\$151,805.00
Police Mobile Data Computers Replacement	\$29,910.25	\$0.00	\$29,910.25
Police Patrol Video Cameras Replacement	\$5,310.00	(\$165.00)	\$5,145.00
Police Tactical Truck Replacement	\$80,000.00	(\$80,000.00)	\$0.00
Police Technology Upgrade	\$226,012.20	(\$23,022.00)	\$202,990.20
Public Safety Robot	\$85,000.00	\$0.00	\$85,000.00

General Government Capital Improvement Fund Appropriations (continued)

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Quality of Life CIP Transportation Projects Study	\$20,000.00	(\$9,824.00)	\$10,176.00
Rescue 8 Renovation	\$42,599.43	(\$980.60)	\$41,618.83
Rivanna Master Plan	\$50,000.00	\$0.00	\$50,000.00
Roadway Landscaping	\$24,756.30	(\$3,175.00)	\$21,581.30
Sidewalk Program Contingency	\$69,746.91	\$2,794.88	\$72,541.79
Sidewalk, Commonwealth & Dominion Drive	\$3,336,224.00	\$0.00	\$3,336,224.00
Sidewalk, Hydraulic & Barracks Rd	\$129,230.02	(\$65,316.42)	\$63,913.60
Sidewalk, Ivy Road (US Route 250 West)	\$1,880,559.75	(\$19,508.05)	\$1,861,051.70
Sidewalk, Old Lynchburg Road	\$1,434.44	(\$1,434.44)	\$0.00
Sidewalk, Rio Rd . Avon St . Rt 250	\$3,112,942.76	(\$33,584.80)	\$3,079,357.96
Street Improvement - Local	\$1,360.44	(\$1,360.44)	\$0.00
Time and Attendance System	\$273,136.69	(\$114,194.49)	\$158,942.20
Transfer to School CIP-Borrowed Proceeds	\$30,406,138.11	(\$3,695,952.11)	\$26,710,186.00
Transfer to Water Resources CIP-Borrowed Proceeds	\$425,296.00	\$0.00	\$425,296.00
Transportation Revenue Leveraging Program	\$2,420,145.00	\$0.00	\$2,420,145.00
Volunteer Facilities Maintenance Program Pilot	\$253,336.00	\$0.00	\$253,336.00
Total	\$74,644,670.00	(\$5,925,643.08)	\$68,719,026.92

General Government Capital Improvement Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$74,644,670.00	(\$52,910,699.08)	\$21,733,970.92
Revenue from Other Local Sources		\$1,503,043.48	\$1,503,043.48
Borrowed Proceeds		\$36,536,389.98	\$36,536,389.98
Revenue from the Commonwealth		\$6,442,479.52	\$6,442,479.52
Revenue from the Federal Government		\$721,675.00	\$721,675.00
Transfer from Tourism Fund		\$250,000.00	\$250,000.00
Transfer from Proffer Funds		\$1,531,468.02	\$1,531,468.02
Total	\$74,644,670.00	(\$5,925,643.08)	\$68,719,026.92

Total Water Resources Capital Improvement Fund:

Water Resources Capital Improvement Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Chapel Hill Stream Restoration	\$107,321.46	(\$46,824.96)	\$60,496.50
Drainage Infrastructure Maintenance/Repair Program	\$727,844.43	(\$3,868.75)	\$723,975.68
Hollymead Dam Spillway Improvement	\$2,600,448.70	(\$586,456.49)	\$2,013,992.21
Large-Scale BMP Retrofits on Private Lands	\$274,873.74	(\$123,785.81)	\$151,087.93
Water Quality Mandated TMDL Program	\$648,519.74	(\$20,992.74)	\$627,527.00
Water Quality NON-Mandated TMDL Program	\$100,000.00	(\$401.50)	\$99,598.50
Total	\$4,459,008.07	(\$782,330.25)	\$3,676,677.82

Water Resources Capital Improvement Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$4,033,712.07	(\$3,103,176.43)	\$930,535.64
Revenue from Other Local Sources		\$87,500.00	\$87,500.00
Revenue from the Commonwealth		\$371,613.00	\$371,613.00
Revenue from the Federal Government		\$113,578.01	\$113,578.01
Transfer from General Government Capital Fund	\$425,296.00		\$425,296.00
Transfer from Water Resources Fund Balance		\$1,748,155.17	\$1,748,155.17
Total	\$4,459,008.07	(\$782,330.25)	\$3,676,677.82

Total Water Resources Fund:

Water Resources Fund Appropriation

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Water Resources Fund Transfer to Water Resources Capital Improvement fund	\$0.00	\$1,748,155.17	\$1,748,155.17

Water Resources Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$0.00	\$1,748,155.17	\$1,748,155.17

Total Special Revenue Funds:

Proffer Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Avinity Proffer Fund	\$0.00	\$833,247.36	\$833,247.36
Avon Park Proffer Fund	\$0.00	\$64,596.33	\$64,596.33
Belvedere Station Proffer Fund	\$0.00	\$20,000.00	\$20,000.00
Estes Park Proffer Fund	\$0.00	\$182,571.00	\$182,571.00
Grayrock West Proffer Fund	\$0.00	\$83,019.50	\$83,019.50
Haden Place Proffer Fund	\$0.00	\$37,133.00	\$37,133.00
Hollymead Area C Proffer Fund	\$0.00	\$40,785.00	\$40,785.00
Old Trail Village Proffer Fund	\$0.00	\$94,385.00	\$94,385.00
Out of Bounds Proffer Fund	\$0.00	\$176.00	\$176.00
Wickham Pond II Proffer Fund	\$0.00	\$53,096.00	\$53,096.00
Willow Glenn Proffer Fund	\$0.00	\$164,626.20	\$164,626.20
The Lofts at Meadowcreek	\$0.00	\$52,217.63	\$52,217.63
Total	\$0.00	\$1,625,853.02	\$1,625,853.02

Proffer Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$0.00	\$1,625,853.02	\$1,625,853.02

Tourism Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Tourism Fund Transfer to General Government Capital Improvement fund	\$0.00	\$250,000.00	\$250,000.00

Tourism Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$0.00	\$250,000.00	\$250,000.00

Total Belvedere Bond Default Project Fund:

Belvedere Bond Default Project Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Belvedere Bond Default Project	\$221,248.00	\$0.00	\$221,248.00

Belvedere Bond Default Project Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$221,248.00	\$0.00	\$221,248.00

Total Stillhouse Bond Default Project Fund:

Stillhouse Bond Default Project Fund Appropriations

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Stillhouse Ridge Bond Default Project	\$37,728.00	(\$8,250.00)	\$29,478.00

Stillhouse Bond Default Project Fund Sources

	Budget Carried Forward on 6/5/2019	Proposed 11/6/2019 Budget Adjustment	Proposed Net FY 20 Carryforward Budget
Use of Fund Balance	\$37,728.00	(\$8,250.00)	\$29,478.00

TOTAL PROPOSED 11/6/19 ADJUSTMENT, LESS INTER-FUND TRANSFERS(\$10,986,915.56)

Whereas, approval of an estimated remaining balance amount at the beginning of the fiscal year facilitates the payment of outstanding bills and ensures continuity of ongoing projects; and

Whereas, a properly advertised public hearing was held on November 6, 2019 on the proposed amendment to the FY 20 Budget and all citizens who asked to speak were heard.

Now, therefore, be it resolved that the Albemarle County Board of Supervisors:

1. Does hereby budget and appropriate the balance of \$62,307,299.34 for capital and special revenue project balances, as set forth above; and
2. Does hereby authorize the County Executive to adjust this amount downward, if necessary, to accurately reflect the actual encumbered amounts and actual unencumbered capital and special revenue project amounts at the end of FY 19; and
3. Does hereby authorize the County Executive to close out a Capital project and transfer any unencumbered residual funds to the Capital Improvement Fund fund balance.

This resolution shall become effective on November 6, 2019.

Agenda Item No. 20. **Public Hearing. CPA201900002 Charlottesville Albemarle MPO 2045 Long-Range Transportation Plan.** To consider amending Chapter 10 – Transportation of the Albemarle County Comprehensive Plan by formally incorporating recommendations from the Charlottesville-Albemarle Metropolitan Planning Organization's 2045 Long Range Transportation Plan update. (Advertised in the Daily Progress on October 21 and 28, 2019)

The Executive Summary forwarded to the Board states that, Completed by the Charlottesville-Albemarle Metropolitan Planning Organization (C-A MPO) staffed within the Thomas Jefferson Area Planning District Commission (TJPDC), the 2045 Long Range Transportation Plan (LRTP) is an update to the 2040 LRTP. The LRTP is a federally-mandated plan that looks ahead two decades outlining the region's long-range transportation vision, identifying projects that the region anticipates undertaking within that vision. The C-A MPO is the official forum for cooperative transportation decision-making for the

metropolitan area. One of the core responsibilities of the MPO is developing and maintaining the LRTP. It is federally designated to consider regional long-range highway, transit, bike and pedestrian, and multimodal system projects that receive federal funds. The MPO's 2045 LRTP addresses future transportation projects in the City of Charlottesville and the urbanized area of Albemarle County. The goal of this plan is to create and advance a balanced, regional, multimodal transportation network guiding the region in creating a more efficient, responsive and environmentally-sensitive transportation system over the next 20+ years. The MPO staff identified projects for inclusion in the fiscally constrained and vision project lists. These projects were identified and evaluated mirroring the same performance-based approach of quantifiable performance measures for SMART SCALE funding. The process for development of this plan included strong public engagement. Public hearings were held to gather public comment on the draft LRTP at the April 24, 2019 and May 22, 2019 MPO Policy Board meetings, and the 2045 LRTP was adopted on May 22, 2019 by the Policy Board, which includes representatives from the Charlottesville City Council and the Albemarle County Board of Supervisors.

