

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on January 8, 2020 at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J. S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, and Ms. Donna P. Price.

ABSENT: None.

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

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:02 p.m., by the County Executive, Mr. Jeff Richardson.

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

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Agenda Item No. 4. Election of Chair.

Mr. Richardson announced that this was the Board's annual organization meeting. He opened the floor for nominations for Chair of the Albemarle County Board of Supervisors for 2020.

Ms. McKeel nominated Mr. Gallaway for Chair. Ms. Palmer seconded the nomination.

Mr. Richardson asked if there were any further nominations. Hearing none, he closed nominations and asked if there was a motion.

Ms. Palmer **moved** that the Board of Supervisors elect Mr. Ned Gallaway as its Chair for 2020. Ms. Mallek **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Mr. Gallaway expressed his appreciation to his fellow Board members. He said he enjoyed being the Chair and looked forward to serving as Chair once again. Mr. Gallaway then assumed the role of Chair.

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Agenda Item No. 5. Election of Vice-Chair.

Mr. Gallaway opened the floor for nominations for Vice-Chair of the Albemarle County Board of Supervisors for 2020.

Ms. Palmer nominated Ms. Price for Vice-Chair. Ms. Mallek seconded this.

Mr. Gallaway asked if there were any further nominations. Hearing none, he closed nominations.

Ms. Palmer **moved** that the Board of Supervisors elect Ms. Donna Price as its Vice-Chair for 2020. Ms. Mallek **seconded** the motion

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Ms. Price expressed her appreciation to her fellow Board members. She said she was deeply honored by the Board's trust and confidence, and that she endeavored to earn it every day.

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Agenda Item No. 6. Appointment of Clerk and Senior Deputy Clerk.

Ms. Mallek **moved** that the Board re-appoint Ms. Claudette Borgersen as Clerk and Mr. Travis Morris as Senior Deputy Clerk. The motion was **seconded** by Ms. Palmer. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Ms. Palmer pointed out that the Board elects the Clerk and Deputy Clerk each year. She said the work the clerks perform is amazing and paraphrased a quote from a website on the history of municipal

clerks. She said that all County departments call upon the clerk's office almost every day for some service or information and that the work demands versatility, alertness, accuracy, and patience, which the public may not realize.

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Agenda Item No. 7. Board 2020 Calendar - Set Meeting Times, Dates and Places for Calendar Year 2020.

Mr. Gallaway said that in the past year, the Board made a switch to holding its meetings on the first and third Wednesday of the month. He said prior to that, they had met the first and second Wednesday of each month.

Mr. Gallaway said that in talking with staff, if for some reason the Board decides they want to have a different schedule, that he and staff believe it is a good idea to start the new schedule after the first quarter, as they have to get the budget meetings set. He said the budget meetings have already been scheduled, as was decided on September 4, 2019, so that if they do decide to make a change to the schedule, it would be best to do so starting in the second quarter. He added that this could be debated, and that staff could make the change right away, if needed.

Mr. Gallaway asked if the Board members had thoughts on the schedule.

Ms. Palmer said from a personal standpoint, it is helpful to go back to the old schedule and hold meetings on the first and second Wednesdays. She said if it is difficult for staff in the first quarter to reschedule the budget meetings, those could stay in place and she had no problem with it.

Ms. Palmer said when she was first asked to run for election in 2007 by her predecessor, she had expressed that she would not be able to because of her job as a veterinarian. She said she then decided to get a house practice started so that she could run for office. She said in the first three years, she had to close the practice for family reasons, but it was always very important for her to have the meetings on the first and second Wednesdays because she could then devote herself to her business the second half of the month.

Ms. Palmer said when the Board talks about salary and schedule, they have to think about the next group of people who will be running for office. She said the position has a tendency to favor older people who are able to devote the time to the position and that this should be considered in the future.

Ms. Palmer also pointed out that the option to take a vacation or travel is more difficult with the first and third Wednesdays schedule.

Ms. Palmer said having the second Wednesday as a tentative meeting date in between the other two meetings makes it very difficult because she is unable to schedule many things. She said work-wise, outside of the Board, she finds it difficult. She said her preference would be to return to the first and second Wednesdays schedule and if this was not the rest of the Board's decision, she hoped they could take the middle Wednesday off the book without having it be tentative. She said the Clerk's office has said that first and second Wednesdays would also be easier for them.

Mr. Gallaway said he did ask the County Executive, County Attorney, and Clerk to speak to the matter as well.

Ms. Mallek recalled that when they first changed to first and third Wednesdays, she had been open-minded to the idea as she thought it might be helpful for the continuation of discussion between the Board and staff. She said the negatives have outweighed the positives in her understanding of how the schedule change has affected operations.

Ms. Mallek said there had seemed to be interest in providing an extra week for staff to provide answers from questions that came up in the first Board meeting of the month, but that she didn't think this was a reasonable expectation. She said the majority of the time, more than one extra week is needed to resolve issues that are lacking. She said the solution to this particular issue is to assume that when they have requested staff for more information about a particular topic, it is going to come back the next month, not two weeks later.

Ms. Mallek agreed that there will be more people interested in running for office if they do see more of a window every month to be able to have a life and career outside of the Board. She noted that while some people have criticized the job of Supervisor as insignificant or part-time, to her, it is a much more mentally encompassing job all of the time. She said there is the obligation for people who are working full-time and trying to manage small children that makes it difficult to make all the meetings. She was optimistic that going back to first and second Wednesdays would help people in that situation be more likely to run for office.

Ms. Mallek said the Board has very high expectations for staff and have made significant requests of the Clerks to be able to make structural and process changes in the way they handle information. She said she didn't think the Board should be hampering them with a more complicated schedule where they never have the third week to be able to focus on the work the Board is giving them outside of meetings. She said she believed staff's success rate will be better if they are able to meet the first and second weeks.

Ms. Price said that unless she was traveling for her job, she had attended every Board meeting from early April through the end of 2019, which gave her an opportunity to observe the Supervisors' responsibilities and what they entail. She concurred with the comments that were made with the difficulty for having a full-time outside job and being a Supervisor. She said though it is classified as a part-time job, she is walking away from her full-time practice of law because an inflexible County schedule is incompatible with an inflexible travel schedule involving conducting hearings across the country. She said she was therefore very sensitive to all the comments that have been made.

Ms. Price said over the past two months since the election, she has endeavored to learn thoughts from the various departments in the County, including the Clerk's office, County Administration, and Legal Office. She said that while there is not unanimity, she believed there was a degree of consensus.

Ms. Price proposed that they continue with the first and third Wednesday of the month, with two changes. She said in 2020, in July, they should have a single meeting on Wednesday, July 22, which would allow staff somewhat of a hiatus from the last meeting (June 17). She said this would allow staff an opportunity to schedule a summer vacation, noting that this was important to the quality of life of the County staff.

Ms. Price also proposed that in the month of December, they have meetings on the first and second Wednesday (December 2 and 9), which similarly would give staff the opportunity to schedule vacation at the end of the year. She said that with over 40 years of experience as an attorney, working with the government at various levels, her experience has been that generally, the last couple weeks in December are relatively slow. She said this would also provide a quality of life benefit to staff.

Ms. Price said that ultimately, the decision to stick with the first and third Wednesday was based upon her perception and belief of what is best in terms of efficiency, productivity, and economy for the County.

Ms. LaPisto-Kirtley said she would like to see the calendar return to the first and second Wednesdays of each month for the purpose of expediency. She said having the first and second in November and December, then having the first and third for all the other months, would not benefit the public. She said the public could get confused. She said after speaking with staff, some do prefer the first and second Wednesdays, and that if they changed to that schedule it would take care of November and December holidays.

Ms. LaPisto-Kirtley proposed perhaps not having the first meeting in August, which would give staff some time to have a proper vacation. She said they could perhaps not have a meeting in August, or simply eliminate the first meeting in August to give everyone a break. She said the City of Charlottesville takes out the entire month of July.

Ms. Mallek express that people in the City did not like this.

Ms. McKeel added that as chair of the Regional Jail Authority Board and Regional Transit Partnership, she had to cancel their July meetings because the City was shut down for July and the City staff were out of town taking vacations.

Ms. McKeel said that for her, personally, she found it very difficult to have two packets in two weeks and to do the reading and preparation required. She said as far as her personal life (including vacations), the first and second Wednesday schedule was much simpler. She said there are pros and cons for everyone.

Ms. McKeel said she didn't believe that the Board could look at the schedule as a decision that would cause people to suddenly be interested in running for the Board of Supervisors. She said to accomplish this, schedule-wise, they would need to look at night meetings, or perhaps having meetings on Saturdays. She said simply going from the first and third weeks to first and second weeks didn't actually help people who work. She said she was working full-time while on the School Board or Board of Supervisors until 2015. She said that she could do the School Board very easily because the meetings were at night and retreats were on Saturdays.

Ms. McKeel said that the Supervisors are part-time and are not supposed to be full-time. She said that in her opinion, the Supervisors are being asked to look at policy and that staff actually carries out the policy and does the work. She said there are times when she has to remember that she is part-time and that she is not supposed to be working 30-40 hours per week in the job.

Ms. McKeel said that because she likes to make decisions based on data, when she heard chatter that there would be a discussion about changing the meeting dates, her inclination was to do her own research. She said she looked at 15 localities, especially the localities that Albemarle considers to be its peer group but also some localities that are smaller and others that are much larger. She said what she found was that none of the governing boards held back-to-back weekly meeting schedules. She said when Albemarle County was scheduling Board meetings on the first and second weeks of the month, they were the outlier.

Ms. McKeel said she didn't think it was a coincidence that her study showed that people meet either the first and third weeks, or the second and fourth weeks. She said Nelson County always met once a month, which was understandable because they are small, whereas Charlottesville, Chesterfield, Greene, Henrico, Hanover, Fluvanna, Louisa, Roanoke, Fairfax, Stafford, Rockingham, Spotsylvania, and

James City all meet either the first and third, or second and fourth, weeks of the month.

Ms. McKeel said she found it fascinating that none of the localities had meetings that lasted for as long as Albemarle's. She said a few localities start their work sessions at 3:00 or 4:00 p.m., then have a meeting that night starting at 6:00 or 7:00 p.m. She said that none of them, however, start at 1:00 p.m. and go late, and that Albemarle is doing twice a month. She said in 2019, the Board had 53 scheduled meetings, and that this reason was why people cannot have full-time jobs and run for the position. She said it was not a matter of the time the meetings were held, but of the number of meetings.

Ms. McKeel said as a model for increasing public engagement and transparency, Arlington has a Saturday business meeting that starts at 8:00 a.m. to afford their citizens the ability, if they work during the week, to come to a Saturday meeting. She said this is followed up with a Tuesday evening meeting the next week that covers items that they had to pull from the agenda, or from the consent agenda, and hold a few public hearings. She said she would be open for a discussion around this, as it was an interesting idea.

Ms. McKeel said that James City County alternates business meetings with work session meetings on the first and the third, or second and fourth, weeks. She said this was a model that the School Board adopted many years ago, and that the Regional Transit Partnership (RTP) is also using this model. She said for the RTP, they only meet once a month.

Ms. McKeel said that Chesterfield County, with a population of 350,000, meets once a month with a work session in the afternoon, and a business meeting that same evening. She said they may find that they have committees that are doing work at other times, but that the Supervisors themselves meet once a month.

Ms. McKeel said that allowing two weeks between the scheduled meetings for staff in multiple departments allows more time to prepare their recommendations, presentations, and supporting documents that the Board receives and requests. She said she understands that the Clerk's and County Attorney's Offices have some concerns about meeting on the first and third weeks. She noted, however, that the County has many departments and that while what the Board receives in its packets comes through Mr. Kamptner's office for review and to the Clerk's office for preparation, there are staff members all over the County Office Building that are preparing for and involved in that work.

Ms. McKeel said she agreed completely with Ms. Price in that while, for her, she could go either way, she believes that for the organization's efficiency and ability to give staff the time to produce a better product for the Board, the first and third weeks worked the best.

Ms. McKeel said that in the past year, the Clerk's Office was not in a good situation for evaluating the process for them. She said she felt badly because there were constant changes with turnover of staff and having to hire their replacements. She said that while the County added a position to the Clerk's Office so that they now have three full-time people working in the office, there wasn't stability because of the turnover. She said she was not sure that 2019 was a good example for the Clerk's Office to be able to review both scheduling options.

Ms. McKeel said that regardless of the decision on the schedule that day, she wanted to offer up some thoughts. She told Ms. Price that her suggestions were very good. She said changing the dates in December was a good idea because of the holidays. She said she was not sure about making a change in July. She said that although the Board shouldn't base its decisions on the City, the City is a partner with the County. She said that when RTP and MPO cannot meet in July, she wonders if the Board would be better off having the first meeting of the month in July, and then cancel the second meeting, which would give people most of the month. She said capturing some time for the Board and staff to have predictable vacation time was a good idea.

Ms. McKeel said one thing she thought the Board should consider is that they have never looked at the Clerk's Office through the lens of determining how to use the technology that the staff are working hard to upgrade to make the Clerk's Office more efficient. She said she would be asking at some point to talk about boards and commissions, as this affects the work that the Clerk's Offices does. She said perhaps there could be an anonymous survey of the staff done. She said consideration should be made of the Board's own office while taking schedules, boards and commissions, and workflows into account. She said perhaps things could be taken off agendas to make them timelier and more efficient.

Ms. McKeel said in the last five years, the County spent over \$100,000 in overtime on the Clerk's Office. She said she would like to know how this breaks down during the budget cycle versus the rest of the year. She said perhaps if the Board could look at its own operational flow and have a report that might come back in time for the Board's retreat so that it can be discussed.

Ms. McKeel suggested maintaining having the regular Board meetings on the first and third Wednesdays. She said they could figure out what they would do for July and December. She said she would also like to have a more in-depth discussion about the Board's own workflow, the efficiencies, and taxpayer time and money during budget discussions, with the idea of looking at an even more in-depth discussion during the Board's retreat in June.

Mr. Gallaway said it would be important for him to hear candid remarks about this from the three departments he mentioned. He said the only reason he is able to serve on the Board is because he works on Board materials on Saturdays. He said to be on the Board, someone working either has to

have a schedule like this, or an employer who is willing to work with them, and that this was a decision the person makes before they run. He said he had no qualms about scheduling vacations or handling things. He said ultimately, he knows that if voters feel like he is not doing his job attending meetings, they will take care of the problem.

Mr. Gallaway said he has a full-time job and family, which both take priority over everything, and that he schedules his life accordingly. He said if he needs to miss a Board meeting for family or work, he will do it.

Mr. Gallaway said for him, it didn't matter if it was first or third weeks, or first or second weeks, for regular meetings, but that he did appreciate the comments that this was a part-time job that should be taken seriously. He said regardless of when or how often the Board meets, the Supervisors have to work that out for themselves.

Mr. Gallaway said that relative to the work the Supervisors have to do, the content and work that comes out of the meetings are substantial and it takes time to go through it all. He said that when they were meeting on the first and second weeks, receiving the next Board packet the next day was daunting. He said this was not new to him, as he was used to going through large amounts of information with his previous experience on the School Board. He said when they moved to the first and third weeks, he was better able to work through the second meeting's packet and do follow up from the first meeting. This allowed him to be better prepared for the second meeting.

Mr. Gallaway said he knew that if he had a block of time off after the second meeting of the month, it would make his life easier because he could work two Wednesdays in a row and take some Saturdays off. He said going to first and third weeks complicates what his job allows him to do in his personal life, but that he would take time off when he needs to, regardless of what the consequences might be.

Mr. Gallaway said that to be able to work through the content, meeting on the first and third weeks seems to work for him. He said he would be curious to hear what the departments have to say, as this weighs in heavily on the decision. He said he knew that staff will do what the Board asks them to do, but that it was important for him to understand how the Board's decisions impact the day-in and day-out operations of the local government.

Mr. Gallaway asked Mr. Richardson to give his perspective.

Mr. Richardson said he had the opportunity to speak to each Board member, one-on-one, about the schedule. He said the Board has been thinking about this, to some degree, for at least the last 30 days. He said the Board did say it would be a trial period when they moved the calendar in 2019 and that they would like to come back and revisit. He said this therefore did not come as a surprise to staff.

Mr. Richardson observed that the staff has worked with both schedules in the past. He said they have handled the flow of business operations specific to the Board meetings regardless of schedule. He said there are pros and cons to each schedule, as the Board has already noted.

Mr. Richardson said when the meetings are moved closer to the first of the month (front-end loaded meetings), there is additional downtime created for both the Board and staff in between the second meeting of the month and the first meeting of the month following. He said this is an opportunity for some people in the organization to have space to breathe and think in a different way, which is appreciated.

Mr. Richardson said that when the meetings are spread out, that amount of breathing time is diminished. He said the Board and staff see this and that this was an obvious pro and con.

Mr. Richardson said that the departments that are regularly present at Board meetings, such as Community Development, are a large part of the Executive Summaries and the staff work that is put together. He said that when the meetings are moved closer together, it goes without saying that there will be staff in Community Development, they will be working simultaneously on agenda items from both weeks, meaning that they may not have quite as much time to do the quality of work, or the amount of time to prepare for the presentations, that they would have if there was space in between the meetings.

Mr. Richardson said having the meetings on the first and third weeks allows staff more rebound time to make changes between the meetings. He said he didn't disagree with Ms. Mallek's remarks that it was not that common that staff is able to answer a question between the first and second meetings because there is often more work to be done, and that it may be the next month before the question is answered. He said that there is some space, however, to react and regroup if the schedule is on the first and third weeks. He said when the meetings are sandwiched closer together, they get the back end of the month to refresh, do other things such as taking time off.

Mr. Richardson said this was the Board's meeting and not that of staff. Staff is full-time and is there Monday through Friday. He said staff needs to be able to mold around the Board, whether they decide to meet first and second or first and third weeks. He said he was glad that some of the Board members were looking at it strictly from a Board perspective. He said he appreciated the opportunity to speak to it as staff, but that they needed to be able to mold around the Board based on what it thinks is best for the Board and for the citizens of the County.

Ms. Borgersen said the preference from the Clerk's Office is to hold the regular meetings on the first and second Wednesdays of the month. She said the reasons are that the Clerks touch on every item that comes to the Board. She said they are a smaller department and has less capacity than other departments. She said with the current schedule, the Clerks are in a constant state of meeting preparation and that when they meet on the first and second weeks, they have time during the end of the month to focus on work for the post-meeting activities, such as archiving, actions letters, and minutes, which they currently do not have the time to do.

Mr. Kamptner said that he would provide his own perspective as well as that of Ms. Marsha Davis (Legal Service Coordinator). He said over the last 15 years, Ms. Davis' role with respect to executive summaries has been greater than anyone else in the County and that, to a large extent, it is and has been her primary function. He said steps have been taken over the last four years to make this process more efficient.

Mr. Kamptner said Ms. Davis would tell the Board that having meetings on the first and second weeks give her about five workdays of downtime during the month that allows her to work on other things. He said that when holding those meetings on the first and third weeks, that number is reduced to about two days of downtime. He said the executive summary process that comes through the County Attorney's Office is almost a month-long process, in part because some summaries come in early while some come in late. He said there were some that were being processed for the next week's Board meeting as late as Monday afternoon or Tuesday morning because things were coming in late.

Mr. Kamptner said Ms. Davis' preference would be to return to having regular meetings on the first and second weeks of the month.

Mr. Kamptner said his perspective is different. He said when there were regular meetings on the first and second weeks, he often went half a month without working on anything else but executive summaries, Board meeting prep, and Board meeting time. He said he was isolated from everything else for about half a month as a result. He said having the meetings on the first and third weeks has allowed him to work on other things throughout the month, which helps him keep other projects moving forward in a timely manner.

Mr. Kamptner recalled that, despite this earlier trend, it seemed like there were non-stop executive summaries between the middle of November and the holiday break.

Mr. Kamptner said the first and third weeks meeting schedule works better. He said they are making some internal changes in the County Attorney's Office that will negate some of the problems he experienced during the year. He said as far as vacation time is concerned, he tries to schedule his vacations around the Board's schedule. He said when he was sitting on the Planning Commission, he was the master of the Wednesday to Monday holiday break so that he could be there for Planning Commission meetings on Tuesday. He said when he missed Board meetings, he sees this as an opportunity for others in the office to get some experience and training sitting on the dais with the Board.

Ms. McKeel said the Board cannot have an expectation for themselves or for their staff that no one can go on vacation. She said they all occasionally miss meetings and that this is okay. She said her experience has been that no matter who misses a meeting, the sun comes up the next day and everything is okay.

Ms. Palmer said the scheduling preferences will be different for different situations. She said there was now a conundrum because the opinions seemed to be split evenly.

Ms. Mallek said she has heard wonderful ideas and that she wanted to share some observations from her past 12 years of experience on the Board. She said that when the Board proceeded to not schedule a meeting in the past ahead of time (such as during the summer), it always came back to bite them. She said that so many of the calendar items that come to the Board are working their way through a chain of action, with many of them having statutory limits. She said if there is a meeting dropped, it results in them having all of their normal items on the agenda as well as having to play catch-up from the meeting they missed, which throws everyone off.

Ms. Mallek said she would be in favor of keeping the meetings on the book so that then, if it turned out there was no public hearing scheduled for a meeting, it wouldn't be a problem to cancel it at that time.

Ms. Mallek said another concern was that the County has hundreds of employees and that she would feel very badly about saying to them they could only take a trip at the end of July. She said they have to keep the building and offices going and that there are people who have family they would like to visit at other times of the year. She said it was important that the Board should be as flexible as possible and not try to make decisions for other people.

Ms. Price clarified that her intent was never that staff or anyone could only take vacations at the end of December or during a break in July. She said this was more to give, twice a year, a bigger opportunity to plan a larger vacation, if they chose to.

Ms. McKeel said people can take vacations whenever they feel like they need to.

Mr. Gallaway noted that the Board seemed to be in a 3-3 position on the schedule.

Ms. Mallek explained that if they voted and it was tied, this would procedurally mean that there would be no change to the schedule.

Ms. LaPisto-Kirtley said she had no problem if it goes to first or second, or first or third, weeks. She said she did feel that it was important, however, for holiday purposes, for staff to do the first and second weeks in November and December, and then perhaps drop one meeting in August or have it as a holding place so that if there is no public hearing scheduled, they could drop it.

Ms. Mallek said her concern was that she didn't want to be choosing which holiday they recognize. She said they need to set a schedule that is going to work and not be choosing a particular holiday that will be recognized more than others.

Ms. LaPisto-Kirtley asked if Ms. Mallek was referring to November and December.

Ms. Mallek replied yes.

Ms. McKeel said that while she agreed with Ms. Price that it would be a good idea to identify a meeting in July to drop, she would not go to August because teachers start back in the middle of August. She said if they are going to drop a meeting, it should be in July as that is when schools are closed.

Ms. Palmer said she was still in favor of a first and second weeks schedule, having listened to the Clerks' and Ms. Davis' concerns. She said she understands the need to have a period of time where someone can focus on other things than the Board meetings. She said if they do end up keeping the current first and third schedule, she would ask that they take off the tentative meeting scheduled on the second Wednesday of each month, as it bothers her when they continually have this looming over them. She said many people take vacations regardless of when a Board meeting is and dealing with staff vacations was a non-event.

Ms. Palmer said every job is different as far as working outside of the Board. She said for her, it was much better to have the first and second weeks schedule. Regardless of which option they chose, she urged the Board to bring it down to two meetings instead of having three blocked off on their calendars.

Ms. McKeel said Ms. Palmer was right about the meeting on the second Wednesday of the month. She said they used it perhaps three times the entire year.

Ms. Palmer said there are a lot of extra meetings during the budget season, and if they put three extra ones in the rest of the year, they are adding to the schedule.

Ms. McKeel clarified that she didn't think they needed the third meeting at all because they only used it three times. She said perhaps they could do away with it.

Ms. McKeel said she appreciated Mr. Kamptner saying that when he takes time off, it's an opportunity for someone else to come to the table and gain experience. She said the Board members did not have designees to do this for them, but that this was true for staff.

Mr. Kamptner said the Board has always been very clear that they expect staff to take time off.

Ms. LaPisto-Kirtley said that her preference would still be the first and the second weeks.

Mr. Gallaway said they could take a vote and if it was 3-3, the schedule they have in place would continue. He said if they wanted to consider the other meetings in addition to the regular meetings, it could be done in a second vote.

Mr. Gallaway expressed that the way the topic came up was frustrating to him. He said the topic did not come up until over the holiday with him, when it was raised a concern from those who reached out to him. He said to quickly try to put together something that impacts so many people in such a short amount of time was not what he would have preferred. He said he wished that this would have come up in a different way to give the Board more lead time to consider it.

Ms. McKeel agreed, noting that she didn't hear about it until the week of Christmas.

Mr. Gallaway said the two options were to take a vote that day, or to have the vote wait until the next Wednesday and take the additional week to follow up with Mr. Kamptner, Mr. Richardson, or Ms. Borgersen.

Ms. Mallek said that seeing there is a divided view, she would propose that they accept and reaffirm the current schedule they already had. She said she would vote for that as it was important to move on.

Ms. McKeel agreed, expressing that the Board needs to handle the schedule like they handle all other decisions, whether they pass or fail.

Ms. Palmer asked if they could get rid of the tentative meeting in the middle.

Mr. Gallaway asked if there was any objection to this.

Ms. Mallek said this was fine with her and that those could be scheduled as needed.

Mr. Gallaway said they used one of these to have their joint meeting with the School Board and if they will have joint meetings, that time will be looked at regardless. He said having it as a placeholder didn't actually help the process.

Ms. Mallek said it just restricts people from being able to schedule something.

Mr. Gallaway agreed, noting it was more prohibitive than helpful.