At its meeting on Sept 3, 2019, the Planning Commission reviewed the attached Memorandum (Attachment A) and voted 7:0 to adopt the Resolution (Attachment A3) to recommend approval of CPA2019-2.

Following a public hearing, staff recommends that the Board adopt the attached Resolution (Attachment F) to approve CPA2019-0002.

Mr. Daniel Butch (Senior Transportation Planner) and Mr. Kevin McDermott (Transportation Planner) presented.

Mr. Butch said they would start explaining what an MPO is. He said the Charlottesville-Albemarle Metropolitan Planning Organization is a transportation planning body made up of local, state, and federal representatives. He said this is a federal requirement for areas with a population of greater than 50,000 in the urbanized areas. He said the MPO is staffed and administered by the Thomas Jefferson Planning District Commission.

Mr. Butch said the LRTP is a forward-looking 25-year long range transportation plan. He said the FHWA (Federal Highway Administration) requirement is to update this plan every five years, and that it is a requirement for federal transportation funding. He said it uses a performance-based approach and that the federal requirements focus on areas of safety, reducing fatality and injury, state of good repair for the highway infrastructure conditions, congestion reduction in highway safety performance through freight movement for economic vitality, access in reliability, and transit access.

Mr. Butch said the LRTP includes officially constrained and an unconstrained visioning list of projects.

Mr. Butch said that for 2020 to 2045 estimated funding, it was broken down on the PowerPoint slide per category of transportation, with a total of \$354 million of future funding.

Mr. Butch presented the process that the CAMPO took in developing the LRTP, laid out with developing the goals and performance criteria and looking at the areas of transportation deficiencies, producing a project list and evaluating those projects through performance-based scenarios, developing the list and providing those projects into constraint or a visioning list.

Mr. Butch said the goals are informed by Smart Scale and federally required performance measures, which are to reflect the kind of transportation system the community would hope for, at large, in the MPO area. He said the goals were accessibility, economic development and land use, operations and maintenance, safety, congestion, environment, and community.

Mr. McDermott said he would talk about how the project list was put together and how the projects were assessed, as well as the recommended projects from the plan. He said staff started by looking at the deficiencies on the roadways including safety issues, congestion, transit, pavement condition, bridge condition, and took those factors as well as the priority list that the County has developed.

Mr. McDermott noted that the projects that have been identified through the Master Planning and Comprehensive Planning processes were all put together in a project list, and then the MPO ran this through scenario planning and a model to see how different scenarios of the projects would improve the transportation system. He said this was run several times to come up with what they thought were the top priority projects. He said these then went into the constrained list based on how much available funding was identified by VDOT for the next 25 years. He said what was not on the constrained list went into the visioning list.

Mr. McDermott said the different lists were broken up by the type of facility. He presented a list of the constrained roadway projects, pointing out that the top three projects that were identified were all projects from the Hydraulic Planning Process, which matches up with what the County has identified as their priorities as well. He said the next two projects in the constrained roadway list were the West Main Street Multi-Modal project in Charlottesville; and the Hillsdale Drive to Rio intersection and road improvement project that was recommended in the Rio 29 Small Area Plan, which is ranked at number 5 in the County's individual prioritized list.

Mr. McDermott said that for intersections, the only three projects that made the constrained list were the three projects that were identified in the Hydraulic Planning Process.

Mr. McDermott presented the transit list, which were projects that were identified as high-priority transit corridors. He pointed out the 29 Express Bus Service to Crozet, which they have now implemented; the bus route to Avon, Mill Creek, and Pantops; and in regional transit, the Shenandoah Valley, which was identified in the interregional transit study that the MPOs undertook.

Mr. McDermott said the bridge list was identified based on the bridge conditions that VDOT has assessed. He said it was long list and that they were all rated as bridges in poor conditions. He said VDOT will be evaluating opportunities to replace those.

Ms. Mallek asked if they were all existing bridges.

Mr. McDermott replied yes, adding that the State of Good Repair Funds would be their target funding source for those.

Mr. McDermott presented the bike and pedestrian constrained list. He said most of those projects came out of the Jefferson Area Bike and Pedestrian Plan that was recently updated. He said those were the highest-ranking projects that were identified through that process.

Mr. Butch said regarding a timeline for the LRTP, the MPO Policy Board adopted the plan in May of 2019. He said staff took it to the Planning Commission for review in September 2019, which they recommended to the Board. He said staff's recommendation for the Board is to adopt the attached resolution to approve amending the Albemarle County Comprehensive Plan (CPA201900002) to formally incorporate recommendations from the 2045 LRTP and amend Chapter 10, Transportation Appendix A.10.9.

Ms. Mallek asked if these were projects that were more in the Smart Scale category than in the Transportation Revenue Sharing category bucket.

Mr. McDermott replied that the County could go for any of those revenue sources for all the projects. He said predominantly, the roadway and intersections projects would be either Smart Scale or Revenue Sharing projects, depending on how competitive they are expected to be.

Ms. Mallek said that during the summer discussions, Eastern Avenue Bridge was part of the scenarios. She said she didn't see it mentioned in the presentation and wanted to clarify that it had been shifted to the Transportation Revenue Sharing Plan.

Mr. McDermott replied that staff is evaluating looking for a Revenue Sharing grant for that project. He said this project was evaluated in the scenarios but wasn't in the constrained list because there is a very small amount of money that can be put into the constrained list projects. He said when it comes down to it, the visioning list and the constrained list for the County don't make much of a difference. He said there was no funding attached to the constrained list, but that they can go for funding if it is anywhere within the plan. He said if they can get money through the Revenue Sharing program, they will immediately request the MPO to move the Eastern Avenue project from the vision list to the constrained list.

Mr. Gallaway said it was important, from a timing standpoint, when they talk about the Board's transportation priorities list having informed the project, it is not the current one they just approved but rather, the prior one. He said the MPO has been working on it for months prior to the May approval, and that it was all work done one or two years before. He said the list the Board just approved in July is not the priority list that informed this plan. He noted that with this being said, the flexibility that still exists, even though the plan is being approved, is there for the Board to attack.

Ms. Mallek said the current list the Board was dealing with in September grew out of this in earlier iterations.

Mr. McDermott said this was correct.

Mr. Gallaway opened the public hearing. Hearing no comments from the public, he closed the public hearing and brought the matter back to the Board.

Ms. McKeel **moved** that the Board approve the attached resolution (Attachment F) to approve CPA201900002. The motion was **seconded** by Ms. Mallek.

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

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

NAYS: None.

ABSENT: Mr. Dill

**RESOLUTION TO APPROVE AMENDING THE ALBEMARLE COUNTY
COMPREHENSIVE PLAN (CPA2019-00002)**

WHEREAS, Objective 1 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for the County to continue to participate fully in State, regional, and local transportation planning efforts; and

WHEREAS, Strategy 1c under Objective 1 calls for the County to continue to participate in the development and adoption of the Long Range Transportation Plan (LRTP) for the Charlottesville-Albemarle-Metropolitan Planning Organization area (CA-MPO); and

WHEREAS, Strategy 1d states: "Continue to support construction of projects adopted into the LRTP and the Transportation Improvement Program (TIP);" and

WHEREAS, the CA-MPO's 2045 LRTP addresses future planned transportation projects in the City of Charlottesville and the urbanized planning area of Albemarle County over the next 20 years; and

WHEREAS, the major goals for the 2045 LRTP are to create and advance a balanced, regional, multimodal transportation network; and

WHEREAS, references to the 2040 LRTP of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted 2045 LRTP; and

WHEREAS, on September 3, 2019, following a duly-advertised public hearing, the Albemarle County Planning Commission recommended approval of CPA2019-00002; and

WHEREAS, the Board of Supervisors has duly advertised and held a public hearing to consider the proposed revisions to the Transportation Chapter of the Albemarle County Comprehensive Plan; and

WHEREAS, the Board has carefully considered the proposed revisions to the Transportation Chapter of the Comprehensive Plan and other information provided by County staff, the recommendation of the Planning Commission, and the information and comments provided by the public; and

WHEREAS, the Board concludes that approval of CPA2019-00002, Amendments to the Comprehensive Plan, is appropriate and will promote the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA2019-00002 and adopts the amendments to the Albemarle County Comprehensive Plan attached to the staff report.

Agenda Item No. 21. **Public Hearing. CPA201900003 Thomas Jefferson Planning District Commission 2040 Rural Long-Range Transportation Plan.** To consider amending Chapter 10-Transportation of the Albemarle County Comprehensive Plan by formally incorporating recommendations from the Thomas Jefferson Planning District Commission's 2040 Rural Long Range Transportation Plan update. *(Advertised in the Daily Progress on October 21 and 28, 2019)*

The Executive Summary forwarded to the Board states that the 2040 Rural Long Range Transportation Plan (RLRTP) is a regionally focused plan for the rural portions of the Thomas Jefferson Planning District Commission (TJPDC) covering Albemarle, Nelson, Fluvanna, Louisa, and Greene Counties. The first Rural Specific Long Range Transportation Plan by TJPDC was adopted in 2010, and was updated with the 2035 RLRTP. The 2040 RLRTP incorporates updates to the regional overview, demographics, transportation system, safety, public transportation, freight and inter-regional transit, freight generators, rural employer locations, travel demand management, land use, and bridge sufficiency. A performance-based prioritizing process was conducted reflecting the evaluation used by Virginia Department of Transportation (VDOT) in Smart Scale (VDOT's performance driven process for selecting and funding transportation projects). The rankings were based on VDOT's formula factoring the efficient movement of goods, safety, economic development, environmental concerns, and support of multimodal transportation. Evaluating the regional transportation network of roadway, transit, rail, air, bicycle and pedestrian improvements, an analysis of needs based on available funding programs was developed. The 2040 RLRTP provides project recommendations addressing the needs analysis in the rural area of the County.

At its meeting on September 3, 2019, the Planning Commission reviewed the Memorandum (Attachment A) and voted 7:0 to adopt the Resolution (Attachment A3) to recommend approval of CPA2019-3.

Following a public hearing, staff recommends that the Board adopt the attached Resolution (Attachment F) to approve CPA2019-3.

Mr. Butch said this was a Comprehensive Plan Amendment. He said the draft 2040 Rural Long-Range Transportation Plan was presented to the Board in May 2018 as an informative presentation.

Mr. Butch said the Rural LRTP covers the areas outside the Charlottesville-Albemarle MPO urbanized area. He said it serves as an update to the 2035 FRLRP and incorporates new data, relying on

the most recent trends in transportation. He said it also has a performance-based approach that mirrors the State's Smart Scale prioritization.

Mr. Butch said transportation systems were evaluated and a range of transportation improvements for roadway, rail, transit, air, bicycle, and pedestrian were then developed into recommendations.

Mr. Butch said the Rural LRTP is not a funding requirement as the MPO's LRTP is, but it is a tool for local governments to use for development and funding for non-MPO transportation projects. He said Smart Scale funding applications must be identified in a long-range regional or local funding eligibility, and regional transportation plans are considered for addition to the State's LRTP, which is called VTRANS.

Mr. Butch said the Rural LRTP is a non-constrained list that does not take funding estimates into account.

Mr. Butch presented a map to show the areas where the Rural LRTP is in focus and where the projects are identified.

Mr. McDermott said there were 13 projects identified for the rural areas, with five of them being on the Board's prioritized list and the rest of them not. He said many are projects that the County would likely look to VDOT for maintenance funds to do. He said there are spot improvements that they can use programs such as the rumble strips, which would be very effective on many of the projects. He said they identify many things, but that they would not all be things that the County would be seeking grant funds for, which is the reason why they are not all listed on the priority list, although the top five are.

Ms. Mallek asked about the improvement for Ortman Road and 250 that was on the list.

Mr. McDermott said the project was number 8 on the list and that it reads, "Reconstruct intersection to improve safety." He said there have been a few crashes at 250 and Ortman Road, with no specific improvement identified. He said it could be a matter of adjusting the angle of the intersection or clearing up sight lines.

Ms. Mallek said the historic district is all four quadrants, and this would be an extra process that would have to be undertaken before anything could happen. She said it was two tiny country roads at 250.

Mr. McDermott noted Ms. Mallek's remark, explaining that these were projects that were lower in priority to address but that they were projects that staff would likely be looking for funding at some point in time. He said he would note that this is in an historic district and would make sure this is considered with any improvements.

Ms. Palmer said she had a similar question with US-29 South and Plank Road intersection improvements. She said she had had many conversations with Joel DeNunzio about the intersection and that she didn't know what improvements could be made there. She asked Mr. McDermott to explain this to her.

Mr. McDermott said that with this project, it looked as if it was being recommended to lengthen the left turn lanes. He said he guessed that there must be a period where the left-turn storage onto Plank Road isn't sufficient, and what would happen is that cars might back up into the main line. He said this was the recommendation and another project that is on the priority list. He said it was identified because there have been several fatalities there.

Ms. Palmer agreed that there had been many fatalities there but that her understanding was that it was predominantly about trying to cross 29 to the other side of Plank Road or to come off of Plank Road onto 29 rather than trying to get off at 29 onto Plank. She said she would look at it again.

Mr. McDermott said lengthening the left turn lane was the recommendation from the LRTP.

Ms. Palmer asked if this was traveling north or south.

Mr. McDermott said he would have to look at the details of the study and that it was not specifically referenced in the plan. He said if they were going to look at this, they would look at all the issues surrounding the intersection and come up with what they think is the best solution. He said he wouldn't take exactly what was written on the project list to be the exact improvement that staff will look at, and that there will likely be an evaluation to see what all the issues are out there and come up with a plan that they think will address those best.

Ms. Palmer asked that since this project is in the top five, what kind of timing the evaluation would have.

Mr. McDermott replied that they were still a few years out because although it is on the top five rural projects, all the rural projects tended to fall farther down the list of County priorities. He said that everything in the top 25-30 County priority projects were all in the urbanized area, which is what staff was focusing on. He said what they would do for projects like the Plank Road project, especially if there is a safety issue, is see if VDOT has proposals that they could submit for the Highway Safety Improvement

Plan funds, which would be a VDOT-funded improvement. He said VDOT would look at the entire area and find the best solution at the lowest cost.

Ms. Mallek said that for project number 11, the Board and citizens have been asking for 10 years to turn this into the four-way stop, because the people speeding down 810 interact unpleasantly with people who run the stop sign going north toward Dyke. She said this could be something very simple that was difficult to get achieved through the system.

Ms. Mallek said that with project number 12, someone aggressively trimming the bushes on the house on the corner would take care of that because it was that people have to come out in the road off of White Hall Road in order to see at all on Garth Road, and people are driving much too fast.

Ms. Mallek said if there is any safety bucket or anything they could discuss to help with speed control throughout the rural areas as well as the growth areas, citizenry is very up in arms about the fact that the County cannot seem to make anyone slow down. She said the tools the County has available are so restricted as far as the traffic calming solutions they can deliver. She said it makes people very frustrated that they have been complaining about the same thing for 20 years and nothing has happened.

Ms. Palmer said she loved the rumble strips on the yellow line down the middle of the road. She said it was a wonderful thing.

Ms. Mallek said that at one of her recent town halls, someone said it sets off the security alarm in his house when the trucks go over the rumble line because it is so aggressive in that location. She said she would get Mr. DeNunzio to go out and look at it to see if there is something that can be modified in that one short section.

Ms. Palmer asked what road this was.

Ms. Mallek replied it was Garth Road, around the 4500 block. She said it was a wonderful safety tool, but that the trucks are so wide that it is almost impossible for the big trucks to stay off the rumble.

Mr. Gallaway opened the public hearing. Hearing no comments from the public, he closed the public hearing and brought the matter back to the Board.

Ms. Palmer **moved** that the Board adopt the attached resolution (Attachment F) to approve CPA201900003. The motion was **seconded** by Ms. Mallek.

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

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

NAYS: None.

ABSENT: Mr. Dill

RESOLUTION TO APPROVE AMENDING THE ALBEMARLE COUNTY COMPREHENSIVE PLAN (CPA2019-00003)

WHEREAS, Objective 1 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for the County to continue to participate fully in State, regional, and local transportation planning efforts; and

WHEREAS, Strategy 1e calls for the County to continue to recognize the Thomas Jefferson Planning District Commission (TJPDC)'s rural planning function by taking formal action on rural transportation planning recommendations and reviewing the TJPDC's adopted studies and, where appropriate, consider adopting such studies into the Comprehensive Plan; and

WHEREAS, Strategy 1e states: "The Rural Area Transportation Long Range Plan [RLRTP] process complements MPO [Metropolitan Planning Organization]-level planning efforts and establishes transportation planning process to address broader regional and rural issues. This Plan identifies a larger transportation system framework within the TJPDC area. The Plan is generally reflective of and consistent with County goals for transportation planning for the Rural Area."; and

WHEREAS, the TJPDC's 2040 RLRTP addresses transportation needs of the Rural Areas of Albemarle County over the next 20 years; and

WHEREAS, the major goals for the 2040 RLRTP are to create a safe, regional, multimodal transportation network while preserving the rural character; and

WHEREAS, references to the 2035 RLRTP of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted 2040 RLRTP; and

WHEREAS, on September 3, 2019, following a duly-advertised public hearing, the Albemarle County Planning Commission recommended approval of CPA2019-00003; and

WHEREAS, the Board of Supervisors has duly advertised and held a public hearing to consider the proposed revisions to the Albemarle County Comprehensive Plan; and

WHEREAS, the Board has carefully considered the proposed revisions to the Transportation Chapter of the Comprehensive Plan and other information provided by County staff, the recommendation of the Planning Commission, and the information and comments provided by the public; and

WHEREAS, the Board concludes that approval of CPA2019-00003, Amendments to the Comprehensive Plan, is appropriate and will promote the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA2019-00003 and adopts the amendments to the Albemarle County Comprehensive Plan attached to the staff report.