Ms. McKeel said one of the problems that the Board has when trying to schedule meeting with the School Board is that they all have jobs. She suggested perhaps having an evening meeting with the School Board in honor of the fact that almost all of the School Board members have full-time jobs.

Mr. Gallaway said that from what he heard, it may be prudent for the Chair, Vice-Chair, County Attorney, and Clerk to have a follow-up conversation if the current schedule is reaffirmed as they likely need to have some discussion about the concerns with the current schedule and see if some changes can be made to alleviate the problems. He said the solution might be a matter of a change in expectation from the Board.

Ms. McKeel said during the budget cycle, she would be coming back at some point to ask that the Board take a look at its own operations, just as they would look at those of other departments.

Ms. Mallek **moved** that the Board continue with the current meeting schedule (the first and third Wednesdays of each month), while removing the hold on the second Wednesday for additional meetings. The motion was **seconded** by Ms. Price.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None

Mr. Gallaway explained the Board would also have to discuss times for budget work sessions. He said the Board had formally approved the calendar dates for the 2020 budget work sessions at the September 4 meeting. He said one of the meetings has a delayed start time of 5:00 p.m. to accommodate a conflict with the RWSA Board meeting that day. He asked if the Board wanted to consider moving the other three meetings later as well or if they wanted to keep them from 3:00-6:00 p.m.

Ms. McKeel reminded the Board she has said for six years that the budget work sessions in the afternoon preclude the community from being able to come, watch, and listen if they choose to. She said she didn't think that if they moved the budget work sessions to the evening, they would suddenly have a large turnout from the public, but that by having them in the morning or afternoon, people who work cannot attend. She said transparency in the community is very important, and of all meetings, the discussions around the budget and where the Board is spending taxpayer money should be available to the public in the evening.

Ms. Palmer said this would involve asking staff to work overtime.

Ms. McKeel said she understood this.

Ms. Palmer said this is the reason why the Board has put so much effort into getting their meetings online and videoed. She said they have tried very hard to improve the audio system in the other room. She pointed out that there is no public comment at the work sessions, so the Board needs to keep in mind that perhaps they should be better advertising that all the budget work sessions can be accessed the next day or accessed live.

Ms. McKeel pointed out that many organizations have those meetings in the evening, including the School Board.

Ms. Palmer said she understood this.

Ms. Mallek said there is a benefit of being able to have staff come out of their offices for an hour and answer questions when their part of the agenda comes up, and then go back to work instead of sitting and waiting for their turn in the evenings. She said her preference was to leave them scheduled the way they were. She said the meetings were not 9:00 a.m. to 12:00 p.m. like they used to be, and that they have made an accommodation to make it somewhat later in the day.

Mr. Gallaway said that if they keep the budget meetings scheduled as is, this means that all of the Board's meetings (with the exception of the February 25 meeting, which was the date to accommodate the RWSA) would run 3:00-6:00 p.m.

Mr. Gallaway said there is a February 28 meeting that falls on a Friday, meaning the Board would have a budget work session 3:00-6:00 p.m. on a Friday. He said, if the Board is agreeable, staff has proposed that they could fold the subject matter into the meeting on February 25 and do away with the



meeting on February 28 He said staff feels this is appropriate since the February 28 meeting is CIP related and a lot of those discussions were front-loaded prior to the budget cycle. He said the Board has additional work sessions scheduled as backups in case they are unable to work through all the items in their other budget work sessions and need additional time to meet during the budget cycle. He asked if it was alright not to hold the February 28 meeting.

Ms. Mallek said she didn't have this in the calendar that was sent out and that it was news to her.

Ms. Borgersen informed Ms. Mallek those dates were approved by the Board on September 4.

Mr. Gallaway added that at the September 4 meeting, they also approved the County Executive makes his presentation of the budget to the Board for February 19, which is also the date for one of the regularly scheduled Board meetings in February. He said because the County Executive's presentation is a separate item, the recommendation from the Clerk's and staff is that as opposed to starting at 1:00 p.m., the Board could meet an hour early that day so that the County Executive could give his presentation of the budget at 12:00 p.m. without impacting the rest of the meeting's agenda. He said the Board could then begin their normal Board meeting at 1:00 p.m. and not lose time from the meeting.

Ms. McKeel and Ms. Mallek expressed that this was a good idea.

Ms. Price **moved** that the Board hold its budget meetings from 3:00-6:00 p.m., except for February 25, which will be 5:00-8:00 p.m.; fold the February 28 meeting into the February 25 meeting; and start the February 19 budget meeting at 12:00 p.m. The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Mr. Gallaway reminded the Board that they also needed to schedule the meeting dates for January 2021.

Ms. Mallek **moved** that the Board set the January 2021 meeting dates for January 6 and January 20. The motion was **seconded** by Ms. Price. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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Agenda Item No. 8. Board Rules, Policies and Operating Guidelines:

Item No. 8.a. Adoption of Board Rules of Procedures.

The Executive summary forwarded to the Board states that the rules of parliamentary procedure guide public bodies such as the Board of Supervisors through the various procedural issues that may arise before and in the course of a Board meeting, such as the order of business and voting procedures. Rules of procedure exist for the simple purpose of facilitating and rendering orderly the Board's official actions.

The Board adopts its Rules of Procedure at its annual organizational meeting each January. The rules also may be amended from time to time in the manner prescribed in the rules (Rule 12).

The proposed Rules of Procedure are the same rules last amended by the Board on March 20, 2019. If the Board desires to amend the rules, Rule 12 establishes the procedure to amend - any Supervisor may give notice of a proposed motion to amend at one Board meeting, followed by the motion to amend and the vote thereon at the next regular meeting of the Board.

Staff recommends that the Board adopt the Rules of Procedure (Attachment A). If any amendments are desired, staff will return to the Board at a later meeting with amended Rules for the Board's consideration.

Mr. Kamptner said that for the Board Rules of Procedure, he identified one typographical error at the top of page 3. He said the plural "Supervisors" on the first line should be a singular "Supervisor."

Ms. Price **moved** that the Board adopt the Board Rules of Procedure (Attachment A) with the correction noted by Mr. Kamptner. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

\* \* \* \* \*

## 1. Purpose

- A. **General.** The purpose of these Rules of Procedure (the “Rules”) is to facilitate the timely, efficient, and orderly conduct of public meetings and decision-making, and they are designed and adopted for the benefit and convenience of the Albemarle County Board of Supervisors (the “Board”).
- B. **Rules Do Not Create Substantive Rights in Others.** The Rules do not create substantive rights in third parties or participants in matters before the Board.
- C. **Compliance with These Rules.** The Rules that are parliamentary in nature are procedural, and not jurisdictional, and the failure of the Board to strictly comply with them does not invalidate any action of the Board. The Rules that implement the requirements of State law are jurisdictional only to the extent that Virginia law makes them so.

## 2. Supervisors

- A. **Equal Status.** Except for the additional responsibilities of the Chair provided in Rule 3(A), all Supervisors have equal rights, responsibilities, and authority.
- B. **Decorum.** Each Supervisor will act in a collegial manner and will cooperate and assist in preserving the decorum and order of the meetings.

## 3. Officers and Their Terms of Office

- A. **Chair.** When present, the Chair shall preside at all Board meetings during the year for which elected. The Chair shall have a vote but no veto. (Virginia Code §§ 15.2-1422 and 15.2-1423) The Chair shall also be the head official for all of the Board’s official functions and for ceremonial purposes.
- B. **Vice-Chair.** If the Chair is absent from a Board meeting, the Vice-Chair, if present, shall preside at the meeting. The Vice-Chair shall also discharge the duties of the Chair during the Chair’s absence or disability. (Virginia Code § 15.2-1422)
- C. **Acting Chair in Absence of Chair and Vice-Chair.** If the Chair and Vice Chair are absent from any meeting, a present Supervisor shall be chosen to act as Chair.
- D. **Term of Office.** The Chair and Vice-Chair shall be elected for one-year terms, but either or both may be re-elected for one or more additional terms. (Virginia Code § 15.2-1422)
- E. **References to the Chair.** All references in these Rules to the *Chair* include the Vice-Chair or any other Supervisor when the Vice-Chair or the other Supervisors is acting as the Chair.

## 4. Meetings

- A. **Annual Meeting.** The *Annual Meeting* is the first meeting in January held after the newly elected Supervisors qualify for the office by taking the oath and meeting any other requirements of State law, and the first meeting held in January of each succeeding year. At the Annual Meeting, the Board shall:
  - 1. **Elect Officers.** Elect a Chair and a Vice-Chair.
  - 2. **Designate Clerks.** Designate a Clerk and one or more Deputy Clerks who shall serve at the pleasure of the Board, who shall have the duties stated in Virginia Code § 15.2-1539 and any additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code § 15.2-1416)
  - 3. **Establish Schedule for Regular Meetings.** Establish the days, times, and places for regular meetings of the Board for that year. (Virginia Code § 15.2-1416)
  - 4. **Adopt Rules and Policies.** Adopt Rules of Procedure and Policies that will apply in the calendar year, subject to amendment under Rule 12.
- B. **Regular Meetings.** *Regular Meetings* are those meetings established at the Annual Meeting to occur on specified days and at specified times and places.
  - 1. **Regular Meeting Falling on a Holiday.** If any day established as a Regular Meeting day falls on a legal holiday, the meeting scheduled for that day shall be held on the next regular business day without action of any kind by the Board. (Virginia Code § 15.2-1416)
  - 2. **Adjourning a Regular Meeting.** Without further public notice, the Board may adjourn a Regular Meeting from day to day, from time to time, or from place to place, but not beyond the time fixed for the next Regular Meeting, until the business of the Board is complete. (Virginia Code § 15.2-1416) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).

3. **Continuing a Regular Meeting When Weather or Other Conditions Create a Hazard.** If the Chair finds and declares that weather or other conditions are hazardous for Supervisors to attend a Regular Meeting, the meeting shall be continued to the next Regular Meeting date. The Chair's finding, and the continuation of the meeting, shall be communicated by the Chair or the Clerk of the Board (the "Clerk") to the other Supervisors and to the general news media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement shall be required. (Virginia Code § 15.2-1416)
  4. **Establishing a Different Day, Time, and Place of a Regular Meeting.** After the Annual Meeting, the Board may establish different days, times, and places for Regular Meetings by adopting a resolution to that effect. (Virginia Code § 15.2-1416)
- C. **Special Meetings.** A *Special Meeting* is a meeting that is not a Regular Meeting. The Board may hold Special Meetings as it deems necessary at times and places that it deems convenient. (Virginia Code § 15.2-1417)
1. **Calling and Requesting a Special Meeting.** A Special Meeting shall be held when called by the Chair or requested by two or more Supervisors. The call or request shall be made to the Clerk and shall specify the matters to be considered at the meeting. (Virginia Code § 15.2-1418)
  2. **Duty of Clerk to Provide Notice; When Notice May Be Waived.** Upon receipt of a call or request, the Clerk, after consultation with the Chair, shall immediately notify each Supervisor, the County Executive, and the County Attorney about the Special Meeting. The notice shall be in writing and be delivered to each Supervisor, the County Executive, and the County Attorney at their place of residence or business. Any Supervisor may request that the notice be delivered to him or her by email or facsimile in lieu of personal delivery. The notice may be waived if all Supervisors are present at the Special Meeting or if all Supervisors sign a waiver for the notice. (Virginia Code § 15.2-1418) The Clerk shall also notify the general news media about the Special Meeting.
  3. **Contents of the Notice Provided by the Clerk.** The notice provided by the Clerk shall state the date, time, and place of the meeting and shall specify the matters to be considered.
  4. **Matters That May Be Considered.** Only those matters specified in the notice shall be considered at a Special Meeting unless all Supervisors are present. (Virginia Code § 15.2-1418)
  5. **Adjourning a Special Meeting.** A Special Meeting may be adjourned from time to time as the Board finds necessary and convenient to complete the business of those matters identified in the notice of the Special Meeting. (Virginia Code § 15.2-1417) If a quorum was not established or was lost during the meeting, the Supervisors present may only adjourn the meeting (See also Rules 7(B), (C), and (D)).

## **5. Order of Business for Regular Meetings**

- A. **Establishing the Agenda.** The Clerk shall establish the agenda for all Regular Meetings in consultation with the County Executive and the Chair. The County Executive and the Clerk shall review the agenda with the Chair and the Vice Chair prior to the meeting. The Clerk shall set the order of business as provided in Rule 5(B), provided that the Clerk may modify the order of business to facilitate the business of the Board. The draft agenda shall be provided to the Board six days prior to the Regular Meeting date.
1. **Resolutions Proposed by Supervisors.** Resolutions may be proposed by a Supervisor requesting the Board to take a position on an issue of importance to the Board. A Supervisor requesting the Board to adopt a resolution should give notice of the intent to request action on the resolution on a specified meeting date and submit a draft of the proposed resolution. The request shall be made at least seven days before the meeting at which the resolution may be considered. The Clerk will distribute the draft resolution with background information, if available, to all Supervisors. Any Supervisor may submit proposed changes to the proposed resolution to the Clerk in a redline format. The Clerk shall forward all comments received from any Supervisor to the Board. The Supervisor requesting the resolution will then coordinate with the Clerk to prepare a resolution for consideration by the Board. The Clerk shall poll the Supervisors to determine if a majority of the Supervisors supports adding the resolution to the agenda for consideration. If a majority of the Supervisors indicates support for considering the resolution, the resolution will be added to the proposed final agenda. If all Supervisors indicate support for the resolution, the resolution may be placed on the proposed consent agenda unless any Supervisor requests otherwise.
  2. **Other Items Proposed To Be Added to the Clerk's Draft Agenda.**
    - a. **By Supervisors.** Any Supervisor may propose to add items, other than resolutions subject to Rule 5(A)(1), to the Clerk's draft agenda for action if notice of that item has been given in writing or by email to all Supervisors, the Clerk, and the County Executive



availability; and (ii) the failure of the Clerk to comply with this subsection does not affect the legality of the Closed Meeting.

## 6. Rules Applicable to the Items of Business on the Agenda

- A. Adoption of the Final Agenda.** *Adoption of the Final Agenda* is the first order of business for a Regular Meeting of the Board. The Board may modify the order of business as part of its adoption of the Final Agenda. Any changes to the Consent Agenda should be made when the Final Agenda is adopted. The Final Agenda must be adopted by a majority vote of the Supervisors present and voting. No item for action not included on the Final Agenda shall be considered at that meeting.
- B. Brief Announcements by Supervisors.** *Brief Announcements by Supervisors* are announcements of special events or other items of interest that are not considered committee reports and are not otherwise on the meeting agenda.
- C. Proclamations and Recognitions.** *Proclamations* are ceremonial documents or recognitions adopted by the Board to draw public awareness to a day, week, or month to recognize events, arts and cultural celebrations, or special occasions. *Recognitions* are ceremonial acknowledgements by the Board of a person for service or achievement.
- D. From the Public: Matters Not Listed for Public Hearing on the Agenda.** *From the Public: Matters Not Listed for Public Hearing on the Agenda* allows any member of the public to speak on any topic of public interest that is not on the Final Agenda for a public hearing at that meeting. The following rules apply:
- 1. Time.** Each speaker may speak for up to three minutes, provided that if the anticipated number of speakers may exceed 10, or for other reasons related to the Board efficiently conducting its business, the Chair may reduce the amount of time allowed for each speaker to speak to two minutes.
  - 2. Place.** Each speaker shall speak from the podium.
  - 3. Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker shall comply with Rules 6(D)(1) and 6(D)(2), shall address the Board and not the audience, and shall not engage in speech or other behavior that actually disrupts the meeting. The speaker may include a visual or audio presentation.
- E. Consent Agenda.** The *Consent Agenda* shall be used for items that do not require discussion or comment and are anticipated to have the unanimous approval of the Board.
- 1. Questions to Staff.** Supervisors should ask the County Executive or the staff member identified in the executive summary any questions regarding a Consent Agenda item prior to the Board meeting.
  - 2. Discussion and Comment.** There shall be no discussion or comment on Consent Agenda items at the Board meeting except as provided in Rule 6(E)(3).
  - 3. Removing an Item from the Consent Agenda.** Any Supervisor may remove an item from the Consent Agenda. Any item removed from the Consent Agenda shall be moved to a specific time or to the end of the meeting agenda for further discussion or action. An item requiring only brief comment or discussion may be considered immediately after the approval of the Consent Agenda.
  - 4. Effect of Approval of the Consent Agenda.** A motion to approve the Consent Agenda shall approve those Consent Agenda items identified for action and accept Consent Agenda items identified for information.
- F. General Business.** *General Business* includes public hearings, work sessions, appointments, and other actions, discussions, and presentations.
- 1. Public Hearings.** The Board shall not decide any item before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the holding of a public hearing or consideration of the item. The procedures for receiving a presentation from the applicant and comments from members of the public shall be at the discretion of the Board. However, unless otherwise decided by a majority of the Supervisors present during a particular public hearing, the following rules apply:
    - a. Time.** The applicant shall be permitted up to 10 minutes to present its application. Following the applicant's presentation, any member of the public shall be permitted to make one appearance for that public hearing and speak for up to three minutes on the item. Following comments by members of the public, the applicant shall be permitted up to five minutes for a rebuttal presentation.
    - b. Place.** The applicant and each member of the public presenting and speaking shall do so from the podium.

- c. **Manner.** In order to allow the Board to efficiently and effectively conduct its business, each speaker shall comply with Rules 6(F)(1)(a) and 6(F)(1)(b), shall address the Board, shall speak to issues that are relevant to the item for which the public hearing is being held, and shall not engage in speech or other behavior that actually disrupts the meeting. The speaker may include a visual or audio presentation.
2. **Public Hearings; Zoning Map Amendments; Applicant's Documents Not Available During Advertisement Period.** If the public hearing is held without the applicant's final documents being available for review throughout the advertisement period due to the late submittal of documents, or because substantial revisions or amendments are made to the submitted documents after the public hearing has been advertised, it is the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application. In deciding whether to defer action or to deny the application, the Board shall consider whether deferral or denial would be in the public interest or would forward the purposes of this policy.
- G. **From the Board: Committee Reports and Matters Not Listed on the Agenda.** *From the Board: Committee Reports and Matters Not Listed on the Agenda* shall be limited to matters that are not substantial enough to be considered as agenda items to be added to the final agenda. Reports include routine committee reports and information updates by Supervisors. Any matters discussed during this part of the agenda may not be acted upon by the Board at that meeting.
- H. **Report from the County Executive.** The *Report from the County Executive* is a report on matters that the County Executive deems should be brought to the Board's attention and provide updates, if necessary, to the monthly County Executive's Report.

## 7. Quorum

- A. **Establishing a Quorum.** A majority of all of the members of the Board that is physically assembled is a quorum for any meeting of the Board, except as provided in Rule 7(B)(2). (Virginia Code § 15.2-1415)
- B. **Quorum Required to Act; Exceptions.** The Board may take valid actions only if a quorum is present. (Virginia Code § 15.2-1415) There are two exceptions:
  1. **Quorum Not Established; Adjournment.** If a quorum is not established, the only action the Supervisors present may take is to adjourn the meeting.
  2. **Quorum Not Established or Lost Because of a Conflict of Interests; Special Rule.** If a quorum cannot be established or is lost because one or more Supervisors are disqualified from participating in an item because of a conflict of interests under the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*), the remaining Supervisors are a quorum and they may conduct the business of the Board.
- C. **Loss of Quorum During Meeting.** If a quorum was established but during a meeting the quorum is lost, the only action the Supervisors present may take is to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code § 15.2-1415)
- D. **Quorum Required to Adjourn Meeting to Future Day and Time.** A majority of the Supervisors present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning the meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.

## 8. Remote Electronic Participation

The Board will permit a Supervisor to participate in a Board meeting through electronic communication means from a remote location, provided that:

- A. **Notification to Clerk of Inability to Attend Because of Personal Matter, Disability, or Medical Condition.** On or before the day of the meeting, the Supervisor shall notify the Chair that he or she is unable to attend the meeting due to a personal matter or that the Supervisor is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the Supervisor's physical attendance. The Supervisor must identify with specificity the nature of the personal matter.
- B. **Quorum Physically Assembled; Approval of Remote Electronic Participation.** A quorum of the Board must be physically assembled at the primary or central meeting location. The Supervisors present must approve the participation; however, the decision shall be based solely on the criteria in Rule 8(A), without regard to the identity of the Supervisor or items that will be considered or voted on during the meeting.
- C. **Duty of Clerk to Record Action.** The Clerk shall record in the Board's minutes the specific nature of the personal matter, disability, or medical condition, and the remote location from which the absent Supervisor participated. If the absent Supervisor's remote participation is disapproved

because participation would violate this policy, the disapproval shall be recorded in the Board's minutes with specificity.

- D. Audibility of Absent Supervisor.** The Clerk shall make arrangements for the voice of the absent Supervisor to be heard by all persons in attendance at the meeting location. If, for any reason, the voice of the absent Supervisor cannot reasonably be heard, the meeting may continue without the participation of the absent Supervisor.
- E. Limitation on Remote Electronic Participation in Calendar Year.** Electronic participation by the absent Supervisor as provided in this Rule shall not exceed two Board meetings in each calendar year.

(Virginia Code § 2.2-3708.2)

## **9. Conducting the Business of the Board**

- A. Enable Efficient and Effective Conduct of Business.** Meetings shall be conducted in a manner that allows the Board to efficiently and effectively conduct its business, without actual disruptions.
- B. Minimizing Disruptions.** To minimize actual disruptions at meetings:
1. **Speakers.** Members of the public who are speaking to the Board shall comply with Rules 6(D) and 6(F)(1), as applicable. Members of the public invited to speak to the Board during any agenda item other than From the Public: Matters Not Listed for Public Hearing on the Agenda or during a public hearing shall comply with Rule 6(D).
  2. **Persons Attending the Meeting.** Any person attending a Board meeting shall comply with the following:
    - a. **Sounds.** Persons may not clap or make sounds in support of or in opposition to any matter during the meeting, except to applaud during the Proclamations and portion of the meeting. Instead of making sounds, persons who are not speaking at the podium are encouraged to raise their hands to indicate their support or opposition to any item during the meeting. Cell phones and other electronic devices shall be muted.
    - b. **Other Behavior.** Persons may not act, make sounds, or both, that actually disrupt the Board meeting.
    - c. **Signs.** Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting.
- C. Guidelines Printed on the Final Agenda.** The Guidelines printed on each Final Agenda apply during each Board meeting. The Board may amend the Guidelines from time to time without amending these Rules provided that the Guidelines are consistent with these Rules.
- D. Chair May Maintain Order.** The Chair may ask any person whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease the conduct. If the conduct continues, the Chair may order the removal of that person from the meeting.

## **10. Motion and Voting Procedures**

- A. Action by Motion Followed by a Vote.** Except as provided in Rules 10(B)(2) and 11(D), any action by the Board shall be initiated by a motion properly made by a Supervisor and followed by a vote, as provided below:
1. **Motion Must Be Seconded; Exception.** Each action by the Board shall be initiated by a motion that is seconded; provided that a second shall not be required if debate immediately follows the motion. Any motion that is neither seconded nor immediately followed by debate shall not be further considered.
  2. **Voting and Recording the Vote.** The vote on any motion shall be by a voice vote. The Clerk shall record the name of each Supervisor voting and how each Supervisor voted on the motion.
  3. **Required Vote, Generally Required Vote for Specific Items.** Each action by the Board shall be made by the affirmative vote of *a majority of the Supervisors present and voting* on the motion; provided that an affirmative vote of *a majority of all elected Supervisors* of the Board shall be required to approve an ordinance or resolution:
    - a. **Appropriations.** Appropriating money exceeding the sum of \$500.
    - b. **Taxes.** Imposing taxes.
    - c. **Borrowing.** Authorizing money to be borrowed. (Article VII, § 7, Virginia Constitution; Virginia Code §§ 15.2-1420, 15.2-1427, 15.2-1428)

4. **Tie Vote.** A tie vote shall defeat the motion voted upon. A tie vote on a motion to approve shall be deemed a denial of the item being proposed for approval. A tie vote on a motion to deny shall not be deemed an approval of the item being proposed for denial.
  5. **Abstention.** Any Supervisor who will abstain from voting on any motion must state that he or she is abstaining before the vote is taken and state the grounds for abstaining. The abstention will be announced by the Chair and recorded by the Clerk.
- B. When a Motion and a Vote is or is not Required.** An action by the Board is or is not required to be made by a motion followed by a vote as follows:
1. **Motion and Vote Required.** Any action by the Board to adopt an ordinance or a resolution, and any other action when a motion is required by law or by these Rules, shall be made by a motion followed by a vote.
  2. **Motion and Vote Not Required; Unanimous Consent.** On any item in which the Board is not adopting an ordinance or a resolution, or for which a motion and a recorded vote is not otherwise required by law, the Board may make a decision by unanimous consent. This procedure is appropriate, for example, to provide direction to County staff on an item.
- C. Other Motions.**
1. **Motion to Amend.** A *motion to amend* a motion properly pending before the Board may be made by any Supervisor. Upon a proper second, the motion to amend shall be discussed and voted on by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both Supervisors making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.
  2. **Motion to Call the Question.** The discussion of any motion may be terminated by any Supervisor making a *motion to call the question*. Upon a proper second, the Chair shall call for a vote on the motion to call the question without debate on the motion itself, and the motion shall take precedence over any other item. If the motion is approved, the Chair shall immediately call for a vote on the original motion under consideration.
  3. **Motion to Reconsider.** Any decision made by the Board may be reconsidered if a *motion to reconsider* is made at the same meeting or an adjourned meeting held on the same day at which the item was decided. The motion to reconsider may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the item for discussion in the exact position it occupied before it was voted upon.
  4. **Motion to Rescind.** Any decision made by the Board, except for decisions on zoning map amendments, special use permits, special exceptions, and ordinances, may be rescinded by a majority vote of all elected Supervisors. The *motion to rescind* may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Decisions on zoning map amendments, special use permits, special exceptions, and ordinances may be rescinded or repealed only upon meeting all of the legal requirements necessary for taking action on the items as if it was a new item before the Board for consideration; otherwise, decisions on zoning map amendments, special use permits, special exceptions, and ordinances shall only be eligible for reconsideration as provided in Rule 10(C)(3).

#### **11. Other Rules: Robert's Rules of Order Procedure in Small Boards**

Procedural rules that are not addressed by these Rules shall be governed by *Robert's Rules of Order Procedure in Small Boards*, which provide:

- A. **Not Required to Obtain the Floor.** Supervisors are not required to obtain the floor before making motions or speaking, which they can do while seated.
- B. **No Limitation on the Number of Times a Supervisor May Speak.** There is no limitation on the number of times a Supervisor may speak to a question, and motions to call the question or to limit debate generally should not be entertained.
- C. **Informal Discussion.** Informal discussion of a subject is permitted while no motion is pending.
- D. **Chair; Putting the Question to a Vote.** The Chair need not rise while putting questions to vote.
- E. **Chair; Speaking During Discussion.** The Chair may speak in discussion without rising or leaving the chair, and, subject to rule or custom of the Board (which should be uniformly followed regardless of how many Supervisors are present), the Chair usually may make motions and usually votes on all questions.

#### **12. Amending the Rules of Procedure**



These Rules may be amended only as follows:

- A. Rules Eligible for Amendment.** Any Rule may be amended.
- B. Procedure to Amend.** Any Rule eligible for amendment may be amended only by a majority vote of the Supervisors present and voting at the next Regular Meeting following a regular meeting at which notice of the motion to amend is given. Notice of the motion to amend a Rule may be made by any Supervisor. The motion to amend a Rule may be made by any Supervisor. Upon a proper second, the motion shall be discussed and voted on. In deciding whether and how to amend a Rule, the Board shall consider that Rules 3, 4, 6(D), 6(F)(1)(a) through (c), 7, 8, 9(B), 10(A)(3), and 10(B)(1) address statutory or constitutional requirements.
- C. Limitation on the Effect of an Amendment.** The Board's approval of a motion to amend one or more Rules shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

### 13. Suspending the Rules of Procedure

These Rules may be suspended only as follows:

- A. Rules Eligible to be Suspended.** Rules 1, 2, 5, 6, 9(A), 10 (except for Rules 10(A)(3) and 10(B)(1)), 11, and 12 may be suspended.
- B. Procedure to Suspend, Generally.** Any Rule eligible for suspension may be suspended by a majority plus one vote of the Supervisors present and voting. The motion to suspend a Rule may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on. The effect of the motion to suspend a Rule, if approved, is to make that Rule inapplicable to the item before the Board.
- C. Suspending Rules Pertaining to Motions When There is Uncertainty as to Status or Effect.** If one or more motions have been made on an item, and there is uncertainty as to the status or effect of any pending motions or how the Board is to proceed at that point, the Board may, by a majority vote of the Supervisors present and voting, suspend the Rules in Rule 10 for the sole purpose of canceling any pending motions and to permit a new motion to be made. The motion to suspend a Rule pertaining to any pending motions may be made by any Supervisor. Upon a proper second, the motion may be discussed and voted on.
- D. Limitation on Effect of Suspended Rules.** The Board's approval of a motion to suspend one or more Rules shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 1-6-2010; 1-5-2011; 1-4-2012; 1-09-2013; 1-8-2014; 7-9-2014; 1-7-2015; 1-6-2016; 1-4-2017; 2-8-2017; 1-3-2018; 3-20-2019; 1-8-20)

Item No. 8.b. Adoption of Board Policies.

The Executive Summary forwarded to the Board states that the Board's Policies address the Supervisors' reimbursement for travel expenses, the appointment of Supervisors and citizens to public bodies, and the procedure for appointing citizens. The Board adopts its Policies at its annual organizational meeting each January.

The proposed Policies are the same as those last amended by the Board on March 20, 2019.

Staff recommends that the Board adopt the Policies (Attachment A). If any amendments are desired, staff will return to the Board at a later meeting with amended Policies for the Board's consideration.

Mr. Kamptner said that regarding the Board Policies, Ms. Price had circulated some comments on some clarifications for the travel reimbursement policies in A-2 and A-3. He said she also wanted a clarification to 4-B regarding announcing Supervisors who are serving on a non-profit organization without compensation.

Ms. Price apologized to the Board for being late on getting her comments out, as she was still learning the processes. She said she had three items to have some discussion on.

Ms. Price pointed to page 1, paragraph 1A, "2. Mileage to Prepare for Matters to be Considered by the Board." She said the current language said, "mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters scheduled for consideration on the Board's agenda, which is not part of routine personal travel." She said her concern is that the matter must currently be on the Board's agenda. She offered for consideration a slight modification so that rather than

reading "matters scheduled for consideration on the Board's agenda," it would read, "matters under the Board's responsibility" in order to avoid a potential conflict in something that is not currently on the agenda.

Ms. Mallek thanked Ms. Price for this because for 12 years, it has been interpreted to be doing the job. She said whether it is going to a CAC meeting, meeting with constituents, or other matters, this is the way it has been interpreted. She agreed with the change.

Ms. McKeel agreed as well, noting how it was a good example of how fresh eyes can sometimes catch something that the Board has seen for years and not thought about.

Ms. Price said regarding the second item in the same paragraph (1A), in sub-paragraph 3, under "Parades and Other Community Gatherings," the current language is "parades and other community gatherings not advertised as Supervisors' Town Hall meetings to discuss County business." She said her concern is with the use of the language "Town Hall meetings."

Ms. Price said in discussions with the Clerks, it was explained to her that the general theme is to avoid a Supervisor running for re-election and being reimbursed for travel to or from a campaign event. She noted, however, that the use of the words "Town Hall meetings" could cause some problems because there are matters of community interest, and a Supervisor may want to have a meeting to discuss that. She said typically, such a meeting is referred to as a "Town Hall meeting."

Ms. Price asked the Board to consider changing the language to specifically address political or campaign events during the election season, essentially from April 1 to the election day of a year, in order to avoid an incumbent Supervisor being reimbursed for travel for campaign-related events, but allow the Supervisors to do their jobs.

Ms. Mallek said she was always worried about the "parades" language because she didn't think the Supervisors needed to be reimbursed for them.

Ms. McKeel said she thought this was a good catch.

Ms. Price said her suggested language would substitute "Town Hall events" with "campaign-related events."

Ms. Price said the third suggested change was on page 4, regarding the section, "Supervisors Serving Without Remuneration on Board of Trustees of Not-for-Profit Entities," sub-paragraph B, "Board Policy." She said the current language provides that a Supervisor who serves without remuneration as a member of the Board of Trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered for action. The disclosure should be made at the beginning of the Board meeting at which the matter will be considered."

Ms. Price said she believes that the language should be changed so that the disclosure "shall" or "must" be made at the beginning of the Board meeting at which the matter will be considered in order to avoid a vote actually taking place before the Supervisor discloses their involvement with that non-profit. She proposed changing the word "should" to "shall" or "must."

Mr. Kamptner suggested an additional change so that the sentence reads, "The disclosure [shall/must] be made at the beginning of the Board meeting at which the matter will be considered or acted upon" so that there is a parallel construction between that and the earlier provision.

Ms. McKeel said she thought this was a good catch as well.

Ms. Mallek asked if it was reasonable to do this at the beginning of budget season rather than having to worry about something at the beginning of a particular meeting when the budget might come up. She said she was happy to disclose memberships, but it would perhaps be easier if they were listed on the first day of budget season.

Mr. Kamptner said that part of the reason for the policy is that people can forget. He said as the budget season progresses, there may be some members who are absent. He recalled that when Mr. Brad Sheffield was a Supervisor, he was required to disclose his memberships under the Conflicts Act, and that it was a good practice for not only other members of the Board, but also the public to know about his role with JAUNT.

Mr. Kamptner reminded that this is the Board's policy and is not required under COIA because there is an express exception for this particular situation. He said as a practice, he would suggest keeping it as doing it at each meeting where the topic can come up, recognizing that it is possible that a topic will come up that wasn't planned for, and the rules recognize this. He said this will not invalidate any action or discussion that the Board takes. He said there are no repercussions for anyone who may have forgotten, but that it was simply a practice.

Mr. Kamptner said that if there were no further changes, the Board's rules provide that a Supervisor gives notice of intention to amend the rules or policies at one meeting, and then the revised policies or rules come back at the next regular meeting. He said if the Board was ready to do this, the notice could be deemed to have been given at the present meeting, which means it wouldn't be in the Board packets but would come separately at the next meeting. He said they could also instead wait to

give that notice of intention to amend the policies at next week's meeting, then come back at the February 5 meeting with the revised rules, which would be in the Board packets.

Ms. Mallek said that this would mean the public would be able to see it all written down beforehand.

Ms. Price deferred to the latter option.

Mr. Kamptner said the practice of making the revisions over the past three years was to adopt the rules as they are in the packet that day, and then they would ask a Supervisor to give the notice of intention to amend. He said then, the revised rules would come back on February 5.

Ms. Price **moved** that the Board adopt the Board Policies as written. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

\* \* \* \* \*

## **Policies of the Albemarle County Board of Supervisors**

### **1. Travel Reimbursement**

Supervisors will be reimbursed travel expenses pursuant to uniform standards and procedures that will allow Supervisors to travel for official County business purposes consistent with the prudent use of County funds as follows:

- A. Routine Travel Expenses.** Supervisors may be reimbursed for the following routine travel expenses at the County's authorized car mileage reimbursement rate, provided there are available funds:
  - 1. Mileage for Board and Committee Meetings.** Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Supervisor is appointed, from home or work, if a work day, which is not part of routine personal travel. Travel to use the Board's County Office Building office between other personal travel or meetings, is not eligible for reimbursement.
  - 2. Mileage to Prepare for Matters to be Considered by the Board.** Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters scheduled for consideration on the Board's agenda which is not part of routine personal travel (*i.e.*, site visits, informational meetings).
  - 3. Parades and Other Community Gatherings.** Parades and other community gatherings not advertised as Supervisor's town hall meetings to discuss County business.
- B. Educational Conference Travel Expenses.** Supervisors may be reimbursed for the following educational conference travel expenses, provided there are available funds:
  - 1. Regional, Statewide, and National Meetings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Supervisor represents the County, as approved by the Board.
  - 2. Legislative or Congressional Hearings.** All necessary, actual, and reasonable meal, travel, and lodging costs (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.
- C. Matters for Which Supervisors will not be Reimbursed.** Supervisors will not be reimbursed for the following travel expenses:
  - 1. Political Events.** Travel to events which are political in nature (*i.e.*, campaigning or partisan events).
  - 2. Personal Expenses.** Personal expenses incurred during travel.
  - 3. Travel Not Part of Duties.** Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Subsections (C)(1) or (C)(2).
- D. Implementation.** This policy will be applied and overseen in the following manner:
  - 1. Reimbursement Requests.** Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board (the "Clerk") and shall itemize the date, number of miles of travel, and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be

for the amount of costs expended and shall be documented by receipts for actual amounts paid.

2. **Clerk Review.** The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
3. **Exhaustion of Funds.** When all allocated funds for Board reimbursements have been expended, there will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

## 2. **Supervisors Appointed to Boards, Committees, and Commissions**

The Board appoints its members to a variety of boards, committees, and commissions to represent the interests of the Board on those bodies. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

- A. **Voting Representatives.** Supervisors who are appointed to boards, committees, and commissions are required to vote on matters that come before those bodies in a manner which is consistent with the policies and positions of the Board as reflected in previously adopted resolutions or official actions of the Board on those matters.
- B. **Liaison Representatives.** Supervisors who are appointed to boards, committees, and commissions as liaisons are to act as a resource for the board, committee, or commission and are to report to the Board on the activities of the board, committee, or commission.
- C. **Alternates.** Supervisors may serve as alternates for the Board-appointed voting representatives or liaison representatives when the representative is unable to attend a meeting. The organizational documents for the board, committee, or commission must allow alternates to be appointed. Any alternate must be appointed by the Board to serve as an alternate for the particular board, committee, or commission.

## 3. **Boards, Commissions, and Committees**

### A. **Review and Creation of Boards, Commissions, and Committees are as Follows:**

1. **Annual Report.** By October 1 of each year, all boards, commissions, and committees shall submit a report to the Board covering the prior fiscal year (July 1 to June 30) that includes the key activities that support their mission and a summary of their activities and the attendance of each appointee.
2. **Annual Evaluation.** On an annual basis, the list of active boards, commissions, and committees will be evaluated and purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior 12-month period.
3. **Combining Functions and Activities.** Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.
4. **Short-Term Task Forces and Ad Hoc Committees.** Any newly created task force or ad hoc committee which is intended to serve for a limited duration may be comprised of magisterial or at-large members at the discretion of the Board. The appointment process shall follow that adopted in Section 3(B) for other magisterial and/or at-large positions.

### B. **Appointments to Boards, Commissions, and Committees**

1. **Appointments, Generally.** All appointments to boards, commissions, and committees based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the Supervisor of that district.
2. **Compilation of List of Expired Terms and Vacancies.** Prior to the first regular Board meeting each month, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next 60 days. The Board will then advise the Clerk which vacancies to advertise.
3. **Advertising Positions.** When the Board advises the Clerk which vacancies to advertise, the Clerk shall, in collaboration with the County's Director of Communications and Community Engagement, distribute notice of the vacancy on any board, commission, or committee through available and appropriate media in order to reach as many citizens as possible. The advertisement shall provide a brief description of the duties and functions of the board, commission, or committee, the length of term of the appointment, the frequency of meetings, the minimum qualifications necessary to fill the position, and the Board's expectations for appointees to attend meetings and to participate in other activities of the board, commission, or committee. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.

4. **Application Content.** The application form shall request information in the following areas: (i) the name of the board, commission, or committee to which the applicant seeks to be appointed; (ii) the name, address, and other contact information of the applicant; (iii) employment; (iv) County resident status and resident history; (v) family relationship (natural or legal offspring, parent, grandparent, spouse, or sibling) to any County Supervisor or other officer, employee, or appointee; (vi) education; (vii) offices or memberships in civic, not-for-profit, and similar organizations; (viii) activities and interests; (ix) reasons for seeking to serve on the board, commission, or committee; and (x) how the applicant learned about the vacancy.
  5. **Application Period.** All interested applicants will have a minimum of 30 days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that the application may be released to the public, if requested. No applications will be accepted if they are received or, if the application is mailed through the United States Postal Service, postmarked after the advertised application deadline, however, the Board, at its discretion, may extend the deadline.
  6. **Distribution of Applications.** After the application deadline has passed, the Clerk will distribute all applications received to the Supervisors before the Board meeting at which the applications will be considered. For magisterial appointments, the Clerk will forward applications as they are received to the Supervisor of that district who will then recommend his or her appointment.
  7. **Interviews; Appointments Without Interviews.** From the pool of qualified candidates, the Board, in its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held on the day of a regular or special Board meeting.
  8. **Appointments Within 90 Days.** The Board will make all reasonable efforts to interview selected applicants and make appointments within 90 days after the application deadline. For Board-designated agency appointments to boards, commissions, and committees, the Clerk shall ask the agency to recommend a person for appointment by the Board.
  9. **Vacancies Filled as They Occur; Exception.** All vacancies will be filled as they occur, except that vacancies occurring on a Community Advisory Council will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on that Council at the same time and more than three months remaining from the annual appointment date.
  10. **Appointees Required to File Real Estate Disclosure Form.** As a condition of assuming office, all citizen members of boards, commissions, and committees shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 *et seq.*) and thereafter shall file the form annually on or before February 1.
  11. **Termination of Appointment for Excessive Absences.** If a member of a board, commission, or committee does not attend and participate in at least 75 percent of that body's meetings, the Chair of the body may request the Board to terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period. If permitted by applicable law, the Board may establish different attendance requirements and procedures to terminate an appointment for excessive absences for a particular board, commission, or committee.
  12. **Appointees to Advisory Bodies Serve at the Pleasure of the Board.** Any person appointed by the Board to an advisory board, commission, or committee serves solely at the pleasure of the Board.
4. **Supervisors Serving Without Remuneration on the Board of Trustees of Not-for-Profit Entities**
- A. **State Law.** The State and Local Government Conflict of Interests Act (the "Act") recognizes that a system of representative government depends in part upon: (i) Supervisors representing fully the public in the legislative process; and (ii) the County's citizens maintaining the highest trust in the Board of Supervisors. The Act establishes rules designed to assure that the judgment of any Supervisor is free of inappropriate conflicts of interest. Under the Act, a Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity, where neither the Supervisor's nor his or her immediate family has a personal interest in the not-for-profit entity, is not required to disclose or disqualify themselves from participating in any transaction related to the not-for-profit entity.
  - B. **Board Policy.** A Supervisor who serves without remuneration as a member of the board of trustees of a not-for-profit entity must disclose that fact at each meeting of the Board of Supervisors at which a matter pertaining to the not-for-profit entity is considered or acted upon. The disclosure should be made at the beginning of the Board meeting at which the matter will be considered.

Item No. 8.c. Review of Board of Supervisors Operating Guidelines.

The Executive Summary forwarded to the Board states that at the Board's July 9, 2018 meeting the County Executive presented the Board's Operating Guidelines for High Quality Governance as developed during the May 2018 Board Retreat for the Board's review.

At the August 8th Board meeting there was consensus to make the final revisions outlined and incorporated in Attachment A. At the September 5 Board meeting there was final direction to revisit these guidelines in six months for a check-in to help insure they are working as originally discussed.

At the March 6, 2019 Board meeting, there was consensus that the eight operating guidelines have helped give clear communication and direction to staff from the Board. This has helped achieve a mutually beneficial and effective working relationship for the purpose of serving Albemarle County and its citizens.

Staff supports Board Operating Guidelines that assists both the Board and staff in achieving a mutually beneficial and effective working relationship for the purpose of serving Albemarle County and its citizens.

Mr. Gallaway said these guidelines were set up two years earlier. He said the County Executive would like to make some remarks about them, notably one item about Board members and how they relate and operate with staff, and the legality of the fact that under their form of government, the County Executive is who they should be communicating through. He said Board members are not to be directing the work of staff directly.

Mr. Richardson read Operating Guideline #5, "When a Board member sends a communication to a staff member, it should be copied to the department head as well as to the appropriate member of the County Executive's Office." He said something he has been paying attention to is making sure that when there is email traffic between Board members and staff that he identifies if it is something that the entire Board needs to see. If it is a body of work, questions, or work on behalf of the staff that the County Executive needs to review and turn around to the entire Board, the County Executive's Office needs to know.

Mr. Richardson said this was one thing that he, Mr. Doug Walker, and Mr. Trevor Henry feel that they are responsible for. He said, if a Board member has an interest in a specific item and is drilling down on getting additional information, the rest of the Board may not have expressed an interest, but sometimes the County Executive has missed the mark on this and he has had Board members come back and tell him they didn't know about the information and would have liked to have seen it.

Mr. Richardson said when Board members need information or are interested in a topic, it may not be a topic that is related to a discussion in the Board room but could be an issue that is from the public that citizens are talking to them about, and they are trying to get their arms around the facts. He said it is staff's job to be responsive, not just to citizens but to Board members as well. He said they had to make sure they are doing a good job of understanding the issues and getting them back to that Board member and to the Board as a whole.

Mr. Richardson said he appreciated the Board's attention to #5 in making sure that if they are working on something, to keep any of the three mentioned members from the County Executive's Office involved. He said the three of them working on different items but at times they overlap and discuss them. He encouraged the Board to copy any of the three County Executive staff to give them an opportunity to evaluate the topic. He said though he could be used as the default, Mr. Walker and Mr. Henry are great communicators and do well with response time.

Mr. Richardson said he didn't want to bog down the Board. He said a Board member recently told him that one of the most important attributes of a good elected official is responsiveness. He said this means that staff has to be responsive as well.

Ms. Mallek added that this responsiveness means taking the time to get it right. She said she would never expect a five-minute turnaround, for instance, because staff needs time to collect the information without making errors.

Ms. McKeel asked if she could read the guidelines, as it was important for the public to hear.

Mr. Gallaway agreed.

Ms. McKeel read the Operational Guidelines aloud.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

**ALBEMARLE COUNTY BOARD OF SUPERVISORS  
OPERATING GUIDELINES FOR HIGH QUALITY GOVERNANCE  
January 5, 2020**

**The Board commits to using the following guidelines to ensure high quality governance:**

1. The County's strategic priorities will guide the work of the Board and staff and will be supported by a thoughtful priority setting process and cycle.
2. We will honor the expressed will of the majority and respect the concerns of the minority.
3. We ensure that policy decisions and directions to the County Executive are communicated by the entire Board.
  - Where this is unclear, the County Executive will seek clarification from the Board.
  - No single member of the Board can provide direction on policy implementation to the County Executive.
4. Board Members do not want their interactions with and requests to staff members to negatively impact staff productivity.
  - Staff members should use judgment and explain the resources that would be required to respond to Board requests.
  - If a policy issue is going to affect workload or a policy decision, it should come through the County Executive's office.
5. When a Board Member sends a communication to a staff member, it should be copied to the department director and the appropriate member of the County Executive's Office. Urgent matters will be clearly labeled in the subject line.
6. To assure maximum productivity, the Board should focus on policy-making work and the staff should focus on day-to-day operational work and provide progress reports.
7. We are responsible for our districts, the entire County, and the region; therefore, we should give our best efforts to work for the benefit of all.
8. When a Board Member has a concern regarding staff performance, we go directly to the County Executive in a timely manner so that it can be addressed.

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Agenda Item No. 9. Adoption of Final Agenda.

Ms. Price **moved** to adopt the final agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None.

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**Introductions.** At this time, Mr. Gallaway introduced the staff present and the presiding security officers, Officers Dana Reeves and Eric Reuschling.

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Agenda Item No. 10. Brief Announcements by Board Members.

Ms. Price said that since she has moved to the area, she has never lived in a community where more people are more involved in making it a better place than in Albemarle County. She said she had two examples of this that happened recently.

Ms. Price said on December 23, she had the good fortune to be invited, along with Ms. LaPisto-Kirtley, to be invited to an HVAC install at which Beck Cohen, which started in Charlottesville in 1955, donated, at substantial cost, a brand new system to be installed into a house, along with AHIP which had identified a family that was in need. She said at the coldest point of the year and the family didn't have working heat in the house, and that it was a pleasure to see a local business and local community organization taking care of a local family.

Ms. Price said too often, when thinking about affordable housing, people believe this is an inner-city problem with getting people into housing, and the fact is overlooked that affordable housing is also keeping people in their houses. She said during her campaign, she noticed that the biggest diversity in the Scottsville District is economic. She said when she sees local businesses like Beck Cohen and non-profit groups like AHIP working together, it warms her heart as it did that house.

Ms. Price said the week before, she was invited for the ribbon cutting at the Space of Scottsville, a local non-profit founded by Cat and Bob Abbott, a veteran. She said this place provides woodworking, computer technology, 3D printing, arts, and crafts at a very low cost in a business establishment in Downtown Scottsville. She said this wouldn't have happened without community support.

Ms. Price made special note of Mitchell Andersen of Midvale Farm in Fluvanna County, who owns the space and is allowing the Space of Scottsville to use it far below nominal rent. She said this is a signal that the Town of Scottsville is important not just to the Scottsville District, adjacent Samuel Miller District, or Albemarle County, but to surrounding communities such as the counties of Fluvanna, Nelson, and Buckingham. She said to have a business owner from a neighboring county provide this benefit into the Town of Scottsville was the whole community working together. She said it was an honor for her to have the opportunity to be there.

Ms. LaPisto-Kirtley said it was a pleasure to be there, working with a great Board and fabulous staff, and that she was excited about the future and bringing new ideas and opportunities into the County. She said there are great people in the community who are very philanthropic. She echoed Ms. Price's sentiments about Beck Cohen and encouraged more of this.

Ms. LaPisto-Kirtley said she would be attending the Lewis and Clark event for the 275th Anniversary the next evening.

Ms. McKeel said that while the Board could create a long list of organizations and businesses that work closely with CATEC, Beck Cohen is with the best of them. She said during her years on the CATEC Board, she was very appreciative of Beck Cohen. She suggested at some point looking at the businesses in the community that have worked with CATEC.

Ms. McKeel reminded everyone that, as a retired nurse, it was not too late to get a flu shot. She said the flu shots are very reasonably priced.

Ms. McKeel said the School Board was seeking people to apply for their Health Advisory Board and their Long-Range Planning Advisory Board. She encouraged interested applicants to visit the School Board's website for more information.

Ms. McKeel said that Superintendent Matt Haas was presenting his funding request, which rolls out ahead of Mr. Richardson's. She said Mr. Haas' funding request will happen in Lane Auditorium on January 23, 2020 at 6:30 p.m. She encouraged the Board to attend that presentation, noting it was very informative to hear the Superintendent of Schools present his budget because the Board could learn things they wouldn't necessarily learn once the process has gone forward with the School Board, and then comes to the Board of Supervisors.

Ms. Mallek welcomed the new Board members. She said the Board should be proud of many accomplishments. She said the protection of the rights of individual citizens and the quiet enjoyment of their property, both in rural and urban areas, has been enhanced with regulations for event activities, animal welfare, and commercial activities in the rural areas.

Ms. Mallek said there have been many small steps and progress in stormwater and water quality, but that much more work needs to be done.