Agenda Item No. 22. **Public Hearing. Dominion Energy's Request for Easement - Parcel 093B0-01-0A-000D0.** To consider granting an underground easement to Virginia Electric and Power Company, doing business as Dominion Energy Virginia, across property owned by the County located at the intersection of Ashton Road and Winding Road in the Rivanna Village subdivision (TMP 093B0-01-0A-000D0). The easement has been proposed to relocate overhead electric lines underground. *(Advertised in the Daily Progress on October 28, 2019)*

The Executive Summary forwarded to the Board states that Dominion Energy has requested an underground easement (Attachment A) on County owned property, parcel 093B0-01-0A-000D0, to further its Strategic Underground Program. The goal of this program is to improve electrical service reliability by undergrounding certain overhead electric lines. The program is voluntary, and if the requisite easements are not obtained, the project will be placed on hold indefinitely. Dominion Energy will not use eminent domain to acquire easements to further the project.

Virginia Code § 15.2-1800(B) requires a public hearing for this proposed disposal of County property.

This 0.17-acre parcel is in the Rivanna Village subdivision and was conveyed to the County for use as a public access trail and greenway. There is an existing underground utility easement on the property. Staff from Albemarle County Parks and Recreation, Community Development, Office of Economic Development, Albemarle County Public Schools, Albemarle County Police Department, and Albemarle County Fire Rescue have reviewed this easement request and have no issues or concerns with it.

There are no budget impacts associated with this request.

After conducting a public hearing on the proposed easement, staff recommends that the Board approve the request for easement and authorize the County Executive to sign the easement agreement.

Mr. Gallaway noted that the Board would receive the presentation for all the next three items, then open and hold the public hearing for all three items. He said they would then need to take individualized action for each item.

Mr. Michael Frietas, Chief of Public Works, said he was joined by Mr. Brumfield (Dominion Energy's engineering consultant), who will help answer any questions.

Mr. Frietas said the matter before the Board were three requests from Dominion for easements across County-owned property. He said Dominion has a Strategic Underground Program, the purpose of which is to improve electric service reliability. He noted the program is voluntary. He said if an easement is not granted, Dominion will attempt to find an alternate route for the underground utility and if they cannot find another, the project is basically put on hold and they will not pursue it from there.

Mr. Frietas said there are three separate properties that Dominion has requested an easement for one in Rivanna Village, one in Glenmore, and one in the Earlysville Forest subdivision.

Mr. Frietas said the parcel in Rivanna Village is very small, at 1.7 acres. He said originally, it was made to the County for public access and greenways. He said there is an existing underground utility easement and presented a map of the existing easement, shown in green, and the proposed easement, shown in red. He said there was no planned purpose for the property that the proposed easement would restrict, from staff's perspective.

Mr. Frietas said the second property is the location of the East Rivanna Fire Station. He said it is co-owned between the Fire Company and the County, and there are two existing easements currently on the property. He said the Fire Company has no issues with granting the easement. He presented an image of the existing easement that provides the power to the facility. He said that easement would be abandoned if the proposed easement is approved.

Mr. Frietas said the last parcel was approximately 8.5 acres and was originally donated to the County as a possible park site. He said there was discussion, and the decision was made not to pursue a

park at that location. He said there is an existing overhead easement that Dominion has that would remain. He said the underground easement is within the footprint of the existing overhead easement, and the purpose of that is to provide power to Comcast equipment that is located on Dominion's poles. He said Comcast is not undergrounding their lines at that point, but they would still need power for their equipment.

Mr. Frietas said that after the public hearing, staff recommended that the requests for the easements be approved.

Ms. Mallek asked if the easements would be used for the burial electric only but no other communication. She asked if they plan to put in a fiber that would be available for someone else to use it at some other time.

Mr. Brumfield said that when Dominion starts each one of these projects, they invite any party that is sharing a pole with them at the time of communication to go underground with them at that time. He said the easement is not an exclusive easement so later down the road, if a communication company decides to go underground, Dominion would allow it. He said that communication company would still have to get an easement as well, but that it could run in Dominion's easement.

Ms. Mallek asked if it could run at a different depth.

Mr. Brumfield replied yes. He said the easement is 15 feet wide with about a 4-inch tunnel. He said if the communication company opts later to join in the easement, they can.

Ms. Palmer asked if Dominion has contacted Century Link every time they do an underground burial situation.

Mr. Brumfield said yes, noting that the trouble is that, required by law, the electrical cable must be a minimum of 36 inches deep, while the communications are not required to do this. He said it is very expensive to tunnel, and that the communication company can be at a shallower depth.

Ms. Palmer asked if they could go in at the same time.

Mr. Brumfield said yes. He said it is a very expensive process, and that this was a shared cost project and a fee on Dominion's bill that is partially funded by or collected through electrical bills. He said the other communication companies would not have that funding.

Ms. Palmer said this was done on the road she lives on, which is a rural road that is heavily wooded. She said Dominion was burying the line as they were doing it, and some of it was tunneling, so no trench was open. She said Century Link, for instance, would have had to tunnel behind them. She said she was trying to figure out how it would have helped them to do it while Dominion did it, physically.

Mr. Brumfield replied that the cost would have been less because they would have used the same equipment so that while the machine was boring the tunnel for the Dominion cable, they could pull one conduit and move a few feet, then bore another hole for the other conduit and do it all at once instead of having to get another contractor separately. He said the same contract would do the construction of both.

Mr. Gallaway opened the public hearing for all three Dominion easement requests. Hearing no comments from the public, he closed the public hearing and brought the matter back to the Board.

Mr. Gallaway reminded the Board that there would need to be three separate motions with one for each request.

Mr. Randolph **moved** that the Board approve Tax Map Parcel 093B0-01-0A-000D0. The motion was **seconded** by Ms. Palmer.

Mr. Kamptner clarified that this was to authorize the County Executive to sign each agreement.

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

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

NAYS: None.

ABSENT: Mr. Dill

001900013595001
VIRGINIA LAND RECORD COVER SHEET
FORM A – COVER SHEET CONTENT

Instrument Date: 11/19/2019
Instrument Type: DE
Number of Parcels: 1 Number of Pages: 5
☐ City ☒ County

ALBEMARLE
TAX EXEMPT? VIRGINIA/FEDERAL LAW
☐ Grantor: _____
☐ Grantee: _____
Consideration: \$1.00
Existing Debt: \$0.00
Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):
Original Principal: \$0.00
Fair Market Value Increase: \$0.00

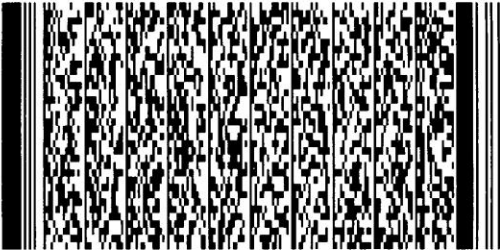
Original Book Number: _____ Original Page Number: _____ Original Instrument Number: _____

Prior Recording At: ☐ City ☐ County
Percentage In This Jurisdiction: 100%

BUSINESS / NAME
1 ☒ Grantor: COUNTY OF ALBEMARLE
☐ Grantor: _____
1 ☒ Grantee: DOMINION ENERGY VIRGINIA
☐ Grantee: _____

GRANTEE ADDRESS
Name: DOMINION ENERGY VIRGINIA
Address: PO BOX 26666
City: RICHMOND State: VA Zip Code: 23261
Book Number: _____ Page Number: _____ Instrument Number: _____
Parcel Identification Number (PIN): 13-19-0244 Tax Map Number: 093B0010A000D0
Short Property Description: _____

Current Property Address: ASHTON ROAD
City: KESWICK State: VA Zip Code: 22947
Instrument Prepared By: DOMINION ENERGY VIRGINIA Recording Paid By: STANTEC
Recording Returned To: STANTEC
Address: 1011 BOULDER SPRINGS DRIVE SUITE 225
City: RICHMOND State: VA Zip Code: 23225



RECORDED IN
ALBEMARLE COUNTY, VA
JON R. ZUG
CLERK OF CIRCUIT COURT
FILED Dec 10, 2019
AT 11:20 am
BOOK 05252
START PAGE 0638
END PAGE 0644
INST # 201900013595
TOTAL NUM PAGES 0007

MEB

(Area Above Reserved For Deed Stamp Only)

201900013595.002



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this 19th day of November, 2019, by and between

COUNTY OF ALBEMARLE

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15) feet in width across the lands of GRANTOR; and

Initials: *JE*

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Virginia Power, PO Box 26666, Richmond, VA 23261.