Ms. Mallek said the Board should not forget that after 35 years of debate, the locality has made a huge improvement in transportation with the completion of most of the elements of the 29 solutions. She said they will see the final phases of that project at Hydraulic and the new train to D.C. in the coming years and that they must work very hard to make that happen.

Ms. Mallek said the County is anticipating many major construction projects with VDOT, which will improve the function and safety of vehicles and pedestrians in the county. She said there are smaller projects, however, such as traffic safety intersection improvements (from stop signs to traffic calming measures) that need to be completed.

Ms. Mallek said citizens are impatient to see completion of projects they have been discussing for a decade. She said an example she and Mr. Gallaway have been working on is the Reas Ford/Earlsville Road intersection where easy steps have been taken, and the bigger structural changes are under design and re-design to try to arrive at feasible costs.

Ms. Mallek said transit expansion will help all citizens. She said to imagine how people won't have to put aside a big portion of their budget to maintain a vehicle if the County makes more transit available.

Ms. Mallek said the Board has made significant investments in capital projects to begin to catch up on a \$100 million backlog. She said the difficult prioritizing and deciding faces the Board each day, but that they have much to do.

Ms. Mallek said they must do what they can to reduce the physical impact of chemicals on citizens resulting from daily operations. She said this was the reason the Safer Chemical Policy was created, and that discussion will help move it forward.

Ms. Mallek said true environmental advancements will be achieved when the Board adopts more policies to continue strengthening the buffer and water protection rules. She said they will actually do what the Board says they are doing.

Ms. Mallek said true environmental advancements will be achieved when the Board makes



choices in capital projects with sustainability, health, and taxpayer protection in mind. She said cheaper choices, which then endanger the health of the citizens and children, cannot be made. She said the Board's capital projects need to consider the entire lifecycle of project materials, from construction to replacement and disposal issues as well.

Ms. Mallek said true environmental advancement will be achieved when local government chooses to use all accurate information available, not just that which is convenient, for decision making. She said they should be using the latest, clearest, and most complete information they can get their hands on.

Ms. Mallek said she had every confidence that with diligence and care, the Board can succeed on these and many other issues, too. She said their citizens demand nothing less. She said she looked forward to working with all the Board members and community.

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Agenda Item No. 11. Proclamations and Recognitions.

Mr. Gallaway said there were no proclamations or recognitions.

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Agenda Item No. 12. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Peter Krebs from the Piedmont Environmental Council welcomed the new members to the Board. He congratulated Mr. Gallaway and Ms. Price for their elections as Chair and Vice-Chair that day.

Mr. Krebs said the PEC works to preserve the distinctive Piedmont landscape and thriving communities. He said they do this through land conservation, soil and water protection, and habitat restoration. He said they advocate for smart land use and thriving, well-connected communities.

Mr. Krebs said his own area of specialization is bicycle-pedestrian connectivity. He said PEC believes that this is an essential part of preserving the rural area by making the urban areas thriving, great places to live where people can safely get around without a car.

Mr. Krebs said he was attending the meeting to watch Mr. Kevin McDermott's presentation on transportation. He said there were many exciting projects in that presentation and that he was looking forward to seeing people's reactions. He said residents of Albemarle have spoken very clearly about the importance of connectivity and being able to get around safely by walking, transit, and bicycle.

Mr. Krebs said he was also excited about what 2020 would bring, deeming 2020 the "year of clear vision."

Ms. Susan Kruse, Executive Director of the Charlottesville Climate Collaborative, said she has had the privilege of leading C3 since January of 2019. She said she was there today to thank the previous Board for unanimously voting to set leadership climate targets of a 45% emissions reduction by 2030 and carbon neutrality by 2050. She said Albemarle was one of fewer than a dozen localities in the nation to set this ambitious target on October 16, 2019, and that a few others communities have followed its example.

Ms. Kruse said that now, the real work begins, and that the 2020 Board of Supervisors will need to help to craft a Climate Action Plan to reach those targets. She said that C3 was founded for just this purpose, to bring communities together to lead on climate. She said they work closely with citizens, businesses, and local governments to develop climate action plans, which accelerate climate action.

Ms. Kruse said that in 2019, C3 submitted letters to the Board on behalf of 41 businesses, 7 area schools, 9 social justice organizations, and nearly 1,000 area residents. She said all of these were in support of the County's leadership emissions targets and that many of the individuals came to speak to the Board throughout 2019. She said C3 is prepared to convene those groups once again to help Albemarle County build a Climate Action Plan which achieves its goals.

Ms. Kruse said that as transportation emissions make up the most significant share of the county's emissions, the first priority should be to create a Climate Action Plan that prioritizes solutions which reduce vehicle miles traveled and incentivizes electric vehicle adoption. She said increasing the share of county residents who utilize public transit should be the cornerstone of those solutions and will have the added benefit of enhancing accessibility to services for vulnerable populations.

Ms. Kruse said they must also develop solutions for energy efficiency in residential and commercial sectors. She said it is estimated that 30% of all energy use in buildings is wasted. She said a revolving loan fund could help to begin to address this problem. She said C3 is currently working with the City of Charlottesville to research residential financing options and, in the spirit of climate action together and partnership between the City and County, it looks forward to updating the Board on this project at future meetings.

Ms. Kruse asked the Board to swiftly authorize the Commercial Pace Program for the commercial sector. She said this is a policy tool which requires little County resources but could assist businesses, especially area non-profits, with energy efficiency and clean energy goals.

Ms. Kruse said she would be remiss if she did not insist that one of the first steps is to create a new greenhouse gas emissions inventory for the County, noting that one hasn't been done since 2008. She said if they don't know where they are beginning, it's hard to know the path forward. She said she looked forward to working with the Board on this important issue.

Mr. Gary Grant of the Rio District said he didn't speak for Earlysville, but that he spoke from Earlysville. He said that all he wanted from government was information and safety. He said he wanted to share information about the safety that was not being provided in Earlysville. He said the following information came from Lt. Stoddard of the Albemarle County Police Department on Monday of that week.

Mr. Grant said that between October 8, 2019 and that past Sunday, 222,843 vehicles traveling in just one direction through Earlysville passed a solar-powered speed radar on Earlysville Road. He said 12,033 of those vehicles exceeded the 35 mph posted speed limit at that radar location across from the Buck Mountain Episcopal Church. He said it appears that none of those 12,033 speed violators were caught, arrested, charged, or convicted.

Mr. Grant said that while most of the violators were speeding at 5 to 8 mph over the limit, the highest speed recorded at that location was 60 mph (almost double the posted speed limit there). He said the 60-mph violations occurred at 7:00 a.m., 9:00 a.m., 2:00 p.m., 3:00 p.m., 5:00 p.m., 9:00 p.m., and 10:00 p.m. He said he could not tell from the police report, however, how many times the 60-mph violation was recorded or on which dates.

Mr. Grant said that White Hall Supervisor Ms. Mallek (with 12 years on the Board) and Rio Supervisor Mr. Gallaway (with 2 years on the Board), both of whose districts include Earlysville's roadways, have failed to stop the speeding through Earlysville. He said government has provided the information about the problem, but that they have not provided the safety to go along with it. He said Earlysville needs some help with this before they have to post crosses along the roadways in addition to radar signs.

Mr. Eddie Payne of Scottsville said he was raised and educated in the area, worked there, and finally retired there. He congratulated the new members of the Board, especially Ms. Price.

Mr. Payne said there was a meeting last month concerning the Second Amendment sanctuary. He said as of that morning, there were 124 jurisdictions in the Virginia that have passed some sort of resolution concerning the Second Amendment issue. He said he was there to say that he is also an elected official who serves on the Council for the town of Scottsville, and in doing so took an oath that he would uphold and defend the Constitution of the U.S. and Virginia.

Mr. Payne said he didn't understand why it was called a Second Amendment sanctuary because, to him, the word "sanctuary" means a safe haven. He said he felt that if the Board were to pass some type of resolution like 89 other counties have, it would reaffirm the oath that they all took. He said they may not agree with everything that is law of the land, but they have to uphold it. He said there were many people attending the Board meeting last month who wanted a forum and a voice. He said it was more than just the Second Amendment, but was about the faith in the Bill of Rights of the Constitution.

Mr. Payne likened the situation to couples renewing their wedding vows because they were stating they still believe in the marriage. He said he felt like an outlaw. He said looking at the map, he could see all the places that have passed resolutions, and that he was wondering why Albemarle County was so much different than the rest of Virginia.

Mr. John Springett welcome the new Board members, as well as offering congratulations to Mr. Gallaway and Ms. Price. He reminded the Board that in November, at one of the rezoning application hearings for 999 Rio Road, a point came up that there was not really any type of consolidated or comprehensive corridor study. He said the Transportation Department was tasked with performing such a study.

Mr. Springett said he understood that on the schedule for that day, Mr. McDermott would be presenting his monthly update. He asked that the Board determine where that consolidated study is because it needs, as the Board had said, to be completed before there is any action taken for rezoning in Neighborhood II. He asked the Board to ask Mr. McDermott when this would be completed so that everyone could have a look at it.

Dr. Charles Battig offered a welcoming statement to all members of the Board. He said he had some comments on climate change and the goal the Board set for itself, following the United Nations' goal, which was reiterated by Ms. Cruise. He said in the 1930s, H.L. Menken said the urge to save humanity is almost always a false front, and the urge to rule has been true over the years. He said the whole aim of practical politics is to keep the populist alarmed, and hence clamorous to be led to safety, by menacing it with imaginary hobgoblins.

Dr. Battig said Stephen Schneider from the U.N., often quoted by climate activists, has made climate science a politics. He quoted him as having said, "to reduce the risk of potentially disastrous climatic change...we need to get some broad-based support, to capture the public's imagination" by getting lots of media coverage and offering up scary scenarios.

Dr. Battig referenced a Toronto article stating how a child was scared by a presentation about the end of the world in 12 years. He said right there in Charlottesville, there was a UVA professor who wrote

an opinion letter in December about how she spoke to a eighth-grade class and talked about how temperatures could be 95 degrees all summer in the area, and possibly much worse. He said that eighth-graders would go home scared because they would assume this professor was telling the truth, although it was only a guess.

Dr. Battig said the entire environmental movement has been replaced with wealth redistribution, and that the U.N. redistributes the world's wealth through climate action. He said that Greta Thunberg talked about dealing with colonial racists and patriarchal systems of oppression.

Dr. Battig said CO2 is essential for life and is not a poisonous gas.

Mr. Mason Pickett (Rio District) said he didn't know what to think about climate change. He said the coal industry was down 95% in its emissions and that cars were down roughly the same, yet people are being told that things are getting worse. He said he couldn't quite figure this out.

Mr. Pickett said he came to talk about current and future dealings with the City. He said most people are tricked and that the big pusher in the City are the statues. He said although they are big deal, they are not the number one deal. He said the statues will always exist and will never be melted down. He said that this was not his main concern, it was socialism. He said every move the City takes, their first and last step is socialism. He said they have a new member on the board that will say that his first and last step is communism. He told the Board to never forget this when dealing with the City.

Mr. Pickett said he is a kind-hearted person that likes to see a person get a fair shake and a helping hand, but that he also likes to see someone having some skin the game. He said Charlottesville does not ask for anyone to have any skin in the game.

Mr. Neil Williamson with the Free Enterprise Forum said he was five days into his 17th year of tracking local public policy. He welcomed the new Supervisors, Chair, and Vice-Chair. He said the Free Enterprise Forum exists to move the community forward. He said he has found that, especially over the last five years, working together is the way to do that. He said there are many times he will disagree with the Board, and the Board will listen, which he was thankful for. He said sometimes, the Board may agree, and may move even more towards his position.

Mr. Williamson said the Free Enterprise Forum stands ready to help the Board move forward in the "year of clear vision" and that they look forward to working collaboratively with the Board in 2020.

Mr. Gallaway closed Matters from the Public.

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Agenda Item No. 13. Consent Agenda.

Ms. Palmer **moved** to adopt the consent agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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**Recess.** The Board recessed its meeting at 3:04 p.m. and reconvened at 3:16 p.m.

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Item No. 13.1. FY 2020 Appropriations.

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

The total change to the FY 20 budget due to the appropriations itemized in Attachment A is a reduction of \$169,348.43. 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 projects and programs as described in Attachment A.

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**Appropriation #2020041** **\$ 15,000.00**

Source:	Federal Revenues	\$7,500.00
	State Revenues	\$7,500.00

This appropriation request is to appropriate \$15,000.00 in state and federal revenues to the Department of Social Services for a new state program in FY 20, Kinship Guardianship Assistance Program

(KinGAP). KinGAP facilitates placement with relative caregivers in order to ensure permanency for a child for whom adoption or being returned home are not appropriate permanency options. This program makes it possible for relatives who have been the child's foster parent(s) to receive guardianship assistance payments after the child exits foster care into the relative's custody.

**Appropriation #2020042** **\$ 42,800.00**

Source: General Fund fund balance \$42,800.00

This request is to appropriate \$42,800.00 in General Fund fund balance to the Information Technology Department to continue efforts to migrate the County's Intranet to SharePoint Online. This funding will support the migration for departments that have not completed the migration to SharePoint Online.

This proposed use of the General Fund fund balance will not reduce the County's 10% unassigned fund balance or 1% Budget Stabilization Reserve; however, it does reduce the amount of FY 19 undesignated funds that would be available for other uses.

**Appropriation #2020043** **(\$ 242,158.36)**

Source: Local Revenue (\$ 43,690.73)  
CIP Fund Balance (\$ 198,467.63)

The Emergency Communication Center (ECC) requests that the County, acting as fiscal agent for the ECC, de-appropriate funding for ECC capital projects to reflect the reconciliation of FY 19 balances after the year end close out and the amount of local revenue carried forward on August 7, 2019:

- o Regional 800 MHz Communication System (\$ 89,347.10)

The local revenue reduction includes (\$45,656.37) in County funds and (\$43,690.73) in recovered funds from the project partners for the ECC 800 MHz Regional Communications System Replacement Project. This supports the replacement and upgrade of the infrastructure for the regional 800 MHz Public 1 Safety Radio System. The project partner shares are: City of Charlottesville – 25.2%, County of Albemarle – 51.1%, University of Virginia – 15.9%, Charlottesville/Albemarle Airport – 2.4%, Rivanna Water & Sewer Authority – 2.4%, Albemarle County Service Authority – 2.0%, and Albemarle Charlottesville Regional Jail – 1.0%

The net project amount of \$15,432,940.00 is \$89,347.10 less than the \$15,522,287.10 carried forward on August 7, 2019.

This request is to also de-appropriate the County's share of funding that is budgeted in the County's capital budget for two ECC capital projects by a total of \$198,467.63 to reflect the reconciliation of FY 19 balances after the year-end close out and the carryforward appropriation approved by the Board of Supervisors on November 6, 2019.

- o County Share of ECC Integrated Public Safety Technology Project CAD (\$ 197,905.36)
- o County Share of Regional 800 MHz Communication System (\$ 562.27)

**Appropriation #2020044** **\$ 15,009.93**

Source: State Revenue \$15,009.93

This request is to appropriate \$15,009.93 in state revenue from the Virginia Department of Agriculture and Consumer Services' (VDACS) Office of Farmland Preservation to the Acquisition of Conservation Easements (ACE) Program. This funding will partially reimburse the County for the acquisition of the Walker conservation easements, and for the appraisals and the title insurance, which totaled \$175,565.20. Although the VDACS program reimburses for fifty percent of the cost incurred, only \$15,009.93 of the State's funding allocation to the County remained for the 2019 grant year.

**Appropriation #2020045** **\$ 0.00**

Source: Transportation Leveraging Program\* \$275,000.00

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

This request is to appropriate \$275,000.00 from the Transportation Leveraging Program for the Eastern Avenue South Connection Design and Engineering Study Capital Project pursuant to the Board of Supervisors' approval on December 18, 2019.

**Appropriation #2020046** **\$ 0.00**

Source: Reserve for Contingencies\* \$35,000.00

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

This request is to appropriate \$35,000.00 from the Reserve for Contingencies to the Finance Department to fund a pictometry flyover of the County. Pictometry is a set of aerial photographs that are taken in five directions, enabling measurement of buildings and land areas and providing a tool for verifying land use qualification. The last flyover was in the Spring of 2018. Regular update of the data is required to keep current on new development.

The total cost to the County of this service is \$70,000.00 and \$35,000.00 of that amount will be funded through the current Finance Department budget. This project will be funded jointly with the City of Charlottesville, who will be billed on a pro rata share based on the number of grids that cover the City versus the County of each resolution type.

After approval, the FY 20 General Fund Reserve for Contingencies balance will be \$121,904.60. Of that amount, \$90,087.60 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

**Appropriation #2020047 \$ 0.00**

Source: Economic Development Fund\* \$35,000.00

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

This request is to appropriate \$35,000.00 from the Economic Development Fund to the Economic Development Authority. This funding will provide local matching funds for a \$400,000.00 Go Virginia Region 9 Grant awarded to CvilleBioHub. The grant will focus on 1) serving existing and emerging biotechnology companies in the region through programming and collaboration with established community partners; 2) assessment and planning for creation of a new wet lab incubator facility and programming to support early-stage emerging biotechnology companies; and 3) closing the talent gap for biotechnology companies experiencing growth through communication and workforce development. An additional \$35,000.00 is planned to be requested for appropriation from the Economic Development Fund to the Economic Development Authority for this purpose in FY 21.

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

**RESOLUTION TO APPROVE  
 ADDITIONAL FY 2020 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2020041; #2020042; #2020043; #2020044; #2020045; #2020046, and #2020047 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, 2020.

APP#	Account String	Description	Amount
2020041	3-1000-24000-324000-240111-1005	SA2020041 - State Revenue - Assistance	\$7,500.00
2020041	3-1000-33000-333000-330021-1005	SA2020041 - Federal Revenue - Assistance	\$7,500.00
2020041	4-1000-53013-453010-570645-1005	SA2020041 - DSS-Services-KinGap IV-E	\$15,000.00
2020042	4-1000-12200-412200-800718-1001	SA2020042 - SharePoint Migration	\$42,800.00
2020042	3-1000-51000-351000-510100-9999	SA2020042 - SharePoint Migration	\$42,800.00
2020043	3-4110-19000-319000-160502-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. CITY	-\$22,515.47
2020043	3-4110-19000-319000-160503-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. COUNTY	-\$45,656.37
2020043	3-4110-19000-319000-160512-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. UVA	-\$14,206.19
2020043	3-4110-19000-319000-160534-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. CHO	-\$2,144.33
2020043	3-4110-19000-319000-160627-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. RSWA	-\$2,144.33
2020043	3-4110-19000-319000-160633-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. ACSA	-\$1,786.94
2020043	3-4110-19000-319000-181314-9999	SA2020043: ECC 800 MHz Regional Comm. Sys. ACRJ	-\$893.47
2020043	4-4110-31058-435600-950185-1003	SA2020043: ECC 800 MHz Regional Comm. Sys.	-\$89,347.10
2020043	4-9010-31055-435600-800305-9999	SA2020043: Transfer to 4110: ECC 800 MHz Regional Comm. Sys.	-\$562.27
2020043	4-9010-31055-435600-800306-9999	SA2020043: Transfer to 4117: ECC Integrated Pub. Safety Tech. (CAD)	-\$197,905.36
2020043	3-9010-51000-351000-510100-9999	SA2020043: reduction in use of fund balance	-\$198,467.63

2020044	3-9010-24000-324000-240766-1007	SA2020044: ACE- VADCS FY19 reimbursement	\$15,009.93
2020044	4-9010-81010-481020-580409-1240	SA2020044: VDACS Office of Farmland Preservation reimbursement for Conservation Easements	\$15,009.93
2020045	4-9010-41020-441200-950081-9999	SA2020045 - Eastern Ave Study	-\$275,000.00
2020045	4-9010-41350-441200-950530-9999	SA2020045 - Eastern Ave Study	\$275,000.00
2020046	4-1000-12144-412140-300203-1001	SA2020046-Pictometry Flyover	-\$35,000.00
2020046	4-1000-99900-499000-999990-9999	SA2020046-Pictometry Flyover	-\$35,000.00
2020046	4-1000-12144-412140-301210-1001	SA2020046-Pictometry Flyover	\$70,000.00
2020047	4-1820-99900-499000-999987-1008	SA2020047 - Econ Opp Fund to EDA (CvilleBioHub)	-\$35,000.00
2020047	4-1820-93010-493010-930222-1008	SA2020047 - Econ Opp Fund to EDA (CvilleBioHub)	\$35,000.00
2020047	3-6850-51000-351000-512000-9999	SA2020047 - CvilleBioHub from Econ Opp Fund	\$35,000.00
2020047	4-6850-91095-491095-950031-1008	SA2020047 - CvilleBioHub	\$35,000.00

Item No. 13.2. Resolution in Support of Traffic Incident Management Legislation.

The Executive Summary forwarded to the Board states that the Loudoun County Board of Supervisors sent a letter dated November 5, 2019 (Attachment A) requesting the Board of Supervisors consider adopting a resolution of support for an upcoming bill in the Virginia General Assembly session concerning safety in congested Interstate corridors.

Virginia Department of Transportation (VDOT) safety service patrol vehicles, also known as traffic incident management (TIM) vehicles, operate on the I-95, I-495, I-295, I-81 and I-64 Interstate corridors. TIM vehicles are dispatched by VDOT Transportation Operation Centers or Virginia State Police dispatchers to support first responders by clearing major accidents. VDOT currently uses amber lights for TIM vehicles, and are frequently delayed in responding due to traffic which does not yield the right of way to amber lighted vehicles. Proposed legislation would authorize TIM vehicles to be:

- (i) equipped with flashing red or red and white warning lights,
- (ii) exempt from certain traffic regulations in particular situations, and
- (iii) equipped with a siren, exhaust whistle, or air horn.

The proposed legislation would also add TIM vehicles to the list of stopped vehicles for which the operator of a motor vehicle must move over or proceed with caution. The legislation would also require TIM drivers to undergo an emergency vehicle operators' course from an approved list by the Department of Fire Programs, Office of Emergency Medical Services, or equivalent agency and be recertified as an emergency vehicle operator every five years. Similar legislation, HB 2594, passed the House of Delegates 99-0 during the 2019 General Assembly Session and narrowly failed by one vote in the Senate Transportation Committee.

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

**By the above-recorded vote, the Board adopted the Resolution in Support of Traffic Incident Management Legislation (Attachment A).**

\* \* \* \* \*

**RESOLUTION IN SUPPORT  
 TRAFFIC INCIDENT MANAGEMENT LEGISLATION**

**WHEREAS**, on November 14, 2018, the Metropolitan Washington Council of Governments released a report entitled "Traffic Incident Management in the National Capital Region" which provided seven priority recommendations to improve the quick and safe resolution of traffic incidents region wide;

**WHEREAS**, during the 2019 General Assembly Session, legislation was introduced that would have allowed traffic incident management ("TIM") vehicles owned or operated by the Virginia Department of Transportation to be equipped with flashing lights and sirens; and

**WHEREAS**, this legislation would ensure our current transportation infrastructure is utilized in the most safe and efficient manner, and would benefit citizens across the Commonwealth – especially congested regions such as Northern Virginia, Hampton Roads, and the I-81 corridor; and

**WHEREAS**, the prompt arrival of TIM professionals has been shown in other states to significantly alleviate traffic congestion, and improve safety by mitigating secondary crashes; and

**WHEREAS**, the smooth flow of traffic improves public safety, and decreases safety challenges and costs for commuters and, ultimately, the economy.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Albemarle County Board of Supervisors hereby supports, and encourages other local governments to support, legislation in the 2020 General Assembly Session that would allow traffic incident management vehicles along Statewide Safety Service Patrol Routes to be equipped with flashing lights and sirens.

Item No. 13.3. County Grant Application/Award Report, **was received for information.**

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

The attached Grants Report provides a brief description of the awards made during this time period.

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

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

**GRANT REPORT ACTIVITY – November 16, 2019 through December 13, 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 Agriculture and Consumer Services' (VDACS) Office of Farmland Preservation	Local Purchase of Development Rights Program	State	\$15,009.45	\$15,009.45	Acquisition of Conservation Easements (ACE) Program – currently appropriated	Community Development	These funds will reimburse the County for up to 50% of the cost incurred for the acquisition of the Walker conservation easements through the County's Acquisition of Conservation Easements (ACE) program.
Virginia Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF)	Water Quality Mandated TMDL Program: Rio Hill Retrofit Project	State	\$82,000*	\$82,000	County Capital Funds – currently appropriated	Facilities and Environmental Services	This grant will provide funding to retrofit an underperforming stormwater detention basin in the Rio Hills Shopping Center. The retrofit will improve local and regional water quality and mitigate impairments associated with urban runoff.

\* This amount will be finalized after the DEQ receives the project's construction bids and the DEQ approves the final project budget based on those bids.

**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.

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Item No. 13.4. Board to Board, December 2019, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

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Agenda Item No. 14. HS201900013 Crozet Restorations Homestay Special Exceptions.

The Staff Report forwarded to the Board states that the applicant requests the following two special exceptions pursuant to County Code § 18-5.1.48(i)(1)(i) for a proposed Homestay at 1301 McCauley Street in Crozet:

1. To modify increase the number of guest rooms permitted in a homestay pursuant to County Code § 18-5.1.48(j)(1)(iii) from two (2) to four (4); and
2. To waive County Code § 18-5.1.48(j)(1)(ii), which otherwise requires a homestay use to be conducted in a detached single-family dwelling, to allow the use of an accessory structure for one guest room.

Please see Attachment A for full details of staff's analysis and recommendations.

This is the first homestay special exception that has been scheduled for the Board to consider. As such, it has been scheduled as a regular item. These special exception requests do not require a public hearing. However, staff recommends that the Board consider applicant and other public comment during review of the item and not under Other Matters from the Public.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the two special exceptions with the conditions contained therein.

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Ms. Rebecca Ragsdale, Principal Planner, presented. She said this was the first Special Exception for homestays that has been before the Board and it was scheduled as a regular item, as was previously agreed, instead of being placed on the Consent Agenda.

Ms. Ragsdale said she would give the Board a refresher on the homestay regulations that were updated in August, and then go over the Special Exception process itself before jumping into the specifics of this particular application in Crozet.

Ms. Ragsdale said a "homestay" is a term used in the County ordinance for the rental of guest rooms for less than 30 days at a time. She said this use is only allowed in association with a single-family detached dwelling. She said it is only allowed as an accessory use, meaning that one must have a primary residence established before having homestays as an accessory use. She said that in zoning terms, the idea is to limit the size and scale so that homestays do not affect neighboring properties.

Ms. Ragsdale said that in this particular case, the property that is subject to the Special Exception before the Board is zoned Residential. She said there are a couple different categories in the regulations, but that those relevant to this property is that Residential properties may rent no more than two guestrooms, and that the guestrooms may only be located in a single-family detached dwelling (not in an accessory structure) with no more than one homestay use on the property.

Ms. Ragsdale said what the County refers to as "whole-house rental" is not permitted, meaning that rental when an owner or manager is not present. She said that this is an option that is only available to the rural areas. She said the rental of guestrooms on a Residential property will always have the owner residing and present on the property.

Ms. Ragsdale said there are a set of regulations that all homestays must comply with, such as the owner-occupied requirement. She said they must obtain a zoning clearance, which is a staff-level review where staff makes sure all the applicable regulations are met in the ordinance, check for parking, make sure it is located on-site, and that there are enough parking spaces. She said the applicant sends neighbors notice to provide an "in case of emergency" contact. During that initial zoning clearance and annually following that, there is a safety inspection which covers smoke detectors, ingress and egress from the structure, addressing, and appropriate fire extinguishers.

Ms. Ragsdale said Special Exceptions allow the applicant to request a waiver or modification of certain things in the regulations. She said Special Exceptions can only be approved by the Board, and those seeking the Special Exceptions for homestays are required to submit the additional application and fee. She said the things that can be waived or modified are the number of guestrooms which, for homestays, the ultimate limit is five; they may request the use of an accessory structure, such as a guest cottage or a detached garage or pool house; they may request a setback reduction; or they may request a waiver of the owner-occupied requirement if they have a tenant resident manager who is the full-time resident of the dwelling.

Ms. Ragsdale said the ordinance lays out the process for Special Exceptions. She said there are no specific bindings that are required to be made, but that the Board would consider the applicable criteria in the homestays section of the ordinance. She said the Board can either approve, deny, or impose conditions of approval for a homestay. She said the criteria in Section 5-148 of the ordinance that



are applicable to factors to consider for Special Exceptions is that there is no detriment to any abutting lot and that there is no harm to public health, safety, or welfare.

Ms. Ragsdale said regarding the subject request, the property is zoned Residential, and without a Special Exception approval, the limit is two guestrooms. She said the applicant was seeking up to four guestrooms for rental. She said those guestrooms may either be in the single-family dwelling (with the owners staying in the accessory structure), or there may be up to one guest room rented in the accessory structure.

Ms. Ragsdale said the property is located in the Crozet development area, north of Downtown. She noted that the Crozet development area is designated as a tourism zone. She said in 2013, there was a study and discussion that ultimately led to the creation of the tourism zone. She said this identified that there are a number of tourism destinations and attractions in Western Albemarle, as well as a deficiency of lodging in that area. She said that homestays are filling in for some of those lodging gaps.

Ms. Ragsdale said the property is located within the Downtown Crozet area, as designated in the Master Plan. She presented the Master Plan map, explaining that the property is north of Downtown and is walkable to Downtown. She said there are a number of recommendations in the Master Plan for supporting tourism in Crozet and supporting the Downtown area, and that staff recognizes that homestays are helping with that.

Ms. Ragsdale said the property itself is at the corner of McCauley Street and St. George Avenue, on a corner lot. She said between the lot that the house is on, and the adjacent lot, there is about 1 acre of property owned by the applicant. She indicated on a map to the location of the house and accessory structure.

Ms. Ragsdale said that as part of the application submitted to staff, the applicant has provided that their closest neighbors to the accessory structure, both across the street and beside them on St. George Avenue, have no objection to their homestay. She explained that as part of the Special Exception process, there was a notice mailed and provided to all abutting owners and that when this was done, staff did not hear any concerns or questions, but instead received an email of support from Joanne Perkins, who lives next door. She said staff determined there were no concerns from abutting property owners, nor harm to public health, safety, and welfare.

Ms. Ragsdale informed the Board that they had the resolution before them, as Attachment F, to approve both of the Special Exception requests. She said staff only recommended one condition, was that there be a limit of a total of four guest rooms rented on the property at one time. She explained that in Special Exceptions, they do not include regulations that are in the ordinance already, and that this is why there is only one condition.

Ms. Mallek asked if this was the condition that the applicant had asked for anyway.

Ms. Ragsdale replied yes.

Ms. Palmer asked who the abutting owners were, as far as if the owners across the street were considered to be "abutting."

Ms. Ragsdale replied yes, explaining that all properties across from the subject property, including the ones across the street on McCauley Street and St. George, as well as beside them, were included.

Ms. LaPisto-Kirtley said her understanding was that the owners of the property abutting the boundary with the accessory structure were fine with the request. She asked what would happen if, in the future, the property was sold and someone else moved in. She asked if that person would have to live with whatever the Board had passed.

Ms. Ragsdale replied that it would not affect action on the Special Exception.

Ms. Mallek said that would be affected is that there are already many good neighbor standards that exist that would carry on, which provides the protection for the neighbors.

Ms. McKeel asked if there are covenants.

Ms. Mallek said the County has ordinances, parking regulations, and other things that are done for the reason of protecting impacts on neighbors, and that even a future owner of an adjacent property would benefit from those same protections. She said the operation would have to run well in order to succeed.

Ms. McKeel said she was not against the request, but that she was cautious when it is said that all the County's ordinances are working well. She said enforcement has been a problem and that there have been things that have been fought in the urban ring for ten years.

Ms. McKeel said Ms. Ragsdale had mentioned that the property is about 1 acre, and that she had noticed that it was 0.62 acres.

Ms. Ragsdale replied that the property itself is 0.62 acres, and that the applicant also owns the

adjacent undeveloped lot which makes up the remaining acreage.

Ms. Price asked if the request were approved and the applicant could rent up to four guestrooms at one time, if this would all be to one renter, or could they could have four different groups renting all at once.

Ms. Ragsdale replied that the County does not regulate how many parties the guestrooms are rented to and that they simply limit the number of guestrooms, as well as parking spaces.

Ms. Palmer asked if there is a development right on the additional lot on St. George and if the owners could put a house on it in the future.

Ms. Ragsdale replied yes.

Ms. Palmer confirmed this Special Exception had nothing to do with any future building and did not restrict or involve itself in any way with future development of the adjoining lot.

Ms. Ragsdale replied that this was correct and that this Special Exception request only ran with the lot with the structures on it.

Ms. Palmer asked if there was a purpose in mentioning that the applicant owns the piece of property next door.

Ms. Ragsdale replied that this was simply to provide the Board with context of existing conditions in the neighborhood.

Ms. LaPisto-Kirtley asked if the adjacent lot that the applicant owns the one with the accessory structure on it.

Ms. Ragsdale replied no. She explained that the accessory structure and home are on the same 0.62-acre lot. She indicated to the property on the map.

Ms. LaPisto-Kirtley asked if the undeveloped lot was to the right of where Ms. Ragsdale was indicating.

Ms. Ragsdale replied yes and that it was to the right on St. George.

Ms. Mallek **moved** to adopt the attached resolution, "Attachment F", to approve the two Special Exceptions, with the condition. Ms. Price **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Ms. Mallek thanked the property owners for being their Guinee pig and congratulated them on being the first property to have been approved for a homestay Special Exception.

Ms. Price noted that now that this was a new process and now that the first homestay Special Exception had come before the Board that there would be others soon to come and that this first Special Exception was very informative. Ms. Mallek thanked staff for having all the relevant documents in one place to refresh them on the process.

Mr. Gallaway reminded the Board that normally, this type of item would come to the Board as a Consent Agenda item. He said the Board had asked that the first few of these Special Exceptions should come to the Board so that they can consider and discuss them. He said the Board will have to keep in mind how long they will want this practice to continue. He said at some point, they want to move these requests to the Consent Agenda. He said, similar to waiving a Public Hearing, that may differ from one Magisterial District to another depending on the recommendation from the home district's Supervisor.

Ms. Mallek asked if there was a process so that when there are concerns from abutters, the request would automatically go to a further level of discussion with the Board as opposed to Consent Agenda.

Ms. Ragsdale replied that it was not an automatic ordinance. She said what staff recommended was that if there are concerns, they schedule it as a regular item.

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**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS  
FOR HS201900013 CROZET RESTORATIONS**

**WHEREAS**, the Applicant filed a request in conjunction with HS201900013 Crozet Restorations for special exceptions pursuant to County Code § 18-5.1.48(i)(1)(i) to modify the number of guest rooms permitted in a homestay as set forth in County Code § 18-5.1.48(j)(1)(iii) from two (2) to four (4), and to waive County Code § 18-5.1.48(j)(1)(ii) to allow the homestay use of an accessory structure.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exceptions as set forth above, subject to the condition attached hereto.

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### **HS 2019-13 Crozet Restoration Special Exception Condition**

1. No more than four (4) guest rooms may be rented for homestay use.

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#### Agenda Item No. 15. Transportation Planning Quarterly Report.

Mr. Kevin McDermott, Principal Planner for Transportation, presented and was joined by Mr. Daniel Butch, Senior Planner for Transportation. He said the entire report was contained in the Board's packet but that he would be presenting highlights and offering the Board the opportunity to ask questions.

Mr. McDermott said every couple of years the Transportation department reevaluates their transportation priorities by looking at all the recommended projects from Master Plan and Quarter Plan and prioritizing them for the Board to consider and approve. He said that based on the prior year's prioritization process, there were several projects that staff was working on. He said last fall, they submitted revenue-sharing and transportation alternatives grants for three projects (Berkmar Drive Extension, Old Lynchburg Road Bike/Ped Improvements, and Tabor Street/High Street Sidewalks).

Mr. McDermott said that 2020 was a Smart Scale application cycle and that he had the list of projects staff was considering submitting for Smart Scale. He said staff has been working with VDOT as well as the Charlottesville-Albemarle Metropolitan Planning Organization (MPO) on defining the projects and preparing them for submission. He said the pre-application due date is in March, and the final applications are due at the end of August.

Mr. McDermott said the Hydraulic/29 Intersection will be a Charlottesville-Albemarle MPO application and that the MPO was still evaluating exactly which projects they will want to submit. He said this was a package of projects that was approved through a transportation planning process two years ago, and although they were submitted in 2019, none of them were funded. He said the MPO is therefore breaking up those projects and determining a better way to submit them in 2020.

Mr. McDermott said that 250 East/Pantops is an access management plan that is looking at adding continuous right-turn lanes from Route 20 to Town and Country Lane. He noted that this project has been expanded because staff is also looking at potential signal optimization throughout the entire corridor that would go from the interchange (which is on schedule to be reconstructed) all the way up to Route 20. He said staff is working with VDOT on evaluating this.

Mr. McDermott said the Fontaine Avenue/29 Bypass Diverging Diamond was a resubmission that was unsuccessful in the previous Smart Scale application. He noted this was close to Fontaine Research Park.

Mr. McDermott said the project at Old Lynchburg Road and 5th Street Extended (where the County Office Building is) is new to the list. He said there is a study being conducted on the potential for having a roundabout there.

Mr. McDermott said that Route 20/Route 53 Intersection Improvements, located by the Monticello area, was a resubmission from 2018 as well.

Mr. McDermott said the Belvedere/Rio Road Intersection Improvements, discussed at length by the Board, is near The Center (FKA The Senior Center) and staff is trying to get ahead of the additional traffic they expect at the intersection. He said the idea of a Belvedere/Rio Road R-cut is what staff is considering.

Mr. McDermott said the US-29 Shared Use Path is just south of the Rivanna River on 29. He said this would extend some of the bike-ped improvements there, and that it was also a resubmission from 2018.

Mr. McDermott said Frays Mill/Burnley Station on 29 was in the northern part of the county and is currently a signalized intersection which was a safety concern. He said there are frequently accidents there as well as heavy congestion. He said staff is considering a possible R-cut at that location as well.

Mr. McDermott said the I-64/Exit 107 Crozet Park and Ride Lot was a resubmission from 2018 that the Thomas Jefferson Planning District Commission (TJPDC) had previously submitted and was unsuccessful. He said staff is also looking into potential transit improvements in that area, and with this, the project may be able to score higher.

Mr. McDermott said the Avon Street Corridor Plan was in its final stages. He said he would be back before the Board the next week to present this final plan through a work session to obtain the Board's feedback.

Mr. Butch said the 5th Street Extended STARS Study is a VDOT-led study, and STAR stands for Strategically-Target Affordable Roadway Solutions. He said the County just recently finished a Route 250 West STARS study through VDOT. He said the 5th Street Extended study would identify short- and long-term solutions, and that the potential projects of the roundabout at 5th Street and Old Lynchburg would be called out within the study. He said Phase I is complete with research and data collection, and that Phase II is beginning with public engagement.

Mr. Butch said there would be two public forums held during Phase II, one to be held with the 5th and Avon CAC and the other held with the Southwood community. He said after the public feedback has been provided, a bigger public outreach event will be held to present the draft document.

Mr. McDermott said the Transportation department has been working with the Parks and Recreation department on the Biscuit Run Park Master Plan. He said they were continuing work on the design of the entrance at Route 20 and Avon and also preparing for a recreation access grant application to fund that project.

Mr. Butch said within the Climate Action Plan's Community Mobility Transportation Sector group, staff are currently working with the public on a draft for developing goals, actions, and strategies.

Mr. McDermott said related to transit, staff continued to meet with the Regional Transit Partnership (RTP). He said he and Mr. Roger Johnson (Economic Development) represent Albemarle County as they worked with Smart Mobility, Inc, JAUNT, and Perone Robotics on the Autonomous Shuttle Pilot Program in Crozet. He said the pilot program ran for a few months but is now finished. He said the final touches were being put on a report to come back to the Board on how the program went.

Mr. McDermott said staff is looking at how the County can move forward with Smart Mobility, and one thing they are considering is a potential innovation tech grant for another pilot project where they would but automated technology in JAUNT vehicles to be run in other parts of the county, hopefully in the urban ring. He said he would be bringing more information back to the Board as this project develops.

Mr. McDermott said there have been discussions with JAUNT and members of the RTP on potential 29 North CONNECT improvements. He said Jaunt's Park CONNECT service, which runs up and down Rt 29, from the main UVA grounds all the way up to the research park north of Hollymead, will likely be coming to an end soon, and that staff is trying to figure out a way that they can wrap this service in with the existing 29 CONNECT. He said there is a meeting scheduled the next week with the TJPDC to discuss this more, noting that Ms. McKeel would be attending. He added that there have been informal discussions about how they can make more improvements with the 29 CONNECT service.

Mr. McDermott said in terms of Broadway CONNECT, staff has been working with the Willow Tree/Woolen Mills development. He said as part of that proffer, there was an agreement that the County would set up a shuttle service that would run from that area on Broadway Street into Downtown to provide a transit connection for the employees there. He said the proposal is now to make this an on-demand public service that would run back and forth throughout the day, and that discussions were being finalized for this.

Mr. McDermott said the Afton Express Shuttle was a project that staff has been working on with the TJPDC and the Central Shenandoah Planning District Commission in the Augusta/Staunton/Waynesboro area to set up a new commuter service that would run from the Shenandoah area to the Charlottesville-Albemarle region. He said staff would be discussing this more with the Board at the next meeting, as well as a potential grant application.

Mr. McDermott said related to bicycle and pedestrian transportation, last month, staff came to the Board to discuss the micro-mobility ordinance (i.e. scooters). He said staff is continuing to work on the for-hire regulation program but that they had to finalize the grants.

Mr. McDermott said locally one of the scooter companies, Lime, pulled out of the area and that there was only one company, VeoRide, in the area. He said he noticed that there are occasionally some scooters in the county and that they were not actually sanctioned operations, as the company does not have a permit yet. He noted that they are very minor numbers, however, and that the scooters not getting redistributed in the county, so it wasn't an issue. He said he did reach out to people in the City to put him in contact with VeoRide so that the County makes sure they get them under permit for that activity soon.

Mr. McDermott said the Jefferson Area Bicycle and Pedestrian Plan was approved in 2019, and that staff was working on many implementation projects with this. He said VDOT has hired consultants to conduct studies on a couple of the big projects that came from the plan. He said one of the projects is a Rivanna River crossing, which would be in the area around Woolen Mills and Riverview Park, crossing into the county in the Pantops area. He said the potential crossing there would connect the Mill Creek Trail to the Rivanna Trail, noting that this was an exciting possibility, and that designs and cost estimates were being worked on.

Mr. McDermott said another project would put in bike-ped facilities along Route 20 from the City boundary line all the way down to the Monticello Trail. He said preliminary designs have been presented, and staff is considering possibly putting a shared use path in the wide median. He said staff would continue to keep the Board updated on that program as it moves forward.

Mr. McDermott said the Berkmar Drive Shared Use Path and Commonwealth Drive Sidewalks are projects that were funded over the past two years where staff is now in design with the Facilities and Environmental Services (FES) Project Management division. He said they are now working with consultants to look at the design for these projects, and that he believed he would be receiving updates on both soon.

Mr. McDermott said there were development projects that the Transportation staff have been working on, either conducting reviews or working with developers to determine how they can address transportation issues. He said Southwood Redevelopment was already approved, but that staff continues to work with the developers on road design and potential grant management.

Mr. McDermott said Breezy Hill Rezoning was something that staff has been reviewing and talking with the developers about.

Mr. McDermott said that 999 Rio Road would be coming back to the Board, as it has been resubmitted.

Mr. McDermott said regarding the Barnes Lumber Project, the rezoning has already happened, but staff is doing a lot of work on the new transportation connections there that will improve the system and help to build Downtown. He said staff is working with the developer and VDOT on this.

Mr. McDermott said the Albemarle Business Campus (ABC) (formerly Royal Fern) was being reviewed by staff.

Mr. McDermott said Parkway Place (Wetzel) was being reviewed by staff and has been submitted.

Mr. McDermott said that Galaxie Farm has been approved.

Mr. McDermott said that the Stonefield development has some new things coming in that staff has been looking at.

Mr. Butch said that with reported transportation issues, there is Miller School Road Thru-Truck Restriction that has been approved and signed by VDOT. He said for Owensville Road, the Thru-Truck Exception for Agricultural Use was not approved and that this needs to be evaluated again. He said it may need to have the same restriction as Miller School Road and that this would be taken back to the Board.

Mr. Butch said Key West neighborhood speeding concerns have been brought up, as well as the initiation of traffic calming with Hillsdale and with Eastern Avenue. He said there have also been speeding concerns in Ashcroft.

Mr. Butch said regarding Earlysville Road speeding and safety, staff has been working on implementing the speed radar sign installation, which would be going to the Board the next week as a Consent Agenda item about utilizing secondary six-year funds for VDOT to administer two permanent radar devices at the intersection. He said a study has been sent to staff with low-cost safety improvements, as well as a planning design for a potential roundabout.

Ms. Palmer asked if the Earlysville radar was in addition to what the Board had heard from Mr. Grant during Matters from the Public.

Ms. Mallek said it was all the same thing.

Ms. Palmer said Mr. Grant had talked about only one and that she was trying to figure out how many devices there were.

Mr. Gallaway clarified that Mr. Grant was speaking to a temporary study that was being done. He said what staff was referring to were two permanent devices being planned for, and that it was two separate items.

Ms. Mallek noted that it would affect the same geography.

Ms. Palmer asked, with respect to Wetzel and the 999 Rio Road properties, if a corridor study was taking place.

Mr. McDermott replied that staff did receive the request regarding a corridor study along Rio Road in that area. He said it has been put on the list of projects for the Community Development department work program, but that the work program has not yet been approved, and that staff was waiting to find out if this was something the Board was interested in when the Community Development department administration speaks to the Board about it.

Ms. Palmer recalled mention of upcoming public outreach events regarding the 5th Street Extended STARS study. She asked if the dates could be sent out for these.

Mr. Butch replied that he would send these to the Board as soon as he receives them.

Ms. Palmer said that the report spoke to the greenways on Sunset, near Azalea Park, and that staff has been working with the City about this. She acknowledged that there was a work being done to get a grant for revenue sharing and asked if there was anything concrete with respect to working with the City on how this will be maintained and how it will work.

Mr. McDermott replied that there was nothing concrete and that the County has not signed anything yet. He said they are still looking into how they can partner with the City on this project. He said the most recent discussion was that the County hopes that the City will take on the maintenance of the greenway and, potentially, the Sunset Avenue Bridge, as well as the portions of the greenway that go into Azalea Park. He said he also hoped the City would contribute some of the local match needed for the grant application that has already been submitted. He said they will find out in the spring whether or not this application has been approved.

Ms. LaPisto-Kirtley said regarding the Pantops/250 East Project and continuous right-hand turns, if those turns would be from 250 going west onto 20, or from 20 going west onto 250.

Mr. McDermott replied that currently, it is a four-lane facility with right-turn lanes that are broken up throughout it on both sides. He said the idea behind the project was that there was a desire for a continuous right-turn lane through the entire corridor, essentially making it a six-lane facility throughout the entire length of it. He said staff is now trying to piece together the missing components of the right-turn lane that are not there now.

Ms. LaPisto-Kirtley asked if this would involve all of 250 and 20.

Mr. McDermott replied that it would only involve 250, from 20 all the way to the interchange that is being rebuilt. He said there are already additional lane across the bridge to the City that go to High Street. He said the rest of it would be in the City.

Ms. LaPisto-Kirtley asked if there wouldn't be anything going from 250 East onto 20 as a continuous right-hand turn lane.

Mr. McDermott pointed out that in the previous round of Smart Scale, one project that was funded was intersection improvements at Route 20 and 250. He said with that program, there will be a dedicated right-turn lane from 250 onto 20, as well as an additional turn lane coming south on 20 to turn onto 250.

Ms. McKeel asked if Mr. McDermott could also address the "suicide lane," which she explained to be the lane that runs down the middle of Pantops that everyone gets into.

Mr. McDermott replied that when he had mentioned "access management," this dealt with this. He said there is a desire to close the center left-hand turn lane all the way through the corridor and make it only open in specific areas where they want the left turns to be made. He said there will be left turns at 20 and up the hill at the intersections near Pantops Ridge Shopping Center. He said this will improve safety and the flow of traffic throughout the area.

Ms. Palmer asked if, traveling towards the City, one would no longer be able to turn into the Toyota from 250.

Mr. McDermott confirmed that to get to Toyota, heading towards the City, one would go past it and have to make a U-turn at a designated location to make a right turn in. He said all these things are being evaluated through engineering studies with VDOT, so staff can make sure that they will work before submitting the grants.

Ms. Palmer asked about the outreach to the businesses in that area.

Mr. McDermott replied that this was something that was called for in the Pantops Plan, and so there was outreach when the project was proposed. He said there could be outreach to the businesses when staff goes to make the grant application. He said there will be a public hearing that will describe the project at that time. If the project is funded, they would have a subsequent design phase, during which there would be additional outreach where staff would go to the community with proposed designs to get community input.

Ms. LaPisto-Kirtley asked when the implementation for the already-funded turn lanes for 250 and 20 would be.

Mr. McDermott replied that he did not know. He said typically, once Smart Scale projects are funded, the construction is about four years out. He said since the project was funded in 2019, they are likely looking at three years before it would be constructed. He said many times, the schedule also moves up, so when they get closer to the new six-year plan that VDOT will release in June, they may have a better idea of the implementation.

Ms. LaPisto-Kirtley asked about the reason for the diamond interchange at Fontaine, noting that to her, the traffic seems to move well.

Mr. McDermott replied that there were a couple issues going on in that area. He said there is a lot of new development coming up. He said the peak hour coming off of the interchange is a real problem, and if someone is on 29 southbound and wants to get off at Fontaine (especially to go back into

town, making a left), it is a major issue for safety and congestion. He said it is backing up almost to the main road on the 29 Bypass in the morning.

Mr. McDermott said another major safety issue is when someone is on northbound 29 and they want to get on I-64 westbound, the left turn is a major safety and congestion issue during the peak hours. He said the idea with this project is that if they can make it easy for vehicles to go past that turn, go up to Fontaine, and get into a diamond interchange (which is a free-flow movement), they can make the movement, come back and make a right to get onto the interchange, which would resolve the problem of trucks being stuck at the old left-turn. He said there are frequent crashes there.

Ms. Price commended staff on working on the double left-hand turn on 250 at Pantops. She said this was dangerous, and directing everyone to a right-turn, U-turn, and coming back will save a lot of accidents. She said though it may appear to be an initial inconvenience, there were long-term safety impacts.

Ms. Price said she was thankful that staff came up with an idea for non-vehicular access on Route 20 South towards 53 to the Saunders-Monticello Trail. She said this was a very dangerous place for anyone not in an automobile right now.

Ms. Price said she had many questions she wouldn't ask during the meeting. She said she recently asked Mr. Walker to help schedule an opportunity for her to meet with Mr. McDermott and his staff to provide her with a broader understanding of the projects.

Mr. McDermott said he looked forward to the meeting, noting that Ms. LaPisto-Kirtley would be involved in it as well.