(Page 1 of 5 Pages)
VAROW No(s). 13-19-0245
Tax Map No. 093B0010A000D0
Form No. 728493-1 (Feb 2019)
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JE

201900013595.003

Right of Way Agreement


2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Albemarle County, Virginia, as more fully described on Plat(s) Numbered 13-19-0245, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials:  _____

(Page 2 of 5 Pages)
VAROW No(s). 13-19-0245
Form No. 725493-2 (Feb 2019)
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201900013595.004

Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials:  _____

201900013595.005



Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said County.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

Andre D. Ruil
(Name) Deputy County Attorney
(Title)

COUNTY OF ALBEMARLE

By: [Signature]
Title: COUNTY EXECUTIVE

State of Virginia, to-wit:
County of Albemarle

I, Cheryl L. Skeen, a Notary Public in and for the State of Virginia

at Large, do hereby certify that this day personally appeared before me

in my jurisdiction aforesaid Jeffrey B. Richardson, County Executive
(Name of officer or agent) (Title of officer or agent)

on behalf of Albemarle County, Virginia, whose name is

signed to the foregoing writing dated this 19th day of November, 20 19, and
acknowledged the same before me.

Given under my hand November 19, 20 19

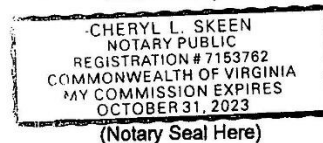
Cheryl L. Skeen
Notary Public (Print Name)

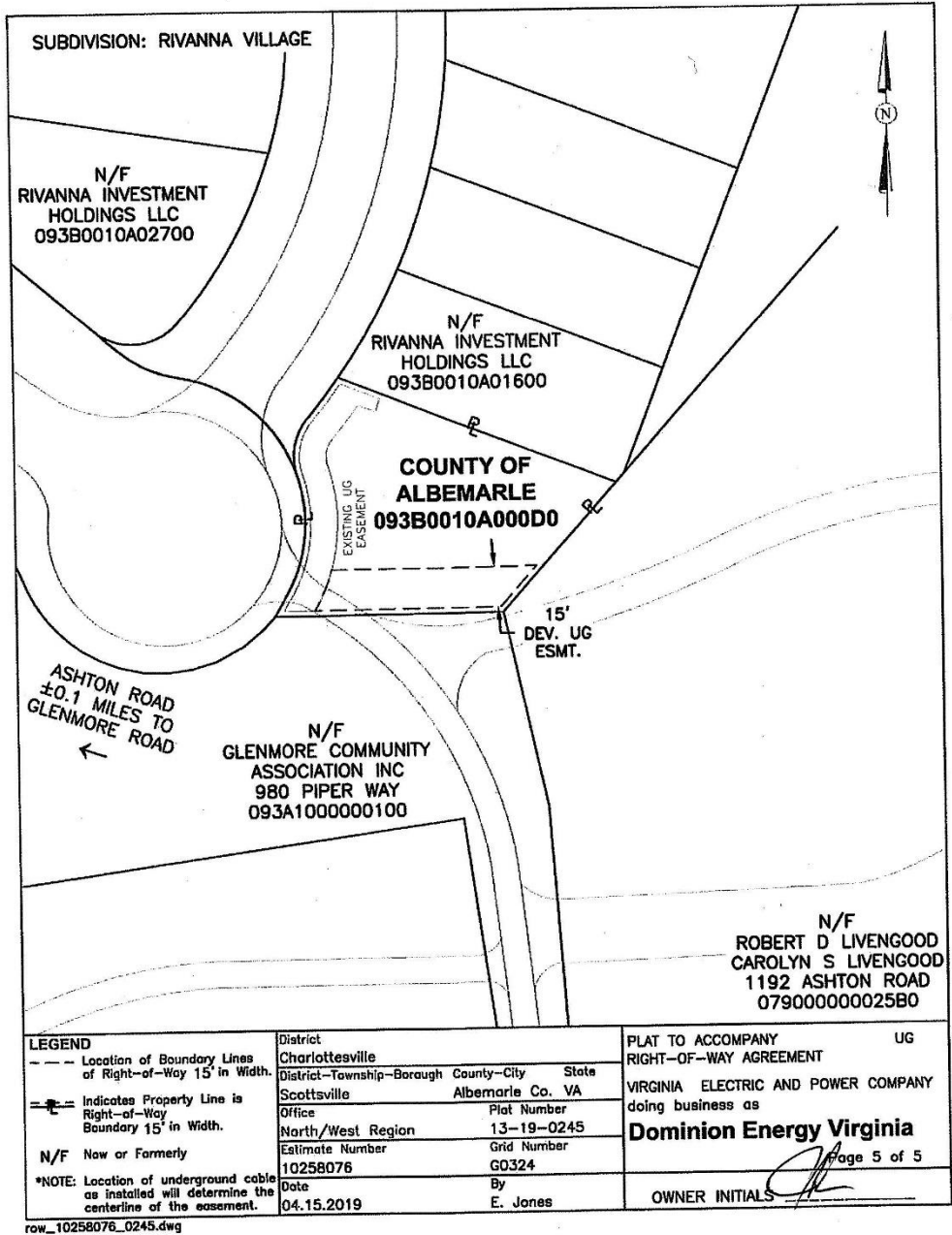
Cheryl L. Skeen
Notary Public (Signature)

Virginia Notary Reg. No. 1153762 My Commission Expires: Oct. 31, 2023
(Page 4 of 5 Pages)

ROW No(s) 13-19-0245

Form No. 723294 (Feb 2019)
© Dominion Energy





201900013595.007



INSTRUMENT # 201900013595
RECORDED ALBEMARLE CO CIRCUIT COURT CLERK'S OFFICE
Dec 10, 2019 AT 11:20 am
JON R. ZUG, CLERK by MEB
BOOK 05252 PAGE 0638 - 00644

Agenda Item No. 23. **Public Hearing. Dominion Energy's Request for Easement - Parcel 093A1-00-00-00200.** To consider granting an underground easement to Virginia Electric and Power Company, doing business as Dominion Energy Virginia, across property jointly owned by the County and the East Rivanna Volunteer Fire Company located at 3501 Steamer Drive, the site of the East Rivanna Volunteer Fire Company, in the Glenmore subdivision (TMP 093A1-00-00-00200). The easement has been proposed to relocate overhead electric lines underground. (*Advertised in the Daily Progress on October 28, 2019*)

The Executive Summary forwarded to the Board states that Dominion Energy has requested an underground easement (Attachment A) on County owned property, parcel 093A1-00-00-00200, to further its Strategic Underground Program. The goal of this program is to improve electrical service reliability by undergrounding certain overhead electric lines. The program is voluntary, and if the requisite easements are not obtained, the project will be placed on hold indefinitely. Dominion Energy will not use eminent domain to acquire easements to further the project.

Virginia Code § 15.2-1800(B) requires a public hearing for this proposed disposal of County property.

This 6-acre parcel is in the Glenmore subdivision and is the site of the East Rivanna Fire Station. The property is co-owned by the County and the East Rivanna Volunteer Fire Company. There are two existing underground utility easements on the property, one of which would be abandoned if this request

is approved. Staff from Albemarle Parks and Recreation, Community Development, Office of Economic Development, Albemarle County Public Schools, Albemarle County Police Department, and Albemarle County Fire rescue have reviewed this easement request and have no issues or concerns with it. Additionally, the East Rivanna Volunteer Fire Company has reviewed the request and has no issue with granting the easement.

There are no budget impacts associated with this request.

After conducting a public hearing on the proposed easement, staff recommends that the Board approve the request for easement and authorize the County Executive to sign the easement agreement.

Mr. Randolph **moved** that the Board authorize the County Executive to sign an agreement with Dominion Energy's request for easement on Tax Map Parcel 093A1-00-00-00200. The motion was **seconded** by Ms. Palmer

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

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

NAYS: None.