Ms. Mallek recalled during the discussion of the Hydraulic Smart Scale application, she made a note about the MPO having to redo the whole process of selecting their primary choice, which happened last year. She said the MPO decided that the Zan Road Crossing was their choice, but that somewhere in the report, there was a focus on reinvestigating something south of Hydraulic Rd, which was a real concern to her. She asked Mr. McDermott to help the Board stay up to date with whatever diversion is going on, noting that they did not need to revisit this.

Ms. McKeel added that there was a resolution or letter stating their priority.

Ms. Mallek said the MPO took this information and voted on it. She said she didn't think it was fair to throw everything back in the bucket again on that particular issue.

Ms. Mallek asked if the park and ride at Patterson Mill was something that could be folded into the grant from the Central Shenandoah Planning District Commission to set up a new commuter service that would run from the Staunton/Augusta/Waynesboro area to the Charlottesville-Albemarle region.

Mr. McDermott confirmed this.

Ms. Mallek asked if this would involve getting federal money to be able to use for the commuter bus.

Mr. McDermott replied that the idea was that if they could get a commuter lot out there, this would be another stop for the Afton Express.

Ms. Mallek asked what the date was for the recreation access grant for Biscuit Run.

Mr. McDermott replied that this was an open application, so there was no specific date for when it needs to be submitted. He said there have been many conversations with VDOT on this application, and that they seem to support it. He said staff now needs to finalize the design for what the intersection will look like and get a cost estimate. He said there was a resolution that either already came to the Board, or will soon come to the Board, to ask for support for the recreation access grant. He said once the resolution and design have been obtained, staff will submit the grant.

Ms. Mallek asked if the consultant was working on the design.

Mr. McDermott replied yes. He said the landscape architecture consultant was working with him and Parks and Recreation.

Ms. Mallek asked if this would be done in a month or two.

Mr. McDermott replied that they were having regular meetings, and that he could get back to Ms. Mallek with all the dates once he checks back with Parks and Recreation.

Ms. Mallek said there were two abandoned scooters at the bottom of the exit ramp on southbound bypass at Fontaine, one half in the lane, and the other leaning against a stop sign.

Ms. Mallek asked if there was a consultant either in the pipeline, or already working, for the Eastern Avenue Bridge location. She asked if Mr. McDermott could share updates with her, as neighbors are always asking her about this.

Mr. McDermott replied that the Board had already approved it.

Ms. Mallek acknowledged that the Board had already approved the funding, but that she would like updates moving forward.

Mr. McDermott replied that he would keep her up to date.

Ms. Mallek asked for clarification about the Rio Road corridor study. She asked if this was a traffic study that a consultant would do, or if this was part of the Small Area Plan for that area that would involve staff. She said she thought they were talking about the traffic impact over a longer distance and that staff would hire out to Bill Wench or someone else.

Mr. McDermott replied that this was exactly what it was.

Ms. Mallek said that there shouldn't be a huge work program impact, as the County was hiring someone to do this.

Mr. McDermott confirmed this was correct. He said he didn't know if the money was identified that would fund the planning study, but that the idea was that they would hire a consultant to do it.

Ms. Mallek said it appeared it was more of a financial matter and less about work time.

Mr. McDermott replied yes. He reminded that any time there are consultants hired, there is staff time involved to manage them, and that they do have to account for this. He said it wouldn't be as big of a staff time investment as it would be if it was for a Small Area study.

Ms. Mallek said she knew that the initial plan for the Reas Ford/Earlsville Road project came back for Route 64 as a giant-sized \$2 million project. She said it was supposed to be scaled back to be something more site-appropriate. She asked if there was any update on the scaling back.

Mr. McDermott replied that this was still being worked on, but that he believed there would be a solution. He said he wasn't sure how much they would be able to scale it back, but they would continue working on it.

Ms. Mallek said 100 yards of right of way was way outside the boundary.

Mr. McDermott said Mr. Alan Saunders would be coming up next to discuss the study.

Ms. McKeel said she was currently in possession of a letter of support for the Zan Road Bridge from Northrup Grumman, sent to her by Jeff Holloway. She said she has also requested a similar letter from his successor, so there are letters from both. She said she is being overwhelmed with the people from Stonefield (O'Connors, Stonefield Commons, and township) and that Stonefield itself wants to send letters of support. She said it would be a good idea to get as many of those letters as possible, and then reach out to the City for the people in the City limits who are across the road, as they were also supportive.

Ms. McKeel said she and Chip Boyles discussed this, and that Mr. Boyles said they probably did not need the letters until late February.

Mr. McDermott said this was correct. He said Mr. Boyles likely thought the letters can be submitted as part of the grant application, so it could even be a little later. He said they may want to go to VDOT with those letters ahead of time to let them know how serious the County and City are about Zan Road crossing.

Ms. McKeel said the people in the county in that area, including the businesses, were very enthusiastic about it.

Ms. McKeel said as they have been building out and attempting to connect pedestrian, multi-use, and bicycle paths, one of the partners that need to be included in that work are schools. She said she could not say whether or not all the schools have bike racks, but that it seemed that if the County is building out the bike paths (and, for example, there were sidewalks being built to connect Jouett and Albemarle), they need to make sure that there are bike racks available. She said she didn't know what condition some of the older bike racks may be in.

Ms. McKeel said that projects are being approved, she would like to hear questions come up such as where the bike racks and pads will go. She said this problem was occurring in Crozet because there is no place for people traveling by bicycle to put their bikes when they stop. She said the County wants to get people out of cars, and onto bicycles and walking, but they need to make sure that the infrastructure is there for them to do so.

Ms. McKeel pointed to a mention of the Climate Action Plan in the transportation report. She said in her experience working with the schools, she is seeing a disconnect around environmental concerns and climate change work. She said she didn't mean that this was anything intentional. She said when she was on the School Board, she wasn't paying much attention to what the Board of Supervisors were doing, as she had all she could handle. She stressed that it was critical for the Board to start reaching out to partner with the schools.



Ms. McKeel said the schools have 14,000 children and 2,500 employees. She said the Board needs to be partnering with schools on climate action and that it will not happen unless they have a plan to do it. She said when she looked at the Climate Action Plan topic in the report and it said, "Increased transportation role in greenhouse gas emissions," and talked about how staff was working, she had a question about if there was any outreach to the schools.

Mr. McDermott replied that there was outreach to the schools. He said Mr. Jim Foley, Director of Transportation, was on the Community Mobility team and is a big part of it. He said there have been discussions about how student transportation fits into the plan. He said there will be many recommendations related to schools.

Ms. McKeel said there should be opportunities not only for staff, but for the School Board and Board of Supervisors to have some of those discussions. She said these discussions can stay buried down and that the messages need to rise up to the School Board.

Ms. Palmer added that in the Solid Waste planning portion, there has been outreach to the schools, and that Mr. Phil McKalips from RWSA has had a meeting with the science coordinator for the high schools and Superintendent Matt Haas.

Mr. McDermott said that schools have been very involved through the Climate Action Plan process and are on many of the teams.

Ms. LaPisto-Kirtley said that in terms of partnering with schools and getting people onto bikes and buses, one thing she has noticed is that there are not many coverings on the bus stops. She said there is typically a pole where people will stand in the sun or rain, sometimes with groceries, but there is no bench for people to sit on while they are waiting for the bus. She said any new projects that are approved (e.g. Rio Road East and John Warner Parkway), they should make sure that the developer puts in a covered bus stop. She encouraged investment in putting covered bus stops with benches in the county, as it was something she felt they were lacking in.

Ms. McKeel said that part of the problem in the past, which the RTP is trying to work on, is that CAT is a City department and in the past, when the County has asked for a transit shelter, they were told that county roads are VDOT roads and that the City cannot do that. She said this work is happening and Mr. McDermott was working on this.

Mr. McDermott clarified it is a matter of a permit process and that in 2019, he was able to get permits and work with CAT to get three new shelters on county roads. He said it would be ideal to accelerate that process, but that they were able to work through it.

Ms. McKeel said she was trying to explain why this had not happened in the past.

Ms. LaPisto-Kirtley expressed that needed to be changed.

Ms. McKeel said Mr. McDermott has been great about getting some of this work done.

Mr. Gallaway said the Rio corridor study would be discussed further when it comes for the work program, as that is when it will be planned. He said the Rio-29 CAC is very interested in this and are looking at the Avon corridor study to watch the process and better understand how it works.

Mr. Gallaway said that with Reas Ford/Earlysville Road intersection, while he appreciated trying to get the right source for the funds, especially the funds for the radar signs, he said he hoped that putting it into the SSYP didn't slow down the implementation. He said they were initially targeting another funding source which would have allowed them to get through it more quickly. He said if moving it to SSYP was going to slow down the project in any way, he would want to be alerted of it and perhaps have a discussion about it.

Mr. McDermott said that after working with the Project Management Division in FES, staff found that moving it over to have VDOT do it would likely accelerate the project. He said this was mostly because easements were going to be necessary and that VDOT is much quicker at moving through the easement process.

Mr. Gallaway said it had always been his and Ms. Mallek's perspective that the intersection options were still being worked on, and that putting up a couple of permanent radar signs was never the intent to try to satisfy what is needed out there. He told Mr. McDermott that if the intersection starts to become cost-prohibitive he should be prepared to present some other options to help with the intersection that are not as large-scale. He said if it becomes a larger project that is four to six years out, that this is not going to be satisfactory.

Ms. Mallek said they have already waited ten years and were not going to wait another six.

Mr. Gallaway said if a smaller-scale roundabout cannot be conceived of where they could locally source it (which is what they had thought the plan was), then there needs to be some other options to help with the intersection there that are something that can be sourced locally.

Ms. Mallek said there was a day she was there at the intersection with Joel DeNunzio, and they

measured out a traffic circle that matched the 80-foot diameter one that exists at Wegmans already, with the exception of about 3 feet on the opposite corner. She said this was why she was referring to the fact that these long rights of ways were ridiculous.

Mr. Gallaway said he appreciated Mr. Grant's outrage with regards to the speeding. He said he has heard from constituents about a number of places where there are even lower posted speeds and that people have exceeded the high speeds that he noted. He said this has happened at Hillsdale Drive and that traffic calming efforts were happening there, and that he also wanted to know what traffic calming measures were being taken at Earlysville Road. He said he knew this was ongoing and that lane configuration evaluations were going on, but that the community has already completed their process.

Mr. Butch said there is a meeting at the end of January with VDOT to present the findings to the stakeholder group.

Mr. Gallaway expressed that this has been taking some time and that he hoped it would go forward faster to get the implementations in.

Ms. McKeel asked if Mr. McDermott could send (via email) all the Board members an update on where they stand with the turn lane addition at the Ivy Creek Natural Area.

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Agenda Item No. 16. Virginia Department of Transportation (VDOT) Quarterly Report.

Mr. Alan Saunders, Acting Charlottesville Residency Administrator, presented. He said he would quickly review the report and then answer questions.

Mr. Saunders addressed Ms. Price and Ms. LaPisto-Kirtley, noting that at the end of the report, there is a Board of Supervisors manual. He said he planned to schedule some time with both Supervisors to review those in more detail. He encouraged them to send him questions at any time.

Mr. Saunders said Mr. McDermott had provided a quick overview of Smart Scale. He said VDOT's projects in project development are in what they call "Preliminary Engineering and Design." He said of the five projects listed first, what they call the "Design Build Bundle," VDOT received their first design submittal last week, and the construction of Fontaine Avenue Ramp Improvements (the first of the five projects) is scheduled to begin in the fall.

Mr. Saunders said the 250/20 intersection was scheduled to begin design in August 2020, and that the project schedule would follow after that.

Mr. Saunders said the 240/250 roundabout was scheduled for advertisement that fall, and that construction should follow the Spring 2021.

Mr. Saunders said he was glad to announce that the Route 606 Dickenson Road Bridge truss replacement was officially complete the week prior, and that VDOT would be moving on to Gilbert's Station Road next. He asked the Board to let him know if they had any questions about the "Completed Studies for Traffic Engineering." He said he was trying to get more information about those studies, and that he was meeting with the district traffic engineer and Mr. McDermott's team on January 22, which is when he would be getting a more thorough brief.

Ms. Palmer asked if Mr. Saunders could tell the Board any more about what is happening with the Owensville Road truck restriction. She said she understood that they are concerned about exempting agricultural vehicles. She asked if Mr. Saunders had any information as to why, or how that process works.

Mr. Saunders replied that he did not. He said the information that he did have was that it was not permissible through the Code of Virginia, according to Mr. DeNunzio's notes. He said he needed to follow up with Mr. DeNunzio to see if it was something that could be worked within the code to get through.

Ms. Palmer said she thought they had gone through that.

Ms. Mallek said they were hopeful that it would fit in under the logging exemption.

Mr. McDermott said when they originally put together that resolution, they were told by VDOT's central office that those things could be exempted. He said when VDOT looked into it after the resolution was submitted, however, they came back and said they didn't think they were able to allow for those exemptions in the code. He said it was a matter of either the thru tractor trailer, or nothing.

Mr. McDermott said that staff asked VDOT to look and see if there is a way they can get it through with the exemption, and that they have not officially said "no" yet. He said they are waiting until VDOT officially says "no" before determining what else can be done.

Ms. Mallek suggested they engage with someone higher up the chain.

Mr. McDermott said this was why he wanted an official decision from the person in charge of it. He said perhaps by the end of the month, they should have an answer.

Mr. Saunders said he would keep it in the report until they find a solution to it.

Mr. Saunders said regarding "Active Studies" (the Pantops/Route 250 and Hollymead at US-29), he would find out about the two flashing yellow arrows on January 22.

Mr. Saunders said the 250/601/855 Intersection Review was pending, and that he would catch up with that with the District Traffic Engineer (DTE) in a couple weeks.

Mr. Saunders said the Route 250/Pantops Signal Control Optimization Alternate Analysis needs funding, but that he also had just seen an email from the DTE with some recommendations about controller types and improvements that are needed, and that they are looking at this across the corridor from 20 all the way back, and how that can be funded.

Mr. Saunders said regarding the underpass lighting at Barracks Road, there is a set of plans coming and, as soon as they can determine what the lights are so that they don't have to punch any more holes in the peer caps, they will get those installed.

Ms. McKeel said her walkers on Barracks Road will be thrilled to have those lights under that bridge.

Mr. Saunders said they will keep this on the list until it's done.

Ms. LaPisto-Kirtley said she did not see those projects on page 3.

Mr. McDermott said that Mr. Saunders had provided an update prior to the meeting and that it was on the screens. He said they could send an updated version to the Supervisors later.

Mr. Saunders said those will also be on the list when they come to the Board in February.

Mr. Saunders said with regard to area land use on page 3, one thing he wanted to bring their attention to that was reflected on the revised report was the 29/Polo Grounds/Rio Mills developer-implemented traffic control switch. He said this work would occur that evening and was on schedule.

Mr. Saunders said that with the February monthly report, VDOT would send a 2020 resurfacing schedule. He encouraged the Supervisors to review and share with their constituents, as it will identify resurfacing types and routes are planned for 2020.

Ms. Mallek thanked Mr. Saunders for meeting her about the drainage issues in Earlysville. She said she had also forwarded him an email about the bridge at the end of her driveway, which was covered in ice, and either the plow or a driver went head-on into the guardrail. She said the salt and sand that were put down helped with the ice the night before.

Ms. Price said she would love the opportunity to be educated more on the difference between VDOT and County transportation projects and concerns.

Mr. Saunders said he looked forward to this.

Ms. Palmer said one of the many questions she receives about roads has to do with ditches. She said before Mr. DeNunzio left, he told the Board that VDOT was going to start maintaining ditches. She said she was curious as to when and how this will be done, and what kind of scheduling there will be, as there is a lot of maintenance that needs to be done. She said she wanted to be able to communicate with people as to how VDOT will handle it.

Mr. Saunders said in the Louisa residency (another residency he supports), ditch maintenance boiled down to a special piece of equipment that took about 20 months to procure. He said it helps VDOT between the environmental reviews, getting the gear staged, and to prepare to ditch. He said this takes a lot of coordination and special equipment. He said Mr. DeNunzio ordered the equipment, and that it is in the line for procurement sometime over the next two years. He said in the interim, they will continue to use the old methods of dragging material into the roadway once they have obtained environmental approvals, clear it from the roadway, and then drag it off.

Mr. Saunders acknowledged that the process takes time and came as a surprise to him when he came to the residency. He said ditching is a critical element of VDOT's routine maintenance, of pavement foundations, and getting water away from the roadway. He said ditch maintenance is very important, but it is also very time-consuming. He said for a 300-footed ditch, it requires crews, gear, and environmental approvals, but that it was something VDOT is going to focus on.

Ms. Palmer asked when Mr. Saunders has a schedule, if he could share, it would be great. She said perhaps they could have a discussion offline about it. She said she gets many questions around ditching because people are excited about it.

Mr. Saunders said VDOT is as well. He said they have new performance measures at the maintenance level that they have begun to administer within the residencies, and it will have targeted goals of linear footed ditching. He said that now, instead of that falling somewhere in the pile of priorities, they will have a metric that they will be measured against every year, which will help them focus on the

ditch maintenance.

Ms. Mallek said in the meantime, VDOT would still need to know and be informed if there is a place where there is a clog and water is running across the gravel road and making a gulley.

Mr. Saunders said yes.

Ms. McKeel said she recently read a book about ditch maintenance and VDOT called, "The Drowning of Matthews County."

Mr. Saunders said he has seen this book.

Ms. McKeel said it is a fascinating book that was worth a read.

Mr. Saunders agreed.

Ms. Palmer said she knew the ditch process would save a lot of maintenance once they get started on it.

Mr. Saunders said the equipment was phased out 20 years ago and that they limped along in Louisa until the equipment began falling apart. He said the new equipment was such an important element of routine maintenance.

Ms. Mallek asked if this is what created the sharp "V" ditch on Earlysville Road.

Mr. Saunders replied that this had to be hand-dug with a small loader and shovels.

Ms. LaPisto-Kirtley said she learned a lot from the presentation and looked forward to joining Ms. Price in the educational meetings.

Mr. Gallaway said with Hillsdale traffic calming, he would perhaps be further educated on that by the end of the month, so he would wait to see what comes from that.

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Agenda Item No. 17. Office of Equity and Inclusion First Year Report.

The Executive Summary forwarded to the Board states that, in November 2018, Albemarle County Local Government announced the creation of the Office of Equity & Inclusion (OEI) to further demonstrate the County's commitment to the provision of quality services to our entire community.

In announcing the creation of the office, the County noted that OEI would focus both externally and internally, with an emphasis on strengthening community partnerships and increasing organizational capacity related to equity and inclusion. Additionally, the Office of Equity and Inclusion is charged with the stewardship of the Board's Community Remembrance Project.

The Office of Equity and Inclusion has been privileged to work with several community partners during its first year. The first-year report to the Board of Supervisors will include an overview of the collaborative and capacity building initiatives we have shared with the community so far.

Staff recommends that the Board:

1. Receive the first-year report and update of OEI activities; and
2. Adopt the attached resolution (Attachment A) reaffirming its commitment to an equitable and inclusive community.

Ms. Siri Russell, Director of the Office of Equity and Inclusion (OEI), presented. She said the Office of Equity and Inclusion opened in November of 2018 with a specific interest in both strengthening community partnerships and institutionalizing the values of equity and inclusion in the local government and schools.

Ms. Russell said she would give an overview of the work the Office of Equity and Inclusion has been doing over the course of a year. She said she would talk about efforts around internal engagement, the Board's Community Remembrance Project, roving conversations, and community partnerships.

Ms. Russell said there were many in the audience who were community partners, including staff, and asked them to stand.

Ms. Russell asked the Board to hold their questions until she finishes the presentation.

Ms. Russell said from the beginning, when they opened, there were many questions received about why Albemarle County needed an Office of Equity and Inclusion. She said to answer that, they should start by looking at the mission of Albemarle County, which is to enhance the well-being and quality of life for all the people who live there. She said the Office of Equity and Inclusion's work to accomplish this includes internal work and that they are working hard to try to increase the County's internal capacity to engage in meaningful conversations around equity and inclusion.

Ms. Russell said regarding partnership, she would invite their first partner, Human Resources

Director Lorna Gerome, to speak to internal engagement.

Ms. Gerome said she was excited for the opportunity to share some of the initiatives that HR and OEI have partnered on to promote diversity and inclusion within the organization. She said they have regularly done climate surveys (AKA engagement surveys) with employees, but that this was the first time they included questions specifically about diversity and inclusion, and that it was the first time that they disaggregated the data based on race and gender.

Ms. Gerome said the first question in the survey was, "I believe the organization is generally committed to diversity and inclusivity." She said 36% of all respondents gave a non-positive response, which means they strongly disagree, disagree, or are neutral. She said 52% of employees of color gave a non-positive response. She said both the responses, and the difference between those two, warrant attention.

Ms. Gerome said the next question was, "I would recommend the organization as a good place to work to anyone, regardless of the following, but not limited to: race, gender identity, religion, sexual orientation." She said about 23% (about a quarter) of the responses were non-positive, but about one-third of employees of color gave a non-positive response. She said that both these groups of responses indicated that there is some work to do.

Ms. Gerome said HR's focus has been looking at the policies around harassment and discrimination through a different lens, and that they created a framework that has guiding questions that ensure consideration of diversity and inclusion. She said they are also planning for some further training. She said HR recognizes that there is work to be done, but that they feel it was important that they know where they stand, and asking those questions was the right thing to do.

Ms. Gerome said the next initiative she wanted to talk about was one called affinity groups. She said she and Ms. Russell worked together to create and roll out affinity groups, which are a best practice in organizations to promote diversity and inclusion within the workforce. She said these groups are voluntary, employee-driven groups around a shared interest, but open to all. She said the intent is to enhance the County work experience through networking, resourcing, professional development and support, and mentoring to build relationships and have connection. She said the intent is to assist in creating a work environment that is supportive of diversity and inclusion.

Ms. Gerome said she and Ms. Russell worked to develop guidelines, shared them with the Employee Advisory Group and leadership, and rolled out some changes. She said there were several people in attendance that she would invite to speak to their experience in leading affinity groups, including Mr. Trevor Henry and Ms. Lisa Greene.

Mr. Henry said he is a Navy veteran and that veteran affairs are very important to him. He said since his time with the County, he has been working with this as much as he could, and that the affinity group was able to put some formality to that process. He said a year earlier, once the policy framework was put in place, he (along with Jamie Gellner from Schools) developed a planning committee, which has moved forward with the implementation of creating a veteran's affinity group.

Mr. Henry said they have developed a charter, and that there have been periodic communications from him to the Board about resources and events that would be of interest to veterans or those supporting the military.

Mr. Henry said they held a launch of the veterans affinity group tied to an event called "Roll Call" back in November and, as part of the launch, several staff members who are veterans supported the Murray High School documentary project which highlights veterans who have transitioned to public service.

Mr. Henry said moving forward into 2020, he was excited about the group as he wants to broaden and strengthen the network of internal veterans and those supporting the military, noting that their number was somewhere in the 200s.

Mr. Henry said in the spring, there will be a "Welcome to Albemarle County" event for all active-duty military with students in the school system. He said it is often forgotten that there is a military base in the county with active duty and reservists who have children in schools. He said he is working with schools and the affinity group to facilitate that event.

Mr. Henry said they are continuing to connect Blue Star families with those reservists or family members that have military members deployed for care packages. He said they will be coordinating with the Defense Affairs Committee to communicate out resources for veterans. He said the group will also serve as a resource for the new cadet program at Monticello in the fall.

Mr. Henry said these were just some of the examples that the affinity group was taking on in order to create a network and community inside of the County.

Ms. Lisa Greene said she is a long-time employee of the County (over 18 years). She said she was speaking as a County employee and as a community partner, as one of the founding members of Charlottesville Pride. She said she was pleased to announce the recent chartering of the LGBTQIA+ affinity group. She said the hope was that this group provides a forum for support and input to help shape and inform policies, going forward.

Ms. Greene said that much like the veteran's affinity group, LGBTQIA+ affinity group is working towards inclusiveness from not only the local government, but also from schools. She said they hope to cast a wide net, as they think support is very much needed.

Ms. Greene said that while they are early in the process, they have already begun some work with OEI, and that the first thing they have been working on is the examination of the current policies and services through the lens of the Human Rights Campaign's Municipal Quality Index. She said this is a national organization, and one can go onto their website to find out each locality's score.

Ms. Greene said they are also exploring opportunities through networking, mutual support, training, and furthering the County's goals of promoting an inclusive organizational culture and retention.

Ms. Gerome thanked Mr. Henry and Ms. Greene for their input and proceeded to the next initiative she wanted to highlight. She said the 21-Day Challenge was an opportunity offered through the learning catalog for employees to sign up and commit to an activity, either watching, listening, or reading an article. She said topics varied and included race, gender, transgender, harassment, anxiety, how media is portrayed, and different types of individuals throughout the society. She said it was a very individualized opportunity for employees to engage and, at the end, there was a debrief.

Ms. Gerome said the intent was to facilitate open, honest conversations. She said she participated in one of these debrief sessions. She said the employees shared what surprised them, what they learned about themselves, what stereotypes and assumptions they had made, and then made some connections with each other. She said there was a participant who was willing to share his experience and invited Chief Dan Eggleston (Fire Rescue) to come forward.

Chief Eggleston thanked the Board, Mr. Richardson, and Ms. Russell for their vision, hard work, and focus on a very important aspect on what they hope to become, which is a community recognized for their initiatives around equity and inclusion. He said personally, Fire Rescue has benefited tremendously from the effort, and that there has been a lot of dialogue about what they need to do in terms of how they can better serve citizens. He said they have also been very successful in terms of recruiting a more diverse workforce. He said this was a small step forward, but that they were headed in the right direction and that he was very grateful for and excited about this work.

Chief Eggleston said he participated in both 21-Day Challenges. He said during the second 21-Day Challenge, he was invited to participate in a very extensive five-day workshop in Kansas City on social justice, which made a huge impact on him.

Chief Eggleston said he has had a wonderful career in fire service for almost 40 years, with 18 of those years serving as Chief in Albemarle County. He said for a long time, he believed that his success was mainly related to his grit, hard work, and good education. He said he realized through the process that some of this had to do with his privilege as a white, heterosexual male in the community. He said he pledged to many of his colleagues that he intends to use his privilege and power to try to bring about significant structural change to ensure that other people have the same opportunity that he had in his career and enjoy the things that he has enjoyed.

Ms. Russell said the Board's Community Remembrance Project was moving into its second year that summer. She recalled that the purpose of this was to support the telling of an expanded community narrative and to focus on telling Albemarle County's specific stories. She said in the summer, there was the installation of the Equal Justice Initiative marker at Court Square, which was well-received, and that the Governor attended as well.

Ms. Russell said there was a conversation about the Beloved Community Center, which featured a more intimate conversation around community resiliency with Board members and staff.

Ms. Russell said they also shared the Board's Community Remembrance Project with the Virginia Local Government Manager's Association at their recent conference, and that it was also shared at the Virginia Library Association's annual conference.

Ms. Russell said that while this is a conversation that has been going on both locally and regionally, it was also important to note that the Board's work is being shared and spoken about across the State more largely, which also resonates with what Chief Eggleston had said about Albemarle being a leader in this work amongst local governments.

Ms. Russell said she would also bring forward Tasha Birkhead and Josh Howard from the Jefferson Madison Regional Library (JMRL) system. She said the traveling exhibit for John Henry James kicked off that year as well.

Ms. Birkhead (Young Adult Librarian) thanked the Board for their continued support of JMRL and the library's participation in the Community Civil Rights Pilgrimage. She said after the pilgrimage, JMRL's goal was to share information. She said she and her colleague, Abby Cox, learned through educational programming, collection development, and community partnerships. She said some examples are the report back, the staff and service day presentation, the Etched in Memory program, podcast, and John Henry James soil exhibit.

Ms. Birkhead said future programs include diversifying Cvillepedia with the Season Saints

Pilgrims, the Get Lit African-American book group, and much more.

Mr. Josh Howard (Collections and Technology Manager for JMRL) echoed thanks for the Board's support and ongoing partnerships with OEI, and with JMRL's involvement and participation in the Community Remembrance Project. He said that for five months, the John Henry James soil exhibit visited all five of the Albemarle County and City of Charlottesville branches. He estimated that altogether, about 82,000 JMRL patrons encountered this exhibit, with about three-quarters of those being in county branches.

Mr. Howard said he was personally aware of dozens of interactions between librarians and patrons regarding the exhibit, all ultimately positive. He said one librarian-patron interaction in Scottsville was particularly emotional and that he was very struck by the story he was told, where the patron's parting words were, "I am good. This is a good thing. Thank you for this," gesturing about the conversation they had with the librarian, "And thank you for that," gesturing at the exhibit itself. He said this was particularly meaningful to him. He said this patron has since returned to the Scottsville branch at least a half-dozen times, each time seeking out reading materials about this particular history.

Mr. Howard said all five of the Albemarle-Charlottesville branches wish to have the soil exhibit again, and that he has received several requests from other jurisdictions (Nelson, Greene, and Louisa) to host the exhibit. He said he has also received contacts from other jurisdictions entirely, from places as far away as Alleghany County and Norton, asking how this exhibit came about and the story behind it.

Mr. Howard said that he and the library looks forward to partnering more with OEI on this and other projects. He said they have already collaborated on the oral history workshops and presented this work at the Virginia Library Association and VLGMA this past year.

Ms. Russell asked Elizabeth Jones, a representative on the staff committee who was working on the first-floor exhibit, to come forward.

Ms. Jones (Facilities and Environmental Services) said she was there on behalf of the Albemarle County Villages Exhibit. She said a year ago, Ms. Russell had brought together staff from the Community Development department, Parks and Recreation, and FES to begin the work. She said on September 28 of 2019, Phase IA of the exhibit was installed on the first floor of the County Office Building.

Ms. Jones said County staffers are accustomed to being stewards of county resources, both physical and fiscal, but that this was the first opportunity they had to be a steward of community stories. She said in collaboration with scholars from the Jefferson School and the Albemarle-Charlottesville Historical Society, they produced an exhibit that has had an overwhelmingly positive result, both with citizens and staff.

Ms. Jones said that there was more to come. She thanked the Board, as well as former Supervisors Rick Randolph and Normal Dill, for their leadership and support.

Ms. Russell asked Liz Russell, representing the Historic Preservation Committee, to come forward.

Ms. Liz Russell said a year earlier, Ms. Siri Russell asked the committee to be a part of the larger initiative, which was to recommend additional highway markers to the area. She said the highway markers are administered through the Virginia Department of Historic Resources (DHR), maintained by VDOT, but the municipality applies for the markers to get the process started.

Ms. Liz Russell said she counted about 34 existing markers, and that only four included a woman or person of color (Proffit Historic District, Monacan Indian Village, Free State Community, and St. John's School). She said the challenge handed to them by OEI is to increase the diversity and bring more of an inclusive story into Albemarle County.

Ms. Liz Russell said the current status is that the committee has brainstormed a list, and that she would mention a few possibilities. She said there is the story of novelists and poets, historic African American communities such as Hydraulic (and many others), and a unique octagonal Baptist church site in North Garden that was demolished.

Ms. Liz Russell said that in order to be eligible for DHR, the markers must show state-wide significance, which was not to say that there is not the opportunity for rich, local history stories, but that for this purpose, they are considering state-wide or national significance.

Ms. Liz Russell said there is also the story of York, who was an enslaved explorer of the Lewis and Clark expedition. She said he may have lived at a house in the Barracks area, and that this would be further explored. She said there are stories of businesses that were listed in the *Green Book*, both in the Yancey/Crozet area and possibly one in the North Garden area.

Ms. Liz Russell said the recommended next step was that rather than the committee deeming what is important, they want to seek feedback from the community instead of making assumptions about what is valuable. She said they would also start the process with DHR about understanding what will be required to get these markers in place.

Ms. Siri Russell said they would speak briefly about a somewhat new initiative called "Roving

Conversations.” She said the Board may have heard it referred to previously as a “road show.” She said the OEI initially thought about how they could be sure that they are focusing on the things that people in the community really care about. She said the questions around this include who they will engage with, how they will do it, and how they will ensure that they are capturing insights from people who they typically wouldn’t hear from at town halls or Board meetings, or who would not respond to surveys.

Ms. Russell said they enlisted county residents as a working group of community members that is broadly representative of the general population across locations. They live in different areas of the county (both rural and urban). She said the community members vary across age, race, sexual orientation, gender, national origin, and the length of residency in the county. She said there are people who were born and raised in the area, as well as people who are fairly new to the community. She said she would introduce Mr. Philip Cobbs, who would speak about the work of that group.

Mr. Cobbs (Scottsville District) said the farm on which he was born and has lived on most of his life has belonged to his maternal family since the 1830s. He said he has traced his father’s family from the 1860s in the Rivanna District, and so one could say that he is deeply rooted in Albemarle County.

Mr. Cobbs said that when he heard the County had created OEI, he was elated. He said he immediately made an appointment to meet with Ms. Russell and there, she mentioned her intention to conduct the road show. He said he was later invited to join the workgroup. He said he accepted because he feels the work is very important.

Mr. Cobbs said he knew exposing the extent of inequity is difficult and requires innovative ideas. He said years of working for the U.S. Census Bureau taught him the value of face-to-face interaction when gathering information.

Mr. Cobbs said that watching the road show come together at meetings was encouraging. He said input was welcomed, and recommendations were listened to and implemented into the finished product.

Mr. Cobbs said it quickly became time for the road show to hit the road. He said lessons learned from the early shows were tailored into the upcoming appearances. He said he had the opportunity to visit one of those data-gathering displays in the Jack Jouett District and was impressed by the willingness of residents to engage. He said the interviews were conducted in an unbiased manner using non-leading questions. He said he believes some of the information gathered could have been missed if other techniques were used, such as a survey.

Mr. Cobbs said that as an African-American growing up and living in Albemarle County, he has witnessed and endured many forms of inequity, from attending segregated schools to feeling unwelcome in public spaces. He acknowledged that these experiences are difficult to discuss. He thanked the County for starting the difficult process of examining the depth of inequity in Albemarle County -- his home and a place he cares about passionately.

Ms. Russell said they would have the new Coordinator of Equity and Accountability, Ms. Irtefa Binte-Farid, talk more about the work they did.

Ms. Irtefa Binte-Farid said she joined OEI in October 2019. Since that time, she said she has been very fortunate to travel to many of the road shows to talk to residents, along with interns from the office and staff from different departments. She presented a map demonstrating how OEI intentionally traveled widely throughout the county.

Ms. Binte-Farid said they also tried to visit places where there was not traditionally the ability to interact from local government. She presented photos, explaining that they visited country stores, laundromats, libraries, post offices, gas stations, and shopping malls. She said they visited these places on workdays as well as weekends in order to engage with different demographics of residents.

Ms. Binte-Farid said what was initially supposed to be three- to five-minute interactions often ended up being long, listening-oriented conversations as people stayed and talked to staff for 20-30 minutes. She said it was a surprise to her that people would stop and talk to them at all, and what was even more shocking was that, at the end of some of the longer conversations, the people would thank staff for listening and for their time. She said because of those experiences, and looking at some basic analysis, they saw that one of the most-mentioned response to one of the questions on the survey, which was “What is the greatest asset of Albemarle County?” was “the people.” She said both the survey and her experiences spoke to that.

Ms. Russell introduced Mr. Andrew Knuppel as a community partner representative.

Mr. Knuppel, Neighborhood Planner with Community Development, said he took part in a partnership over the past fall with the UVA School of Architecture and Architectural History department. He said they worked with a class titled “Evidence and Archives” with Professors Lewis Nelson and Rebecca Cooper Coleman. He said the class is an archival research methods course for undergraduate and graduate students in the Architectural History program. He said the focus of the class was on African-American communities and life in Charlottesville and Albemarle County between 1868 and 1960, covering the period after Emancipation, Jim Crow, and the Civil Rights Movement.

Mr. Knuppel said some of the other partners in the class included the Jefferson School, Thomas



Jefferson Foundation, and UVA Health System. He said they met with the professors earlier in the summer, as the County was starting to plan the Crozet Master Plan update, to think about how this could contribute to staff's understanding in the planning process.

Mr. Knuppel presented a photo of the schoolhouse that served the Crozet community between 1916 and 1960, when the school was consolidated with Murray Elementary School in Ivy. He said as they looked at Crozet's context, the Crozet Historic District nomination that was listed on the National Register around 2011 left out a significant portion of the African-American community in Crozet that existed between Downtown Crozet and where Starr Hill Brewery and Music Today are currently.

Mr. Knuppel said this was a good opportunity to expand staff's knowledge about the community and about the period left out of the narrative to expand what they know about the railroad, orchards, and fruit-packing industry. He said they wanted to add another narrative that is about community agency and uplift during that period and that staff was excited to think about how they can incorporate this into the Crozet Master Plan.

Mr. Knuppel said that as they talk about history, they have some of the research going to the Character Tour they did in late October, when they rode on the Crozet Trolley and talked about the area's history. He said they would hopefully also talk about interpretation strategies and what could be possible in the future, such as signage, and that they plan in a way that is sensitive to the history and cultural landscape to uplift some of the stories and be respectful of them.

Mr. Knuppel said there is a 116-page final report with a lot of research, old photographs, and stories about the families that made up the community.

Ms. Russell said she would speak about another new initiative that OEI took on over the course of the year. She said they started something they are calling the "Equity Breakfast Club." She said they have begun to facilitate an opportunity for peer exchange, sharing of resources and challenges around the topic of equity. She said multiple organizations have been participating in the program, which is hosted every other month. She said the host rotates, and that hosts have included the UVA Health System, Thomas Jefferson Health District, and Charlottesville Food Justice Network, and that they have discussed topics that relate to equity that correspond to the organizations' work.

Ms. Russell said there are typically 50-60 attendees at the breakfast clubs, with a large turnout from its initial turnout of 12. She said they look forward to continuing this.

Ms. Russell said one of the guiding principles OEI has been working under is that equity saves lives. She said Dr. Denise Bonds and Ms. Rebecca Schmidt from the Thomas Jefferson Health District would speak to this.

Dr. Bonds thanked the Board for its support of both the health department and district in the area, as well as Ms. Russell for her work. She said she would discuss some of the health indicators and why she believes this is important work.

Dr. Bonds said that every three years, the health department (in conjunction with hospitals, local government, and many non-profits in the area) assess the health of the community and decide upon health priorities. She said the most recent assessment was completed in 2019 and that there as a focus on health equity, with more information coming to a future Board meeting about the priorities.

Dr. Bonds said the reason equity was chosen was because they know it is a problem in the community. She said in 2017, there was a higher percentage of low birth weight babies born to black mothers than were born to white mothers, and that it was about a two-fold difference in Albemarle County.

Dr. Bonds presented statistics of the rate of pregnancy-associated deaths between 2004 and 2013, noting that they must use such a large time period because, thankfully, deaths in women who are pregnant or have recently delivered are relatively rare in Virginia. She said in looking at the rates that are adjusted for 100,000 live births, black women are twice as likely to die than white women in the district from a pregnancy-associated cause, adding that this was tragic.

Dr. Bonds said that disparities are not just limited to race. She said they worked with UVA to map their electronic medical record, looking at obesity in the community by zip codes. She said that on the slide, she circled the area in Albemarle County that represents the highest percentage of obese adults. She said in the southern portion of the district, the percentage of prevalence is over 45%. She said this indicates many different things and that people who are obese are at a higher risk of health problems, often live shorter lives, but that there were also multiple causes and reasons for obesity that she would not go into.

Dr. Bonds said Albemarle is a great place to live and that looking at life expectancy at birth using the Census Tract data, there is a great life expectancy in the county. She said many of its citizens live into their 80s and higher. She said if you dive deeper, however, and start to break this out by localities and race, not everyone has that same, long life expectancy. She said in the community, whites are expected to live into their mid-80s, but that blacks have about a five-year lower life expectancy. She said this was not only true of Albemarle, but across the board in the district and nation as well.

Ms. Rebecca Schmidt said that these health disparities do not just happen, but that they are

reflection of history, policies, and culture of who has power and how that power has been maintained.

Ms. Schmidt said that while the solution to homelessness is housing, the solution to health disparities is not simply better healthcare. She said the largest impact on health is in the communities and requires recognizing and dismantling racism, classism, poverty, and other barriers to equity. She said that while this may seem overwhelming, the Board has the power to design and invest in equity, and that they have made a great start with the OEI.

Ms. Schmidt thanked the Board for its support of the OEI and the County staff who are working to understand and respond to this call for equity. She said they have been critical partners for the health department for each of the initiatives mentioned, and many more.

Ms. Schmidt said she also wanted to recognize the many Albemarle County residents who are working to change their communities and to share their dreams and concerns with the Board and with each other, many of which have participated in the Map to Health process and other community engagement efforts. She said they cannot afford to stop the momentum.

Ms. Russell said another one of OEI's guiding principles is that equity strengthens communities. She invited Drs. Barbara Brown Wilson and Michelle Claiborne to speak to this.

Dr. Wilson said she studies how communities grapple with big issues, such as inequity, across the U.S. She said the County is doing better than many that she has seen, and that its work is some of the best in the country that she is proud to be a part of. She said this was in large measure to the leadership that OEI has had.

Dr. Wilson said the best work typically happens when it is community-driven and when it is data-informed. She said figuring out what this means for a locale is an important part of setting up a foundation for the discussions about where they have been, where they are now, and how they will set goals with this in mind.

Dr. Wilson said she found a partner in Ms. Russell because she understands how this has worked in other places and also seems to think that community-driven and data-informed is the way to go, and that she has been able to watch Ms. Russell as she has set up the community working group. Dr. Wilson said she has sat in on those meetings and can attest to the power of the working group itself and the ways that it has been able to have a leadership goal in roving conversations.

Dr. Wilson said the School of Architecture has helped set up a different set of participatory mapping opportunities as a part of the roving conversations, both digital and analog. She said she has been able to watch those in action and see the profound quality of conversations that have happened. She said that as those continue, there will be an amazing body of knowledge to draw from that is both generalizable and very deep in terms of its personal value.

Dr. Wilson said Albemarle is not alone, and that there are other communities also trying to figure out what community-driven, but data-informed, work really looks like. She presented an example from the City of Tacoma, where they are creating an equity index that allows for a sense of where they are in order to create goals together. She said the goals are both internal-facing and external. She said that often these are built not only by a government, but by one in coalition with its residents so that there can be a conversation that informs both the government's decision-making, and also that of the non-profits and other community groups.

Dr. Wilson said that this type of work is happening in many other places and at UVA they have been considering how they can be a more helpful partner, especially in terms of being a knowledge producer and purveyor, and how they can be a resource. She said she has had many interviews with some of staff and the Board, as well as with colleagues across the region. She said it seems that one model that will work is to have a tool that is not led by one singular government, residential group, or university partner, but is built in coalition. She said OEI has been a critical foundational partner in determining what this might look like.

Dr. Michelle Claiborne said they are beginning the development of a prototype equity atlas for the Charlottesville-Albemarle region and surrounding counties. She said one of the defining goals for this is to bring together information and data that will help decision makers and policy advocates understand community needs, as well as the implications of choices and policies that are being considered or made.

Dr. Claiborne said the very basic prototype is only populated with data made available by the U.S. Census Bureau and a few other places. She said even there, they can begin to visualize the intersection between residents and resources. She presented an example showing the location of County parks overlaid on the geographic distribution of children in poverty.

Dr. Claiborne said they are also working on a live tool that has more functionality and allows for more targeted community analysis and storytelling. She said another example is how residential property sales in Albemarle County intersect with elementary school districts. She said the tool is meant to provoke imagination about what kinds of things they might be able to learn from the data that is available, either through the County or other sources.

Dr. Claiborne said the prototype is intended to give people something to react to so that they can better understand community interests and ideas. She said the team will be working to engage more

people, including County staff more broadly, so that they can collectively generate ideas to make the resources as useful and as accessible as possible.

Dr. Claiborne said they want to create paths for more people, not just staff, researchers, or policy makers, to become engaged in asking and answering questions about equity in the communities. She said this may involve partnering with faculty and students at UVA, working with civic volunteers and networks, or building local capacity to be data-informed within organizations, units, and communities themselves.

Dr. Claiborne said whatever the eventual tool and resource looks like, they are committed to ongoing conversations and continual feedback to wider involvement and contributions into the use of open-source tools freely shared with the community at large. She said they want this to be something people can contribute to without having a credential or finances.

Dr. Claiborne said they are particularly committed to the ethical use of the information and data that is provided and shared, including education on and promotion of the rights of data owners, data producers, and data users.

Ms. Russell invited Ms. Dana Matthew, Director of the Equity Center of UVA and another key partner, to present.

Ms. Matthew thanked the Board for the opportunity to participate in the discussion, as well as Ms. Russell. She said the Albemarle County Board of Supervisors has been an amazing partner because they have created OEI, which is a leader in the nation, and they have identified Ms. Russell as a leader.

Ms. Matthew acknowledged Ms. McKeel, noting that she has not only participated in Equity Center events, but pushed afterwards for more and made them better.

Ms. Matthew said the Equity Center is a project at UVA, but that it would not exist if not for the fact that they are supported by, sharing power with, and partners with community members every step of the way. She said this partnership is what is powering the Equity Center, and that their partnership with Ms. Russell and OEI is key among that. She said others include the Jefferson School African-American Heritage Center, Thomas Jefferson Health District, and many others.

Ms. Matthew said UVA is now committed to using its resources to make the community they live in more equitable. She said historically, they have done the opposite, and they have had to own this. She said some of the conversations about owning that would not have happened if it weren't for Ms. Russell's breakfast club. She said they have had some very hard conversations where leaders at UVA have said what has been their history and contribution to the problem of inequity, and what they have to do to solve it.

Ms. Matthew emphasized that it is the role of local government to create a community in which people can live equitably. She said much of the data seen from the Thomas Jefferson Health District emphasizes the fact that it is where people live, work, and play – the quality of the environment and community – that creates, sustains, or dismantles inequity. She said that by creating the OEI and beginning the work, they are dismantling the inequity that has existed for decades, if not centuries.

Ms. Matthew said this work is done by passing laws and policies that determine who votes and where they vote. She said this is done as a local government by determining where people live and how much they get paid. She said this is done by deciding who gets the rights of citizen and who doesn't, and that all of this is at the local level. She said the Board is essential to creating equity and the fact that they have taken it on intentionally makes all the difference for people who live there.

Ms. Matthew said that just as UVA would like to be a better partner, they must listen to what the OEI and the county's citizens have told them are needs for better lives in the county from an equity perspective. She said the Here Water project has been taking place using high school students from Monticello High School and Albemarle High School, as well college students from PVCC. She said the community in Scottsville and Esmont indicated that they want to know about equity in their drinking water. She said they have only done a pilot study that they thought would include 50 families. She said when 50 families signed up, they added another 50 families, and that when 100 families signed up, they added another 150.

Ms. Matthew noted that the program was only a pilot and, although they hadn't found anything conclusive yet, the idea was to try to determine whether there was a difference in the quality of drinking water between people in Albemarle County who are on municipal water and people who are on private wells. She said the Equity Center believes there is a difference, and that the difference is going to be important to people's health outcomes.

Ms. Matthew said this is the type of research and study that cannot happen unless the conversations and the partnership that OEI is creating are beginning. She said they are grateful at the Equity Center to be needed and useful in this way. She said they hope to continue this, not only by enlarging the Here Water study, the Equity Atlas, and youth pipelines for education, but also looking at closing gaps between blacks and whites in the criminal justice system, between rich and poor in housing affordability, and between people who are immigrants and long-time residents in wealth and income.

Ms. Matthew said there is much work to do and that the Equity Center is grateful to be a part of it.

She said this could not be done without OEI.

Ms. Russell said Dr. Kevin McDonald (Vice-President for Diversity, Equity, and Inclusion at UVA) was a community partner and would also be speaking.

Dr. McDonald said he has been in his position since August 2019 and came there from the State of Missouri, where he worked for the University of Missouri system and its Columbia flagship campus. He said his position there was created out of the student protests that were ignited by Ferguson and when he got there, the community challenged him to provide them with a bold idea that would allow them to work more collaboratively with the institution because they wanted to work to change a negative narrative that had mounted after those protests. He said there was reception from the community and university system to come together to create a shared narrative that would allow for focus on a number of areas of organizational functioning.

Dr. McDonald said this program took off and held merit. He said the university connected him with designees and that it was amazing to see over 1,000 people go on a journey, as well as to see 100 organizations develop their own inclusive excellence plans.

Dr. McDonald said when he came to the Albemarle area, he had a number of introductory meetings, and that a number of people he met with across the city and the county resulted in discovering a critical juncture of him working more collaboratively to make a transformational impact in the broader community.

Dr. McDonald said there was a level of receptivity with Ms. Russell to explore a partnership with UVA, Charlottesville City, and the County. He said at the same time, there was a new chief diversity officer in the state who said she was being charged with creating a strategic framework for the state. He said he has seen this done in a city or county, but that it would be unprecedented to see a framework developed across the Commonwealth. He said he had a model community in a city, county, and institution that could ultimately serve as a model for the Commonwealth.

Dr. McDonald said he was happy to report that Janice Underwood (Chief Diversity Officer at the State) is now utilizing the Inclusive Excellency framework to create a broader framework across the Commonwealth. He said this a wonderful opportunity, however the community deems it appropriate to move forward, to serve as a true model for the entire State. He said he was excited and grateful to Ms. Russell, Charlene Greene, the City, and President Ryan for the collaborative spirit being shown to explore this opportunity to move forward.

Ms. Russell thanked all the speakers. She invited the Board to ask questions.

Ms. Price said the irony was not lost on her that 60 years ago that day, they literally could not have that conversation because 60 years ago that day, Lane High School was closed as part of Massive Resistance from September of 1958 to February of 1959. She said this was a measure of how far the County has come.

Ms. Price said that it was amazing and almost beyond belief that all of the OEI's work has been accomplished in one year. She said she wasn't born in the area and had to do her research to move there, and that it was the people that led her to come there. She said that while any of the districts would have been wonderful, she chose Scottsville. She said she is proud of the County for initiating the OEI, as well as the affinity groups.

Ms. Price expressed appreciation for the candor in highlighting some of the non-positive responses that were received from the employee survey because they must acknowledge not just the positive things, but where they still need to work. She said if they do not recognize that, they cannot have a plan to address it. She said this was very significant to her.

Ms. Price said equity does save lives, and that she appreciated this comment being included in the presentation. She said one does not have to be a woman to recognize sexism, or a person of color to recognize racism. She said when every person in the community can say about themselves, "I am free to be me," they can contribute more, and everyone can better move forward.

Ms. Price said she would not be sitting there that day without the recognition of the dignity and worth of every individual, and that government is there to help all people. She said she was one of the beneficiaries of the Here Water quality treatment sample testing that was done, and that she always wanted to give kudos to Mayor Gill and the Town of Scottsville for working to have that take place.

Ms. Price said she was blown away by everyone who spoke and the work they have done that year. She said there is work left to do, but that she was impressed with the work that was done.

Ms. Russell said none of this would be possible without the work and partnership of the people who showed up that day.