ABSENT: Mr. Dill

~~201900013596001~~
VIRGINIA LAND RECORD COVER SHEET
FORM A – COVER SHEET CONTENT

Instrument Date: 11/19/2019
Instrument Type: DE
Number of Parcels: 1 Number of Pages: 6
☐ City ☒ County

ALBEMARLE

TAX EXEMPT? VIRGINIA/FEDERAL LAW

☐ Grantor: _____

☐ Grantee: _____

Consideration: \$1.00

Existing Debt: \$0.00

Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00

Fair Market Value Increase: \$0.00

Original Book Number: _____ Original Page Number: _____ Original Instrument Number: _____

Prior Recording At: ☐ City ☐ County

Percentage In This Jurisdiction: 100%

BUSINESS / NAME

1 ☒ Grantor: COUNTY OF ALBEMARLE

2 ☒ Grantor: EAST RIVANNA VOLUNTEER FIRE CO INCORPORATED

1 ☒ Grantee: DOMINION ENERGY VIRGINIA

☐ Grantee: _____

GRANTEE ADDRESS

Name: DOMINION ENERGY VIRGINIA

Address: PO BOX 26666

City: RICHMOND State: VA Zip Code: 23261

Book Number: _____ Page Number: _____ Instrument Number: _____

Parcel Identification Number (PIN): 13-19-0246 Tax Map Number: 093A1000000200

Short Property Description: _____

Current Property Address: 3501 STEAMER DRIVE

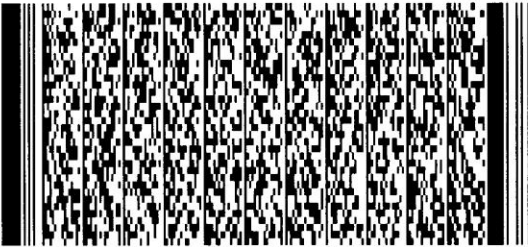
City: KESWICK State: VA Zip Code: 22947

Instrument Prepared By: DOMINION ENERGY VIRGINIA Recording Paid By: STANTEC

Recording Returned To: STANTEC

Address: 1011 BOULDER SPRINGS DRIVE SUITE 225

City: RICHMOND State: VA Zip Code: 23225



201900013596.002



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this 7 day of June, 2019, by and between

COUNTY OF ALBEMARLE
and
EAST RIVANNA VOLUNTEER FIRE CO. INCORPORATED

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15) feet in width across the lands of GRANTOR; and

Initials: Cs/s [Signature]

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Virginia Power, PO Box 26666, Richmond, VA 23261.

(Page 1 of 6 Pages)
VAROW No(s). 13-19-0246
Tax Map No. 093A1000000200
Form No. 728493-1 (Feb 2019)
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201900013596.003

Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Albemarle County, Virginia, as more fully described on Plat(s) Numbered 13-19-0246, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: CSA CH

201900013596.004

Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: CJS ML

(Page 3 of 6 Pages)
VAROW No(s). 13-19-0246
Form No. 728493-3 (Feb 2019)
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201900013596.005



Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said County.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

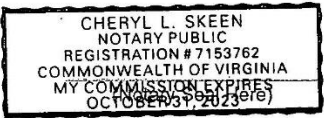
Andrew D. Herold
(Name) Deputy County Attorney
(Title)

COUNTY OF ALBEMARLE
By: [Signature]
Title: COUNTY EXECUTIVE

State of Virginia, to-wit:
County of Albemarle

I, Cheryl L. Skeen, a Notary Public in and for the State of Virginia
at Large, do hereby certify that this day personally appeared before me Jeffrey B. Richardson
in my jurisdiction aforesaid Jeffrey B. Richardson, County Executive
(Name of officer or agent) (Title of officer or agent)
on behalf of Albemarle County, Virginia, whose name is
signed to the foregoing writing dated this 19th day of November, 20 19, and
acknowledged the same before me.
Given under my hand November 19, 20 19

Cheryl L. Skeen Cheryl L. Skeen
Notary Public (Print Name) Notary Public (Signature)
Virginia Notary Reg. No. 7153762 My Commission Expires: Oct. 31, 2023
(Page 4 of 6 Pages)
ROW No(s) 13-19-0246



201900013596.006



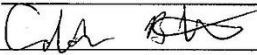
Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that GRANTOR is a corporation duly organized and existing under the laws of the state hereinabove mentioned and that he or she has been duly authorized to execute this easement on behalf of said corporation.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

Corporate Name: East Rivanna Volunteer Fire Co. Incorporated
By (Signature): 
Name (Print): Calvin Butler Board President
Its: _____

State of Virginia
City/County of Albemarle
The foregoing instrument was acknowledged before me this 7 day of June, 2019
by Calvin Butler, President
(Name of officer or agent) (Title of officer or agent)
of East Rivanna Volunteer Fire Co. Incorporated, a(n) Virginia
(Name of corporation) (State of incorporation)
corporation, on behalf of the corporation.

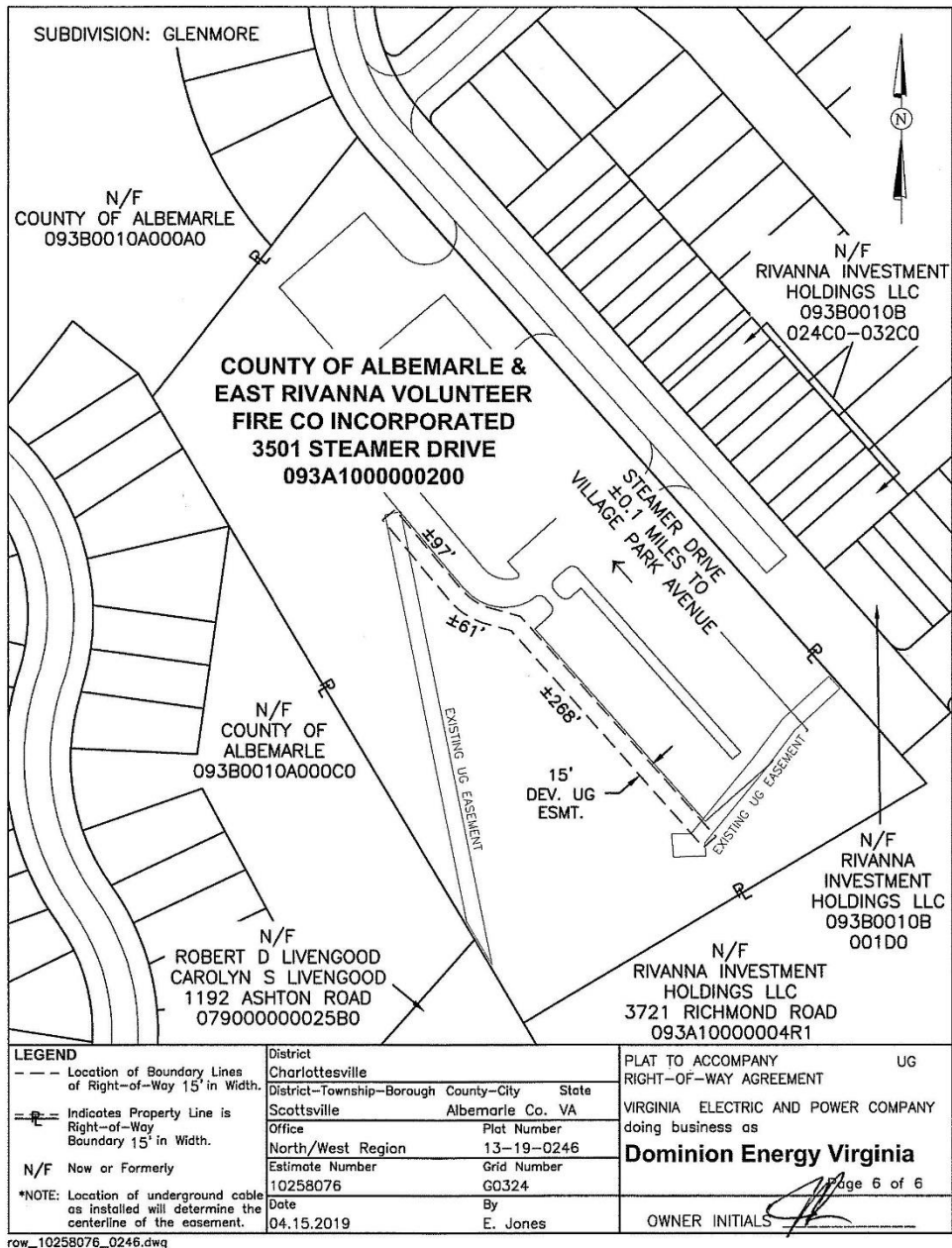
Christina Davis Christina Davis
Notary Public (Print Name) Notary Public (Signature)
Virginia Notary Reg. No. 278324 My Commission Expires: 10/31/2019

(Page 5 of 6 Pages)

VAROW No(s). 13-19-0246

(Notary Seal Here)





INSTRUMENT # 201900013596
RECORDED ALBEMARLE CO CIRCUIT COURT CLERK'S OFFICE
Dec 10, 2019 AT 11:20 am
JON R. ZUG, CLERK by MEB
BOOK 05252 PAGE 0645 - 00651

7

Agenda Item No. 24. **Public Hearing. Dominion Energy's Request for Easement - Parcel 031B0-00-00-000B0.** To consider granting an underground easement to Virginia Electric and Power Company, doing business as Dominion Energy Virginia, across property owned by the County located in the Earlsyville Forest subdivision and fronting Earlsyville Forest Drive and Stillwater Lane (TMP 031B0-00-00-000B0). The easement has been proposed to relocate overhead electric lines underground. (Advertised in the Daily Progress on October 28, 2019)

The Executive Summary forwarded to the Board states that Dominion Energy has requested an underground easement (Attachment A) on County owned property, tax parcel 031B0-00-00-000B0, to further its Strategic Underground Program. The goal of this program is to improve electrical service reliability by undergrounding certain overhead electric lines. The program is voluntary, and if the requisite easements are not obtained, the project will be placed on hold indefinitely. Dominion Energy will not use eminent domain to acquire easements to further the project.

Virginia Code § 15.2-1800(B) requires a public hearing for this proposed disposal of County property.

This 8.56-acre parcel is in the Earlysville Forest subdivision and was donated to the County as a condition of a rezoning approval for the Earlysville Forest Planned Unit Development, and at one time was considered as a possible park site. An existing overhead utility easement crosses the property. Dominion Energy currently provides overhead power to Comcast equipment. If this underground easement is approved, the existing overhead service to Comcast would be relocated underground. Staff from Albemarle County Parks and Recreation, Community Development, Office of Economic Development, Albemarle County Public Schools, Albemarle County Police Department, and Albemarle County Fire Rescue have reviewed this easement request and have no issues or concerns with it.

There are no budget impacts associated with this request.

After conducting a public hearing on the proposed easement, staff recommends that the Board approve the request for easement and authorize the County Executive to sign the easement agreement.

Ms. Mallek **moved** that the Board authorize the request for easement and authorize the County Executive to sign an agreement for Tax Map Parcel 031B0-00-00-000B0. The motion was **seconded** by Ms. Palmer.

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

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

NAYS: None.

ABSENT: Mr. Dill

Ms. Mallek asked Mr. Brumfield if he would be the person who might come to talk to neighbors about updating them on the undergrounding projects.

Mr. Brumfield replied yes.

Ms. Mallek said she would get connected with him.

Ms. McKeel said she would do this as well because she had two in the works, one that was in process for about a year.

Mr. Brumfield said he could get Ms. McKeel in contact with the correct person.

201900013368001
VIRGINIA LAND RECORD COVER SHEET
FORM A - COVER SHEET CONTENT

Instrument Date: 11/19/2019
Instrument Type: DE
Number of Parcels: 1 Number of Pages: 5
☐ City ☒ County
ALBEMARLE
TAX EXEMPT? VIRGINIA/FEDERAL LAW
☐ Grantor:
☐ Grantee:
Consideration: \$1.00
Existing Debt: \$0.00
Actual Value/Assumed: \$0.00

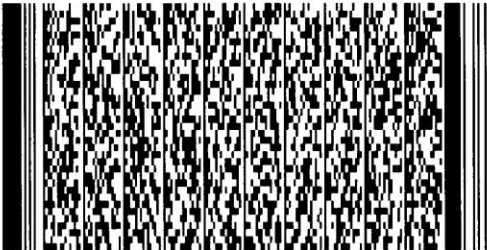
PRIOR INSTRUMENT UNDER § 58.1-803(D):
Original Principal: \$0.00
Fair Market Value Increase: \$0.00
Original Book Number: Original Page Number: Original Instrument Number:

Prior Recording At: ☐ City ☐ County
Percentage In This Jurisdiction: 100%

BUSINESS / NAME
1 ☒ Grantor: COUNTY OF ALBEMARLE
☐ Grantor:
1 ☒ Grantee: DOMINION ENERGY VIRGINIA
☐ Grantee:

GRANTEE ADDRESS
Name: DOMINION ENERGY VIRGINIA
Address: PO BOX 26666
City: RICHMOND State: VA Zip Code: 23261
Book Number: Page Number: Instrument Number:
Parcel Identification Number (PIN): 13-19-0163 Tax Map Number: 031B00000000B0
Short Property Description:

Current Property Address: EARLYSVILLE FOREST DRIVE
City: EARLYSVILLE State: VA Zip Code: 22936
Instrument Prepared By: DOMINION ENERGY VIRGINIA Recording Paid By: STANTEC
Recording Returned To: STANTEC
Address: 1011 BOULDER SPRINGS DRIVE SUITE 225
City: RICHMOND State: VA Zip Code: 23225



RECORDED IN
ALBEMARLE COUNTY, VA
JON R. ZUG
CLERK OF CIRCUIT COURT
FILED Dec 04, 2019
AT 04:00 pm
BOOK 05250
START PAGE 0612
END PAGE 0617
INST # 201900013368
TOTAL NUM PAGES 0006
EMJ

(Area Above Reserved For Deed Stamp Only)

201900013368.002



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this 19th day of November, 2019, by and between

COUNTY OF ALBEMARLE

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15) feet in width across the lands of GRANTOR; and

Initials:

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Virginia Power, PO Box 26666, Richmond, VA 23261.

(Page 1 of 5 Pages)
VAROW No(s). 13-19-0163
Tax Map No. 031B00000000B0
Form No. 728493-1 (Feb 2019)
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201900013368.003

Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Albemarle County, Virginia, as more fully described on Plat(s) Numbered 13-19-0163, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials:  _____

201900013368.004

Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE**'S right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE**'S obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE**'S stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials:  _____

(Page 3 of 5 Pages)
VAROW No(s). 13-19-0163
Form No. 728493-3 (Feb 2019)
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201900013368.005



Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that they have been duly authorized to execute this easement on behalf of said County.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, **GRANTOR** has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

Andrew D. Hunsil
(Name) Deputy County Attorney
(Title)

COUNTY OF ALBEMARLE

By: [Signature]

Title: COUNTY EXECUTIVE

State of Virginia

County of Albemarle

to-wit:

I, Cheryl L. Skeen, a Notary Public in and for the State of Virginia

at Large, do hereby certify that this day personally appeared before me

in my jurisdiction aforesaid Jeffrey B. Richardson, County Executive
(Name of officer or agent) (Title of officer or agent)

on behalf of Albemarle County, Virginia, whose name is

signed to the foregoing writing dated this 19th day of November, 20 19, and
acknowledged the same before me.

Given under my hand November 19, 20 19

Cheryl L. Skeen
Notary Public (Print Name)

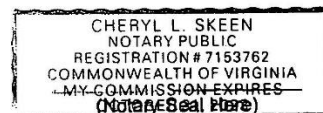
Cheryl L. Skeen
Notary Public (Signature)

Virginia Notary Reg. No. 7153762
(Page 4 of 5 Pages)

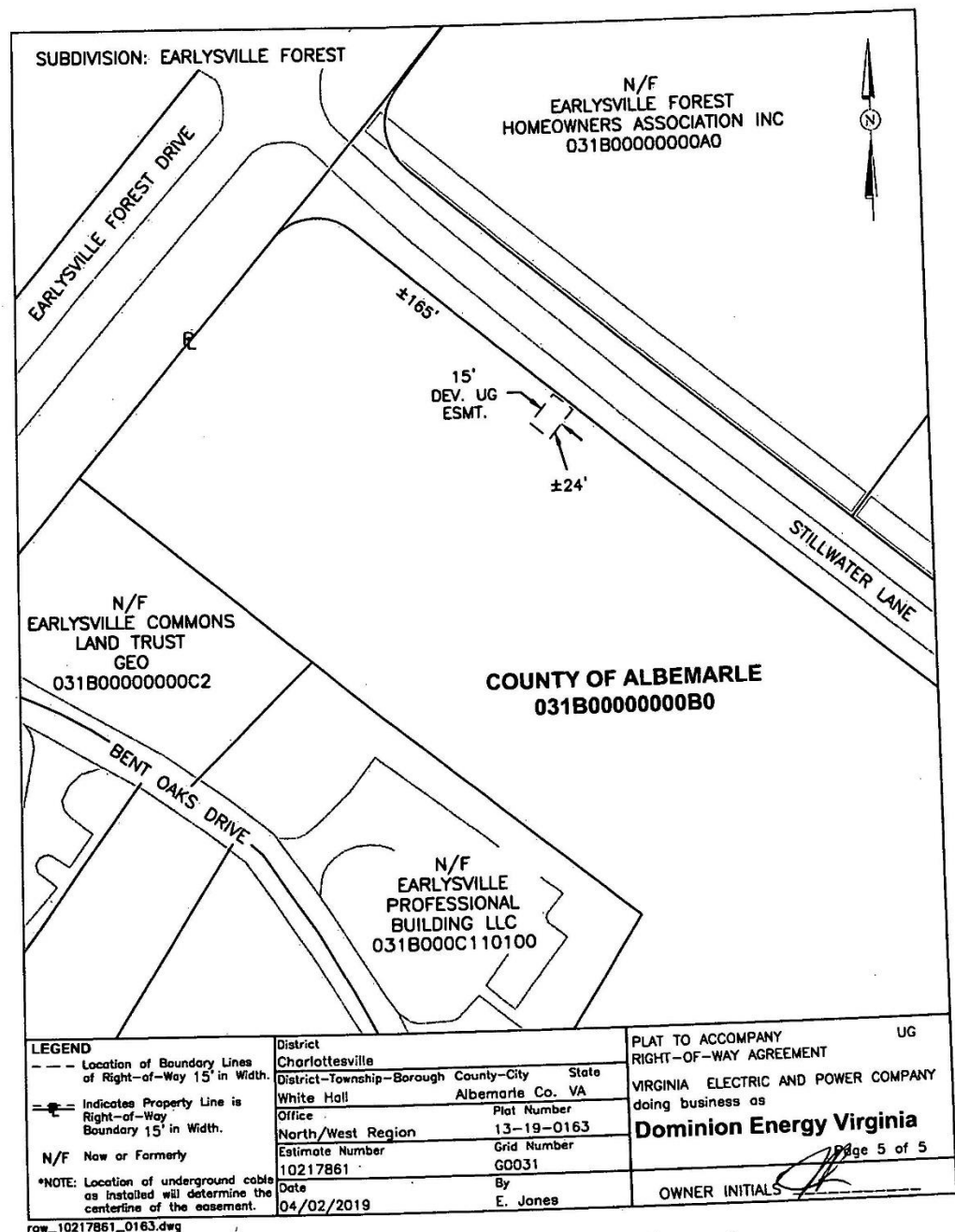
My Commission Expires: Oct. 31, 2023

ROW No(s) 13-19-0163

Form No. 723294 (Feb 2019)
© Dominion Energy



201900013368.006



INSTRUMENT # 201900013368
RECORDED ALBEMARLE CO CIRCUIT COURT CLEF
Dec 04, 2019 AT 04:00 pm
JON R. ZUG, CLERK by EMJ
BOOK 05250 PAGE 0612 - 00617