Ms. Mallek said the emphasis she heard throughout the presentation about true conversation and listening has been something that everyone benefits from and must work very hard at. She said it is not always easy when people are busy. She said she was proud of the success OEI has had in gathering people at the laundromats and street corners, and the fact that the team has been visibly accessible so that people feel interested. She said showing true interest in someone is not something that can be faked

and that it has to come from within in order to be successful.

Ms. Mallek said as OEI meets with more people throughout the coming years, Virginia Cooperative Extension has (in April or May of) every year a fantastic water testing program that she has participated in for many years. She said it was very important for everyone with a well to take advantage of that, as there is a tremendous savings (i.e. \$300 water testing for \$50). She said there are also scholarships available if people need them. She said to get those health issues identified in people's drinking water is important, as it can ripple out through everything else that they do. Ms. Mallek advised Ms. Russell that she may be in a better position to share that information with the people who could benefit from it than the Board is in.

Ms. McKeel said she was impressed with Ms. Gerome's presentation kickoff because if one doesn't talk about the bad, they will never get to improvement into the good. She recalled years earlier, at the School Board level, starting to talk about the achievement gaps and the gaps in the data, which were really difficult conversations, but that it was important that they had them.

Ms. McKeel said she didn't think that anyone there was surprised when she talks about education because for her, it all goes back to education. She said she was thrilled that Mr. Henry mentioned connections to the schools, as it was critical that equity work is a partnership with the School system, and that she believed this was happening.

Ms. McKeel said she was also working with her Planning Commissioner and School Board representative on some concerns she has around equity at the Lambs Lane campus. She said she looked forward to reaching out to some of the people there that day to help her with this work.

Ms. McKeel said she has participated with the School Division's Equity and Diversity Committee, and that they created an Equity Policy Review Checklist. She said every time a new policy is written or reviewed, they look at it through the lens of the checklists. She said that this was a good way to make sure that equity issues are at the top of consciousness, as what isn't talked about doesn't happen. She said at some point, she would be interested in considering something like this at the Board's level.

Ms. McKeel expressed her appreciation for the presentation and for everyone's time. She added that Ms. Russell would be attending her Hydraulic CAC meeting in February to reach out to the citizens on that committee, and that other Board members may want to do the same for their CACs.

Ms. Palmer expressed her appreciation for the update on OEI, adding that there were some things that would likely be funded that she was happy about. She noted how positive the conversation was on such a difficult subject and how needed this was.

Ms. LaPisto-Kirtley said she enjoyed the presentation and all the speakers. She said she was proud to be a part of the Board of Supervisors as they are now becoming national leaders on equity. She said they could hopefully set the stage for everyone else and that it would be nice if they followed suit.

Mr. Gallaway said it was evident to the Board that the right person (Ms. Russell) was leading OEI. He said everything they heard about in the presentation was an actionable item that can be worked on and measured, which then would help hold the County accountable to that work.

Ms. Russell said OEI is looking forward into 2020 and that this included continued conversations with the road shows and throughout the community. She addressed Ms. McKeel's notes about Schools, explaining that there have been conversations about OEI and Schools going out together in 2020, and that this was one aspect of the partnership the Board would be seeing. She said OEI would also be working more closely with key departments around language accessibility, including both interpretation and translation services.

Ms. Russell said OEI would continue to work on its internal capacity and training throughout 2020. She said they have also had conversations with Schools about some joint training opportunities.

Ms. Russell said the Board's Community Remembrance project would remain the priority, and that one way OEI could add to this was through the memorialization of the contributions and history of the Monacan Tribe in Albemarle County. She noted that Dan Mahon (Trails Supervisor with Parks and Recreation) has been conversing with OEI about how to do this in park spaces.

Ms. Russell said OEI also sees opportunity in the Board's Court Square property. She said the Board included local control over monuments and memorials for war veterans in its 2020 legislative priorities and initiatives, and if the authority was granted to the Board to make changes to the monuments on the Court Square property, this would allow the Board to consider the community function of that property.

Ms. Russell said currently, this space has a variety of monuments in it that memorialize presidents or heroic rides, Confederate veterans, and memorializing of the lynching of John Henry James. She said what they are looking to consider is a framework where they may take a look at the function of the space from a public space standpoint in the hopes of building a more cohesive vision for what they are trying to do with the space, as a whole.

Ms. Emily Kilroy (Director of Communications and Public Engagement) said a community conversation about Court Square was timely, and the General Assembly shift that began with the

legislative session that day, as well as comments by the Governor that indicate that local control over monuments and memorials was something they were looking to happen that session, creates an opportunity for the County to have a focus period to consider what works and is authentic for Albemarle County.

Ms. Kilroy said the property is an important public space that has had things added to it over time, but not in a programmatic or comprehensive way. She said it was an important time to ask themselves and the community what is important to them, and what they want the space to say about them. She said there is a proposed framework for spending the first half of 2020 providing spaces and places for community members to participate, to learn about, explore, and share their viewpoints on how to frame this prominent public space. She said people can participate in one or more events, as their time and interest allow.

Ms. Kilroy said the first piece of this is the Courthouse Square Educational Tours, as this allows one to learn in context and consider the Court Square space in a way in which passers-by and frequent visitors can stop and think about the context of the entire space and the items there. She said the tours would be led by subject matter experts through a combination of an outdoor walking tour and lecture time about understanding how that space came to be.

Ms. Kilroy said the next piece of that would be some listening sessions hosted in multiple locations that will give community members an opportunity to speak with County staff about how they feel about the spaces, what is being memorialized, why, and how. She invited Board members to participate in those, noting that staff would help facilitate those sessions.

Ms. Kilroy said there would then be a series of community conversations that would be hosted by community partners. She said this will get staff to different places in the community and allow different voices share in the conversations, which would be in a panel discussion format with a Q&A to follow, as well as time following the Q&A to react and facilitate discussions.

Ms. Kilroy said the fourth piece of this was the work group that Ms. Russell had spoken about earlier. She said the group's broad representation of the community serves as a strong base to develop some options about how they might look at using Court Square differently as a public space.

Ms. Kilroy said to supplement the group during the process, they would invite representatives from the Historic Society, Historic Preservation Committee, Daughters of the Confederacy, Montpelier, Monticello, Highland, Virginia Foundation for the Humanities, as well as experts in art history, cultural landscapes, and placemaking, to study the issue, to participate in the community engagement opportunities, and to develop some options for what they may look at doing, moving forward, at the Court Square property. She said ultimately, they would be looking at having those options developed in late spring.

Ms. Russell said OEI was seeking feedback from the Board on this proposed process.

Ms. Mallek said she was thrilled that OEI was thinking about a process now because even if they are not ready on July 1, 2020, when some change might be effective, they were well on their way to at least having a process that people can have confidence in and know that they are going to be heard. She said this will help to have great conversations with the community and help make the county stronger.

Ms. McKeel said she didn't have anything to suggest at that time and that it looked like a great plan. She agreed that it was a good idea to get started on it.

Ms. Palmer agreed with everyone that it was a good time to get started. She asked if there was any indication that additional staff would need to be hired to do this work, or if it could all be done with existing staff.

Ms. Russell replied that they did not foresee the need for additional staff and that they felt confident that the current staff was sufficient.

Ms. Kilroy added that there was a great crowd of community partners that will help them.

Mr. Gallaway noted that there was support for the outlined process.

Ms. Price **moved** to adopt the attached resolution (Attachment A) reaffirming the Board's commitment to an equitable and inclusive community.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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### **Resolution in Support of an Equitable and Inclusive Community**

**WHEREAS**, Albemarle County's stated mission is to enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use

of public funds; and

**WHEREAS**, Albemarle County recognizes that though we have achieved great success in facilitating a community nationally recognized for its vibrancy, scenic beauty, engaged citizenry, and rich cultural, historic, and natural resources, disparities do exist; and

**WHEREAS**, we define equity as all community members having access to community conditions and opportunities needed to reach their full potential and to experience optimal well-being and quality of life; and

**WHEREAS**, the Board of Supervisors seeks to ensure that the actions, policies, and processes of Albemarle County are reflective of our ongoing commitment to support an equitable and inclusive community; and

**WHEREAS**, the Board of Supervisors is committed to continuing to engage in a learning dialogue with County residents and our many community partners that is characterized by mutual growth and respect, research and data, authentic engagement, and shared understanding; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors do hereby reaffirm our commitment to our stated mission to enhance the well-being and quality of life of all the members of our community, and to supporting through our actions and our partnerships the promotion of an equitable and inclusive Albemarle County.

Signed this 8th day of January 2020

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Agenda Item No. 18. Closed Meeting.

At 6:09 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: under Subsection (1):

1. To discuss and consider appointments of Supervisors as members or liaisons to various County authorities, boards, and other public bodies, including the Albemarle Broadband Authority, the Charlottesville-Albemarle Convention and Visitors' Bureau Executive Committee, and the Metropolitan Planning Organization; and
2. To discuss and consider appointments of citizens to various County authorities, boards, and other public bodies, including the Albemarle Broadband Authority, the Economic Development Authority, the Planning Commission, and the Board of Equalization.

The motion was **seconded** by Ms. Palmer.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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Agenda Item No. 19. Certify Closed Meeting.

At 7:49 p.m., Ms. LaPisto-Kirtley **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: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

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Agenda Item No. 20. Boards and Commissions:

Item No. 20.a. Board Member Committee Appointments.

Ms. Price **moved** that the Board make the following Board Committee appointments for 2020:

Ned Gallaway:

- Audit Committee with said term to expire December 31, 2020.
- Darden Towe Park Memorial Committee with said term to expire December 31, 2020.
- Places 29 (Rio) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Regional Transit Partnership with said term to expire December 31, 2020.
- Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2021.

Bea LaPisto-Kirtley:

- Capital Improvement Plan (CIP) Committee with said term to expire December 31, 2020.
- Darden Towe Park Memorial Committee with said term to expire December 31, 2020.
- Pantops Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Places 29 (North) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Rivanna River Basin Commission with said term to expire December 31, 2021.

Ann Mallek:

- Agricultural and Forestal Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Charlottesville-Albemarle Convention and Visitor's Bureau (Executive Committee), with said term to expire December 31, 2020
- Crozet Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- High Growth Coalition with said term to expire December 31, 2020.
- Historic Preservation Committee, Board liaison, with said term to expire December 31, 2020.
- Metropolitan Planning Organization (MPO): with said term to expire December 31, 2021.
- Piedmont Workforce Network Council (designee in absence of Chair) with said term to expire December 31, 2020.
- Rivanna River Basin Commission with said term to expire December 31, 2021.
- Workforce Investment Board, Board Liaison, with said term to expire December 31, 2020

Diantha McKeel:

- Charlottesville-Albemarle Convention and Visitor's Bureau (Executive Committee), with said term to expire December 31, 2020.
- Economic Development Authority, Board Liaison, with said term to expire December 31, 2020.
- Places 29 (Hydraulic) Community Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Police Department Citizens Advisory Committee, Board liaison, with said term to expire December 31, 2020.
- Regional Housing Partnership - Designee for Executive Committee with said term to expire December 31, 2020.
- Regional Transit Partnership with said term to expire December 31, 2020.

Liz Palmer:

- 5<sup>th</sup> and Avon Community Advisory Committee with said term to expire December 31, 2020.
- Acquisitions of Conservation Easement (ACE) Committee with said term to expire December 31, 2020.
- Audit Committee with said term to expire December 31, 2020.
- Solid Waste Alternatives Advisory Committee (SWAAC) with said term to expire December 31, 2021.

Donna Price:

- 5<sup>th</sup> and Avon Community Advisory Committee with said term to expire December 31, 2020.
- Albemarle Broadband Authority said term to expire December 31, 2023.
- Capital Improvement Plan (CIP) Advisory Committee with said term to expire December 31, 2020.
- Hazardous Materials Local Emergency Planning Committee with said term to expire December 31, 2020.
- Solid Waste Alternatives Advisory Committee (SWAAC) with said term to expire December 31, 2020.
- Thomas Jefferson Planning District Commission (TJPDC) with said term to expire December 31, 2021.
- TJPDC Rural Transportation Advisory Council with said term to expire December 31, 2021.
- Village of Rivanna Community Advisory Council, Board Liaison, with said term to expire December 31, 2020.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Item No. 20.b. Vacancies and Appointments.

Ms. Price **moved** that the Board make the following appointments:

- **appoint** Mr. Leo Mallek to the Acquisition of Conservation Easement (ACE) Committee, with said term to expire August 1, 2022.



- **appoint** Mr. Trevor Henry to the Albemarle Broadband Authority, to fill an unexpired term ending June 7, 2021.
- **appoint** Mr. John P. Moore to the Albemarle Conservation Easement Authority (ACEA), with said term to expire December 13, 2022.
- **reappoint** Mr. Richard C. Armstrong as the Scottsville District representative and Mr. Clarence Roberts as the Rivanna District representative to the Albemarle County Service Authority, with said terms to expire December 31, 2023.
- **appoint** Mr. John W. Parcels to the Albemarle County Service Authority (ACSA), as the White Hall District representative, with said term to expire December 31, 2023.
- **reappoint** Ms. Jennie More to the Social Services Advisory Board as the White Hall District representative, with said term to expire December 31, 2023.
- **appoint** Ms. Rachael G. Juhan to the Social Services Advisory Board as the Scottsville District representative, with said term to expire December 31, 2023.
- **reappoint** Mr. James E. Atkinson to the Economic Development Authority, as the Samuel Miller District representative with said term to expire January 19, 2024.
- **appoint** Mr. Stuart Munson to the Economic Development Authority, as the Scottsville District representative with said term to expire January 19, 2024.
- **reappoint** Mr. Anthony Arsali as the Rivanna District representative, Ms. Karen Pape as the Jack Jouett District representative, and Mr. David van Roijen as the Samuel Miller District representative to the Equalization Board, with said terms to expire December 31, 2020.
- **reappoint** Ms. Christi Sheffield and Mr. Robert E. Bremer to the Piedmont Family YMCA Board of Directors with said terms to expire January 31, 2022.
- **reappoint** Mr. Luis Carrazana as the University of Virginia's representative on the Albemarle County Planning Commission with said term to run from January 1, 2020 through December 31, 2020.
- **appoint** Mr. R. Corey Clayborne as the Rivanna District representative and Mr. Rick Randolph as the Scottsville District representative to the Planning Commission as with said terms to expire December 31, 2023.
- **reappoint** Ms. Jennie More as the White Hall District representative on the Albemarle County Planning Commission with said term to run from January 1, 2020 through December 31, 2023.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price  
NAYS: None

Ms. Price **moved** that the Board **reappoint** Mr. J. Timothy Keller as the at-large representative on the Albemarle County Planning Commission with said term to run from January 1, 2020 through December 31, 2021. Ms. Palmer **seconded** the motion.

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

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. Palmer, and Ms. Price  
NAYS: Ms. McKeel

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Agenda Item No. 21. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Andrew King (Charlottesville citizen) said he had a property in the County. He said his question had to do with Second Amendment sanctuaries and why Albemarle County hadn't officially taken a stance on it. He said the County holds Thomas Jefferson in such high regard and that he believed Jefferson would have wanted them to fight for someone's rights.

Mr. King said he discovered that Virginia Beach, where there was a major shooting, even deems itself a Second Amendment sanctuary. He suggested perhaps the County should take a stance on this and become a Second Amendment sanctuary as well.

Mr. Thomas Sikes (White Hall District) thanked the newly-elected members of the Board. He said he realized that something they swore into was the Constitution of the United States and that of the State of Virginia, both of which support Second Amendment rights. He said having been a member of the military for 22 years, living in Virginia since 1960, and in Albemarle County since 1992 while being a gun owner and someone with a concealed carry permit, he wondered why Albemarle County has not signed up to be a sanctuary.

Mr. Sikes said he looks at the news every day and sees the actions the Governor is taking, as well as what he proposes to take, such as the reduction in clip size and the registration of all guns in the State. He said he found this to be onerous and tyrannical, and not within the Constitution of the U.S. or Virginia. He said Virginia is a state that was founded on rights, hunting, and gun ownership.

Mr. Sikes said that even the police would readily admit that they cannot defend a person's life. He said he was once threatened with a hatchet in his own front yard. He said the police will come and investigate someone's death, but they cannot defend them against a perpetrator. He said it is up to an individual, homeowner, and family man to protect one's home, family, and life. He said if the State removes the ability of the individual citizen to do that, they are onerous and have to own up to violating

the Constitution of the U.S. and Virginia.

Mr. Sikes said no police officer in his right mind would go out on patrol without their weapon. He said those officers would first turn in their shields.

Mr. Sikes implored the Board to make Albemarle a sanctuary county. He acknowledged that it was a symbolic measure, but that he wanted the Board to send a message to Richmond.

Mr. Gallaway closed Matters from the Public.

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

Ms. LaPisto-Kirtley departed the meeting at 7:58 p.m.

Ms. Palmer said that given the situation with Champion Brewery on the reservoir, she would at some point like to have a discussion and bring new Board members up to date on the legal aspects of it, as well as have a discussion that 95% of the county is zoned Rural Area. She said they could therefore experience these problems in other areas of the county, and that perhaps the Board should have a discussion to determine if there is anything they want to do about it and options going forward, whether they are legislative or zoning options.

Ms. McKeel asked if she was referring to the reservoir piece.

Ms. Palmer said that because this particular example was on the Reservoir it brought it to their attention that with the State law as it is, a brewery can go anywhere zoned Rural Area, despite whether or not the County likes this. She said she wondered if there was something the Board should be discussing, noting that she didn't know what the answer was. She said she wanted to make sure everyone was up to date on the law, what the issues are, and determine what they should be doing about this.

Ms. McKeel said this was a good idea. She said another thing the Board has never gotten back to was beginning Phase II of Agricultural Operations (AgOps), which would come back to haunt them at some point. She said that while these were two separate issues, they are connected in a way, and that discussing both would be a good idea.

Ms. Palmer said she didn't know where Phase II was on the Board's work plan.

Ms. McKeel said they were concerned at the time with the work plan, and so it was put off. She said it would be a good idea to bring the two new Board members up to date on this.

Mr. Kamptner said he would check in with Community Development on Phase II. He said this would be a good opportunity to bring everyone up to date on the Phase II of the AgOps Zoning Text Amendment as well as to give the new Supervisors background on and rules around farm wineries, breweries, and distilleries. He suggested this being tied into the Board looking at its 2021 legislative priorities, if anything comes out of those discussions.

Ms. McKeel said information about the Equal Taxing Authority had been sent by Ms. Mallek and that it would be coming to the Board next meeting.

Ms. Price said the next morning, she would be starting the first of her Continuous Constituent Communications at Baines Bookstore and Coffee in Downtown Scottsville at 7:30 a.m.

Ms. Mallek said a couple times during the equity discussion, the term "Massive Resistance" was brought up. She suggested Mr. Richardson reach out to Superintendent Haas, as she had spoken to him about this about six months before the signs were made at the schools where the integration memorial signs were made. She said they called it the wrong thing -- "Passive Resistance" -- on the draft, which she had pointed out to Mr. Haas, but that they didn't correct it. She expressed that it was an embarrassment, and that several people had sent her pictures of the signs and expressing their disapproval. She said she pointed this out to the School Board when it was uncovered at Greenwood, but that it has not been changed, and that she was embarrassed by it.

Ms. Mallek said she often hears from constituents in the White Hall District that speeding is the number one safety and quality of life issue that people are concerned about. She said judging by the accidents the day before, many of them were caused by people going too fast in the snow.

Ms. Mallek said she talked to legislators about this, and asked the Board to continue thinking about it because perhaps in the next year, they could make some headway with getting the authority to have speed cameras that can send tickets as they do in D.C., Maryland, and about 30 other states, to great success. She said there is no way that the County can hire enough police officers to catch those thousands of people who are putting everyone at risk by speeding. She acknowledged that it was highly unlikely to succeed in the State legislature, but said it was still worth a try.

Ms. Palmer asked how this would work on a rural road and where the cameras would be placed.

Ms. Mallek replied that it would be similar to the signs that they have now, but they would add a

camera that would capture an image of the license plate. She said during the red-light camera discussions many years ago, people complained because perhaps they were not driving when the incident occurred. She countered that if it is their vehicle, they are responsible for whoever they let drive their vehicle.

Ms. McKeel said it may be a good time to talk about this. She agreed that not only could they not afford the police they would need, but that the police would say there is no way they can stop them. She said it is almost impossible to take chase on the rural roads and that it is very difficult to pull over.

Ms. Price said Virginia Beach implemented the red-light cameras a number of years earlier, and that she believed it was instrumental in reducing the incidents of traffic accidents at some of the busiest intersections. She said there was no reason that similar technology couldn't be used in other settings.

Ms. McKeel said the County had good luck with the red-light cameras at the Rio and Rt 29 intersection, but that they took them out when they put in the great separated interchange, as they no longer needed them. She said they did, however, make a dramatic difference.

Ms. Palmer said it was unbelievable how fast people drive on Garth Road and Owensville Road.

Ms. McKeel said over the years, she has received numerous complaints about motorcycles speeding and closely following people on the rural roads as well.

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

Mr. Richardson presented to the Board the County Executive Monthly Report for the month of January. He said he would be providing these reports at the first meeting of every month, and so the next report would be passed out in the first of February. He said the theme in December had been Economic Development, and that in January, the focus was inside the Project Management Office (PMO). He said there were extra copies available to the Board as well.

Mr. Richardson said there was an open house in December that was attended by many familiar faces from the past, including the retired County Executive Bob Tucker, retired County Attorney Larry Davis, retired Community Development Director Mark Graham, and Ron White (who had also retired last year). He thanked all the Board members who were able to join in the celebration. He said this always takes place the last Friday before Christmas and that it is always well-attended.

Mr. Richardson said the holidays were not just about celebrating but taking time to organize ways to give back. He said across the organization, they raised funds for animals in need, toys that were gifted, and hundreds of pounds of food that they collected and passed back through the community. He said much of this work was done on Saturdays and outside of work hours.

Mr. Richardson said there were thousands of candy canes distributed by the Public Safety agencies throughout the community via Santa Runs. He said in addition to spreading holiday cheer, those moments built positive interactions between County staff and the Albemarle community.

Mr. Richardson said December was also a time where there was focus on the County website project, with the content creation phase kicking off. He said in the fall, they held a series of content strategy sessions and worked the page count down from 20,000 pages on the current site to 400 pages planned for the new site. He said that while they expect the number to grow as they get deeper into writing content, this will make the future site much more searchable and easier to navigate for users.

Mr. Richardson said December kicked off the content writing period, which will run through February. He said the web editor team has received more than eight hours of training on writing for the web and on the new style guide to help with a consistent voice, look, and experience across the departments. He said CAPE is also offering sessions three times a week (at McIntire and at 5th Street) so that staff can come and receive help as they write and create content. He said as of December 31, they had 60 pages, and that they were moving along with the project with the help of the PMO. He said they are on time and will be rolling out the website next summer.

Mr. Richardson said they highlighted the PMO in the monthly report. He said the website project is one example of the power and discipline of Project Management. He said Project Management ensures that the right resources are aligned to support the right work. He said 18 months earlier, the PMO was moved into the County Executive's department and that this raised the level of awareness to the organizational ability and skills to scope, plan, and execute project on time and under budget.

Mr. Richardson said the written County Executive report focuses on the work of PMO. He said it listed some of the things they are doing for the organization to improve it every day.

Ms. McKeel said she would be interested to know if any of the Board members were interested in discussing and taking a position on Governor Northam's initiative to eliminate car inspections. She said Police Chief Lance is extremely upset and that he was hoping that the police and sheriffs state-wide would take a position. She asked if this could be put on the agenda soon in order to take a position, as she was very concerned.

Many of the Board members expressed agreement.

Ms. Mallek asked if Chief Lance could help them write something.

Ms. McKeel replied that they may want to invite him to the Board's discussion. She said she knew that the police are very concerned. She said it is appalling what is seen in states that have done away with inspections.

Ms. Palmer said she read the article but that she didn't get the specifics on what the bill says and if there was any reason other to save money.

Ms. Mallek said it was to offset costs because the gas tax was going up. She expressed her discontent about the proposal.

Ms. Price said that with the statistical data on percentage of vehicles that had mechanical issues (predominantly around brakes), it was terrifying to think about eliminating safety inspections.

Ms. Mallek said there are thousands of defects and that every one of them will be someone's child who is killed. She said out of 5 million people in Virginia, she didn't care about whether it was 1,000 or 100 defective vehicles because those vehicles should be removed from the road.

Ms. McKeel said she wondered if there has been a lot of pushback from people in the state because they are frustrated that often, when someone takes their car in to be inspected, they end up with bills for lots of things. She said her thought was that if the process is not working, and if there are bad actors, they should take care of those but not take away the inspections.

Ms. Palmer agreed, noting that even if an auto shop gives someone a list of things that they could do to their car, anyone can simply ask for the things that are needed to pass inspection.

Mr. Gallaway said perhaps they could get more information together and that a Board member could introduce it.

Ms. Mallek asked if it would be possible to get something together to carry before February 6 when she would be visiting the state legislature.

Mr. Kamptner said the first meeting in February will be February 5.

Ms. Mallek said if they could get some text together to adopt a resolution on February 5, they could take it to Richmond the next day when the Governor would be there.

Ms. McKeel said Chief Lance would be attending that committee meeting and that perhaps he could help.

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Agenda Item No. 24. Closed Meeting. (if needed)

There was no further discussion needed so this Closed Meeting was not held.

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Agenda Item No. 25. Adjourn to January 15, 2020, 1:00 p.m., Lane Auditorium

At 8:17 p.m. Mr. Gallaway adjourned the Board meeting to January 15, 2019 at 1:00 p.m., in Lane Auditorium.

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Chair

Approved by Board
Date 07/01/2020
Initials CKB