Agenda Item No. 25. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Palmer commented that Michael Culp has done a wonderful job with connecting Dominion and CVEC and that they were having conversation especially pertaining to the Midway area. She said she hoped for collaboration on projects in the Batesville-Afton area.

Ms. Palmer said she has been dealing with Dominion in the Batesville area for some time and that they have some end-of-the-line situations where Dominion has not decided to bury the lines because perhaps they are not deemed to be worthwhile or priority. She said Dominion has a Reliability department that she has been dealing with and attempting to get a meeting with them for the Batesville area and Miller School area, which is on a different line. She said the process is painfully slow and a somewhat frustrating experience for the residents.

Ms. Mallek asked Ms. Palmer if she had Felix's contact information.

Ms. Palmer said yes and that she was working with him. She said Felix keeps explaining to her that they must wait for the Reliability department to get back with the Engineer department. She said it was siloed, bureaucratic process and though Felix is responsive, it is not working very quickly.

Ms. Mallek said it may be a widespread citizen concern but now that everyone is paying the

undergrounding surcharge, they want to know when it is going to happen. She said that every time their power is out for five days, they are livid because they have already been paying for two years for the undergrounding.

Ms. Palmer said there was a period starting in June through mid-October when there were about 24 outages on the one line. She expressed that it was crazy.

Ms. Mallek said it was similar for Century Link, where they have a half-mile stretch of 55-year-old wire and every time the wind blows, it cracks a different way and everything goes out. She said they must make the government pay attention to its utilities.

Ms. Mallek asked for a status on the barking dog issue.

Mr. Kamptner said that Terry Walls would be coming to the Board on November 20 to give the Board an update on the new regulations in Chapter 4 of the County Code. He said he let Mr. Walls know that this has come up as an issue and would be talking to him the next week as well. He said November 20 would be an appropriate time for the Board to give direction to staff to proceed with an amendment, and that they could come back with an Executive Summary to get authorization to set the public hearing.

Ms. Mallek said when they discussed this at the Board a couple of meetings ago, the conclusion at that point was to remove the 5-acre exclusion.

Mr. Kamptner said the amendment would be simple. He said he would have Mr. Walls speak to the Board on November 20 about the implications of that. He said it would address the problem they are hearing.

Ms. Mallek said that equal protection under the law was mentioned by many residents, both rural and urban, and that the main crisis with the zero lot line insanity they had until it was stopped a few months before was that one person gets the rights to do something and their neighbor didn't. She said the same thing was happening now with the complete uproar from many houses when they don't have rules that make it reasonable.

Ms. Mallek said she had sent around an email earlier about wishing to be nominated for the VACO Executive Committee and expressed her appreciation for each Board member's support. She asked if she could give Mr. Dill the permission to sign the letter in her support so that she could take it to the committee over the weekend.

Ms. McKeel asked if this needed a vote. She said the board was in consensus.

Ms. Palmer said Ms. Mallek should continue to represent the Board on VACO, expressing her appreciation for her efforts and hard work.

Ms. Mallek encouraged the other Board members to choose a committee to sign up for, as they would have a much better chance of staying on top of things if they do. She said perhaps Mr. Richardson would be interested in doing so as well.

Ms. Palmer asked Mr. Kamptner about the barking dog issue. She said that the situation in Ms. Mallek's district was atrocious and must be dealt with, but that she had a question about the rural areas. She said there are, at times, people who complain about noises that are off in the distance, perhaps the decibel level is low, because they are very sensitive to those things. She said there was a suggestion about the distance from the property, but that it was likely too much trouble to go out and check decibel levels. She said in the rural areas, she has this problem at her house. She said she could be three-quarters a mile away and if they are at the same height level on top of a mountain, it's as if it's in her backyard.

Mr. Kamptner asked Ms. Palmer if she was speaking only to barking dogs, or other noises.

Ms. Palmer said she was only talking about barking dogs, and that she was recognizing that there was no clean way of doing what she suggested.

Mr. Kamptner said currently, the County has three different noise regulations. He said the barking dog regulation deals with the duration of barking, continuous barking of 30 minutes without more than a 5-minute gap. He said under the zoning regulations, the land uses are subject to the decibel standard, and this is a process where zoning compliance officers go out with a calibrated decibel meter to do recordings. He said those are generally going to be daytime activities.

Mr. Kamptner said that for other types of noise regulations, e.g., loud music from a house party, those are enforced by the Police Department and are based upon audibility either at an adjoining residence or in commercial areas, e.g., a hotel room. He said these are easier to enforce than having the police officer deal with a barking dog with a decibel meter.

Ms. Palmer asked if the 30 minutes would still apply, assuming it would be very hard to pick up the sound if it was far away for the 30 minutes. She said this might take care of it, unless someone has very sensitive sound equipment.

Mr. Kamptner said it would likely require a sound expert to come in, but that the ambient noise

levels in the rural areas at nighttime are around 30-35 decibels. He said intervening noises that were measured across long distances could disrupt the decibel meter readings.

Ms. Palmer said that it was likely not a concern.

Mr. Kamptner said that when Mr. Walls comes in, he may say that the 30-minute duration is for the Animal Protection Officer to do, which is a lot of time for the citizen or next-door neighbor to measure.

Ms. Mallek said they have in the past.

Mr. Kamptner said to bring a complaint, the citizen must go to the Magistrate and that it was not enough for them to complain to a police officer. He said the either the police officer does the observation, or the neighbor must establish the basic facts and elements of the violation to the Magistrate.

Ms. Palmer asked if the police officer passes the 30 minutes, the citizen must go to the Magistrate.

Mr. Kamptner said they must do this now.

Ms. Mallek said the process was not perfect by any means, and any time there is a scared neighbor going to the Magistrate and making that formal complaint in person is inhibiting completely to people and that they feel disenfranchised. She said the neighbors she is dealing with now would love to have access to the difficult process because they cannot even go to the Magistrate. She said they were asking for equal access to the process so that they at least have a leg to stand on, and then perhaps something is improved.

Ms. McKeel said that the noise ordinances are a problem, as staff has been working with her for two years on a noise problem from a swimming pool pump. She said the only way they have ended up taking care of it is when fall comes and the pool is shut down. She said it was not good and has to do with elevation.

Ms. Palmer said it was amazing what a difference the elevation can make. She said there will be people who complain about things way off in the distance and continue to call and email. She said she has had those extremes of complaints.

Ms. Mallek said when someone has 75 dogs all in a small space, that is different.

Ms. Palmer acknowledged that Ms. Mallek's situation is different. She said she was thinking about some of the people who moved to the rural areas expecting it all to be quiet, and it isn't.

Ms. McKeel asked if the dog leash issue was going to be brought back to the Board.

Mr. Kamptner said that Mr. Walls would be giving the Board the annual report on November 20. He said the ordinance was coming in December.

Ms. Mallek said they need to clarify that in people's own yards, they don't have to keep the dog on a leash.

Ms. McKeel said there were a few problems going on in the urban ring with this.

Ms. Mallek asked if Mr. Kamptner had on his list, for some other time, to get the answer about whether the County can have a nutrient bank of its own.

Mr. Kamptner replied that it was on the list and will be researched in conjunction with the work that Mr. Pohl is doing.

Ms. Mallek said she may find out that weekend that other counties are already doing this, which may speed up the process.

Agenda Item No. 26. From the County Executive: Report on Matters Not Listed on the Agenda.

There was none.

Agenda Item No. 27. Adjourn to November 13, 2019, 2:30 p.m., Room 241, County Office Building, McIntire, Charlottesville, VA.

At 6:59 p.m., the Board adjourned its meeting to November 13, 2019 at 2:30 p.m. in Room 241, County Office Building, McIntire Road, Charlottesville, VA.

Chair

Approved by Board
Date 08/04/2021 Initials CKB